

The Effect of Industrial Action by Municipal Employees on Service Delivery: A Case of Greater Letaba Municipality, Limpopo Province

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Abstract: Employees all over the world engage in the industrial action to demonstrate dissatisfaction with organisations, mostly on disagreements about basic conditions of employment. Section 23 of the Constitution of the Republic of South Africa guarantees workers the right to petition, strike or demonstrate provided that it is within the confines of the law. A qualitative research study conducted in Greater Letaba Municipality (GLM) exposes paradigm of industrial action-service delivery lag effect. Analysis and interpretation of both literature and interview collected data revealed the paradigm has multiple consequential effects. The findings show these consequential effects moving from industrial actions and along gradual effects of service delivery lag, unsustainable spending-underspending split over, unrecoverable service delivery gap, leading into continuous community protests, social unrest and potential fully-fledged social revolt. In summary and conclusion, the study proclaims paradigm of industrial action-service delivery lag effect placing GLM as a threatened public entity against its constitutional existence rights. Implicit and explicit study significance unravels potential service delivery extinction; constitutional entity existence idealism, and academic research scope limits extension within public service delivery field. The study recommends for organisational strategies and management principles of adhocracy, special capacity building, restructuring and rationalisation, mitigation and contingency special budgetary allowances, culturing adherence to policy based operations and stakeholder management principles.

Keywords: Industrial action, Service delivery effect, Stakeholder policy decision making

1. Introduction

Since 1994, the South African government has shown a sustained commitment to provide its employees and those of the private sector with universally accepted basic conditions of employment in order to redress the workplace inequalities of the past. The government acknowledged post 1994 that whenever employee and employer relations exist, there should be a contract of employment. To effect such a contract, the breakthrough came in 1995 when parliament passed the Labour Relations Act 67 of 1995 in an attempt to address the inequalities of the apartheid government.

Furthermore, in 1997 parliament passed Basic Conditions of Employment Act 75 of 1997. This Act regulates issues such as work hours, remuneration and job description to further minimise employment relations problems. Yet despite the passing of the two Acts, industrial actions still persisted around the country and are mostly about the basic conditions of employment. This has resulted in minimal or no

service delivery at all in affected municipalities. The Department of Labour's Annual Industrial Action report of 2015 stated that the municipal workers countrywide went on a strike because of a labour dispute in relation to salary increment and wage gap as their main disagreement. The report further expressed that service delivery across South Africa, in particular municipalities including metros, were affected.

On the 13th January 2016, the Democratic Alliance (DA) wrote to the Member of Executive Council (MEC) responsible for Local Government in Limpopo seeking her intervention on non-payment of overtime to Greater Letaba employees, also indicating how the then "go slow" strike was affecting services such as water and electricity supply. The community of Greater Letaba heavily relies on the municipality for the provision of services such as water and electricity supply. This study, as such, investigated the effect of industrial action by municipal employees on service delivery in Greater Letaba Municipality (GLM). The effects are conceptualised as the paradigm of

industrial action-service delivery lag. The paradigm forms basis of the major significances of the study to prevent violence; encourage peaceful protests; highlight industrial action-service delivery lag effect; caution municipality constitutional existence idealism and mostly academically extend the limits to scientific research scope within public service delivery field. This study therefore introduces stakeholder policy decision making engagement principles (StaPolDeMEP) as leadership and management model that would curb off industrial action-service delivery lag effect within municipalities. The study had a conclusive idealism that sequential effects of the paradigm of industrial action-service delivery lag are consequentially placing on threat to GLM constitutional right to exist.

2. Literature Review

Industrial action is caused by a clash between employees and employers mainly on wage demands, working conditions, management of policies, political goals, and other social issues (Salamon, 2000:46). Lockouts, pickets and strikes are the overt forms of industrial actions. Fashoyin (2010:17) defines industrial action as enduring power struggle between workers and employers. When workers get disenchanted about their service and the organisation can longer assert the quality of workers' performance, then there is the existence of emotional hazards in their interests. This situation flames industrial crises because each party may tend to work to undo the other as against the traditional work relation of mutual benefits. An industrial crisis could be internal between an organisation and its unions or external between the association of employers and the national bodies of the unions (Otobo, 2000:46). Manamela and Budeli (2013:308) allude that employees' right to industrial action is an essential component of their right to freedom of association, and one of the weapons used by trade unions when collective bargaining fails. They further assert that strike action is the most visible form of collective action during labour disputes, and is often seen as the last resort of workers' organisations in pursuit of their demands.

According to Barker and Holtzhausen (1997:47), the term "industrial action" means action by unions, employees or employers to pressurise the other party in the furtherance of an industrial dispute. They go on to state that "industrial action usually refers to strikes and lock-outs but could also include picketing, product boycotts, sit-ins, go-slow strikes

and other actions which disrupt the productive process". The different types of industrial actions will be explained in detail below and the focus will be given to the mentioned types:

2.1 Strikes

A strike is precisely defined in Section 213 of South Africa's Labour Relations Act 66 of 1995 as "the partial or complete concerted refusal to work, or the retardation or obstruction of work, by persons who are or have been employed by the same employer or by different employers, for the purpose of remedying a grievance or resolving a dispute in respect of any matter of mutual interest between employer and employee, and every reference to 'work' in this definition includes overtime work, whether it is voluntary or compulsory".

2.2 Go-Slow

The term "go-slow" refers to a case where workers collectively work slowly in order to put pressure on their employer to agree to their demands (Barker & Holtzhausen, 2001:95). This kind of industrial action has a negative influence on service delivery or production in the context of the private sector. Employees use this method to bring their grievances to the attention of the employer.

2.3 Picketing

Picketing is a procession organised by trade unions where employees demonstrate about grievances in a peaceful manner. Picketing is not defined in the South African Labour Act. However, Barker and Holtzhausen (2001:98) describe picketing as "action by employees or other persons to publicise the existence of a labour dispute by patrolling or standing outside or near the location where the dispute is taking place, usually with placards indicating the nature of the dispute".

2.4 Lock-Out

A lock-out is defined in Section 213 of South Africa's Labour Relations Act 66 of 1995 as "the exclusion by an employer of employees, from the employer's workplace for compelling the employees to accept a demand in respect of any matter of mutual interest between employer and employee, whether the employer breaches those employees' contracts of employment during or for exclusion".

3. Global Perspective on Industrial Actions

Industrial action is accepted worldwide as an integral part of collective bargaining (Hardy & Howe, 2009:36). In many countries, the right to industrial action is provided for in statutory law while in some others it is even entrenched in their Constitutions. In those countries where such rights to industrial actions are provided for, it is usually accepted that such rights may be exercised subject to certain procedural restrictions.

Many scholars across the world have attempted to determine the factors as noted by Beardwell and Claydon (2004:15) that give rise to a high number of industrial actions, the causes of industrial actions and its effects on economic, political and social developments. The current studies of industrial actions are dominated by attempts of scholars to explain the prevalence of industrial conflicts in sectors and countries (Blyton & Turnbull, 1998:28). In the United States America (USA) workers are not penalised for engaging in industrial actions, while the employers are given the right to maintain production during a strike and may hire permanent replacement workers (Clawson & Clawson, 1999:99). The USA's legal system is uniquely unfavourable for organisation and industrial actions and thus has an impact on the level of industrial actions activities.

Industrial action in the United Kingdom is more circumscribed by legislation than in any other country in the Western world. A raft of restrictions has been enacted which makes it easy to fall foul of the law and employers are often only too willing to take government to court. There is no legal right to strike in the United Kingdom, but there is limited protection for individuals, from unfair dismissal and the right to associate, in the European Convention on Human Rights (Gall, 2012:668).

Several approaches have been developed to account for differences in industrial actions activities across countries, some studies have focused on industrial relation systems of concerned countries, while others looked at the economic, social and technological achievements in which such systems are operating, and attempted to explain the observed variations in the level of industrial actions. Blyton and Turnbull (1998:62) have counted numbers of factors involved in different levels of industrial actions in different geographical areas. Factors

include, unions and its density, collective bargaining and its nature and structure, working environment of the workforce and the most important one is the state and the government, all these factors are playing important role in various strikes activities across the countries.

4. The Context of Industrial Actions in South Africa

South Africa is described as an upper-middle income developing country struggling to emerge from the institutional and socio-economic shadows cast by apartheid (Coetzee & Woolfrey, 2012:1). Along with the rapid expansion of the economy and workforce, the country experienced numerous challenges relating to industrial actions. Some of the challenges that have continued long after the apartheid era are income inequalities, poor living conditions experienced by people in rural areas, people living with labour-related problems, elevated levels of poverty, and unemployment. Historically public servants could not engage in industrial action in South Africa, until the Labour Relations Act 66 of 1995 (LRA) was passed. However, unlike in other constitutional jurisdictions in the world, the right to strike in South Africa has numerous limitations. These include the existence of a binding collective agreement or arbitration award that prohibits a strike in respect of the issue in dispute, and a prohibition on striking for conflicts of rights, as distinct from conflicts of interests. The legal effect of collective agreement is set out in Section 23 of the Government Gazette (1995:20) which states that a collective agreement binds for the whole period of the collective agreement, every person, employer, whether or not that person continues to be a member of the registered trade union or registered employer's organization for the duration of the collective agreement.

The following are some of the legal prescripts governing industrial actions in South Africa:

4.1 The Constitution of the Republic of South Africa

The Constitution of the Republic of South Africa (1996) promotes the right of workers to strike, though it does not explicitly use the industrial action wording. The right to strike is not only recognised in the domestic or national laws of countries, but also by international law, as fundamental to the protection

of workers' rights and interests. Chapter 2 of the Constitution (1996) contains several provisions of relevance to employment and labour laws. These include protection against servitude, forced labour and discrimination, the right to pursue a livelihood, and protection for children against exploitative labour practices and work that is hazardous to workers' health and wellbeing.

4.2 Labour Relations Act 67 of 1995 (LRA)

The Labour Relations Act (LRA) was enacted with intention to bring labour law into conformity with the Constitution and with international law. It recognises and regulates the rights of workers to organise and join trade unions, and the right to strike. It guarantees trade union representatives access to the workplace and regulates the right of employers to lock workers out in certain situations. It also facilitates collective bargaining and makes provision for bargaining councils.

In terms of sec 64(1) of the LRA, a strike is deemed to be protected if the issue in dispute has been referred to a council or the Commission for Conciliation mediation and Arbitration (CCMA) and a certificate stating that the dispute remains unresolved for a period of 30 days or any extension of that period agreed upon between the parties has lapsed since the matter was so referred. Thereafter, at least 48 hours' notice of the intention to commence strike action must be given to the employer in writing – unless the State is the employer, in which case at least 7 days' notice of the intention to commence strike action must be given. In *BAWU and Others v Prestige Hotels CC t/a Blue Waters Hotel* (1993) 14 ILJ 963 (LAC), it was held that by definition a lawful strike is functional to collective bargaining. The parties are forced to take negotiations seriously by the fear that if settlement is not reached either of the parties might exercise their right to inflict economic harm on the other.

Section 213 of the LRA defines a strike as "the partial or complete concerted refusal to work, or the retardation or obstruction of work by persons who are or who have been employed by the same employer or by different employers, for the purpose of remedying a grievance or resolving a dispute in respect of any matter of mutual interest between the employer and the employee. Section 64(1) of the LRA provides that every employee has the right to strike and every employer has the right to lock-out.

Olivier (Managing Employment Relations in South Africa, 2005) submits that were the right to bargain collectively not so well protected, the right to freedom of association would be fruitless.

4.3 The Basic Conditions of Employment Act 75 of 1997

The Basic Conditions of Employment Act 75 was passed in 1997 to give effect to the right to fair labour practice referred to in section 23(1) of the Constitution. The objective and aim of this Act is to regulate basic conditions of employment and thereby making South Africa to comply with the International Labour Organisation (ILO) as a member state.

According to the website of South Africa's Department of Labour, the act regulates working hours, sets laws on overtime and working on holidays, leaves and employment contract terminations. The Act further regulates labour practices and sets out the rights and duties of employees and employers thereby ensuring social justice through basic standards for employment about conditions of employment.

5. Approach of the Courts on Industrial Actions

In at least two cases of the Constitutional Court of South Africa, namely *Re Certification of the Constitution of the Republic of South Africa* and *National Union of Metal Workers of South Africa v Bader BOP (Pty) Ltd and Minister of Labour* (2002), the importance of the right to industrial actions was particularly emphasised. In both cases the Constitutional Court held that it is through industrial action that workers can assert their bargaining power in employment relationship (Manamela & Budeli, 2013:46).

In *re Certification of the Constitution of the Republic of South Africa* the Constitutional Court understood the right to industrial action to be an essential component of collective bargaining. It described collective bargaining as including a right on the part of those who engage in collective bargaining to exercise economic power against their adversaries (Manamela & Budeli, 2013:46).

6. The Causes of Industrial Action in South Africa

The reasons for industrial action vary from sector to sector. Salaries and other forms of compensation

Table 1: Causes of Industrial Action in South Africa and Number of Days Lost

Causes of Industrial Action	Number of Days Lost
Wages, bonus and other compensation	777 874
Disciplinary matters	4 748
Grievances	50 882
Refusal to bargain	21 351
Working conditions	60 747
Trade union recognition	16 462
Socio-economic and political conditions	38 280

Source: Annual Industrial Action report (2017)

were the main reasons (Table 1 above) behind approximately 82 percent of the industrial action in 2017. Other reasons for industrial action during 2017 included protests against poor working conditions, inadequate staff, shift work, lack of consultation on decisions which affect employees made by management of organisations, and employee grading. Industrial action causes ripple effects across other sectors. Industrial action impacted on the Post Office, universities, automobile industry, airports, hospitals and municipalities to name a few, where services and deliveries were either disrupted or halted. Table 1 provides the top seven causes of industrial action identified through the Annual Industrial Action Report (2017), and the resultant number of days lost.

Brand (2013:418) lists several issues which, in his view, contributed to the cause of industrial actions, as they had not been addressed for an extended period. These were, working conditions that were not improving, living conditions which were deteriorating, and perceptions that union leadership was corrupt. Brand (2013:430) identifies several aggravating factors which amongst others include the wage gap and increases, working conditions and politicised unions in South Africa. The unions represent workers at a bargaining point where wages and basic conditions of employment are negotiated. There is a substantial amount of diversity in the SA bargaining system across industries and across firms. Wage bargaining takes place at two levels in SA. At the centralised level, wages are set in bargaining council agreements, which cover specific industries, occupations and areas (either the whole country, or a province or city) (Azam & Rospabe, 2007:54). Therefore, intuitively, failure of the bargaining process at centralised level will have a devastating effect on service delivery and ultimately affect the citizens.

7. The Prevalence of Industrial Actions in South African Local Municipalities

From 1994 when the South African new political dispensation came into being, the government of the day has shown success in its attempt to deliver services by providing more services to more people, thereby ensuring equity in service delivery. In spite of the above, however, there are areas where government lacks capacity to deliver and sustain quality services. Many weaknesses within certain service delivery institutions, sector departments and across geographical areas have been witnessed. Whilst all of the support programmes have assisted in specific ways, it is still clear that a number of stubborn service deliveries and governance problems have been identified in municipalities over a number of years, including the industrial.

Local government is the sphere of government situated at the grassroots mainly entrusted with provision of municipal service delivery. Local government is situated at the make or break point where municipal service delivery protests are prevalent. It therefore should be noted that the welfare of the society is made better or worse at local government sphere (Botes, Brynard, Fourie & Roux, 1992:223). The achievement of the goals of the government of the day depends mostly on the capacity Local Government has to carry out its functions (Botes *et al.*, 1992:224). It is on this basis that mechanisms to ensure that municipalities perform their duties have been clearly outlined in the Constitution of the Republic of South Africa (1996).

Conflicts in the municipalities in South Africa mainly stem from recruitment, appointment and organograms. Political interference has been reported, councillors in recruitment and the poor relations between labour and management have been cited

as resulting in the flouting of procedures and policies for sound human resource practices e.g. in Mpumalanga. Unions at Mngquma in the Eastern Cape also raised the recruitment of the majority of the work force by councillors. Claims were made that the organised labour has nepotism and favouritism resulting in erratic appointments and promotions. Cases have been cited where posts are filled without being advertised; people are appointed in posts that they don't qualify. The Public Service Commission proposed in their submission on the Policy Review on Provincial and Local Government that the employment contracts of senior managers including the municipal manager should be longer than 5 years to ensure security of tenure.

The National Treasury in its report in 2008 indicated that 28% of municipal employees are appointed to non-existent positions, which is not reflected on the municipality's organisational structure. The sizes of municipalities, as noted by the National Treasury Budget Employee salaries and benefits are not standardised in some cases. While disparities in salaries are due to amalgamations of municipalities in some cases, salary disparities amongst employees of similar ranks are reported to be common in many municipalities. The wide variations in the salary scales of employees in similar review are hard to justify. The non-implementation of the wage curve and the grading of municipalities which are overrated and results in raising expectations of salaries, have been identified as critical issues informing labour action in some municipalities.

Other labour force issues identified in many municipalities include what is perceived by organised labour as unilateral outsourcing, the use of outside lawyers in disciplinary cases, the prolonged contracts of temporary workers and the inflation of the labour force of municipalities with general workers, which are neither properly qualified nor properly utilised in the municipality.

8. The Effect of Industrial Actions on the Local Municipalities

While the causes of the industrial strikes are understood, the problem is that the impact of these strikes on service delivery and on the economy at large is neither known nor understood. The research has been carried out in Canada and the USA by Nelson, Amoaka-Adu & Smith (1994:155) to assess

the impact of strikes on various macroeconomic factors, there is also abundance of study conducted in SA. Three measures are used to measure the intensity of a strike:

- The number of industrial disputes;
- The number of workers involved; and
- The proportion of working days lost due to strikes.

SA strikes are generally of short duration, approximately six days on average (Department of Labour Annual reports). Nelson *et al.* (1994:158) find that shorter duration and longer duration strikes have differential impacts on organisations. Strikes that last a few days tend to affect service delivery on a small scale, whereas the prolonged strike affects the capacity of the organisation to function. Organisations involved in longer strikes are probably in a better position to reject union demands and prolong the period of impasse, whereas management may help resolve the labour dispute when it is expected that the effect of the strike on the organisation may be too severe.

Industrial actions by public institutions or government affect business within the vicinity of the area and causes production losses. It is a common cause that if municipal workers cut water and electricity, the surrounding shopping complexes will not be able to operate. Nevertheless, the aftermath of strikes is often long lasting and involves personal and relational costs that may have profound long-term effects on production on commercial businesses and service delivery on households (Krueger, Alan & Mas, 2002:55). Economic research on the consequences of strikes focuses on the volume and quality of production (Krueger *et al.*, 2002:55). Strike actions can be associated with investor sentiments as they present uncertainty and anxiety for risk-averse investors according to the study.

Bendix (2000:248) notes that strike action is never undertaken without a loss to both sides. From a business perspective, the shutting down of a business no doubt spells disaster for everyone concerned. While highlighting the importance of the right to strike in the labour relations context, it is also important to point out that the inconsiderate exercise of the right has remained the major cause of strained employment relationships in South Africa (Koboro, 2014:121).

Workers have, over the past five years from 2013, attempted to heighten the impact of their strikes by using various tactics during industrial action, tactics which have a negative impact on the lives and property of other people. These include the trashing of cities, vandalising property, forming picket lines at supermarkets, and preventing shoppers from doing business with their chosen businesses.

9. The Current Strategies to Curb Industrial Actions at Municipal Level

The task of managing the workplace is made more difficult by the hostility of employers to the institutions of collective bargaining, persisting divisions within the labour movement, and the growing involvement of Congress of South African Trade Union (COSATU) in national politics (Webster, 2013:81) and the formation of South African Federation of Trade Union (SAFTU) in 2017.

Good Labour Relations in Local Government is a legislative imperative that municipalities have to nurture and sustain at all costs. Failure to maintain good labour relations could have a direct impact on the levels and quality of service delivery. If municipal employees embark on endless strikes, this would obviously translate into no delivery of basic services to the communities that so desperately need them. The 2017 State of Local Government Report that was published by the Department of Corporative Government and Traditional Affairs (DCoG) indicates a breakdown of functional labour relationships in many municipalities. Related to this is the poor functionality of Local Labour Forums (LLFs) and the lack of trust between management and organized labour due to the latter's role in reporting cases of alleged corruption and nepotism.

The Local Labour Forums are not functional and in some cases not effectively utilised due to lack of cooperation between organised labour, councillors and senior management. This exacerbates the instability in administration and has a serious impact on service delivery. Due to this non-functionality many labour demands are not addressed and contribute to the mobilisation of labour against management.

The Organisational Rights Collective Agreement which had been agreed in the South African Local Government Bargaining Council (SALGBC) in 2015 which governs the establishment of Local Labour Forums (LLF) is also not consistently implemented

in municipalities. This has led to non-functionality of LLFs in many municipalities across provinces, for example Ba-Phalaborwa Local Municipality in Limpopo, Alfred Nzo District Municipality in the Eastern Cape, Mafikeng Local Municipality in North West, and Hantam Local Municipality in the Northern Cape.

10. Methods and Materials

This study followed a qualitative research approach. The researcher chose the qualitative method, because the study seeks to interpret human actions, institutions and events in order to construct or portray what is being studied in sufficient depth and detail. This approach is appropriate for an investigation into municipal service delivery issues, including community participation, councillor's roles and responsibilities and the municipal capacity to deliver services.

Other researchers often go for the mix of two methods, resulting in the so called mixed method approach. Both qualitative and quantitative methods can be combined and applied together in one research study (Denzin & Lincoln, 2000:52). Cooper and Schindler (2001:82) describe these as triangulation; which is a situation whereby the researcher combines both the qualitative and quantitative methods of research to better the quality of the research and to best answer research questions.

Greater Letaba municipality is made up of 183 villages, of which the vast majority of the villages are scattered throughout the central part of the municipality. The northern part of the municipality that forms part of the Capital City/Headquarters in Modjadjiskloof is predominantly urban. The majority of the villages are far apart from each other and thus present a huge challenge and high cost in providing and maintaining service delivery. The villages are too small to attain economic thresholds required to provide social amenities in a cost effective manner (Greater Letaba Municipality Draft IDP, 2008).

11. Results and Discussions

The author held discussion with carefully selected individuals who have a variety of experiences in the Municipality and in the community in order to answer most questions of service delivery challenges facing residents of Greater Letaba Municipality and to ascertain as to what are the causes of industrial

actions in the Greater Letaba Local Municipality. All twenty interviewees were all given consent letters to sign, and filled in a biographical form. The study used semi-structured interviews.

11.1 Biographical Information

The biographical information probed gender, age, educational level, period of stay.

Gender

Out of the eight participants four were females while four were males. This kind of situation may mean one thing that the issues of service delivery affect both men and women and both have very keen interests in the affairs of the municipality.

Age Grouping

Out of the eight people who have been interviewed, four people were aged thirty years and below, two were aged between thirty to forty, one was between forty to fifty while the other one was fifty to sixty.

Education Level

Five people out of the eight participants have formal education and professional qualifications beyond matric. Out of the five, two have degrees, one has a diploma and two have college certificates. Two other participants have only grade 12 (matric) while the remaining one did not go beyond grade 7, two (2) passed matric with no professional qualifications and the last one did not go beyond grade 7.

Period of Stay

All of the eight participants have been staying in Greater Letaba municipal area for the past twenty years and more. They are all permanent residents of Greater Letaba. Six of the participants are residents from various villages of the municipality, Madumeleng, Sekgosese, Phaphadi, Matshwi, Sekgopo and Matipane while the other two are residents of Kgapanne Township and Modjisdjiskloof town respectively. They come from various directions of the municipality.

11.2 Profile of All Officials Who Participated

The researcher managed to interview seven municipal officials of whom three were not part of management, two were part of management and two union leaders each leading a different union. Out of employees not part of management, they were stationed at finance, technical services, office

of the municipal Speaker and communications. Of the two employees who form part of management, one is from corporate services while the other is director for technical services. Of all eight officials, five are between the ages of forty and fifty, two are between thirty and forty while only one is under thirty years of age. Of eight only 5 employees are unionised and 3 are those not forming part of management and 2 are union leaders while the rest of management are not unionised. They are all responsible for implementation of council resolutions and to implement legal prescripts governing employer/employee relations.

The two union members are from NEHAWU and IMATU respectively. They are both shop stewards. They both possess professional qualifications beyond grade 12.

11.3 Profile of Councillors in the Municipality

The researcher managed to interview two councillors. Both councillors are males and were both elected in 2016 local elections. Is the first time both of them are councillors though the one is a ward councillor and the other Proportional Representation. The one has only grade 12 while the other is a former teacher and has a diploma in teaching. One is between ages of 30 to forty while the other is between 50 and 60.

12. Discussion

The conducted interviews clearly indicate that the community of Greater Letaba for their day-to-day living relies heavily on the services delivered by GLM. Interview data evidence exposes municipality is already under stress in terms of coping with the service delivery demands by the community. The appearance of community protests following GLM employee industrial action and spending failure indicate the dissatisfaction in terms of the level of services that the municipality is providing to the community. The study deduces that when municipal employees use to embark on industrial actions they pioneer the paradigm of industrial-service delivery lag effect, making it deteriorates to worsened situation towards social revolt, as per literature (Bekink, 2006:3; Burger, 2009:1; Dassah, 2012:3; Mankabidi, 2018). According to both interviews and literature undertaken, the social unrest movements that may lead to fully fledged social strikes are caused by factors such as:

According to both literature and participants, the effect of industrial action by municipal employees is far reaching and it impacts economy, labour peace in the municipality and social life of ordinary people in the community. The view is that the premises of the municipality are closed during industrial actions and that is where the municipality is rendering licencing services to the public and business entities around the municipality. The implication is that for that period the municipality is losing an income and spending time which they seriously need because that is the biggest contributor of municipal revenue and responsibilities. Businesses that use transport who wanted to renew their vehicle licences are then jeopardised and that affects their business very badly.

According to both theorists and participants, the municipality relies on water tankers to augment the already stressed and drought-ridden boreholes and dams. They also rely on the municipality for graders during their funerals. According to the responses of the participants, all these services come to a standstill and the community becomes distressed, especially when the industrial action is prolonged.

One other area is the collection of waste. Both theory and interview participants indicate that a health hazard is posed by non-collection of waste. It has been exposed during the interviews that the municipal workers deliberately, as a way of protests, empty the waste bins and scatter the wastes around the street. This poses a very serious health hazard to everyone in the affected environment.

The study thus finds the industrial action putting strain on the employer and employee relations. Findings from the interviews show that employees have an attitude towards the employer management. In fact, the study found that both employer and employees play a blame game against each other. They view each other as enemies and not as colleagues. The management blames the union leaders and the union leaders blame management, showing no mutual and collaborative thinking and decision making. None of both employer and employees wants to take accountability and responsibility, deteriorating the situation to worsened prolonged conflicts.

There was also mention of intimidation and snitching where unions' leaders intimidate other workers who don't want to join the industrial action. The

deductive finding point is that the industrial action causes bad and unhealthy working relationship, leaving the organisation to less accountability, responsibility and value creation in favour of its founding and establishment expectations. It is from such relationship that this study deduced the need to design and execute strategies around policy and stakeholders' decision making.

The strategies are thought to be stakeholder collaborative effort in order to avoid industrial actions and therefore prevent maladministration towards paradigm of industrial action-service delivery lag effect. This qualitative study thus found a conceptual model that, as municipal employees use to embark on industrial actions they pioneer the paradigm of industrial-service delivery lag effect, making organisational performance deteriorates to worsened situation towards social revolt (Bekink, 2006:3; Burger, 2009:1; Dassah, 2012:3; Mankabidi, 2018).

The highlighting finding is, according to both interviews and literature undertaken, that the social unrest movements remain credible to potentially fully fledged social revolt. Thus without an effective strategic intervention the organisation, the GLM in particular will relinquish its founding and establishment responsibility, leading to its closure as per constitutional idealism. The study findings conclude that stakeholder engaging strategies to run GLM towards industrial action free operation and high service delivery performance should be crafted and maintained to execution. Hence the study places forward the following recommendations.

13. Conclusion and Recommendations

This qualitative study was undertaken to investigate the effect of employees' industrial action within GLM. Undertaking of literature review and interviews found that prolonged industrial actions pioneer and lead to service delivery lag that has an effect to sparking fully-fledged social revolt. The findings indicated that without strategic interventions GLM as constitutionally established organisation may lose existence powers as a result of failing to deliver mandated responsibilities and expected services.

The study added academic impact in introducing paradigm of industrial action-service delivery lag effect in the field of public entity management. The paradigm detected strategic management model of engaging stakeholders in policy decision making

as stakeholders' policy decision making engagement principles (StaPolDeMEP). This management model is thought to curb the paradigm of industrial action-service delivery lag effect.

With the study's conclusion view that sequential effects of the paradigm of industrial action-service delivery lag are consequentially placing on threat GLM constitutional right to exist (Bekink, 2006:3), the following are recommendations placed forth:

- Organisational leadership and management to craft and execute strategies such as adhocracy, special capacity building, restructuring and rationalisation, mitigation and contingency special budgetary allowances, culturing adherence to policy based operations and stakeholder management principles.
- There has to be application of Stakeholder Policy Decision Making Engagement Principles (StaPolDeMEP) as leadership and management model within service delivery field.
- The StaPolDeMEP model to be taken relevant to prevent, avoid, alleviate and curb off GLM and any other employers' facing industrial action-service delivery lag effect.
- The GLM municipality to resuscitate or re-establish the Local Labour Forums.
- The Municipality has to improve on the adherence to the Basic Conditions of Employment Act.
- Further research to investigate effect of implementing StaPolDeMEP in curbing the paradigm of industrial action-service delivery lag effect.

References

- Arnowitz, S. 2005. On the Future of American Labor. In: Working USA. *The Journal of Labor and Society*, 8(3):271-291.
- Azam, J.P. & Rospabé, S. 2007. *Trade unions vs. statistical discrimination: Theory and application to post-apartheid South Africa. Journal of Development Economics*, 84:417-444.
- Barker, F. & Holtzhausen, M. 1997. *South African Labour Glossary*. Cape Town: Juta.
- Beardwell, J., Claydon, T. & Holden, T. *Human Resource Management. A Contemporary Approach*. 5th edition. Harlow, Prentice Hall.
- Blyton, P. & Turnbull, P. 1998. *The Dynamics of Employee Relations*. 2nd edition Macmillan Business, London.
- Botes, P.S., Brynard, P.A., Fourie, D.J. & Roux, N.L. 1992. *Public Administration and Management: A Guide to Central, Regional and Municipal Administration and Management*. Pretoria: Kagiso Tertiary.
- Brand, J. 2013. *Marikana and its Implications for Race Relations, presented to the Leaders Angle*. Cape Town, Dar Es Salaam, Johannesburg, Kampala and Nairobi: Bowmnan Gilfillan Africa Group.
- Bumber, J., Lansbury, R. & Wailles, N. 2004: *International and Comparative Employment Relations; Globalisation and the Developed Market Economics*. Australia. Allen and Unwin Publishers.
- Clawson, D. & Clawson, M.A. 1999. "What has happened to the US labour movement? Union declined and renewal". *Annual Review Sociology*. 25:11.
- Coetzee, K.R., Daniel, D. & Woolfrey, S. 2012. 'An Overview of the Political Economy of South Africa'. *Workshop proceedings. Grenoble École de Management*, 5-6 March 2012. Grenoble: France.
- Cooper, D.R. & Schindler, P.S. 2001. *Business Research Methods - Seventh Edition*. McGraw Hill. Boston.
- Creswell, J.W. 2005. *Educational research: Planning, conducting, and evaluating quantitative and qualitative research*. 2nd edition. Upper Saddle River, NJ: Pearson.
- Denzin, N. & Lincoln, Y. 2000. *Introduction: The discipline and practice of qualitative research*. (In Denzin, N.K. and Lincoln, Y.S. (Eds.). *Handbook of Qualitative Research*. 2nd Edition. Thousand Oaks, CA: Sage.
- Durrheim, K. 1999. Research design. (In Terre Blanche, M. and Durrheim, K. (Eds.), *Research in practice: Applied methods for the social sciences*. Cape Town, SA: University of Cape Town Press.
- Fajana, S. 2000. *Industrial Relations in Nigeria: Theory and Features*. 2nd edition. Lagos: Labofin and Company.
- Fashoyin, T. 2010. "Trends and developments in employment relations in the developing countries". *International Journal of Comparative Labour Laws and Industrial Relations*. 26(2):23.
- Gall, G. 2012. "Quiescence Continued? Recent Strike Activity in Nine Western European Economies", *Economic and Industrial Democracy*, (34):667-691.
- Hardy, T. & Howe, J. 2009. 'Partners in Enforcement? The New Balance between Government and Trade Union Enforcement of Employment Standards in Australia' (2009) 23(3). *Australian Journal of Labour Law* 306.
- Koboro, J. 2014. "*International Journal of Social Sciences*" Volume. 3/No. 5/special issue. University of South Africa: 120.
- Koshiro, K. 2000. "Formal and informal aspects of labour dispute resolution in Japan". *Law and policy*. 22(4), Oxford, Blackwell publishing.
- Krueger, A.B. & Alexandre, M. 2002. "*Strikes, Scabs and Tread Separations: Labour Strife and the Production of Defective Bridgestone/Firestone Tires*." Working Paper no. 461 (January). Princeton, N.J. Princeton University: Industrial Relations.

- Leedy, P.D. & Ormrod, J.E. 2005. *Practical research: Planning and design* (8th ed.). Upper Saddle River, NJ: Prentice Hall.
- Manamela, E. & Budeli, M. 2013. *Comparative and International Law Journal of Southern Africa*, Volume 46, Issue 3, Nov 2013. University of South Africa: 308-336.
- Nelson, M., Amoako-Adu, B. & Smith, B. 1994. Impact of Labour Strikes on Equity Values: Canadian Evidence, *Journal of Economics and Business*, 46:153-65.
- Otobo, D. 2000. *Industrial Relations: Theory and Controversies*. Lagos: Malthouse Press Ltd.
- Salamon, M. 2000. *Industrial Relations Theory and Practice*. 4th edition. London: Pearson Education Ltd.
- Webster, E. 2013. 'The Promise and the Possibility: South Africa's Contested Industrial Relations Path', *Transformation: Critical Perspectives in Southern Africa*. 02:57-61.