THE CAUSES AND IMPACT OF LABOUR UNREST ON SOME SELECTED ORGANIZATIONS IN ACCRA

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DECLARATION

I hereby declare that, except for references to other peoples’ work which have been duly acknowledged, this dissertation is the result of my own research work carried out in the Department of Social Work, University of Ghana.

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DEDICATION

This thesis is dedicated to my lovely daughter, Selasi Aku Amegee
ACKNOWLEDGEMENTS

I am greatly indebted to numerous individuals for their direct and indirect assistance. I must first thank my supervisors, particularly Dr. Kofi Ohene-Konadu for his encouragement, reading and discussing the original draft of this thesis. This dissertation was greatly enhanced by the insightful feedback I received from him.

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I am similarly grateful to Kamarudeen Brimah for his useful comments on the text of this thesis. Finally, I wish to say that I take full responsibility for any errors contained in this thesis.
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This is a study on the causes and impact of labour unrest on some selected organizations in Accra. Labour unrest in Ghana has in recent time led to legal battles between perpetrators and the National Labour Commission which is an administrative body charged with settlement of industrial conflicts. Others too have led to forfeiture of workers’ salaries and some to job loss. These battles and losses, even though not novel, have gained so much notoriety in Ghanaian industrial relations since the enactment of the Labour Act. 2003 (Act 651) in August 2003. This has triggered off unusual concerns over their impact on the individual and industry. Based on field work which involved interviews and discussions with employers and workers, and key informants such as industrial relations and human resource practitioners, and analyses of primary and secondary data/information, certain major findings are made. These include the finding that labour unrest is originated by conflict between workers and employers, and is a characteristic of the workplace (industry).

Findings also are that labour unrest leads to salary loss to workers, profit loss to employers, revenue loss to the State, productivity loss to employers, job loss to workers and shortage of goods and services affecting society. It also creates social problems.

Recommendations include education of both workers and employers on the law that regulates the employment relationship, and also attitudinal change of the social partners in the management and resolution of industrial conflict.
CHAPTER ONE
INTRODUCTION

Labour unrest is a social problem involving a relatively large number of people. It seems to be a global phenomenon. Labour unrests have occurred for thousands of years, notably during the construction of the pyramids in ancient Egypt (Budd, 2005). Despite the impressive advance in living standards in the western industrializing countries over the nineteenth century, including the enactment of selected social reform measures and the outpouring of new thinking and ideas on labour, the labour problem refused to go away (Kaufman, 2004:77).

According to Ridley (1970) a British newspaper told its readers in 1909 that Englishmen lately returned from Paris tell that respectable French people alarmed at the frequency and viciousness of labour unrest, shake their heads at the signs of the times, and speak of another revolution. Kaufman (2004) says that in the years before the First World War, the labour problem continued to rank in most of the countries of Europe and North America as the greatest domestic challenge facing civil society.

Labour unrest in Western Europe reached its peak during the period 1975-1979: up to 21 million strikers for 114 million workers or almost two strikers for every ten workers. As regards the number of workers involved, Italy is far ahead of the other countries with an average of over 7 million workers on strike per year for the entire period (1970-93) which represents 55 per cent of the western European workforce involved in industrial action (Aligisakis, 1997:78-79). The phenomena of labour unrest are found in all countries where people work for others in paid employment. Ghana is therefore no exception.
The foregoing may appear to suggest that labour unrest is all about strike action. It is not. Whether a work stoppage is by a strike action or by a lockout there is ultimately labour unrest. According to Budd (2005) a lockout is similar to a strike action in that it is a work stoppage that results from a dispute and if a lockout, it is initiated by an employer, and if a strike action, by workers. Labour unrest has been a feature of the Ghanaian workplace for decades. It is caused by either a strike action by workers or a lockout by an employer.

Ironically when people talk about labour unrest in Ghana they are referring to an industrial action by workers in the form of strike than an industrial action in the form of lockout by employers. This is probably because industrial action by employers is seldom than an industrial action by workers which is rampart. At any rate both industrial actions create labour unrest.

It is difficult to designate a specific date to mark the commencement of labour unrest in Ghana. However, that of 1919 involving workers of Public Works Department over wage increase is regarded as its precursor in Ghana (Obeng-Fosu, 2007). Both private and public sectors of the economy have experienced labour unrest. For a long time, the private sector of the Ghanaian economy was the bastion of labour unrest, but for the last five years, the pendulum has swung to the public sector of the economy.

A recent case is that of February 12, 2008 when workers of the Ghana Railway Company embarked on a strike action over 150 per cent upward adjustment in salaries, the payment of four months salary arrears, and the removal of the management and the local union executive. The action stretched from February 12 to April 11, 2008.
Another labour unrest of similar magnitude in terms of duration and cost is that of September 2007 when teachers who are members of the National Graduate Association of Teachers (NAGRAT) embarked on a strike action to pressurize their employer to improve their conditions of service.

Both actions led to legal battles, initiated by the National Labour Commission to compel the workers to call off their actions and return to work whilst their grievances are addressed. The court ordered the return of the workers of NAGRAT to work. Meanwhile, their salaries for the period of the strike action were forfeited. In the case of the Railway workers, the court action was suspended when the workers agreed to return to work. These labour unrests have generated debates about the efficacy of the law in dealing with dispute resolution.

Panford (1994:3) says that the use of industrial strike by workers remains an important source of conflict between governments and trade unions. Other questions asked are about the economic impact of labour unrest, per se, on productivity. However, little seems to be said about the social impact or dimension of labour unrest. Buatsi (September 2007) says that regrettably, the Government/Ghana Education Service and NAGRAT impasse dragged on for months, impinging on the rights of Ghanaian children's access to education, development and prosperity. This author also says that the incidence which led to the forfeiture of the workers salaries will have debilitating effect on the morale of the workers which in turn would lower their productivity.

Ghanaian social legislation, dating as far back as 1965 has provided for the institutional framework and procedural arrangements for the resolution of industrial disputes and other loci of power for decision-making. This dispute settlement mechanism is to serve as an effective weapon for employers and workers to forestall the eruption of industrial strikes or lockouts, yet disputes set out of hand and spiral into labour unrests. This apparent inability of the mechanism to prevent

The new law, which is the Labour Act, 2003 (Act 651) replicated the provisions of the repealed Industrial Relations Act 299 but with modifications. The Act aims at reducing labour unrest to the barest minimum and therefore enjoins the worker and the employer to negotiate terms and conditions of the employment relationship in good faith. Section 97 of the Labour Act, 2003 (Act 651) directs as follows:

All parties to the negotiation of a collective agreement shall negotiate in good faith and make every reasonable effort to reach an agreement.

(2) For the purpose of subsection 1, either party to the negotiation shall make available to the other party information relevant to the subject matter of the negotiation.

(3) When any information disclosed for the purpose of the negotiation of a collective agreement is not made public, the information shall be treated as confidential by the party receiving the information and shall not be disclosed to a third party without the prior written consent of the party providing the information.

(4) The parties to the negotiation of a collective agreement shall not make false or fraudulent misrepresentations as regards matters relevant to the negotiations.
The Act further encourages the two parties to explore alternative ways to resolve conflicts rather than resort to lockout or strike. Section 153 of Act 651 orders as follows:

The parties to an industrial dispute are under an obligation to negotiate in good faith with a view to reaching a settlement of the dispute in accordance with the dispute settlement procedures established in the collective agreement or contract of employment.

The law provides sanctions to discourage labour unrest. These include the prescription of charge of liability for damage to property or to persons under the Criminal Code, 1960 (Act 29) when labour unrest results in damage to property or life. Act 651 also provides for employment termination, which is job loss, or an alternative wage forfeiture for any labour unrest found to be unjustifiable or illegal.

Section 168 of Act 651 provides as follow:

(4) Without prejudice to subsection (2) a worker who takes part in an illegal strike may have his or her services terminated by the employer without notice for breach of his or her contract of employment or may forfeit his or her remuneration in respect of the period during which he or she is engaged in the illegal strike.

The aforementioned subsection of section 168 of the Act states as follow:

(2) A person who declares or instigates others to take part in a strike or lockout or acts in furtherance of a strike or lockout which is illegal under subsection (1) is liable for any damage, loss or injury suffered by any other person as a result of the illegal strike or lockout.
The aforementioned subsection 1 of Act 168 states as follow:

Subject to sections 159 and 160, a strike or lockout is illegal if it is in sympathy with or in support of a strike action taken by another worker or group of workers against their employer on account of an industrial dispute with the employer.

Do all these sanctions, namely, wage/salary loss and job loss have far-reaching implications? Also does labour unrest actually affect productivity? What also is the impact of damages to properties, loss or injury suffered by any other person other than those who had participated in the strike action?

According to Obeng-Fosu (2007:142-143) a total of 1861 labour unrests had occurred in Ghana between 1944 and 2003. Pre-independence, starting from 1944 to 1956 recorded 442 labour unrests, and post-independence, which is from 1957 to 2003. recorded 1419 labour unrests. Labour unrest has not ceased even with the passage of the Labour Act, 2003 (Act 651) in August 2003.

A total of 27 labour unrests have been recorded for the period of 2006 to 2008 (“National Labour Commission Statistics of Strike). This is contrary to expectation that Act 651 has taken care of the shortfalls of the repealed Industrial Relations Act 299 of 1965 that was said to have largely contributed to labour unrests in Ghana.

Kusi and Gyimah-Boakye (1991) are of the view that under present changes in the socio-economic and political setting of Ghana, most of the laws regulating the application of labour are either remains inherited from colonial rule and are outdated and do not meet certain current national needs. It is in the face of such expressions that the laws were repealed by Act 651 to encourage
social dialogue, among others, as key to discouraging labour unrests. But labour unrests have not ceased.

1.2 Statement of the Problem

In recent times, some of the perennial labour unrests in Ghana have led to legal battles between perpetrators and the National Labour Commission which is an administrative body charged with settlement of industrial conflicts. Others too have led to forfeiture of workers salaries and some to job loss. These battles and losses, even though not novel, have gained so much notoriety in Ghanaian industrial relations since the enactment of the Labour Act, 2003 (Act 651) in August 2003. This has triggered off unusual concerns over their impact on the individual and industry.

It appears that attention seems to be focused more on the impact of labour unrest on productivity than on individuals or society. Sparingly is attention given to the wider impact of labour unrest on the Ghanaian society. A case in point is the Gyampoh Commission's attempt to examine the causes of labour unrest and not its impact on the Ghanaian economy. This Commission that was established in 1993 was tasked to look at the entire industrial relations system in Ghana, including finding out the causes of labour unrest.

Another instance is when the Daily Graphic (2008) viewed labour unrest as affecting productivity ignoring the socio-economic dimensions as seen by Buatsi (2007). It is this apparent disinterest in the wider dimension of labour unrest that calls for study. This research seeks to investigate the causes and impact of labour unrest on the growth of industry in the study area.
1.3 Objectives of the Study

1.3.1 General Objective

The general objective of this research is to find out the causes and impact of labour unrest on some selected organizations in Accra.

1.3.2 Specific Objective

1. To examine inter-related issues such as causes and nature of labour unrest;
2. To find out the effect of labour unrest on some selected organizations in Accra;
3. To identify gains or losses to organizations in times of labour unrest;
4. To find out if any interventions have been adopted by Government or competent authority to prevent labour unrest; and
5. To suggest solutions to the problem of labour unrest.

1.4 Research Questions

1. What factors give rise to labour unrest?
2. What is the nature of labour unrest?
3. What gains or losses do organizations incur in times of labour unrest?
4. What interventions have been adopted to curb or prevent labour unrest?
5. What is the impact of labour unrest on the selected organizations in Accra?

1.5 Significance of the Study

This study may help to unearth further the causes of labour unrest. Panford (1994). Amankrah (1997) and Obeng-Fosu (2007) have identified causes of labour unrest as including review of expired collective agreements, improved working conditions, unpaid bonus, overtime work, salary arrears, removal of management personnel, and delayed payment of allowances.
Government has also repealed the laws governing industrial relations. The repealed laws were seen to be out of step with modern trends in the labour market. They were viewed incapable of coping with the challenges of globalization and liberal economic policies being pursued by government. Above all, the 1992 Constitution of Ghana and the ILO Conventions that the country has ratified demand that changes are made to the laws. Thus the new law, that is the Labour Act, 2003 (Act 651) is viewed as providing clear and comprehensive guidelines on employer and employee relations, based mainly on collective agreements, and devoid of governmental involvement, except in the matter of dispute and labour unrest handling. In other words, government’s regulatory role in industrial relations is considerably reduced, thereby allowing workers and their employers to relate more closely through the collective bargaining system without governmental interference or involvement.

The procedures for dispute settlement which as in the repealed law was viewed as dilatory and cumbersome were restructured and rationalized with reference to workers’ rights under individual contract of employment, on one hand, and under collective agreement, on the other hand. With all these amendments to the laws governing industrial relations, disputes are unceasing. Does this supports assumptions that inadequate attention by employers to wage issues is one of the major causes of labour unrest? Contrasting view about this is that workers’ disregard for institutionalized disputes procedures is the cause of labour unrest. These assumptions need to be examined empirically in their textual context. This will, first of all, help to establish the root causes of labour unrest. Secondly it will help to establish the nature of labour unrest and thereby find solutions that may help to prevent industrial disputes from escalating into labour unrest.
There also seems to be lack of actual literature on the impact of labour unrest on society. This study is to fill the crucial gap left by literature on the topic. The findings will guide labour policymakers and implemented, employers and workers, and their respective industrial organizations, among other stakeholders, to adopt appropriate measures to overcome tendencies that allow industrial disputes to spiral into labour unrests. Information gathered will not only provide more insight into the causes and nature of labour unrest, but will also provide probable solutions that may help to prevent industrial disputes from escalating into labour unrest.

1.6 Theoretical Framework

This study uses the conflict theory propounded by Dahrendorf (1959), Coser (1967), and Parsons (1970). Conflict theory states that conflict is endemic in social organization, located in differences in power, status and value, backed by expectations of domination and subjection. It has stabilizing and integrative functions. It also has disruptive, dissociating and dysfunctional consequences. The question here is whether it is the same story with the study area.

The study area is a social organization made up of workers and employers with differences in power, status and value. How these groups function is best explained by conflict theory.

The framework sets out to find evidence of how conflict originates and spreads to the degree of leading to labour unrest. It supports this research in finding and understanding the causes and impact of labour unrest.

1.7 Background of the Study Area

Field work for the study was done in Accra in the Greater Accra Region, using two selected public sector organizations, and two selected private sector organizations. In view of the shift of labour
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unrest from the public sector, which dominated in terms of occurrence, to the private sector, the selection of the two sectors was helpful in understanding the causes of labour unrest, as apart from the Labour Act, 2003 (Act 651) which regulates the social organization of the two sectors, the public sector is regulated by other laws that are not applicable to the private sector. For example, the Civil Service Law of 1993 (PNDCL 327) that provides, among others, for conditions of service, disciplinary authority, proceedings for misconduct, conduct of disciplinary proceedings, recognition and reward system, and grievance machinery, does not apply to the private sector. Another example is the Public Service (Negotiating Committees) Act, 1992 (PNDCL 309) which ensures that conditions of service of officers in the Public Service are negotiated. This law has been repealed by the Labour Act, 2003 (Act 651).

The Greater Accra Region was chosen because it has the largest Ghanaian workforce even though it is the smallest of the ten administrative regions in terms of area, occupying a total land surface of 3.245 square kilometers (or 1.4 per cent) of the total land area of Ghana, and the second most populated region with a population of 2,905,726 in 2000, accounting for 15.4 per cent of Ghana's total population. Secondly, it has the largest concentration of industrial concerns, with the average workforce of any industrial concern in the region superseding that of other regions in the country. The region is also noted for having recorded the highest rate of labour unrest in the country. With all those outstanding characteristics, the region stands out as the most representative in terms of survey for this study.

The four organizations chosen in the Greater Accra region are the Bank of Ghana, the Internal Revenue Service, the Carton Manufacturing Co. Limited, and the Aviance Ghana Limited. The first two are public sector organizations and the last two are private sector organizations.
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The Bank of Ghana is the central bank. It was first established by Ghana Ordinance No. 34 in 1957 and currently operates under the Bank of Ghana Act, 2002 (Act 612). It has its head office in Accra and four other offices outside Accra (namely Kumasi office, Takoradi office, Hohoe office and Tamale office), all with a workforce of about 500. The junior staff is unionized under the Industrial and Commercial Workers Union but the senior and managerial staffs are not unionized. A recent attempt to unionize the latter led to labour unrest with job losses of some of the workers.

The Internal Revenue Service, with a labour force approximated at 1,200 is a revenue collection agency of the state, responsible for administration of the tax laws for the maximization of tax revenue. It has offices in all the regions of Ghana with the head office in Accra - 10 regional offices, 54 district offices, 38 sub-offices and 25 collection points. The junior staff is unionized by the Industrial and Commercial Workers Union but not the senior and managerial staff.

Carton Manufacturing Co. Limited is a manufacturing concern. Aviance Ghana Limited is a servicing-providing concern. The first belongs to non-Ghanaians and the second belongs to Non-Ghanaians and few Ghanaian holdings. The workforce of the former is about 130 and the latter is almost 70.

Workers of Carton Manufacturing Co. Limited are unionized but those of Aviance Ghana Limited are not. Workers of both concerns recently embarked on labour unrest that led to job losses of some of the workers, and wage forfeiture for few others.

The four organizations are chosen because their labour situations, that is, the size of labour force, and human resource and industrial relations practice present numerous opportunities for assessing
impact of labour unrest. Another reason is that they are among a few organizations in Ghana to have sacked workers or to have forfeited workers’ wages as a result of labour unrest.

The four organizations are perfect examples of the major characteristics of several national and multi national organizations in Ghana that have experienced labour unrest that have lasted for several days, which were among the longest labour unrest in the history of industrial relations in Ghana. Thus they were selected as the study organizations which are located in Accra, the study

1.8 Definition of Concepts

Labour unrest is synonymous with industrial strike and lockout and refers to a situation where there is stoppage of work until some demand is met.

Industrial dispute also known as industrial conflict refers to a situation where there is an unresolved matter between a worker(s) and an employer.

Employee is the same as worker and refers to a person employed under a contract of employment, whether on a continuous, part-time, temporary or casual basis.

Employer refers to any person who employs a worker under a contract of employment.

Conciliation is the same as mediation and refers to a process of resolving a dispute or terminating a labour unrest through a third party who uses persuasion.
Arbitration refers to a process of resolving a dispute or terminating a labour unrest through a third party acting as a judge who makes an award.

1.9 The Organization of the Study

The study has been organized into six chapters. Chapter One is the background to the study and provides an introduction as well as the problem to be investigated, the objectives, the significance of the study, theoretical framework, profile of the study area and definition of concepts. Chapter Two reviews existing literature while Chapter Three gives background information on the Labour Act, 2003 (Act 651) which is relevant to the study.

Chapter Four outlines the research methods used in the study including the research design, sampling procedure, methods of data collection, data handling procedures and ethical issues. Chapter Five is the analysis of data and presentation of results and Chapter Six provides summary, conclusions and recommendations.
It appears no single study has dealt exclusively on the research topic. The farthest any study has
gone is to look at the causes of labour unrest. Panford (1994), Amankrah (1997) and Obeng-Fosu
(2007) identified the causes of labour unrest and with a scant regard for its impact on society.

Prokopenko (1987) and Kaufman (2004) also failed to say much more than a passing comment on
its impact on productivity. As noted, most writers on the subject are sparse, limiting themselves to
addressing the causes of labour unrest but not so much its impact. Under the circumstance, no
existing literature sufficiently expounds on the research issues as a lead to assessing contemporary
thinking and outpourings on the research topic.

It is noted that the purpose of economic activity is to increase the well-being of individuals and
economic structures that are able to do so are more desirable than those that do not (Stiglitz. 2002).
This is true of all organizations, which are always part of a larger social structure of the society in
which they occur. Whether these organizations are in the public sector or the private sector, or they
are oriented to economic product or primarily concerned with cultural or educational attainment,
one common thing runs through them-they employ or engage people to assist in economic pursuits
or service.

Parsons (1970) corroborates that they are not all different from one another in terms of the specific
role of individuals in the various groups within the organization. Fox (1971) shares with the others
that there are patterned uniformities of behaviour in social organizations. Organizational behaviour
is structured, regulated or guided by some norm or combination of norms. These rules or norms.
some substantive, others procedural, cover recruitment, training, relationships of super-ordinate and subordinate, discipline and dismissal. The rules cover others such as resolution of industrial disputes and labour unrest, which is the research issue. These are regarded as internal equilibrium problems of organizations and referred to as social as they concern the social organization of the industrial organization (Roethlisberger and Dickson, 1939).

Roethlisberger and Dickson (1939) also say that organizations are also continually confronted with problems of external balance, which is referred to as economic, as it has to do with cost, profit and technical efficiency. The point these authors are making is that labour unrest is a feature of the industrial organization. In Ghana, between 1944 and 2003, as many as 1861 labour unrests have occurred. This is in spite of rules and regulations that have been made to regulate the social organization of the industrial organization (Obeng-Fosu, 2007).

Panford (1994:123) is not surprised about this development in the foregoing, saying that:

It must be recognized that the right to strike is an essential part of
the principle of free and voluntary collective bargaining. Since strikes
result from various grievances arising from industrial life, the only way
Governments can prevent their occurrence is to create a suitable industrial
relations environment, which minimizes friction between labour and
management and provides a speedy and effective means of settling
industrial disputes.

Also supporting the prevalence of strikes, Kaufman (2004:28) observes that:

With the development of industry in the nineteenth century and a growing
body of wage earners, the locus and form of conflict shifted. Interestingly.
conflict came spilling out of the workshops and factories as workers came to locate their major source of grievance and injustice in conditions of work and the actions of the capitalist employers.

Swell's contribution to the foregoing is that conflict at the end of the nineteenth century resembled that of the earlier decades in that it tended to take the form of relatively spontaneous and disorganized protests and mob actions - walkouts and street demonstrations. Adding his voice, Kaufman (2004) says that as the century progressed, industrial conflict became more frequent, more organized and conducted on a larger scale. This is corroborated by Clegg (1985) that the organized labour strikes and protests also grew in violence and political radicalism and that some of these strikes started out as workplace disputes and escalated into pitched battles or ‘labour war’, sometimes resulting in large loss of life, destruction of property and use of armed militia to restore order.

Slomp (1990) is not left out of observation about the nature of strike when he says that Belgium and Sweden had nationwide strikes around the turn of the nineteenth century where in the case of Belgium half of the industrial workforce took to the streets and the conflict escalated into rioting and bloodshed.

What is the cause of all these labour unrests? Kaufman (2004:25) says that:

As the Industrial Revolution brought with it a variety of abuses and hardships on workers living conditions in cities of France in this period were wretched. Those lucky enough to have jobs faced very onerous conditions.
Workers do not expect that they should face hardship as observed by Fox (1971) saying that as men pursue their experience within an organization a process of explicit or implicit assessment is taking place as they measure that experience against such aspirations as they may maintain, and expects extrinsic rewards such as money, good environmental conditions, status and social satisfaction.

Fox (1971) says further that the worker also expects intrinsic rewards such as job challenge, job interest, participation in decision-making and self actualization. Kaufman (2004) sees this demand of the worker as normal and observes that what the employer buys with the wage is a certain amount of time of the employee.

John and Saks' (2001) contribution to the foregoing is that it is not strange that workers should have such intrinsic and extrinsic rewards for it is a motivation for performance and productivity as underscored by the expectancy theory. And Fox (1971) says that if it is felt that a fair wage is not being received, group norms may be directed towards limiting work performance to a level which is felt to secure their relationship.

Kaufman (2004:23) finds such threats as normal, observing that:

When labour is traded in markets, it inevitably takes on the character of a commodity, like wheat or steel. As with wheat or steel, capitalist desire to obtain labour at the lowest possible price -- while the suppliers of labour - like the suppliers of wheat and steel - desire to sell at the highest possible price. Intrinsic to the employment relationship, therefore, is a conflict of interest between the two parties which create an adversarial relationship between employer and employee...............................................................
Labour unrest is caused by industrial conflict between an employer and a group of workers over demands made by the latter and refused by the former (Obeng-Fosu, 2007:105). Industrial conflict is a feature of the workplace. Kolb and Putnam (1992) see conflict as a stubborn fact of organizational life. Pondy (1992) shares that view when he sees organizations, in metaphorical terms, as arenas for staging disputes, and managers, as both fight promoters who organize bouts, and as referees who regulate them.

Generally, conflict, according to Brown (1992) happens in every human setting - within families, students and teachers, employees and supervisors, between friends, and groups. On the global scale, nations struggle with one another, both diplomatically and militarily. Simmel (1953) and Coser (1967) support the view that conflict is normal in relationship, producing strain and tension. This is shared by Wilmot (1976) who sees conflict alternating with harmony in an ebb and flow pattern. There are various assumptions about conflict. It is viewed as warlike, violent, explosive and a mess. It is also seen as a result of personal pathology arising more often from a lack of careful analysis of its elements. Sociologists, such as Simmel (1953) and Dahrendorf (1959) see conflict as a struggle for supremacy, over scarce status, power and other resources.

Notwithstanding that conflict can be warlike, explosive and messy, for Simmel (1953), it does not only forge group identities and maintained group boundaries but could also lead to institution of regulation which might become a form of socialization. This perception is shared by Cooley (1962), Fox (1971) and Ross and Dewine (1982) who see conflict as performing positive functions, providing a central explanatory category for the analysis of social change and progress. In effect they are in agreement with Simmel (1953) that by permitting the resolution of tensions between antagonists, it could have stabilizing and integrative functions for the relationship (Fox. 1971).
Hocker (1974) shares the foregoing, saying that conflict serves the function of bonding parties together, defining the group or family, clarifying feelings about issues and processes, bringing up the possibility of needed change, or correcting an injustice or ineffective practice.

The reverse, according to Boulding (1989) is that conflict is potentially costly to all parties and those costs can exceed the gains if it is drawn out before some kind of settlement is arrived at. Deutsch (1993) says that this is where conflict is said to be destructive.

The foregoing view is shared by Talcott Parsons (Coser, 1967) who sees conflict as having disruptive, dissociating and dysfunctional consequences. This latter view is supported by others like Roethlisberger and Dickson (1939), Mayo (1945), and Baritz, (1965) who see conflict as hardly playing anything but a disruptive, negative role in fostering relationship. Mayo (1945). and With all these divergent views how should conflict be viewed? Is it as dynamic of all constructive social change or destructive of social hope?

The origin of conflict in social organization is located in differences in status, rules, authority, backed by expectations of domination and subjection. According to Kaufman (2004:49) Karl Marx looks at conflict in terms of two major and unequal status in society, namely owners of capital and the suppliers of labour, locating the main source of capital in exploitative relationship between the two groups which bring about tension, hostility and antagonism between them.

It can therefore be inferred from the foregoing that whether conflicts occur between family members, students and teachers, or an employer and workers, a common element that runs through
Conflict between workers and employers or their respective organizations may arise as a result of their unlimited desire to satisfy their needs against limited resources of satisfying these needs. Conflict is the lasting opposition of interest in authority and power structure and the style of supervision may cause its eruption (Fox, 1971). The perceived interests of workers and employers regarding work and work attitude can be a source of conflict. Workers think that employers are exploiting them and employers also think that workers unnecessarily want more (Budd, 2005).

Labour conflicts are one of the characteristics of industrial relations. Conflicts arise out of deadlock in the negotiations for collective agreements or from day-to-day workers grievances, and also from the interpretation of collective agreements (ILO, 1973). Conflicts that relate to the establishment of new terms and conditions of employment or originate from trade union demands or proposals for job security, wage increase, fringe benefits, or other improvements in the terms of employment are referred to as interests or economic conflicts. They are also called conflict of interests. Negotiations over these conflicts are normally a matter of counter and counter-proposal or bargaining between the employer and his employees, with each side seeking to obtain the best bargain.

There are other conflicts. These are the grievance conflicts, unfair labour conflicts and recognition conflicts (ILO, 1973). The foregoing is corroborated by Johns and Saks (2001) who allude to a number of factors contributing to conflicts.

According to Johns and Saks (2001) although a variety of causes contribute to the emergence of organizational conflict, most conflicts boil down to several basic types or combinations of these
Types - they include over goals, facts and procedures. Obeng-Fosu (2007) spells these out as including delay in negotiation of collective bargaining agreement, delay in payment of salary, demand for the removal of a management staff, salary increase, payment of severance pay, improved working conditions and payment of salary arrears.

Grievance conflicts, also referred to as legal conflicts or interpretation conflicts, usually arise from day-to-day relations in the undertaking, mostly as a protest against an act of management over the dismissal of a worker or workers considered by the union to be unreasonable or lacking justification. Generally, such conflicts which are also termed as conflicts of rights arise over the interpretation and application of collective agreements. The term conflict of rights is descriptive of the issues in contention (ILO. 1973). The foregoing is shared by Johns and Saks (2001).

Unfair labour conflicts, such as conflicts over unfair labour practices, occur where management of an undertaking is perceived as having discriminated against a worker or workers because of their trade union membership or of the workers participation in trade union activities. The most common cause of such conflicts is the dismissal of trade union officials. Of all labour conflicts, the uncommon one in industrial relations in Ghana is the recognition conflicts. Recognition conflicts generally arise when the management of an undertaking refuses to allow or recognize a trade union as a bargaining party (Fox. 1971) and (ILO, 1973).

Conflicts are common features of Ghana’s industrial relations. The most common of these conflicts are interest conflicts and grievance conflicts. Most of these conflicts have resulted in labour unrests. A total of 1861 labour unrests occurred in Ghana between 1944 and 2003 (Obeng-Fosu: 2007). Most of these unrests were resolved through either negotiation, or mediation or arbitration.
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2007). Most of these unrests were resolved through either negotiation, or mediation or arbitration.
Mediation is a process of forging peace between workers and employers with the aid of a third party. It aims to bring about the speedy resolution of conflicts without resort to labour unrests and to hasten the termination of work stoppages when these have occurred (11,0, 1973). Supporting the foregoing, Johns and Saks (2001) say that the process of mediation occurs when a neutral third party helps to facilitate settlement and that mediation has a fairly successful track record in dispute resolution, the mediator's function been to assist the parties to resolve the conflict and to do this the only powers on which he can rely are those of reasoning and persuasion.

The foregoing is exactly what Section 154 (1) of Act 651 seeks. (See Labour Act, 2003 (Act 651). Mediation is the second in line of the dispute resolution mechanism. It is next to negotiation if conflict remains unresolved (Johns and Saks, 2001).

In the words of the ILO (1973), if mediation has to be successful, the mediator must be professional in the sense that he must be technically knowledgeable, shrewd, intelligent and trustworthy otherwise the process may be fruitless. This is corroborated by Johns and Saks (2001) who say that research shows that mediation has a fairly track record in dispute resolution and that however, mediators cannot turn water into wine, and the process seems to work best when the conflict is not too tense and the parties are resolved to use negotiation to resolve their conflict and also that if the mediator is not seen as neutral or if there is dissension in the ranks of each negotiating party, mediation does not work well.

The third in the series of conflict resolution is the arbitration process. Arbitration involves a third party intervention, like the case of mediation. Clearly an arbitrator's power allows him to make an award. Mediation and arbitration are not conducted the same way. An arbitrator conducts a hearing
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of the parties, allowing them to submit both oral and written evidence, and making his award in consequence. This way, a strike action or labour unrest is prevented (ILO, 1977).

Confirming the foregoing. Mills (1948) and Fox (1971) affirm the significance of third party intervention for the individual worker. The existence of an independent body to which he can turn to if he thinks that he has not received from his employer what he believes he is entitled to, or that he has otherwise been unfairly treated, makes the worker feel more secured and protected in his work (Givry and Schregle. 1968).

Knowles (1952:243) observes that;

strikes are merely symptoms of more fundamental maladjustments, injustices, and economic disturbances: “treating symptoms rarely reaches the roots of the disease. Suppressing strikes will not cure social unrest, but will probably increase it. Strikes are always regrettable; but not always reprehensible. Until the social millennium is attained, they will continue to occur and will sometimes be necessary both as a direct defense against injustice and oppression and as the only way of compelling the public to give its attention to hidden evils of industrial relations.

Workers have the right to embark on industrial action to back their demand. The International Labour Organization recognizes that strike action is one of the essential means available to workers and their organizations for promoting and protecting their economic and social interests (ILO. 1988). This finds accord with Blackburn (2006) who believes that it will surely enhance industrial harmony.
The nature of the demands pursued through strike action may be categorized as being occupational-seeking to guarantee or improve workers' working or living conditions (Gemigon, Odero and Guido, 2000). Blackburn (2006) agrees with the foregoing, adding that, correspondingly, employers also have the right to lockout workers as legitimate means of protecting their economic interests. Obeng-Fosu (2007) also added his voice by acknowledging that Ghanaian labour legislation recognizes strikes and lockouts as final weapons reserved to workers and employers respectively, to be used where negotiations fail completely and the parties are unable to settle their conflicts.

Interestingly, the right to lockout which is allowed employers as legitimate means to protect their economic interests has hardly been a source of conflict between the social partners as is the case with the right to strike. Panford (1994) confirms the foregoing when he said that the right to strike in Africa remains an important source of conflict between governments and labour unions, and as a result occupies a central place in labour policies and legislation.

Gross (2006), Jadoul (2006), and Servais (2006) see this as contributing to a good labour relations system that can provide an important basis for workers and employers participation in development. By applying the foregoing literature to contemporary knowledge or theories on the subject, the researcher was able to shed more light on the phenomenon, and made recommendations that may forestall their occurrence.
CHAPTER THREE

BACKGROUND INFORMATION ON THE LABOUR ACT, 2003 (ACT 651)

Labour unrest in Ghana has occurred at all times - during pre-independent and post-independent Ghana. Labour laws meant to address labour unrest have been repealed from time to time to contain the situation yet the problem remains unresolved. One of these laws is the Labour Act, 2003 (Act 651), enacted recently, that is, in August 2003. This Act is an important piece of social legislation as it aims at forestalling conflict from spilling over to labour unrest, ensuring labour rights, industrial peace and harmony in Ghana.

A brief account of the Act becomes necessary as it appears to have failed to address conflict, allowing it to escalate into labour unrest. More so, it is under the Act that labour unrest has been described as having gained ascendancy to the degree that it has resulted in battles between administrative bodies and perpetrators, and also in income loss and, at times, in job loss of workers.

Act 651 regulates the behaviour and attitude of the members of the industrial organization, namely workers and employers. It applies to all workers and employers except the Armed Forces, the Police Service, the Prison Service, and the Security and Intelligence Agencies specified under the Security and Intelligence Agencies Act 1996.

Act 651 is a consolidation of Ghana’s labour legislation. ILO Conventions to which Ghana is signatory and good labour practices (Obeng-Fosu, 2007). It is a social legislation that seeks to serve not only the interests of workers but that of employers, and to ensure social justice. The Act decriminalizes labour issues and provides for a more responsible and flexible legal regime that will allow for a proactive treatment and resolution of labour issues and disputes.
Husband (1980) sees the Act as requiring people to do things that will improve workers condition and promote economic growth, though continuing to be protective; it is often designed to promote socio-economic development that will in the long term enable fuller protection to be provided.

Act 651 among others, decriminalizes labour issues such as the prison sentence imposed on workers by the repealed Industrial Relations Act of 1965 (Act 299) for the offence of resorting to illegal labour unrest. However, it places responsibility on workers who embark on labour unrest not to cause loss or damage to property or life during such actions otherwise they will pay for the full cost of such losses or damages.

The Act also permits the operations of fee-charging employment agencies which hitherto were forbidden by the repealed Labour Regulations of 1969 (LI 632). Act 651 emphasizes the right of every worker to form or to join a trade union of his/her choice for the promotion and protection of his/her economic and social interests. With this, the unionization of senior staff and the right of public sector employees, particularly civil servants, to form or to join unions are guaranteed.

Other innovations of significance are special provisions relating to casual, temporary and permanent workers, the establishment of a national labour commission with powers to settle industrial disputes, and to work towards prevention of labour unrest (Obeng-Fosu, 2007).

The Act which is a codification of most of Ghana's labour laws is divided into twenty parts, which include general conditions of employment, fair and unfair termination, protection of workers remuneration, collective bargaining unfair labour practices and disputes resolution procedures. With those provisions, among others, the Act is expected to play a pivotal role of guiding the employer-employee relationship (Obeng-Fosu, 2007). This finds accord with the views of
Blackburn (2006) that understanding the role of the contract of employment is fundamental to understanding labour law and the condition of the worker in relation to the employer.

Ghana’s labour laws are derived from international labour standards, which are treaties that establish labour provisions, with the aim of promoting or improving working and living conditions of workers. The laws are boosted by the 1992 Constitution of Ghana. This Constitution underlines the importance of social justice as follows:

Article 24 (1) Every person has the right to work under satisfactory, safe and healthy conditions, and shall receive equal pay for equal work without distinction of any kind.

(2) Every worker shall be assured of rest, leisure and reasonable limitation of working hours and periods with pay, as well as remuneration for public holidays.

(3) Every worker has a right to form or join a trade union of his choice for the promotion and protection of his economic and social interest.

(4) Restrictions shall not be placed on the exercise of the right conferred by clause (3) of this article except restrictions prescribed by law and reasonably necessary in the interest of national security or public order or for the protection of the rights and freedoms of others.
According to the ILO (2006:V)

The fundamental principle of labour legislation is to guarantee

the weaker party in the labour market protection and basic rights

in order to be in a fair position when negotiating salary and working

conditions.

Blackburn (2006) argues that such protection is necessary to correct the imbalance of power
between the worker and the employer, and to further prevent working conditions being pushed
below levels society deems unacceptable, and thus act against eruptions of labour unrest, for
example. The ILO (2006) stresses further the argument when it views such protection as pointing
towards the goal of promoting social justice through rules that protect dignity at work.

Act 651 is influenced by international labour standards. These are classified as Conventions and
Recommendations, the former establishes labour standards and must be ratified to create legal
obligation for the ratifying State to enact labour laws to apply its provisions: and the latter on the
other hand, though not a subject of ratification, has the same aim as the Convention to guide
member States of the ILO to formulate national policy or to enact labour legislation (ILO, 1998)

While some of Ghana's labour laws are influenced by ILO Recommendations, most are derived
from ratified ILO Conventions. As many as 47 Conventions out of about 190 adopted by the
International Labour Conference have been ratified by Ghana. This, together with the influence of
some of the Recommendations had contributed immensely to an array of labour laws that are
considered by many as catalyst for an apparent peaceful and harmonious industrial relations scene
in Ghana.
Act 651 substantially influences the whole conduct of the productive process, recognizing that sound industrial relations help to create a social climate in which workers are expected to contribute more wholeheartedly to production, a climate in which social tensions and unrest damaging to economic development are reduced. Moreover, a good labour relations system can provide an important basis for workers and employers participation in development. These are the points being made by labour experts such as Gross (2006), Jadoul (2006) and Servais (2006).

Labour laws in Ghana can be traced to 1941 when the British Crown that was ruling the country, then Gold Coast, passed the Conspiracy and Protection of Property (Trade Disputes) Ordinance, the Trades Union Ordinance and the Trade Disputes (Arbitration and Enquiry) Ordinance, the first three labour laws in the country (Obeng-Fosu, 2007).

Panford (1996) considers these laws as draconian. In his view the colonial administrators used the 1941 Trades Union Ordinance to tightly regulate the activities of Ghanaian unions. Although the Trades Union Ordinance was the first to permit organization, this and subsequent ordinances passed by the British, such as, the Conspiracy and Protection of Property (Trade Disputes) Ordinance did not confer on workers the legal right to compel collective bargaining.

But it is interesting to observe that it has taken Ghana almost 46 years of self-rule, following its independence, to repeal these ordinances and many others which were mostly enacted in the 1960s and the 1970s. What could be the reason for this development? Is it that the laws were found useful or that they have stood the test of lime, despite what some people regard as draconian laws? The laws must indeed be useful for when they were even repealed in October 2003, they continued to regulate industrial relations in the country until March 2005 when they gave way to the Labour Act, 2003 (Act 651) to be operational.
Act 651 replicated almost all the provisions of the repealed laws including the dispute resolution procedures but only with few modifications. It was hailed as user-friendly and tipped to enhance productivity and socio-economic development if only workers and employers take advantage of the challenging opportunities it has created (Obeng-Fosu, 2007). In spite of all these amendments of the old laws and fine outpourings, labour unrests continued to inundate the Ghanaian industrial relations scene. What are the causes and nature of these labour unrests? Is it that Act 651 is not any different from the repealed laws in apprehending labour unrest for the Act? Is the Act also failing to prevent labour unrest like its predecessors?

With the exception of the Workmen's Compensation Law, 1987 (PNDC 187) and the Factories, Offices and Shops Act, 1970 (Act 328), and few others, all the pre-independence labour legislation and most of the post-independence labour legislation had been repealed by Act 651.

The repealed labour legislation only ceased to function with the passage of an Executive Instrument in March 2004 to give force to the Act which was considered fraught with deficiencies, inconsistencies and ambiguities. For example, in the context of the repealed Labour Decree of 1967, a "worker" includes any clerical worker or any person in paid employment whose remuneration does not exceed a prescribed sum, but excludes a temporary worker who works for a period of one month, the Armed Forces, or people in security services and civil service.

The repeal mainly was to bring the labour enactments or legislation into conformity with the ILO Conventions to which Ghana was a signatory and for the consolidation of the several pieces of labour legislation into one statute. And not much significant change had been made to the repealed legislation. Apart from few new features that had been added, almost all the provisions of the repealed colonial era and post-independence labour legislation had been maintained.

Act 651 decriminalizes labour issues such as the prison sentence imposed on workers by the repealed Industrial Relations Act, 1965 (Act 299) for the offence of embarking on an illegal strike action. The Act instead places responsibility on workers who embark on illegal strike action not to
cause loss or damage to property or life during such action, otherwise they would be made to pay for the full cost of such losses or damages. It also permits the operation of fee-charging employment agencies which were forbidden by the repealed Labour Regulations of 1969 (LI 632).

The Act also emphasizes the right of every worker to form or to join a trade union of his/her choice for the promotion or protection of ones socio-economic interest. With this, the unionization of senior staff and public sector employees, particularly civil servants, are guaranteed. It also introduced the establishment of a National Labour Commission to supervise the functioning of a dispute settlement mechanism, thus terminating the role of Government in negotiation, mediation and arbitration through the Department of Labour. The Act also addresses the issue of casual labour, temporary labour and termination of the employment relationship without assigning reasons. It also provided for training and retraining of workers.

Act 651 is divided into twenty parts, namely, scope of application, public employment centres and private employment agencies, protection of employment, general conditions of employment, employment of persons with disability, employment of women, employment of young persons, fair and unfair termination of employment, protection of remuneration, special provisions relating to temporary workers and casual workers, trade unions and employers' organizations, collective agreement. National Tripartite Committee, forced labour, occupational health, safety and environment, labour inspection, unfair labour practices, National Labour Commission, strikes and miscellaneous.

Elements of the Labour Act, 2003 (Act 651)

The Act which was passed by Parliament in October 2003 and became effective in March 2004 amends and consolidates the laws relating to labour, employers, trade unions and industrial relations. It is a more user-friendly legislation, both in terms of language and content, aimed at decriminalizing industrial and labour issues. The Act was also aimed at bringing within the law good practices which have developed over the years outside the existing law so as to give legal basis for these practices. It rationalizes Government’s role as policymaker in the labour field and as an employer.
On trade unions. Act 651 ended the monopoly of trade unions by the Trades Union Congress (TUC). The repealed Act 299 mandated the TUC to act as the mouthpiece or conduit of any group of employees desirous of entering into collective bargaining to apply through the TUC to the Chief Labour Officer for bargaining certificate. This provision contravenes ILO Conventions No. 98 on collective bargaining rights.

The Act introduced a new dimension in employer-employee relationship to accord with new labour market trends and ILO Conventions, such as the right of an employee to reasons for the termination of his or her employment. Thus, the perception or fear that colonial era labour legislation was intended to satisfy the interest of the whites of that period and had continued after Ghana's post-independence, has been removed by the Act.

Scope of Application

Act 651 in its scope of application covers all workers except those in the Armed Forces, the Police Service, the Prison Service and the Security and Intelligence Agencies specified under the Security and Intelligence Agencies Act, 1996 (Act 526). This could be seen as a salient provision that might eliminate the controversy surrounding the definition of a worker under the repealed legislation.

Public Employment Centres and Private Employment Agencies

Fee-charging employment agencies have operated in Ghana without appropriate registration and supervision. The introduction of these bodies and the conditions for their operation under the Act, such as licensing and sanctions for violation, could be seen as a tremendous importance to Ghana in terms of modernization of its labour market.
Protection of Employment

The protection of the employment relationship by the provisions of rights and duties of both employer and employee are set out in Part III of the Act. The employer has the right to employ a worker, discipline, transfer, promote and terminate the employment relationship. Other rights of the employer include formulating policies, plans and programmes, and modifying or ceasing operations.

The worker under the law has the right to work under satisfactory', safe and healthy conditions, equal pay for work of equal value, rest, leisure and holiday with pay, to form or join a trade union, and receive information relevant to his work. Others include the right to employment contract, prohibition of imposition of restrictive conditions for employment and method of termination of employment.

General Conditions of Employment

Part IV of the Act deals with the general conditions applicable to employment. They include leave entitlement, interruption of work by public holidays and sick leave, duty of an employer to bear cost for any leave interruption, and the fact that termination of employment does not affect leave already earned by the worker. Act 651 also provides at Sub-Part 111 of Part IV for requisite rest periods for employees. They include daily and weekly rest periods, and public holidays.

Employment of Persons with Disability

Part V of the Act dwells with the employment of persons with disability. Persons with disability have the same right as an able-bodies person to be registered at employment centres. The Act provides that special incentives be provided to employers who employ persons with disability in significant numbers.
Employment of Women

Employment of women is addressed under Part VI of the Act. The Act prohibits women workers who are pregnant from performing night work and overtime unless the person gives her consent. Other provisions are for maternity leave and entitlement to full pay and other benefits for pregnant female workers.

Employment of Young Persons

Under Part VII of the Act, conditions under which a young person, that is a person of or above 18 years but below 21 years of age, may be employed are provided.

Fair and Unfair Termination of Employment

Act 651 deals with termination of employment at Part VIII. It sets out grounds upon which a termination of employment would amount to unfair termination. There are also provisions here for workers to seek remedies for unfair termination through the National Labour Commission. The right of an employer to declare redundancy and the right of a worker to negotiate redundancy pay are also addressed by this part of the Act. Meanwhile Part IX of the Act makes provisions for pay for work of equal value, lawful deductions and prohibited deductions.

Special Provisions Relating to Temporary Workers and Casual Workers

Special provisions relating to temporary and casual workers are taken care of at Part X of the Act. This part of the law also deals with the remuneration of temporary and casual workers and payment of remuneration for public holidays, and medical benefits provided by the employer to the worker.

Trade Unions and Employers' Organizations

Part XI of the Act provides for registration of trade unions and employers' organizations. It also gives right to every worker to form or join a trade union of his or her own choice for the promotion
and protection of his or her socio-economic interests. Notwithstanding this, the Act provides that workers who make the decisions and policies for the management of the undertaking or are in such positions of trust and performing duties of such confidential nature may not join trade unions. The Act provides that when these categories of workers opt to join the union, the right to join should be determined between the employer and worker.

On trade unions, under Part XI. the Act provides that two or more workers employed in an undertaking may form a trade union. It also provides that for employers, any two or more of them in the same industry or trade with not less than 15 workers on each side may form or join an employers' association.

Further provisions under this part are the rights of trade union and employers' organizations, the independence of such bodies, method of application for registration as such a body, rules applicable to these bodies, the effect of their registration, their duties and financial accounts and its auditing.

**Collective Agreement**

Part XII of the Act deals with the right of employers and employees to enter into collective bargaining. It also requires that the parties enter into negotiation in good faith, disclosing to each other any information of relevance that would enhance settlement.

**National Tripartite Committee**

Part XIII provides for the establishment of a National Tripartite Committee to examine and determine the national daily minimum wage, and matters of social and economic importance for the promotion of employment development and sound industrial relations. The committee, as the name implies, is to be composed of representatives of government, employers and workers. This Committee replaces the National Advisory Committee on Labour, and the Tripartite Committee on Wages and Salaries Guidelines.
Forced Labour


Occupational Health, Safety and Environment

The salience of an occupational healthy and safe environment as a prerequisite for relevant work is extensively tackled under Part XVI of Act 651.

Unfair Labour practices

Practices in labour known to be unfair, such as discrimination against a worker in respect of his affiliation with a union, interference by an employer in trade union affairs, and a worker's activity that may result in financial loss to the employer, are dealt with in Part XVII of the Act.

National Labour Commission

Part XVIII of the Act provides for the establishment of a National Labour Commission, composed of two representatives each from Government, organized labour and employers' organization. The Commission has the power of the High court to discharge its duties or functions. The powers of the Commission include the power to require an employer to furnish the Commission information on its workers, and to require a trade union or workers’ organizations to provide information as the Commission considers necessary. Workers, employers, and their organizations have the right to petition or complain to the Commission on violation of any provisions of Act 651.

The Commission’s functions include facilitation of settlement of industrial disputes, settlement of industrial disputes, investigation of labour related complaints and taking of steps to prevent labour disputes, and promotion of effective labour cooperation between workers and employers.
The Act at Sub Part II of Part XVIII provides extensively for the settlement of industrial disputes through negotiations and other alternative methods of disputes resolution, such as mediation and arbitration. In this regard, the Commission is mandated to maintain a list of qualified and knowledgeable persons to serve as mediators and arbitrators.

There is also provision for compulsory arbitration by the Commission where the parties to an industrial dispute could not settle their disputes after having exhausted all other existing avenues other than the court.

Strikes

The Act deals with industrial strikes and lockouts under Part XIX of the Act. It defines strikes and lockouts and provides for sanctions for illegal strikes and lockouts. It addresses the issue of strike sanctions as follows:

Section 168 (1) Subject to sections 159 and 160, a strike or lockout is legal if it is in sympathy with or in support of a strike action taken by another worker or group of workers against their employer on account of an industrial action by the employer.

(2) A person who declares or instigates or incites others to take part in a strike or lockout or acts in furtherance of a strike or lockout which is illegal under subsection (1) is liable for any damage, loss or injury suffered by any other person as a result of the illegal strike or lockout.

The form of a strike or lockout in sympathy with another body or organization shall be in a form agreed upon with the management of the sympathizers and shall not disrupt the operational activities of the enterprise whose workers are sympathizers.

(4) Without prejudice to subsection (2) a worker who takes part in an illegal strike may have his or her services terminated by the employer without notice or breach of his or her contract of employment or may forfeit his or her remuneration in respect of the period during which he
or she is engaged in the illegal strike.

(5) Without prejudice to subsection (2), an employer who resorts to illegal lockout is liable to pay the unpaid remuneration of the workers.

(6) Regulations may provide further for matters relating to sympathy strikers.

Dispute Settlement

The procedures for dispute settlement were in most quarters seen as dilatory and cumbersome. They were not well structured and were scattered in the various statutes, with each adopting its own procedure. A rationalization of such procedures with reference to workers’ rights under individual contract of employment, on one hand, and under collective agreement, on the other hand, has been addressed by the Act. It is provided as follows:

Section 159:- Where

(a) the parties fail to agree to refer the dispute to voluntary arbitration
or

(b) the dispute remains unresolved at the end of the arbitration proceedings,

either party intending to take strike action or institute lockout, shall give written notice of this to the other party and the Commission, within seven days after failure to agree to refer the dispute to voluntary arbitration or the termination of the proceedings.

Section 160:- (1) A party to an industrial dispute who has given notice of intention to resort to a strike or lockout under section 159 may do so only after the expiration of seven days from the date of the notice and not at any time before the expiration of that period.

(2) If the dispute remains unresolved within seven days from the commencement of the strike or lockout, the dispute shall be settled by compulsory arbitration under section 164.
Section 161(1) A party to an industrial dispute shall not resort to a strike or lockout during the period when negotiation, mediation or arbitration proceedings are in progress.

(2) Any party who contravenes subsection (1) is liable for any damage, loss or injury suffered by any other party to the dispute.

Act 651 provided for mediation and arbitration, given a timeframe within which the dispute has to be resolved either through a mediator(s) or an arbitrator(s) as the case may be, nominated by the parties themselves, and at times by the National Labour Commission, acting as the mediators, depending on the circumstance. In all instances, the parties are enjoined by the Act to avoid committing the dispute to an industrial strike or lockout. The Act provides as follows;

Section 153: The parties to an industrial dispute are under an obligation to negotiate in good faith with a view to reaching a settlement of the dispute in accordance with the dispute settlement procedures established in the collective agreement or contract of employment

Miscellaneous

The Act finally concludes at Part XX with miscellaneous provisions that deal with the powers of the National Labour Commission to apply to the High Court to enforce its decision. It also provides for power to make regulation, interpretation clause, repeal, savings and transitional provisions, among others.

The foregoing is not only a piece of legislation to serve the purpose of conflict resolution but also that of conflict management. That however appears not to be the case as conflict continues to occur, leading to strikes and lockouts, and spiraling into labour unrest.
CHAPTER FOUR
METHODOLOGY

3.1 Introduction
A combination of data collection techniques was used during field work for this study. The techniques used were open-ended questionnaire (See Appendix B), in-depth interviews, and content analysis of primary documents.

3.2 Research Design
The study used both quantitative and qualitative research designs. The major purpose is to analyze the causes and impact of labour unrest on the Ghanaian industry. The combination of the two methods was helpful in meeting the research objectives and in ensuring that the analysis and conclusions drawn from the data generated can be generalized.

3.3 Study Population
The population being studied is workers and employers of public and private sector organizations in Accra. These organizations are Bank of Ghana, Internal Revenue Service, Carton Manufacturing Company Limited and Aviance Ghana Limited.

3.4 Sampling Frame
A fair representation of the population being studied required that the following people are included in the sampling frame. Bank of Ghana (1600 workers) Internal Revenue Service (1500 workers) Carton Manufacturing Company Limited (130 workers) Aviance Ghana Limited (70 workers)
3.5 Sampling Selection

Both probability and non-probability sampling techniques were used in the selection of respondents. Stratified sampling and simple random sampling were used in the case of workers, and in the case of employers, purposive sampling was employed. These sampling methods were chosen because of the homogeneity of each of the two classes of people constituting the population of the study.

The study population is about 3,300. For a study population approximated at that figure, a sample size of a little above 341 and a little below 346 is appropriate (Kirk, 1995). Workers were stratified into males and females and within each stratum simple random sampling were used to select respondents. I selected a sample size of 343 out of which I selected 40 employers as respondents and 303 workers as respondents, considering that, invariably, junior and senior workers overwhelm managerial staff in industrial organizations.

For sample size of each of the four organizations, I used the ratio of organizations' workforce to the sample size of 40 to determine the sample size for employers as respondents, and for the workers as respondents, I also used the ratio of organizations' workforce to the sample size of 303 to select respondents. A stratified sampling was first used to separate junior staff from senior staff and then a simple random sampling was used to select 145 workers of Bank of Ghana, 135 workers of Internal Revenue Service, 13 workers of Carton Manufacturing Company Limited and 10 workers of the Aviancc Ghana Limited.

In the case of employers, because they are specialists and are key decision-makers with little or no contemporaries, purposive sampling was used to select 16 employers (consisting of Human Resource Manager. Industrial Relations Manager. Branch Manager. Operation Manager. Corporate
Affairs Manager, and Claims Manager) from the Bank of Ghana; 13 employers (consisting of Human Resource Manager, Welfare Officer, Transport Manager, Industrial Relations Manager and Public Relations Manager) from the Internal Revenue Service, 6 employers (consisting of Personnel/Administrative Manager, Accountant, Chief Cashier, Production Manager, Assistant Production Manager and Private Secretary to the Managing Director) from Carton Manufacturing Company Limited and 5 employers (namely, Financial Manager, Works Supervisor, Senior Works Supervisor, Accountant and Human Resource Manager) from Aviance Ghana Limited.

3.6 Data Collection Methods

The main tools for data collection were questionnaires and key informant interviews. Data were collected from both secondary and primary sources.

Secondary Information

Secondary information was gathered from journals, textbooks, newspapers, reports and official documents. This information was collected from the Balme Library, the Labour College Library, the Labour Department Library and the Ministry of Manpower Youth and Employment Library.

Primary Data

Primary data were collected from both qualitative and quantitative research.

Qualitative Research

Key Informants Interview

There was an in-depth interview with key informants. The key informants included the managing director/chief executive, the human resource manager, the industrial relations manager, and the union chairman of the four organizations constituting the population of the study area. In all, about twenty key informants were interviewed.
Key informant interview became necessary because the managing director/chief executive, human resource manager, industrial relations manager and the union chairmen were found to be knowledgeable in the field of industrial relations.

**Face to Face Interview**

A face to face interview was conducted, mainly with the junior staff of the study area. It involved with meeting the respondents at the workplace during lunch hours and at times after the close of work. Few times the researcher met with respondents during weekends. Some were given questionnaires and assisted to answer questions, while others were asked questions directly from the questionnaire. Some of them were spoken to in vernacular other than the English Language as many of this category of workers needed explanation of the issues involved in the research problem.

**Self-Administered Questionnaire**

The self-administered questionnaire was used mainly for senior staff in the study area because of their level of education- tertiary background which made them capable to understand the questionnaire and to administer it. Respondents were given the questionnaire with explanation of the significance of the study. The results obtained, enabled the author to develop a more critical view of the issues involved in this study. The conclusions drawn were based on the results of the analysis.

3.7 Data Handling

All the data collected using questionnaires were edited, coded and entered into the computer, using the Statistical Package for Social Sciences (SPSS). The data were cleaned by running consistency checks on every variable. Corrections were made after verification from the questionnaire and
3.8 Ethical Considerations

The significance of the study was fully explained to all the respondents and they gave their consents. And considering the sensitive nature of the study, confidentiality was ensured thereby protecting the privacy of the respondents. In other words, data collected was handled in a manner that if it should fall into other hands other than the researcher, it would not be traced to the respondent. Also, citations are properly acknowledged to avoid plagiarism.

3.9 Limitations of the Study

This study is the product of several months (almost eight months) research involving field work and content analysis of primary data and secondary information arising out of laborious and painstaking calls, visits, and sleepless nights, frustrating though...

I began the field work with the hope that I would encounter little difficulties having been working in the industrial relations field over a decade and met with most of the senior officers and union executives at the study area. It turned out that I had counted my chickens before they were hatched, so to say. What I thought would take me up to some few months, three at the most, run into several months. I had intended to extend the scope of study area to cover at least two informal sector organizations in the study area to find out if they also experience labour unrest like the formal sector organizations being studied and what the causes and impact are. But there was a limitation: that of time. I or fear that if that of the formal sector, which is presumably more
bureaucratic poses a challenge in terms of data collection for a study that should be of some importance for the sector, it was more likely that more difficulties and hardship may be faced in dealing with the informal sector organizations in the study area.

It is worthy to recall that at the cost of persistence, virtually daily visits were made to the study area, particularly Bank of Ghana, where respondents initially showed lukewarm attitude. This was probably because at the time the workers had laid down their tools, creating labour unrest, over a decision of management not to allow the senior staff to form a trade union, and with subsequent termination of the appointment of the workers’ leaders.

The incipient half-hearted response of the workers of Bank of Ghana, particularly the junior staff was a cause of worry for me. But my persistence won them over more so when they became convinced that the study may help to inform social partners of what to do in the face of such a crisis confronting them. I was very sensitive of this limitation as a greatest obstacle in finishing my work, mindful of the fact that field work was a great pillar of the study.

It is worthy of note that when after several months (about four) had elapsed and the field work was unfinished with particular reference to the case of Bank of Ghana. I began to despair, particularly when I turned up at the home of respondents, after tiresome hours spent on the road in a car to the place, only to learnt that respondent had gone out without a word for me as to when to meet again. It was not that I underestimated these difficulties but the extent was what actually frustrated me. But perseverance kept me on as there was no alternative in getting the information for the study. It was this kind of limitation that discouraged me from venturing the study further into also examining the informal sector.
CHAPTER FIVE
ANALYSIS OF DATA AND DISCUSSION

The Ghanaian industrial relations landscape is a story of labour unrest which in recent times has resulted in unprecedented court actions with adjudicating bodies trying to restore some form of order. Others too have led to unprecedented forfeiture of wages and salaries, and job loss. These losses have generated public concerns about causes and impact of the phenomenon on the individual and industry. There are mixed reactions about the issue. This chapter is an analysis of responses from self-administered questionnaires, face to face interviews and key informant interviews.

Demographic Characteristics of Respondents

Sex of Respondents

As can be seen from Table 4.1, the survey made a conscious attempt to have a fair gender representation. In consequence of that, out of a total of 343 respondents to the survey, 60.6 per cent were males and 39.4 per cent females.

<table>
<thead>
<tr>
<th>Sex</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>208</td>
<td>60.6</td>
</tr>
<tr>
<td>Female</td>
<td>135</td>
<td>39.4</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>
Age of Respondents

The survey defined ages of respondents on the assumption that the older the respondents are, the more likely the maturity in terms of perceptions of the subject of the study. As in Table 4.2, respondents between the ages of 30-39 formed 43.4 per cent of the sample, followed by those between the ages of 18-29 forming 23.9 per cent. The remaining are those between the ages of 40-49 forming 19 per cent and those between the ages of 50-60 forming 13.7 per cent.

Table 4.2: Age of Respondents

<table>
<thead>
<tr>
<th>Age of Respondents</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-29</td>
<td>82</td>
<td>23.9</td>
</tr>
<tr>
<td>30-39</td>
<td>149</td>
<td>43.4</td>
</tr>
<tr>
<td>40-49</td>
<td>65</td>
<td>19.0</td>
</tr>
<tr>
<td>50-60</td>
<td>47</td>
<td>13.7</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Level of Formal Education

In terms of education, as can be seen from Table 4.3, a large majority of respondents to the survey did not have tertiary education. Whilst 18.1 per cent accounted for those who had tertiary education at either the polytechnic or the university level, 63.0 per cent have had some form of either secondary, technical or vocational education, and 19.0 per cent at the elementary school level.

Table 4.3: Level of Formal Education

<table>
<thead>
<tr>
<th>Level of Formal Education</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary School</td>
<td>65</td>
<td>19.0</td>
</tr>
<tr>
<td>Secondary School</td>
<td>16</td>
<td>63.0</td>
</tr>
</tbody>
</table>
Profession of Respondents

It is noted from Table 4.4 that majority of respondents are white collar workers. Whilst 78.1 per cent of respondents are clerical workers, 21.9 per cent are non-clerical workers, such as drivers, watchmen, dispatch clerks, and cleaners.

<table>
<thead>
<tr>
<th>Profession of Respondents</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Clerical</td>
<td>75</td>
<td>21.9</td>
</tr>
<tr>
<td>Clerical</td>
<td>268</td>
<td>78.1</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Respondents' Organizations

Table 4.5 indicates how the respondents in the study area were randomly selected. A fair representation of the population being studied, using the ratio of organizations' workforce to the sample size of 343 shows that whilst Bank of Ghana represents 46.9 per cent of those sampled. Internal Revenue Service represents 43.1 per cent. The others are 5.5 per cent from Carton Manufacturing Company Limited and 4.4 per cent from Aviance Ghana Limited.

<table>
<thead>
<tr>
<th>Organizations</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank of Ghana</td>
<td>46.9</td>
<td>46.9</td>
</tr>
</tbody>
</table>
The majority of respondents sampled were in the junior ranks as indicated by Table 4.6. Whilst 80.8 per cent represents junior officers, 19.2 per cent represents senior officers. This is because junior workers far outnumber senior officers at the study area.

Table 4.6: Ranks of Respondents

<table>
<thead>
<tr>
<th>Rank of Respondents</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Junior Officer</td>
<td>277</td>
<td>80.8</td>
</tr>
<tr>
<td>Senior Officer</td>
<td>66</td>
<td>19.2</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Key Informants

They were twenty (20) key informants who were well-versed in the subject of the study. Most are not only knowledgeable in the research subject but are practitioners. An in-depth interview with these key informants reveals that labour unrest is synonymous with either a strike action by workers or a lockout by an employer.
Some views are that labour unrest is a situation whereby a group of workers or an employer stops or orders the stoppage of work until a certain demand is met or addressed. Other views are that labour unrest results from a strike action which may be a ‘go slow action, laying down of tools, or a ‘work to rule’ action by a group of workers against an employer to back their collective demand or it is a lockout by an employer against his or her workers in protest over their action that affects his or her interest or right. Key informants also say that whether the action is peaceful or violent it ultimately leads to labour unrest.

Key informants say further that almost all the strike actions that had occurred in Ghana are illegal, observing that it is not that workers are not aware that strikes are illegal by law when certain procedures are not observed. They also say that whilst workers had been embarking on strikes, employers on the other hand had hardly embarked on lockout of workers.

Causes of Labour Unrest

As shown in Table 4.7, of the total of 343 respondents that responded to the question what are the causes of labour unrest, 19.2 per cent respondents see it as conflict. Another 42.9 per cent respondents see the cause to be poor working conditions. About 18.7 per cent respondents blame labour unrest on employers disregard for workers concerns. Almost 19.2 per cent respondents believe that the cause is workers disregard for laws that are to curb labour unrest.

When asked of the causes of labour unrest, about 50.0 percent key informants point to conflicts between workers and employers. They say that conflict could result from an employer's inattention to workers problems which is the same as disregard for workers' concerns. About 5.0 per cent also mention poor working conditions, and almost 45.0 per cent mention workers' disregard for laws that are to resolve conflicts as some of the causes of labour unrest.
Table 4.7: Causes of Labour Unrest

<table>
<thead>
<tr>
<th>Causes of Conflict</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conflict</td>
<td>66</td>
<td>19.2</td>
</tr>
<tr>
<td>Poor Working Conditions</td>
<td>147</td>
<td>42.9</td>
</tr>
<tr>
<td>Disregard of Workers</td>
<td>64</td>
<td>18.7</td>
</tr>
<tr>
<td>Disregard of Laws</td>
<td>66</td>
<td>19.2</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

There were divergent opinions about the nature of labour unrest. As shown in Table 4.8, about 35.0 per cent respondents are of the view that labour unrest is peaceful; 17.2 per cent are of the view that it is messy; 16.6 per cent say that it is destructive; 14.9 per cent see it as violent and the rest. 16.3 per cent are of the view that it is at times peaceful and at times violent.

The latter view that conflict is at times peaceful and at times violent is shared by 62 per cent key informants. These key informants are of the view that nature of labour unrest is determined by its cause. One of the few examples given was that workers were more likely to be violent than peaceful over delay in payment of their wage or salary than a delayed promotion of a colleague worker(s) when conflict over this erupted into labour unrest. And about 14.0 per cent key informants see conflict as messy 19.0 per cent see it as violent and 5.0 per cent see it as destructive.

Key informants are also of the view that the nature of labour unrest is at times influenced by workers’ leadership style and also at times by workers perception of management's reaction to their demands. There is unanimity that whether the nature of labour unrest is violent, messy.
destructive or peaceful, it is either caused by poor working conditions, disregard of laws by workers or by employers’ disregard for workers’ problems.

Table 4.8: Nature of Labour Unrest

<table>
<thead>
<tr>
<th>Nature of Labour Unrest</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violent</td>
<td>51</td>
<td>14.9</td>
</tr>
<tr>
<td>Messy</td>
<td>59</td>
<td>17.2</td>
</tr>
<tr>
<td>Destructive</td>
<td>57</td>
<td>16.6</td>
</tr>
<tr>
<td>Peaceful</td>
<td>120</td>
<td>35.0</td>
</tr>
<tr>
<td>Others</td>
<td>56</td>
<td>16.3</td>
</tr>
<tr>
<td>Total</td>
<td>353</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Effects of Labour Unrest

As in Table 4.9, about 42.3 per cent respondents identify income loss as effect of labour unrest; 30.9 per cent as productivity loss and 19.5 per cent as job loss. But 7.3 per cent see no effect.

About 85.0 per cent key informants see the effect of labour unrest as productivity loss; 8.0 per cent as income loss and 2.0 per cent as job loss with 5.0 per cent seeing the effect as causing losses of productivity, income and job.

Key informants are of the view that it does not matter what form labour unrest takes, once it happened there will be some kind of loss. Some of these losses are damage to company property such as plants, vehicles and office building. Others are injuries to human beings (staff) as they are stoned, hit with sticks, or physically assaulted, among others.
<table>
<thead>
<tr>
<th>Effects of Labour Unrest</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Loss</td>
<td>67</td>
<td>19.5</td>
</tr>
<tr>
<td>Income Loss</td>
<td>145</td>
<td>42.3</td>
</tr>
<tr>
<td>Productivity Loss</td>
<td>106</td>
<td>30.9</td>
</tr>
<tr>
<td>No Effect</td>
<td>25</td>
<td>7.3</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Effects of Labour Unrest on Productivity**

Almost all the key informants interviewed were of the opinion that the impact of labour unrest on productivity is tremendous irrespective of its nature. Key informants also say that not only does the nature of labour unrest cause productivity loss but that it results in shortage of goods or service as the case may be. Whilst about 92.0 per cent say that the effect of labour unrest on productivity is that of productivity loss, which triggers off other losses, 8.0 per cent say it is both productivity loss and shortage of goods and services.

Key informants are also of the view that all social organizations irrespective of the size experience some forms of effect on productivity once labour unrest occurs. Key informants also say that in matters of labour unrest, it does not matter whether workers are unionized or not; or whether they work in a public or private organization, but that once labour unrest occurs there is bound to be some effects such as productivity loss and shortage of goods or service as the case may be. It could be inferred from the foregoing that labour unrest occurs both in companies where workers are unionized and have collective bargaining rights and in companies where workers are not unionized and therefore have no collective bargaining rights, and also that it does not matter whether they work in the private or public sector of the economy.
Most of the foregoing views are supported by respondents to the survey of this study as shown in Table 4.10. Whilst 49.9 per cent respondents see the effect as productivity loss and 41.4 per cent as shortage of goods or services about 13.7 per cent are of the view that there is no adverse effect. This finding is surprising as earlier findings, as in Table 4.9 is that it causes all three losses—th at of productivity’ loss, income loss and job loss.

### Table 4.10: Effects of Labour Unrest on Productivity'

<table>
<thead>
<tr>
<th>Effects of Labour Unrest</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Productivity Loss</td>
<td>154</td>
<td>44.9</td>
</tr>
<tr>
<td>Shortage of Goods or</td>
<td>142</td>
<td>41.4</td>
</tr>
<tr>
<td>Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Effect</td>
<td>47</td>
<td>13.7</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

#### Loss of Income through Labour Unrest

When asked whether there is income loss through labour unrest, not a single key informant replied in the negative. This accentuates earlier responses by same key informants that labour unrest causes various losses including income loss. This view is supported by respondents to the survey of the study. This is shown in Table 4.11. As many as 89.5 per cent respondents affirmed income loss as against an insignificant 10.5 respondents who did not consider that there is income loss through labour unrest.
Table 4.11: Does Labour Unrest Cause Income Loss?

<table>
<thead>
<tr>
<th>Labour Unrest</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>“36”</td>
<td>89.5</td>
</tr>
<tr>
<td>Yes</td>
<td>307</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Loss of Job through Labour Unrest

As shown in Table 4.12, almost 89.2 per cent respondents are of the view that labour unrest causes job loss. This is against an insignificant number of respondents, 10.8 per cent who are of the view that labour unrest does not cause job loss. This perception is not any different from that of income loss as one of the effects of labour unrest. And in all the cases, nature of labour unrest has an influence as can be seen from the table.

All key informants are of the opinion that labour unrest causes job loss. They say that the nature of labour unrest does not necessarily determine an employer's decision to terminate workers employment. Key informants indicate that the decision of an employer to terminate a worker's employment is backed by law which is the employer’s prerogative.

Table 4.12: Does Labour Unrest Cause Job Loss?

<table>
<thead>
<tr>
<th>Loss of Job through Labour Unrest</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>37</td>
<td>10.8</td>
</tr>
<tr>
<td>Yes</td>
<td>306</td>
<td>89.2</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>
Impact of Job Loss on Employees

There was consensus among key informants on the question of impact of job loss on employees. They considered hardship, income loss, job loss, poverty and marital problems among them. They also refer to disease, divorce, crime and prostitution by female employees as social problems that confront workers who have lost their jobs. Almost 70.0 per cent mentioned hardship as impact on workers, about 10.0 per cent say that it is income loss, 5.0 per cent say that it is poverty and another 5.0 per cent say that it is psychological problems.

Respondents to the survey of this study share the foregoing views. As in Table 4.13, about 37.3 per cent respondents are of the view that an impact of job loss on a worker as a result of the worker’s participation in a labour unrest is that of income loss. Other views by 25.7 per cent respondents are that hardship is an impact of job loss on employees who have lost their job through termination by an employer for involvement in labour unrest. About 22.2 per cent say that the impact of job loss on a worker is that of poverty. The remaining respondents, 14.9 per cent, think that the impact is that of psychological problems.

Table 4.13: Impact of Job Loss on Employees

<table>
<thead>
<tr>
<th>Impact of Job Loss on Employee</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income Loss</td>
<td>128</td>
<td>37.3</td>
</tr>
<tr>
<td>Hardship</td>
<td>88</td>
<td>25.7</td>
</tr>
<tr>
<td>Poverty</td>
<td>76</td>
<td>22.2</td>
</tr>
<tr>
<td>Psychological Problems</td>
<td>51</td>
<td>14.9</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>
Effects of Termination on Employers

On the question of effect of termination of an employee’s employment on an employer as a result of labour unrest, as shown in Table 4.16, almost 35.0 per cent respondents say that there is temporary loss of experience. A total of 23.9 per cent say that the effect is that of cost of replacement of the worker terminated. Others are 22.2 per cent respondents who are of the opinion that the effect on the employer is that of drop in productivity. Almost 19.0 per cent respondents also talk of permanent loss of experience.

Key informants expressed similar sentiments as respondents to the survey to the study. Majority, that is, 75.0 per cent consider loss of experience and replacement of a worker terminated as marginal, particularly if the worker is not a specialist or some one whose nature of work can be described as indispensable but ordinary.

About 13.0 per cent see the effect as that of cost of replacement through advertisement for the vacant post and training of the replacement, and 12.0 per cent see the effect as drop in productivity.

<table>
<thead>
<tr>
<th>Table 4.14: Effect of Termination on Employers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effect of Termination on Employers</td>
</tr>
<tr>
<td>Temporary Loss of Experience</td>
</tr>
<tr>
<td>Permanent Loss of Experience</td>
</tr>
<tr>
<td>Cost of Replacement</td>
</tr>
<tr>
<td>Drop in Productivity</td>
</tr>
</tbody>
</table>
Effectiveness of Labour Laws in curbing the incidence of Labour Unrest

As to the question of effectiveness of labour law in preventing labour unrest. Table 4.17 shows divergent views. It is observed that some respondents, about 14.9 per cent, are of the opinion that the labour law is not effective in preventing labour unrest. Another view about the effectiveness of the labour law in curbing labour unrest is by 23 per cent of respondents who are of the opinion that the labour law is less effective. But majority of respondents, 43.7 per cent, are of the view that the labour law is effective. Another 18.4 per cent respondents are also of the view that the law is very effective.

On the other hand, all the key informants interviewed were of the view that the labour law is effective in preventing labour unrest having provided for rights and duties of both workers and employers and what to do with conflicts in terms of settlement in order to prevent labour unrest. Key informants also say that besides the labour law, collective agreements and contracts of employment provide measures to prevent conflicts from spiraling into labour unrest.

Key informants also say further that these measures include negotiation, mediation and arbitration by third parties to address disputes and thus prevent labour unrest. They added that most workers as well as employers are aware of the disputes settlement procedures, namely negotiation, mediation and arbitration through copies of the labour laws, collective agreements and contracts of employment handed to them, and sometimes also through education by industrial organizations of workers and employers, and also by government agencies such as the National Labour
Commission and the Labour Department. Whilst 73.0 per cent say that the law is effective, about 27.0 per cent say that it is very effective.

**Table 4.15: Effectiveness of Labour Law in Preventing Labour Unrest**

<table>
<thead>
<tr>
<th>Effectiveness of Labour</th>
<th>Frequency</th>
<th>Per cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Effective</td>
<td>51</td>
<td>14.9</td>
</tr>
<tr>
<td>Less Effective</td>
<td>79</td>
<td>23.0</td>
</tr>
<tr>
<td>Effective</td>
<td>150</td>
<td>43.7</td>
</tr>
<tr>
<td>Very Effective</td>
<td>63</td>
<td>18.4</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Provision of Conflict Settlement Procedure by Labour Law**

As shown in Table 4.18, almost 77.8 per cent of respondents to the survey of this study are aware that the Labour Law, 2003 (Act 651) has provided for conflict settlement procedure. About 22.8 per cent claimed that they are not aware that the labour law has provided for conflict settlement procedure.

It is observed from an in-depth interview with key informants that workers in the study area are supposed to know of conflict settlement procedures because their employers have undertaken various forms of measures including education to sensitize them about conflict management and resolution.
Key informants say that others that had educated workers on the labour law and prevention of labour unrest include the National Labour Commission. Others are industrial organizations of workers and employers, namely trade unions and employers associations.

A major worry about labour unrest to these respondents is the fact that workers who are unionized are supposed to be aware that besides the Labour Act, 2003 (Act 651), collective agreements that regulate the employer-employee relationship contain conflict settlement procedures. From these findings it is difficult to explain the assertion of respondents that they are not aware of the conflict settlement procedures meant for preventing the occurrence of labour unrest. It could be argued that this category of workers had chosen to give those answers for certain inexplicable reasons more so when some of them had earlier indicated that the labour law was either not effective or less effective in apprehending labour unrest.

<table>
<thead>
<tr>
<th>Procedure by Law</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>76</td>
<td>22.2</td>
</tr>
<tr>
<td>Yes</td>
<td>267</td>
<td>77.8</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Effectiveness of Conflict Settlement Procedure in Curbing Labour Unrest**

When asked how effective the conflict settlement procedures provided by the labour law is in curbing labour unrest, all key informants were unanimous that the law is efficacious. About 65.0 per cent say that it is very effective and 35.0 per cent say that it is effective.
This however is not the opinion of all the respondents to the survey to this study. This is shown in Table 4.17. Almost 44.9 per cent respondents are of the view that the conflict settlement procedures are effective in curbing labour unrest. Another 17.5 per cent are also of the view that the conflict settlement procedures are very effective in curbing labour unrest. Those holding negative views that the conflict settlement procedures are not effective in curbing labour unrest are 15.4 per cent respondents. And about 17.5 per cent respondents are also of the view that the conflict settlement procedure is less effective in curbing labour unrest.

<table>
<thead>
<tr>
<th>Effectiveness of Conflict Settlement Procedure in Curbing Labour Unrest</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Effective</td>
<td>53</td>
<td>15.4</td>
</tr>
<tr>
<td>Less Effective</td>
<td>76</td>
<td>22.2</td>
</tr>
<tr>
<td>Effective</td>
<td>154</td>
<td>44.9</td>
</tr>
<tr>
<td>Very Effective</td>
<td>60</td>
<td>17.5</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Alternative Measures of Conflict Settlement**

Table 4.18 presents conflicting opinions about how respondents feel labour unrest should be curbed. When asked if there is any alternative measure to conflict settlement procedures as provided by the law, 25.6 per cent respondents feel that the education of workers and employers is a better alternative to the law. Another 28.9 per cent respondents feel that a better alternative is the amendment of the law. However, a greater number of respondents, 45.5 per cent, do not see any alternative measures to the law.
The latter respondents are supported in their views by key informants who do not see anything wrong with the law to have either warranted any amendment or any other measures as alternative to the conflict settlement procedures provided by the law. All say that there is no alternative to the

<table>
<thead>
<tr>
<th>Table 4.18 Alternative Measures of Conflict Settlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative Measures of Conflict Settlement</td>
</tr>
<tr>
<td>Frequency</td>
</tr>
<tr>
<td>Education</td>
</tr>
<tr>
<td>Amendment of Law</td>
</tr>
<tr>
<td>No Alternative</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Solutions to Labour Unrest

When respondents to the survey were asked if there are any solutions for labour unrest, as can be seen from Table 4.19, about 14.0 per cent respondents identified the amendment of the labour law as a solution to labour unrest. Others are 13.1 per cent of respondents who consider improved working conditions of workers as the panacea to labour unrest.

Another is 32.4 per cent of respondents who are of the view that education of workers and employers holds the key to solving labour unrest than the conflict settlement procedures. Lastly and by far the highest is 40.5 per cent of respondents who are of the view that it is the altitude of employers and workers towards how to resolve problems that is the cause of labour unrest and that a change of this attitude will curb labour unrest.
These sentiments are shared by key informants in an in-depth interview. They say that even though they do not think that the conflict settlement procedures are less effective in curbing labour unrest, they think there is the need for motley of measures to be taken to curb labour unrest. This, they say includes improvement of working conditions, education of employers and workers on the law, particularly the conflict settlement procedures within the framework of encouraging attitudinal changes of the social partners about how to go about addressing industrial matters including conflicts.

Whilst 60.0 per cent think that it is a matter of attitudinal change towards the law with respect to compliance with provisions of the law, 40.0 per cent think education of workers and employers on the law is important.

<table>
<thead>
<tr>
<th>Solution of Labour Unrest</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment of Law</td>
<td>48</td>
<td>14.0</td>
</tr>
<tr>
<td>Improved Working Condition</td>
<td>45</td>
<td>13.1</td>
</tr>
<tr>
<td>Attitudinal Change</td>
<td>139</td>
<td>40.5</td>
</tr>
<tr>
<td>Education of Parties</td>
<td>111</td>
<td>32.4</td>
</tr>
<tr>
<td>Total</td>
<td>343</td>
<td>100.0</td>
</tr>
</tbody>
</table>

The foregoing is an embodiment of various perceptions of the causes and impact of labour unrest on the individual and society and are instrumental in drawing conclusions as to what the causes of
labour unrest are and its impact on some selected organizations in Accra, and including on individuals and society.
CHAPTER SIX
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The preceding chapter has presented the results of the survey on the causes and impact of labour unrest obtained through statistical analysis of the survey data.

The central thesis of this study has been the causes and impact of labour unrest on some selected organizations in Accra. Labour unrest has gained some notoriety in Ghana as it had led to loss of income and, in some cases, to job loss of workers. It had also led to legal battles between perpetrators and administrative bodies charged with addressing conflicts between workers and employers and their industrial organizations.

In this concluding chapter, the major findings of the study are brought together and an attempt made to discuss their implications for the individual worker, industry and society. Chapter one is about the background to the study. It looked at labour unrest, recognizing that it is a global phenomenon which has occurred for thousands of years, defying attempts of suppression even when enactment of some selected social reform measures have been made by society.

The objectives and significance of the study were discussed here. The study tackled fundamental questions on what an appropriate conflict theory as theoretical framework should emphasize. The analysis supports the conflict theory that labour unrest is a feature of all social organizations in view of the differences that exist over power, status and value of social actors.
Chapter two discussed literature that is relevant to the study. It examined conflict, noting that it is a palpitating condition for labour unrest with the latter itself having its root in the differences that exist between the social actors in a social organization. It discussed the nature of social organization and the interactions and interplays that take place.

Chapter three is a background information on the Labour Act, 2003 (Act 651) as it is under its umbrella that labour unrest has notched notoriety as having led to legal battles between parties in industrial relations, and having also led to salary and job losses and therefore its relevance to the study.

Chapter four is an outline of the research methods used in the study. These include sampling procedure, methods of data collection, data handling procedure and ethical issues. Chapter five introduced and discussed data from the qualitative and quantitative researches carried out. The causes and impact of labour unrest were thoroughly discussed here which led to significant recommendations being made. The findings here are particularly relevant to the central proposition of this study They show the causes and impact of labour unrest on an individual worker, industry and society.

Chapter six brings the curtain down on the study, showing that labour unrest could be controlled, provided that certain measures are adopted or taken. These include education of employers and workers, attitudinal change of employers and workers with respect to the conduct or management of industrial relations at the plant level.

This chapter illuminates the major findings of the survey and made recommendations based on the study findings to help address the problem of labour unrest.
5.2 Summary

It is established that labour unrest is a social problem that has been plaguing Ghana for many decades. It predates the independence of Ghana and has not ceased even with the passage of the contemporary Labour Act, 2003 (Act 651) that is touted as efficacious in preventing labour disputes from escalating into labour unrest. This conclusion finds accord with the claims of Obeng-Fosu (2007) that as many as 1861 labour unrests had occurred in Ghana between 1944 and 2003. This corroborates the conflict theory by Karl Marx and conflict theorists that conflict is endemic in social organization (Kaufman. 2004).

Labour unrest is synonymous with strike action and lockout. Work stoppage which is either a strike action by workers or a lockout by an employer is only a precipitating condition of labour unrest. The real cause is derived from industrial conflict which is necessarily a stage in the development of labour unrest.

Labour unrest is originated by conflict between an employer and a group of workers over demands made either by workers or by an employer. It is either a case of conflict of interest or conflict of right. With workers, it is the stoppage of work to pressurize an employer to address a demand. In the case of an employer, the workers are locked out of the place of work by the employer as protest over an action of the workers which in his opinion affects his interest. In other words, whilst workers embark on strike, employers resort to lockout. Both of these industrial actions create labour unrest. But lockouts by employers are not as common as strike actions by workers.

The causes of conflict vary but they emanate mainly from the desire of both workers and employers to satisfy their needs against limited resources, which is a view shared by Fox (1971).
It does not matter whether workers are unionized or not, or whether they work in the private or public sector of the economy but once they feel that their interests are threatened by an employer they will lay down their tools, or adopt ‘go slow’ or ‘work-to-rule’ tactics which are all various forms of strike actions that lead to labour unrest. This is confirmed by Kaufman (2004).

. The right to strike action is guaranteed workers as an essential aspect of workers right to defend their socio-economic interests (ILO, 1996). There is however a limitation on this right to strike hence the congruent Labour Act, 2003 (Act 651) designates legal strike and illegal strike. The purpose is to ensure that there is order and not chaos in society. But this check and balance has not held firm as Ghana continues to experience labour unrest.

The nature of labour unrest varies as workers mood can not be predicted. Labour unrest varies from destructiveness to messiness, and to peacefulness. It is also at times volatile. Labour unrest is not peaceful at times considering that at times, peoples’ emotions soar and they see no other option than to flex their muscles to pressurize the other side to cave in to their demand. This is underscored by a report of the Daily Graphic (1999) of an industrial strike action at the Akosombo Textiles Limited that saw workers cutting off electricity power lo the whole company, pelling management personnel with stones, sticks, iron metals, etc. and it took the police more than five hours to restore order.

The nature of labour unrest is at times determined or influenced by the nature of dispute, type of workers leadership and workers perception of management’s reaction to their demands. An example is that workers were more likely to be violent than peaceful over delay in payment of their wage or salary than a delayed promotion of a colleague when conflict over this erupted into labour unrest.
The law does not encourage labour unrest but permits exercising of strike action under certain circumstances. The right to strike serves the worker to strengthen the protection of his socio-economic interest and that is why the law allows peaceful picketing but not anything beyond that.

Strike actions serve as workers' pillars of freedom of association and collective bargaining, among others. In the words of the ILO (1998) the principles of freedom of association is essential for there to be industrial peace but does not protect abuses consisting of criminal acts while exercising the right to strike - the prohibition of strike pickets is justified only if the strike ceases to be peaceful.

Labour unrest causes productivity loss as underscored by Prokopenko (1987) who linked productivity to the absence of labour unrest by observing that American trade unions and firm managers have recognized the absence of work stoppage among the broad concept of productivity as essential to the overall effectiveness and performance of organizations.

Productivity loss in turn causes profit loss to an employer. It also causes shortage of goods or services as the case may be. These losses may affect an organization in terms of competition in the market. Volume of production will go down and may result in shortage of goods or services. The overall loss will affect growth or expansion of the organization.

Labour unrest affects the individual worker's income as the law allows an employer to forfeit a worker’s income for his or her involvement in labour unrest. The alternative to this is the termination of the worker’s employment, which also entails income loss. The difference between the two forms of sanctions an employer can take against the worker in the event of labour unrest, is
that whilst the former loss is short-lived, the latter may take a little longer to abet in terms of hardship.

The termination of a worker's employment has certain implications for both the individual and the organization apart from income loss for the worker and productivity and profit losses for the organization.

The individual worker may suffer hardship as a result of the termination of his employment. The organization may also incur twin losses. The first loss for the organization is the service of a worker who may have been trained at the organization’s expense or has acquired some expertise on the job and whose replacement may take some time to learn the ropes, thereby affecting the organization in terms of output loss. The other loss is the cost of advertising, interviewing and training of a replacement. There is a time factor in all these, besides the monetary expenditure an organization has to incur.

According to Stiglitz (2002:9):

For the individual worker who is affected by income loss as a result of the termination of his or her employment, which meant unemployment, the individual may experience some hardship in terms of social problems; for individuals who lose their jobs, it is not just the loss of income that matters, it is also the individual’s sense of self. Unemployment is associated with a variety of problems and pathologies, from higher divorce rates to higher suicides rates to higher incidences of alcoholism.
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Labour unrest has further dimensions. Apart from productivity loss with consequential profit loss to an employer, income loss to a worker with perhaps social problems, there is a revenue loss to the State. State revenue is derived from workers income tax and company profit tax. Another loser is society in terms of shortage of goods or lack of service. All these losses do affect socio-economic development, as observed by Yeboah (2008) who says that the strike action by workers of the Ghana Railways Company (GRCL) has cost the nation about $900,000 exactly one month into the industrial action.

That was not all the cost he envisaged. Yeboah (2008) observes further that the workers' strike was likely to cost the company and the nation large sums of money in revenue following a threat by other businesses that benefit from the striking company that they may find alternative means of transporting their goods.

Labour Act, 2003 (Act 651) supervises the handling of conflicts to forestall spillover to labour unrest. The law lays down procedures for the resolution of conflicts between workers and employers. It is supported by collective agreements and contracts of employment. The procedures to be taken to resolve conflicts are negotiation, mediation and arbitration.

Negotiation allows the employer and the worker to meet without a third party presence to bury their differences, taken cognizance of the law that enjoins them to settle the matter in 'good faith' which is that of using cooperative approach than an adversarial approach in settlement.
Mediation and arbitration are second and third procedures in that order and involve a third party intervention. The mediator’s job is to persuade but not to force the parties in conflict to settle the matter but an arbitrator has the power to pronounce judgment like a court judge.

5.3 Conclusions

This study has identified the causes and impact of labour unrest on individuals, industry and society. The survey has established that labour unrest which is precipitated by conflict causes losses such as productivity loss and profit loss to employers, income loss and job loss for workers, scarcity of goods or services which affect society, revenue loss through income tax loss and company profit tax loss to the State and including creation of social problems.

The findings are generally consistent with the theoretical framework of this study, implying its applicability and relevance for appreciating the challenges posed by labour unrest. The findings offer very useful information for better comprehension of the relationship between workers and employers and for making decisions at improving the relationship and warding off labour unrest.

Conclusively, Government has promulgated the Labour Act. 2003 (Act 651) that is viewed as a great social legislation, and a form of instrument of conflict management, spelling the rights and duties of employers and workers, and providing mechanism for resolution of conflict, stressing that workers and employers should negotiate collective agreement in good faith, and when confronted by conflict, should endeavor to negotiate this with the view to reaching an agreement.
5.4 Recommendations

Strike or lockout that creates labour unrest may be just when other more reasonable means of solving problems have failed. Otherwise it should be discouraged because of its adverse impact on the individual, organization growth, and including society. It is therefore imperative that employers and workers eschew negative tendencies that contribute to labour unrest, such as side-stepping conflict resolution procedures set by law and paying little attention to issues that concern their relationship. In this respect, some form of education or durbar periodically could be a useful sensitization exercise in bringing about attitudinal change.

With respect to employers’ inadequate attention to workers’ problems or demands, it is prudent that employers come to terms with the recognition that most labour conflicts can be avoided if an effort is made early enough to remove the source of friction. If this is not done successfully, a small grievance or dissatisfaction may build up to a big grievance, and result in a costly labour unrest as observed by (Ching, 1953).

Ching (1953) observes further that a chaotic wage structure for example, with ill-defined jobs and over-lapping wage rates will generate serious trouble. An over-complicated incentive pay systems or job evaluation plan in a plant often breeds unnecessary disputes. Employers may therefore have to subscribe to periodic joint consultations or durbars as means of bridging the communication gap.

The foregoing is in line with Section 9 of the Labour Act, 2003 (Act 651) which enjoins employers to ‘keep open the channels of communication with workers’. This may bring about understanding and cooperation as an important tool for peaceful and harmonious working relationship between employers and workers.
With respect to workers’ resort to strike action thereby ignoring or sidestepping conflict resolution procedures, there is the need for stakeholders, namely, trade unions, employers’ organizations and the State to educate workers about the implications of labour unrest. Education may be the panacea for attitudinal change. This way one expects that the conflict resolution mechanism may work effectively thus preventing labour unrest.

More still, government must encourage the Department of Labour to step up labour inspection which it is enjoined under Section 122 of the Labour Act, 2003 (Act 651) to do as a mechanism in policing the industrial relations scene from being thrown into disarray. This could be an effective method of nipping in the bud seeming industrial conflicts with potential for ripening into labour unrest.

With respect to conditions of employment, per se, poor working conditions as a recipe for conflict, it is recommended that employers pay attention to pay structures and personnel policies, to avoid giving workers the opportunity to contemplate an industrial action to address their grievances.

Instead of overstepping dispute or conflict settlement procedures as provided by law, both workers and employers should endeavour to solve their problems through dialogue and strive to settle their differences in good faith as advocated by the Labour Act. 2004 (Act 651).

Conceding that conflict is endemic in all social organizations, the need to appreciate conflict management is important. Workers and employers therefore need to recognize that the Labour Act, 2003 (Act 651) at Sections 9 and 11 enjoin them to ‘protect each others interests’. One way of doing this is to be adequately prepared to recognize, define and control the part each plays in formulating organizational goals, implementing processes and sharing productivity gains. In other
words, both social partners must appreciate that their success in maintenance of industrial peace
and harmony depends on how they collectively look at issues of ‘efficiency, equity and voice’ as
part of their organizational objective. It is when the two learn to co-exist in the manner
recommended that labour unrest may be reduced considerably.
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  Session 1988. ILO CH-1211, Geneva, Switzerland


### APPENDIX ‘A’

**Table 4.20: Strike Actions during the Period 1965 - 2003**

<table>
<thead>
<tr>
<th>Years</th>
<th>No. of Strike Actions</th>
<th>Workers Involved</th>
<th>Man-days Lost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1965</td>
<td>13</td>
<td>6,960</td>
<td>66,560</td>
</tr>
<tr>
<td>1966</td>
<td>29</td>
<td>14,815</td>
<td>18,253</td>
</tr>
<tr>
<td>1967</td>
<td>41</td>
<td>4,712</td>
<td>5,125</td>
</tr>
<tr>
<td>1968</td>
<td>37</td>
<td>46,845</td>
<td>142,669</td>
</tr>
<tr>
<td>1969</td>
<td>51</td>
<td>28,369</td>
<td>148,404</td>
</tr>
<tr>
<td>1970</td>
<td>56</td>
<td>21,376</td>
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</tr>
<tr>
<td>1971</td>
<td>79</td>
<td>41,053</td>
<td>116,041</td>
</tr>
<tr>
<td>1972</td>
<td>10</td>
<td>2,336</td>
<td>3,198</td>
</tr>
<tr>
<td>1973</td>
<td>13</td>
<td>3,917</td>
<td>3,109</td>
</tr>
<tr>
<td>1974</td>
<td>43</td>
<td>32,371</td>
<td>64,408</td>
</tr>
<tr>
<td>1975</td>
<td>29</td>
<td>13,573</td>
<td>36,078</td>
</tr>
<tr>
<td>1976</td>
<td>46</td>
<td>20,489</td>
<td>84,088</td>
</tr>
<tr>
<td>1977</td>
<td>52</td>
<td>30,015</td>
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<td>1978</td>
<td>49</td>
<td>30,378</td>
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<td>1979</td>
<td>43</td>
<td>26,969</td>
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<tr>
<td>1980</td>
<td>62</td>
<td>89,989</td>
<td>259,982</td>
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<tr>
<td>1981</td>
<td>69</td>
<td>50,736</td>
<td>292,679</td>
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<tr>
<td>1982</td>
<td>10</td>
<td>4,707</td>
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</tr>
<tr>
<td>1983</td>
<td>16</td>
<td>15,076</td>
<td>36,957</td>
</tr>
<tr>
<td>1984</td>
<td>9</td>
<td>10,550</td>
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</tr>
<tr>
<td>1985</td>
<td>12</td>
<td>2,830</td>
<td>8,025</td>
</tr>
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<td>1986</td>
<td>19</td>
<td>7,459</td>
<td>24,936</td>
</tr>
<tr>
<td>1987</td>
<td>22</td>
<td>10,116</td>
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<td>1988</td>
<td>11</td>
<td>2,798</td>
<td>7,152</td>
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<tr>
<td>1989</td>
<td>21</td>
<td>8,925</td>
<td>15,704</td>
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<tr>
<td>1990</td>
<td>24</td>
<td>6,942</td>
<td>7,202</td>
</tr>
<tr>
<td>1991</td>
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*Source: Oljciim-Fosu (2007)*
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<th>Duration</th>
<th>Reason of Strike</th>
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<td>Crocodile Machetes</td>
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<td>Barclays Bank</td>
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<td>Dec. 27-29</td>
<td>Chemical Transform Ltd.</td>
<td>3 Days (Lockout)</td>
<td>For protection</td>
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</table>

questionnaire

1. what are the causes of labour unrest?

2. what is the nature of labour unrest, for example, volatile, destructive, messy or peaceful?

3. what is the effect of labour unrest, for example, low productivity or productivity loss? how?

4. what in your opinion is the effect of labour unrest on productivity? how?

   do you think that labour unrest can cause income loss to a worker? yes/no

   (b) if yes, how?

5. does labour unrest lead to job loss? yes/no. (b) if yes, how?

6. what is the impact of job loss on people?

7. do you think that job loss affects the worker adversely? yes/no.

   (b) if yes, in which way(s)?

   does job loss affect the employer who had terminated the worker? yes/no

   (b) if yes, in which way(s)?

   what in your opinion is the solution to the incidence of labour unrest in ghana?

   do you think that the labour act, 2003 (act 651) has failed in preventing labour unrest? yes/no. (b) if yes, how? © if no, why not?

8. does the labour act, 2003 (act 651) provide for dispute settlement procedure?

   yes/no. (b) if yes, what does it say? (c) if no. why not?

9. is the dispute settlement effective in preventing labour unrest? yes/no.

   (b) if yes. how? (c) if no. why not?

10. if in your opinion, the dispute settlement mechanism has failed, what do you consider as an alternative measure that will prevent labour unrest?

11. do you have any additional information of relevance to this study? if yes, what is it?