Conflict management in the South African Police Service as an essential service: A case study of Tshwane regional policing

by

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Declaration

I, Tshepo Khoetsa, declare that this mini-dissertation is my own original work. Where secondary material is used, this has been carefully acknowledged and referenced in accordance with university requirements.

I understand what plagiarism is and I am aware of university policy and implications in this regard.

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SIGNATURE   DATE

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Abstract

This study on conflict management in the South African Police Service (SAPS) as an essential service is based on available literature and interview-based research. It explores and discusses the issue of labour rights and conflict management in the essential service by looking at the perceptions of SAPS employees and how they have experienced conflict management. This study focuses on participants' experiences and perceptions at station level.

In an effort to understand participants' experiences a qualitative approach was adopted. A total of eleven participants (n=11) participated in semi-structured interviews that lasted between 20 and 60 minutes. For variability in experience, diversity in terms of race, gender, number of years in the service (work experience), rank, managerial and non-managerial role (seniority), as well as conditions of employment (employment Act) where taken into consideration when selecting participants. Employees gave consent to partake in the study once approval had been sought and granted from the SAPS Provincial Office.

Based on the participants' responses and experiences, the perception was that SAPS employees are, to some degree, aware of their 'rights' and are able to follow the correct protocols thereby managing conflict in its early stages. Further, the conflict management processes are functional since they are able to justifiably favour the aggrieved. Challenges experienced by the interviewed participants included favouritism, maintaining good relationships with colleagues, challenged promotions and working conditions. Overall, it was indicated that many of the grievances stem mainly from working relationships and promotions.

Key Words: Conflict management, disputes, essential service, South African Police Service

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List of acronyms and abbreviations

ADR – Alternative Dispute Resolution

ANC – African National Congress

CCMA – Commission for Conciliation Mediation and Arbitration

COSATU – Congress of South African Trade Unions

ILO – International Labour Organisation

IMSSA – Independent Mediation Services of South Africa

LRA – Labour Relations Act

NUM – National Union of Mineworkers

PSA – Public Service Act

POPCRU – Police and Prisons Civil Rights Union

PSCBC – Public Service Co-ordinating Bargaining Council

SADC – Southern African Development Community

SAP – South African Police

SAPS – South African Police Service

SSSBC – Safety and Security Sectoral Bargaining Council

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Chapter 1: Background to the Study

1.1   Introduction

Research in policing has examined organisational culture, training, use of force, corruption and labour rights in the service (Benson, 2010; Bruce, 2010; Marks, 2005; Newham, 2002). Focusing on labour rights for police, research has considered equal rights for workers as citizens including the right to collectively bargain and join labour unions (Marks & Flemming, 2006; Marks & Sklansky, 2008). Some research studying essential services and right to strike provide a comparative perspective on the issue in Southern Africa (Cohen & Matee, 2014; Le Roux & Cohen, 2016). This study seeks to contribute to an exploration of conflict management in the South African Police Service (SAPS) as an essential service by focusing on Tshwane regional policing as a case study. It seeks to explore the impact that this has on SAPS employees, and how employees have experienced conflict management in the organisation.

Given the key role that unions played in mobilising workers within South Africa, historically, the right to strike was built into Section 23 of the Constitution of South Africa No 108 of 1996 (hereafter referred to as the Constitution, 1996). It states that every citizen and employee of the Republic of South Africa has a right to join any association and to engage in the activities of that particular labour association including a strike action, should the need arise. Prior to the dawn of democracy, labour relations in South Africa were primarily rooted in a unitarist-capitalist model that enabled a unilateral authoritarian rule for a considerable period (Anstey, 2006), and did not legally recognise the rights of protesting employees. With time, due to mobilisation by workers, there was a gradual shift to a plural relationship in labour relations. However, aspects of a unitarist relationship remain evident in the manner in which employees deemed as providing essential service are engaged during conflict and disputes.

Currently, organisations deemed to provide essential services are by definition prevented from engaging in labour protests. Employees in these organisations are unable to express their labour power in the form of a strike. Examples include nurses, doctors, emergency personnel, and police officers to name a few. Whilst labour legislation enables a disgruntled labour collective to exercise their constitutional right to engage in strike action, this does not apply to labour regarded to provide essential services (Cohen & Matee, 2014; Le Roux & Cohen, 2016; Marks & Flemming, 2006; Marks & Sklansky, 2008). As a result, these employees

may not be afforded equal employee rights and fair labour practices through conflict management methods and practices compared to employees who can legally partake in strike and lock-out action. Given the nature of their work, with the absence of exercising labour power through work stoppages, for example, demoralised and disgruntled employees may retaliate by not providing effective and efficient services to the public as a whole. It is therefore imperative that the labour relations practices in these organisations are continuously studied with the goal to improve them.

In 2007 when the public servants were on strike, including other essential services providers, police were unable to partake in the strike actions. Police personnel were unable to strike even though they also had their own grievances. This led to a court case that was concluded in 2011. The judgment given in the case of South African Police Union (SAPU), Police and Prison's Civil Rights Union (Popcru) v. National Commissioner of the South African Police Services and Minister of Safety and Security concluded that not all personnel within the police service are deprived of their right to partake in a strike (Case no. J1584/05). Only support structures were judged by the Constitutional Court to have the right to partake in strike action.

This mini-dissertation considers how the inherent nature of the South African Police Service, as an organization deemed to provide an essential service, together with this Constitutional Court ruling, affect the labour relations of the organisation. Against the backdrop of legislation, the experiences of participants on how conflict and disputes are managed, is considered in this study.

1.2 Key concepts

Before delving into the study, some key concepts used throughout the study are defined. These include essential service, latent and manifest conflict, and disputes of right and interest.

1.2.1 Essential service

Section 46(1) of the Labour Relations Act (LRA) No. 66 of 1995 defines an essential service as "(a) a service the interruption of which endangers the life, personal safety or health of the whole or any part of the population; (b) The Parliamentary service; and (c) The South African Police Services". The importance of

the South African Police Service (SAPS) as an essential service in this definition is noticeable. It is featured implicitly – as a service whose interruption may endanger the safety of South Africans – and explicitly – as the South African Police Service.

Fashoyin (2007) argues that South Africa's definition of essential services compared to other Southern African countries is the only succinct and clear one. The definition of essential services in South Africa is defined in the Republic's Constitution (1996) as well as the Labour Relations Act. This definition is conversant with the strict definition of essential services as provided by the International Labour Organization (ILO). In some Southern African countries, essential services are defined broadly to include flight control, sewage, telephone, and electricity services (Cohen & Matee, 2014; Fashoyin, 2007; Le Roux & Cohen, 2016).

Essential services are characterised by the lack of the right to mobilize and embark on a strike or any form of work stoppage including but not limited to sit-ins, lock-outs and go-slows. However, in some countries essential services are neither afforded collective bargaining rights nor the right to join a union. Zimbabwe, for example, does not entertain the notion of employees in the essential services embarking on a strike. Although there is a bargaining group for essential services in Zimbabwe, their recommendations are not binding; they are mere recommendations (Cohen & Matee, 2014; Fashoyin, 2007; Le Roux & Cohen, 2016).

In South Africa, the LRA allows for employees in essential services to embark on a strike. However, a minimum service must be agreed to and provided during the duration of the strike. This is because collective bargaining activities such as sit-in and strikes result in the interruption of services that inflict imminent and substantial harm on the society (Munoz, 2014; 649).

1.2.2   Latent and manifest conflict

Thomas (1992) attributes the cause of conflict to the perception that one's concerns are, or will be frustrated by another party. DeChurch and Marks (2001) argue that conflict is primarily caused by differing goals between two parties where one party's goal negatively affect the other party's goals. The stymieing of goals results in the frustration of one party or the other. It indicates a point where social processes such as

discussion and dialogue transform into conflict. This process needs to be managed from its beginning to its resolution or it will manifest in strikes, sit-ins or work stoppages. This mini-dissertation also intends to understand how the management of this process from the onset affects how it manifests.

Latent conflict occurs when mutually dependent parties in a relationship feel that their separate interests and goals are not achievable simultaneously. This incompatibility is the main cause of conflict. Anstey (2006) suggests that diverging values, interests, aspirations and needs by members in a certain relationship – in the context of this study, the relationship between an employer and an employee – are a source of conflict. The relationship is inherently conflicted and characterised by the struggle over values or scarcity of resources. The relationship is goal directed and each party in the relationship seeks to obtain their objectives.

In an attempt to achieve their objective, each party may attempt to neutralise or injure each other. The process where each party openly attempts to achieve its objectives can be described as manifest conflict. Dubin (1960) concluded that manifest conflict erupts with the use of force to achieve goals and interests. According to Anstey (2006: 6) force is used "to eliminate, defeat, neutralise or change each other to protect or further one's interests in the interaction". The employees' use of force is an indication of their power as social actors. It manifests itself in terms of strikes, sit-downs, lockouts and to some extent, in extreme cases, sabotage. When conflict reaches this stage, other means of managing it need to be implemented. These means of managing manifest conflict will differ from those used to manage latent conflict.

While perceptions of conflict, or latent conflict, may remain constant over time, manifest conflict is fluid and changes over time. Anstey (2006) argues that norms and sanctions are established and continuously improved in order to limit the expression of conflict behaviour. Violent forms of this behaviour that are threatening to the survival of a system are generally not tolerated and are phased out through norms and sanctions.

1.2.3   Dispute of rights and interest

Labour relations in South Africa differentiate between dispute of rights and interest. According to Provis (1993) disputes regarding employee-employer rights relate to how each party interpret the parties' rights

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that are inherent to the relationship. Provis (1993) argued that when pre-existing legal rights have been breached or perceived to be breached, then a dispute of right can arise. These rights are usually contained in agreements by employers and employees such the Safety and Security Sectoral Bargaining Council (SSSBC) agreements for example. Disputes about unfair dismissal, – whether factual or alleged – unfair labour practices and other contraventions of employment contracts or statute are dealt with as dispute of rights. These are to be addressed by the SSSBC in terms of conciliation, arbitration or the combination of conciliation and arbitration. The LRA allows for the Commission for Conciliation, Mediation and Arbitration (CCMA) and labour courts to adjudicate such disputes.

On the other hand, disputes over employer-employee interests relate to the formulation of terms of employment. These arise when disputes are being settled and new agreements are being formed. If the two parties are not in agreement with what could be contained in the agreement, a dispute of interest could rise. Wage increases, modification of collective agreements and other employment benefits for example are part of dispute of interests (Provis, 1993). These speak to the socio-economic status of the employees more than that of employers.

It is generally accepted that any dispute of rights has to be settled by arbitration and/or conciliation while dispute of interests is settled by the two parties in a relationship through exercising their powers by engaging in collective bargaining, mediation and sometimes industrial action (Okene & Emejuru, 2015; Provis, 1993). Okene and Emejuru (2015) argue that with disputes of interest a strike action can be justified. This therefore means that unlike dispute of rights, employer's and employees' powers are at play when the two parties engage in a bargaining activity. This might, at times, result in lock-out or strike action where the dispute cannot be settled. However, this does not apply in an essential service.

1.3   Research problem

It is commonly known that content employees in any organisation, especially in an organisation that has a public role to play, can make a positive impact on the quality of service delivered to the public. On the other hand, the relationship between employer and employee can be negatively affected by discontent in the workforce. In an effort to maintain quality service delivery, management in organisations that have a public role has an obligation to see to it that there are sound relations between the employer and employees.

Therefore, the existence of conflict within an organisation and how it is handled has the potential to undermine labour practices that promote service delivery.

The way in which the SAPS's manages conflict is operationalized through their policies and standing orders or standard operating procedures and regulated by the Labour Relations Act of 1995, together with other statutory laws. In essence, the procedure can be divided into 3 major steps. The first step is to make use of and exhaust all the internal procedures in an organisation. The second step is to refer the matter for conciliation or mediation. The third step is arbitration. This process may take months or even years to complete. During this process, energy levels of those involved might be affected. Job dissatisfaction, low morale, reduced organizational commitment and the manifestations of disgruntlement as well as negative reactions such as corruption can result from inadequate remuneration and unfair labour practices which impedes the management of conflict and disputes.

Fortado (2001) and Choi (2013) have argued in favour of this by stating that when workplace conflicts are not well managed in an organisation, subordinates have a tendency to find alternatives to voice their grievances either directly, indirectly, formally or informally depending on the conflict management culture of an organisation. Accordingly, Benson (2010) found that one of the causes of corruption is poor salaries and poor communications. Newham (2002) found that police officers are lured into corrupt deals by being enticed with lucrative bribes that can supplement and exceed their salaries. At the same time, the Annual Industrial Action report (2016) has indicated that disputes of interests such as wages, remuneration packages and salaries are recorded as the main source of strikes South Africa. This is not a sector-specific problem, but a labour issue affecting both essential and non-essential sectors. Where a strike action is not practical, it is therefore possible that affected employees might engage in other activities to get back at their employers for unmanaged or poorly managed workplace conflict as well as for other disputes of interests depending on the organisational culture (Fortado, 2001).

This is particularly important given that the core SAPS employees are prevented from partaking in labour protests. As a result, employees can naturally make the assumption that they might not be afforded equal rights and fair labour practices when conflicts and disputes are managed since they may not express their discontent through their labour power by protesting collectively. Therefore, perceptions of employees should be taken into account when applying policies to manage conflict and disputes.

1.4   Rationale of the study

The South African Police Service is crucial in ensuring and maintaining a safe and secure South Africa – the primary function of any state. Hence it is important to secure work conditions with minimum industrial conflict, with fair labour practices and well-managed workplace conflicts in order to improve individual performance and morale, and ensure team work as well as organisational commitment (Choi, 2013; De Dreu, Evers, Beersma, Kluwer & Nauta, 2001).

Members of visible policing are also mandated, among others, to maintain order during protests and labour strikes and protect employees who are exercising the very same right that police themselves are not afforded. This is a conundrum. Marks and Sklansky (2008) maintain that in order for the police to respect the rights of others, especially during protests, they also need to be afforded the same rights. Dhai, Etheredge, Vorster, and Veriava (2011) have suggested that for employees to fully express their discontent and achieve desired outcomes they need to be able to engage in a strike action as a last resort. This will assist them to exert pressure on their employers and at the same time, protect their socio-economic interests (Ackerman, 1994).

However, given the impracticality of this bid due to the nature of their work, it is important that these employees are not treated unfairly and that every conflict that arises at work receives the required attention and management thereof. It is equally important to ensure that pre-existing legal rights are not breached or perceived to be breached. All the employees in the SAPS need to have the agency to exercise their labour power. This requires viable measures and methods to manage conflict and disputes. Hence it is critical for SAPS as an organisation to maintain a culture of well managed conflict and disputes. Two examples of such cultures are collaborative and dominant culture of managing conflict. With collaborative conflict management culture, there is cooperation between affected parties; there is advancement for open discussion whilst putting the interests of the organisation first. With a dominant approach, employees possess and are allowed to exercise their agency to deter from avoiding to confronting conflict management proactively (Choi, 2013).

The SAPS claims to value continuous evaluation in order to improve their services. The results of this study may help in finding ways of improving the management of conflict in the SAPS workplace. Conflict

management strategies employed in the essential services, if effective, can be used in other essential and non-essential services. Strategies can be adopted and implemented to improve industrial and employee relations in other sectors and organisations.

1.5   Research objectives of the study

The main focus of research in the area of essential services and labour relations has been on providing employees in essential services the right to collectively bargain and to join a union (Marks & Flemming, 2006). In an attempt to shed light on and consider another perspective to the issue of labour rights, this mini-dissertation will focus on the management of conflict by the South African Police Services (SAPS) as an organisation deemed to provide an essential service. This study seeks to explore the issue of labour rights and conflict management by looking at the perceptions of SAPS employees and their experiences. The ultimate goal is to gain an understanding of how conflict management is dealt with, as well as how it affects employees. If effective, these processes can inform best practice elsewhere and if they are ineffective, alternatives can be sought.

Specific objectives are to:
- Consider conflict management in the SAPS;
- Understand how both SAPS Act and Public Service Act employees experience conflict management;
- Describe challenges workers experience within an essential service that may lead to conflict;
- Ascertain the knowledge of conflict management processes in the workplace that employees possess;
- Highlight the lessons learnt from the conflict management mechanisms and strategies employed by essential services – that is, police employed under the SAPS Act; and
- Provide recommendations that add value to effective conflict management strategies to ensure efficiency.

1.6   Research questions

In achieving the above-mentioned objectives, the following questions are examined. The main reason behind this study being conducted is to ask: What is the current state of the conflict management in the SAPS? In order to gain a thorough understanding to workers' views on this question, employees will also be asked about their employment at the SAPS.

Specific questions are as follows:

- Are employees aware of conflict management processes and can they outline them?
- What are the typical grievances that result in disputes within the organisation?
- How have employees experienced situations where they were involved in or had to resolve any of the conflict/dispute (e.g. grievance) at the workplace?
- Does the lack of right to strike have positive or negative impact on employees?
- What do employees think can be done to improve how disputes and conflict are handled/ managed within the organisation?
- Do employees hold the view that the procedures, processes and practices the organisation has in place are effective?

1.7   Scope of study

This study's interest is on one essential service provider – the SAPS. More specifically, it considers police stations in one urban setting. The mini-dissertation is limited in scope due to financial resources, time and degree requirements. Given this scope, the study does not intend to provide universal and generalizable results. It is a case study which seeks to give insights into the conflict management processes of the essential service provider.

1.8   Outline of chapters

The study is composed of six chapters inclusive of the current chapter.

Chapter 2: Theorising conflict management in the workplace describes and contextualises conflict management and dispute resolution. Three main approaches to labour relations are discussed in this chapter: the unitarist, radical and pluralist.

Chapter 3: Overview, legislation and processes governing conflict management in the South African Police Service considers the changing environment of SAPS from an industrial relations perspective. It deliberates on the legislation that needs to be followed when managing conflict and resolving disputes. The chapter focuses on the key players in this process.

Chapter 4: Research methods outline the research instruments and design employed in this study. This includes sampling method, discussion of case study as a method of collecting data and how data is interpreted.

Chapter 5: Police experiences with conflict management at station level. This chapter discusses the empirical evidence derived from the interviews conducted for this study. It focuses on answering the question outlined in chapter one as well as looking at new avenues that were identified during the collection of data and engagements with participants.

Chapter 6: Summary and conclusion provides a brief description of the study, recommendations and as well as limitations of the study and draw-backs experienced when conducting this research.

Chapter 2: Theorising Conflict Management

2.1 Introduction

The purpose of this chapter is to discuss the management of conflict and disputes from a theoretical perspective. The following three main conflict management approaches will be the centre of discussion in this chapter: unitarism, radicalism, and pluralism.

2.2 Theoretical approaches to managing conflict

In the field of sociology and other related social sciences fields, it is widely known that ontology and epistemology influence how one chooses his/her methods of explanation. These influences are respectively defined as the view that dictates how one sees the world and how reality presents itself as well as a way of acquiring knowledge about the world as we see it (Doyal & Harris, 1986; Sayer, 1992). These ontological and epistemological assumptions, in turn, influence how research in both the social and natural world is practiced as well as the categories and criteria for explanations. Once a researcher's theory of knowledge is established, it helps structure the views and attitudes about observations that will be made and its analysis can be considered scientific.

According to Judd, Smith and Kiddler (1999) a theory is a product of systematic observations that is used to explain a construct or phenomenon of interest. For Chidi and Okpala (2012) a theory is a frame of reference, a view point or a perception. It is used, in conjunction with empirical research, to extract, define and describe different phenomena. In the social realm, theory is used to attribute descriptions and explanations to social behaviour. It is further used to explain how and why constructs of interests are related and under which conditions a relationship can be illustrated as correlational or causal. Through the use of theory, we learn about the social actors, understand the context, explain and at times predict certain occurrence of a phenomenon (Chidi & Okpala, 2012; Doyal & Harris, 1986; Judd et al, 1999; Sayer, 1992).

Accordingly, conflict theory includes themes of social stratification, interests of groups and individuals as well as control of resources. From this description, Wallis (2015) further suggests that conflict will, at times,

result in societal change. This position that conflict results in social change is echoed by the works of Ackerman (1994) when he argues that employees use strikes – one of the manifestations of conflict – to make their employers aware of their socio-economic position in order to change it for the better. To illustrate: the 1977 Wiehahn Commission's investigation of wild cat strikes resulted in the amendment of the Industrial Conciliation Act of 1956 which had prohibited African workers from organising collectively. The social change that resulted from the labour relations conflict in this case was the inclusion of Africans as workers and the introduction of regulations against unfair labour practices in amendments to the Industrial Conciliation Act of 1956 (now known as the Labour Relations Act) in 1979 (Bhorat, Pauw and Mncube, 2009).

Turner (1986 as cited in Wallis, 2015) posits that understanding conflict theory and its themes encompasses three things. First, we need to define conflict and what it includes. Second, we need to describe the units of conflict. Third and last, we need to eliminate any misperception of causes and functions of conflict. For the purpose of this study, the three approaches to conflict management are used to define, describe, and eliminate misperceptions of conflict. These approaches are unitarism, pluralism, and radicalism.

According to Anstey (2006) the extent to which conflicted parties accept and tolerate their differences, beliefs, objectives and competing interests have important implications for their approach to labour management and dispute resolution. Approaches adopted by such parties can include systems theory and the social-action approach (Chidi & Okpala, 2012) bureaucratic unitarism, ethical conflict, high commitment unitarism, low commitment unitarism, localized conflict, and adversarial pluralism (Cradden, 2011). These can be located within the three main approaches which are unitarism, pluralism, and radicalism. Given the limited scope of this research, this mini-dissertation will only focus on the three approaches – the unitarist, the pluralist and the Marxist or radical approaches.

2.2.1   Unitarism

Unitarists see the relationship between an employer and employees as serving one common purpose (Chidi & Okpala, 2012; Cradden, 2011). This relationship is characterised by co-operation, similar values and aims. From this view, management believe that there is harmony in the employment relationship,

common interests and mutual trust. In an effort to maintain such harmonious relationship, Budd and Bhave (2019) posit that human resource managers focus on drafting policies that will benefit both parties simultaneously. Furthermore, there is a view that employers will do what is right and in turn so will the employees in pursuit of the organisation's aims and objectives. As a result this is seen as establishing a long term relationship between employees and employer.

Trade unions are seen as alien with a main goal of undermining management and dismantling the relationship between management and employees (Rose, 2008). The ousting of unions is not, in the view of unitarists, the suppression of employee right but rather the fight for the loyalty of employees. Since there is no room for conflict, when conflict does arise, as it is inevitably seen to occur by other approaches, it is seen as irrational, with no platform to collectively bargain, negotiate or consult, and striking employees are dismissed (Chidi & Okpala, 2012).

Given this understanding, a third-party such as a union has no place in the relationship. The rank and file in the organizational structure are loyal while the authority is unified. This is the view of unitarists as they posit that unions are created to undermine management (Chidi & Okpala, 2012). Geare, Edgar, McAndrew, Harney, Cafferkey, and Dundon (2014) opine that unitarism is not a representation of reality but it should be regarded as what managers ought to achieve – an ideal situation. In their view, managers ought to develop a harmonious relationship with employees without the existence of a third party.

In practice, the ideal situation as described by Geare et al., (2014) is not achieved in a satisfying manner for both employees and employer thus exposing one of the weaknesses of unitarism. For example, in the 1980's when the trade union Police and Prisons Civil Rights Union (Popcru) was established, it received immediate negative reaction and hostile response from the employer. Members were condemned for establishing a union within the Police structures. Popcru was established in the 1980's when members of the South African Police (as it was then called) and their colleagues in the correctional services realised that albeit the fact that the organisation was functioning under a unitarist approach to employment relations, the relationship between South African Police (SAP) employees and its management was not characterised by co-operation, similar values and aims.

According to Marks (1995) Popcru members were victimized, suspended and dismissed. This was done by the then management of the South African Police due to the understanding that all organisational

participants are a team who have a common purpose to serve. Similarly, this was experienced in Botswana when the State discharged around three thousand striking employees without a hearing or any form of negotiation (Cohen & Matee, 2014).

In these two case, unionisation and partaking in strike action were forbidden and viewed as intrusively interfering with the role of management to manage. Therefore, these actions were seen as illegal and illegitimate (Chidi & Okpala, 2012). In the case of the South African Police, this was not only influenced by the approach to employment relations. There were other external factors at play during this period which led to the association of unionisation with anti-apartheid movements.

Nonetheless, unitarism can be seen as a distortion of the employer-employee relationship and provides a perspective of the employer and overlooks that of the employee. This approach cannot be used to support the relationship between an employer and employee since the relationship between them is basically a relationship between two forces that have some conflicting interests and objectives. The unitarist model fails to perceive the establishment of unions by labour as a means to collectively challenge the employer's power and strengthening the agency of workers. For unitarists, the establishment of unions undermines management's processes. This view fails to consider the management's role in protecting the interest of the employer such as maintaining the unequal distribution of wealth and resources.

2.2.2   Radicalism

Radical approach finds its roots in the Marxist's theories of capitalism. Hyman (1975 as cited in Chidi & Okpala, 2012) submitted that a capitalist society is characterised by a small minority who own and controls the means to production, determines economic activities by dominating profits and turning the abilities of societies – i.e. labourers – into commodities. In this sense, society is stratified into two main components – that is, the capitalists or bourgeoisie who own means of production and the workers who own their labour power. Owners of the means of production want to maximise profits while owners of labour want to maximise wage income. This is where conflict stems.

According to Chidi and Okpala (2012) due to these objectives, the interests of employers and employees are diametrically opposed and conflictual. Unitarism fails to account for this; it assumes a harmonious

relationship in a reality where there is innate conflict. If one was to analyse the mining industry for example, this stratification will be highly applicable. However, looking at the public services, this is not necessarily the case. This is mainly because in the public service, the employer does not make any profit. However, the principle of doing more with less still applies.

It has been argued that in order to resolve conflict, using the view point of this approach, imbalance and unequal distribution of power, resources and wealth need to change (Chidi & Okpala, 2012). However, Cradden (2011) reminds us that in analysing these capitalist societies we must be cognisant of the two dimensions that are attached to this frame of reference. These are the ideas that capitalism favours aims and interests of very few means of production owners as opposed to many social actors in the society.

Moreover, the labour relations in these societies are governed by institutional structures that prohibit the balance of power as well as the equal distribution of resources and wealth between owners of capital and labour (Cradden, 2011). Due to this uneven distribution of resources and wealth, the society becomes stratified and this brings about the susceptibility of conflicts. In the society outside the workplace, this susceptibility may lead to other factors. In the workplace, this proneness leads to the establishment of unions.

Bendix (2010) opines that a union is not just a mere collective; it is a group of employees (in this case) 'uniting' for a specific course. A trade union is therefore a unionisation of employees who have collectively concluded that the capitalist society benefits and favours the very few – that is, the employers – at the cost of many – i.e. the employees. A union thereby allows its members to have one voice and approach in challenging management. It prevents the suppression of employees' ideas that are seen to differ from those of the organisation or the employer (Bendix, 2010; Rose, 2008). By challenging management, organised labour or the union is challenging distribution of wealth and resources in the society.

2.2.3 Pluralism

In my view, pluralism combines elements of unitarism and radicalism. It adds an additional element of collective bargaining and unionism that is legitimately sanctioned and thereby is able to influence management decisions (Cradden, 2011). According Anstey (2006) pluralism emerged as a criticism to

unitarist doctrine. The main fault with unitarism from this perspective is that every system should have a final authority whose decisions are definitive. In criticising unitarism he argued that the functioning of any system is reliant on the cooperation of individuals and groups even if they have divergent goals and beliefs. It is further argued that in a system under authoritarian control, the compliance of individuals is limited to functioning under duress. Therefore, the political order responsible for such a system is susceptible to its dethronement by oppressed groups (Anstey, 2006).

From this criticism, pluralists based their theoretical viewpoint on a relationship between two parties who have different objectives, aims and interests. However, it has been acknowledged that not all their interests are different and that some of these may actually be common as envisaged by the unitarists (Geare et al., 2014). Budd and Bhave (2019) refer to this phenomenon as plurality of interests. One of these common interests is the survival of the organisation where the employer-employee relationship is based. It is in the interest of employers that the organisation survives in order for them to make profits. In the same manner, the survival of the organisation is crucial for the livelihoods and survival of the employees. Geare et al. (2014) opine that these interests differ in terms of their intended outcomes and their priorities. Conflict is contextualised as a normal phenomenon. It is seen as a natural product of interaction between individuals and groups that have differing aspirations but mutual dependence.

Another advantage of pluralism, as opposed to radicalism and unitarism, is that pluralism is grounded on the philosophy of providing rights to the role players in the employment relationship. With this approach to industrial relations there is a concern for ways to balance interests and rights such as efficiency and quality of work, equity and collective voice, through the use of government regulations and labour unions (Budd & Bhave, 2019). These include rights to associate and join a union or representative body, collective bargaining, industrial actions such as withdrawal of labour, strike and lock-out actions (Anstey, 2006). This is how conflict is institutionalised. The institutions for collective bargaining are found at the national, sectoral and organisational levels.

At these different levels, the concerned parties negotiate agreements and constitutions that are used to guide their relationship. According to Anstey (2006) these agreements also guide the role players' behaviours and procedural fairness in an attempt to avoid mutual destruction, and settlement of dispute without the use of force in order to reach fair outcomes. Therefore, it is important for conflict to be managed

through collective bargaining using policies, frameworks, rules, processes and institutions (Bordogna, 2007; Cradden, 2011; Geare et al., 2014).

The viewpoint of pluralists is that the institutionalisation of conflict results in no party having total control over the others (Bordogna, 2007). This is because the relationship between an employer and employee is contractual, negotiated and initiated to satisfy interests of interdepended parties (Cradden, 2011). The contractual relationship provides a degree of certainty to the handling of disputes with regards to the mechanisms used, and the time period for settling disputes as well as the rights afforded to each party during this process.

According to Bordogna (2007) this approach finds its strength from three pillars namely; general rules, the role of social actors, and the role of a created authority to supervise the implementation of the rules. These rules established by legislation differ from one political state to the next. However some of the consistent ones include a written notice in advance that a particular group will engage in a strike or lock-out action. This notice must be submitted following the exhaustion of other conflict management procedures and must include the duration of the strike or lock-out action, modalities and must be motivated. Minimum service must be accounted for and granted prior to the strike action. In this context there is a need for cooperation between social actors and partners in a way that they need to agree on the minimum service, and allow for the strike and lock-out to take place. It is emphasised that albeit these rules are established by legislation, they are a consequent of cooperation between the social partners (Bordogna, 2007). In the South African context, such rules can be found in the Labour Relations Act.

The second pillar of the regulatory system is the supervision of how the law is implemented as well as how the social actors abide by the rules and the law. An example of this would be the International Labour Organisation (ILO). Using conversations, the ILO provides guidance and supervision. The main task of this pillar is to evaluate the appropriateness of the measures aimed to assure the reconciliation of the exercise of the right to strike with the fruition of the constitutionally protected rights of the person (Bordogna, 2007).

Last, Bordogna (2007) opines that in order for the rules to be applied without any perceived bias, a Commission must be set to implement and supervise the rules and the law. In protecting the constitutional rights of the social actors involved, the commission is tasked to measure and evaluate the appropriate

measures suggested by either party. It is from this perspective – that is, one that allows for unionisation, the role of social partners, implementation of rules by an unbiased institution – that Rose (2008) has suggested that the pluralist approach is much more relevant compared to other approaches in the contemporary society.

Similarly Fashoyin's (2007) analysed and compared legal frameworks governing conflict management in the public services of Lesotho, Mozambique, Zimbabwe, South Africa, Swaziland, Botswana, Zambia, Namibia and Malawi. In this analysis, the Southern African Development Community (SADC) can be identified as the first pillar – that is, social actors. This community, comprised of different countries negotiate means of developing the economy of the Southern African region. The second pillar can be described as the International Labour Organisation (ILO) providing guidance on how organizations should be managed through its conventions – making special reference to conventions 87 and 98 for the purpose of this research. However, unlike Bordogna (2007), Fashoyin's (2007) model does not include a third pillar. This is mainly because this role is localised and fluid within the different countries since they have different approaches to the employment relationship in essential services.

The fluidity of the third pillar can be exemplified by the SAPS's approach to employment relationship. For example, unionisation in the South African Police Service (SAPS) as an organisation is a recent phenomenon. Marks's (1995) article on how Popcru as a union was discouraged in the early stages of its development shows how the South African labour relations adopted the unitarist approach to conflict management. This is also evident in Moody's (1994) account of how a trade union in the mines was seen as illegitimate by management in some companies. The implementation of the pluralist approach was coupled by overthrowing the then political order that adopted unitarism and its final and decisive authoritative control. Using the mines' and Police Service's unions as examples, Popcru and National Union of Mineworkers (NUM) respectively, South African Labour relations has evolved and adopted the pluralist approach to managing conflict.

The usage of pluralism as an approach to managing labour relations was also emphasised in a judgement by the labour court over the case of South African Police Union (SAPU), Police and Prison's Civil Rights Union (Popcru) versus the National Commissioner of the South African Police Services together with the Minister of Safety and Security (case no. J1584/05, paragraph 54, pp. 14). Acting Judge Murphy

emphasised why the labour relations in South Africa have adopted a Pluralist approach and its importance thereof:

> Labour relations in our system are regulated primarily through collective bargaining, minimum standards legislation and contextually sensitive dispute resolution which take account of the policy prescriptions and values of a constitutionally sanctioned pluralist model, underpinned by organizational rights, majoritarianism and a preference for negotiated solutions and outcomes.

At all times, during the employment relationship, these must be upheld. Anstey (2006) points out that where one party is of the opinion that the system is biased, pluralism is threatened. This can occur when one party engages in conflict management activities that indicate that it is no longer investing in the continued relationship; when legitimacy is being denied; and when there is an abuse of power by the other party. In accordance with the three pillars that strengthen the pluralist approach, it is important to explore, analyse and to some degree, evaluate the conflict management strategies used in essential services from the pluralist approach. This is premised on the idea that such an approach provides an employment relationship that benefits the role players within the relationship and outside the relationship in the society. It is suggested that processes of joined social control through negotiation and cooperation are allowed to emerge as predominant in societies where there is a broad balance of power.

2.3   Managing conflict and resolving disputes from a pluralist perspective

Pluralism, gives rise to a number of strategies and theories that can be practiced in the contemporary context of workplaces. For example, Bendix (2015) posits that collective bargaining relies heavily on the pluralist approach to labour relations. Accordingly conflict management is premised on the concern for other and oneself (De Dreu, Evers, Beersma, Kluwer, & Nauta, 2001) and engaging in collective bargaining that is mutually beneficial in an effort to reach a common goal. The function composed of high and low concern for self as well as high and low concern for others provides five behavioural approaches to managing conflict. These approaches are forcing, yielding, avoiding, problem solving and compromise. These have been referred to elsewhere as yielding, inaction, contending, problem solving and compromise (Anstey, 2006).

Yielders are concerned with preserving the employment relationship in a way that they are willing to find themselves in win-lose situations. The process involves accepting and incorporating others' concerns and outcomes (De Dreu et al., 2001). Avoiding or inaction is an approach whether both parties have low concern for oneself and for others. As De Dreu et al. (2001) explain the process involves reducing the importance of concerns and issues at hand. The approach also includes suppressing the issues and concerns raised.

When one party has low concern for other's concerns and outcomes combined with high concern for oneself, the approach taken is called contending or forcing. This approach involves highly competitive and aggressive tactics including threats, and persuasions. Problem solving on the other hand, is a win-win situation. It involves both parties getting into agreements that are satisfactory for both. This is achieved through exchange of information regarding each party's concerns and interests and searching for consensus. Compromise centres itself between the four approaches. In this approach both parties are willing to lose a bit and win a bit as depicted in figure 1.1 below.
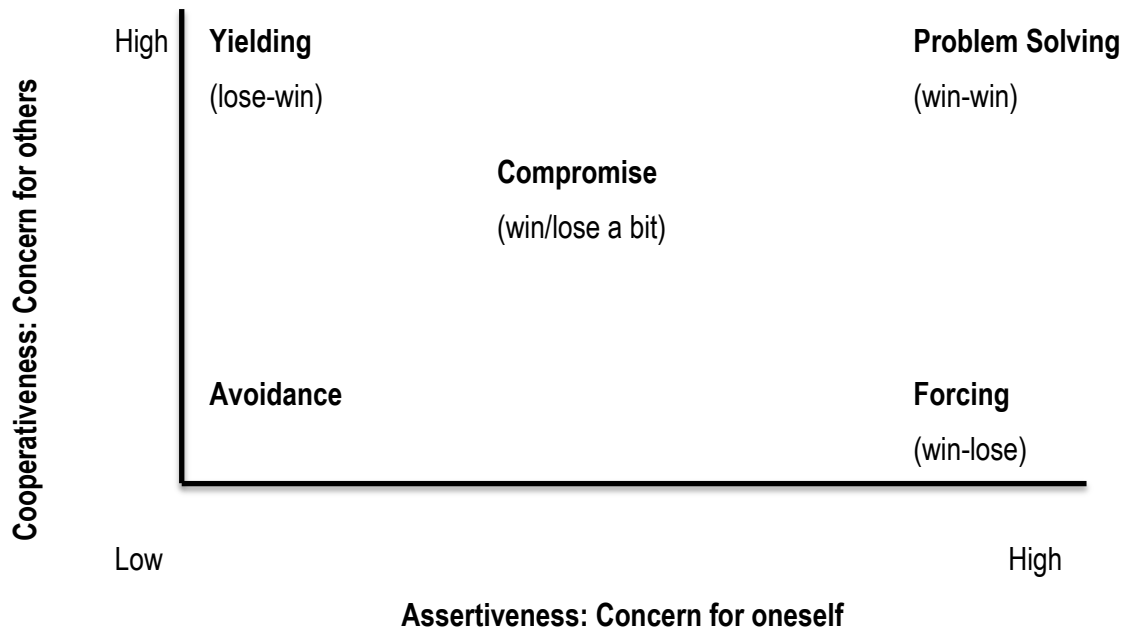
Figure 1: Theoretical representation of the five conflict management strategies

Since conflict is capable of interrupting a coherent system such as a workplace, its management has to be premised on minimising the interruptions. Katz and Flynn (2013) posit that conflict management has to involve designs and strategies that are effective enough to minimise dysfunctional aspects of conflict and at the same time enhance constructive functions of conflict. These strategies must, in the process, promote and enhance learning and development of the organisation in terms of managing conflicts.

Furthermore, the management of conflict has to take into account causes of conflict as well as the organisational culture in the workplace as these might negatively or positively affect how conflict is managed at work. For example, Katz and Flynn (2013) found that causes of conflict can range from dissatisfaction with salaries, poor communications, abuse of power, and competition to management styles such as micro-managing employees, unclear working expectations and cultural differences. The former examples relate to how employees feel in relation to the actual work they do and the later aspects relate to how employees feel with regards to the leadership of an organisation. The model depicted above accounts for these. It is from this pluralistic approach that conflicts and disputes can be managed well and resolved without the need to undermine one party.

2.4   Conclusion

Understanding that conflict is inevitable is the first step to managing conflict. Pluralist approach to employment relationship acknowledges the existence of conflict between the main parties. Strategies developed from this approach provide benefits for both employers and employees in the relationship. The approach makes these benefits achievable through the institutionalisation of conflict, deriving rules from laws, allowing social actors to take control and allowing the implementation monitoring of such rules and regulations.

Chapter 3: Overview, Legislation and Processes Governing Conflict Management in the South African Police Service

3.1   Introduction

The purpose of this chapter is to provide an overview of the South African Police Service (SAPS) as an organisation that provides an essential service. The importance of conflict management is discussed as well as the legislation, institutions and processes that govern the management of conflict. As a final point, the chapter outlines the process that is followed within the essential service and thus focusing on the SAPS.

3.2.   SAPS vision, mission and code of conduct

The SAPS, like any other organisation, is guided by its vision and mission statements. This is underpinned by the values enshrined in the constitution of South Africa as well as a code of conduct. SAPS employees are therefore expected to execute their duties in a certain manner that assists in highlighting their responsibilities when providing a community oriented service. The vision, mission, values and code of conduct do not only apply when SAPS provides a service to the public, but they also need to apply within the organisation. Therefore, when conflict is proactively and properly managed within the organisation it puts its employees in a position to better meet the organisation's strategic objectives as well as the needs of the public.

SAPS vision is "to create a safe and secure environment for all people in South Africa" (SAPS annual report, 2016: 25). In order to have the human resource and capacity to maintain and achieve this vision, SAPS values include "providing a responsible and effective high-quality service with honesty and integrity" (SAPS annual report, 2016: 25). All the people in SAPS's employ need to have the agency to exercise their labour power in order to achieve the above-mentioned vision. More importantly, is the ability to work, without supervision, in the field with honesty and integrity.

The SAPS code of conduct is at the heart of the services that the police provide. According to the SAPS annual performance plan (2018: 1) SAPS employees commit themselves "to the creation of a safe and

secure environment for all people in South Africa by preventing and investigating criminal activities". They further commit themselves to:

- Render, with integrity, a responsible and effective service;
- Utilize all the available resources responsibly, efficiently and cost-effectively;
- Participate in the development of their fellow members to ensure equal opportunities for all;
- Uphold and protect the fundamental rights of every person;
- Act impartially, courteously, honestly, respectfully, transparently and in an accountable manner; and
- Exercise the powers conferred upon them in a responsible and controlled manner.

The South African Police Services employs its workforces under two separate Acts, the South African Police Services Act, 68 of 1995 and the Public Services Act, 103 of 1994. The former act covers employees whose main objective and roles are to perform duties of crime prevention as well as combating and investigating crime. The latter act covers employees whose main objective and roles are to perform administrative duties and supporting activities. These employees work together to create a safe and secure environment for all people in South Africa. Given this mandate of SAPS employees, it is crucial to have fair labour practices to prevent and properly manage conflict between the employees and the employer to achieve their mandate.

3.3   History and working conditions at the South African Police Service

Policing in South Africa has a long history of transformation to meet the needs of the people. An overview of the cultural, structural, psychological and societal changes that have taken place within the South African Policing context has been extensively recorded (Bruce & Neild, 2005; Marks, 2005). Over and above this, the South African Police Service has undergone the many changes compared to other departments in the public sector. Such changes and transformation included the transformation from a force-oriented to a service-oriented organisation. This transformation is imbedded in the ideology of community policing. This

ideology meant that the organisation had to do away with the concept of authoritarian policing and promote the concept of policing that has fundamental respect for people's human rights (Bruce & Neild, 2005). The conceptual shift also necessitated the need for the employees of the SAPS to be treated in a fair manner, a manner that the organisation would want to see its employees implement when dealing with the public as opposed to in the past (Marks & Fleming, 2007).

According to the SAPS website, prior to 1994, there were ten homeland policing agencies as well as a separate national police, the South African Police. Each homeland had its own policing agency. There were different structures, ranks, uniforms, legislation and conditions of services to govern the eleven different and separate police agencies. Following the first democratic election in 1994, all police agencies were amalgamated to form a single police agency in the country (Marks, 2005; Steyn, 2006). Since then, the police agency has been the primary and common source of safety and security in South Africa. This was a consequent of the Constitution of the Republic of South Africa, Act 108 of 1996, which necessitated the establishment of a single police service (not force) that can be accountable, transparent, impartial and legitimate.

As a government response to providing a safe South Africa, members of the SAPS are mandated to maintain order, prevent and respond to crime, patrol streets, conduct random searches, and ensure public order policing. Their policing have to be conducted in a manner that promotes service delivery and strengthens the relationship between the police and its communities (Steyn, 2006). These can be done first hand by employees employed under the South African Police Service Act 68 of 1995 with support from employees employed under the Public Service Act 103 of 1994.

In terms of structure, the South African Police Service is divided as follows. At the top, commissioned officers are senior management. This level constitutes the ranks of General, Lieutenant General, Major General, and Brigadier. These Officers are addressed as Generals. Below this level, are commissioned officers of the ranks of Colonel, Lieutenant Colonel, Major, Captain and Lieutenant. These officers are addressed by their specific ranks. Furthermore, Colonel, Lieutenant Colonel, Major and Captain are recognised as middle management. The lowest level is constituted by non-commissioned officers from the ranks of Warrant Officer, Sergeant and Constable. The South African Police Services reported in its 2016/17 financial year that it has, in its employ, 194 605 employees of which 25 049 employees were

commissioned officers, 125 687 non-commissioned officers and 42 919 Public Service Act employees (SAPS Annual Report, 2017).

In performing their duties, police officers use instruments of coercion to assist with the process such as firearms, handcuffs, truncheons/batons and pepper spray. These activities are often strenuous, dangerous and can result in traumatic experiences. Furthermore, Newham (2002) found that in societies where delinquency is perpetuated, police officers' integrity is more likely to be tested by individuals who are of the view that police officers are under-compensated for the work they conduct. In such cases, police officers are offered bribes that would accumulate and be more than their salaries. However, this is not a general view; there are environmental factors that account for the development and perpetuation of corrupt and poor policing. These include low levels of visibility from both management and the public, peer group secrecy – also known as the code of silence – and frequent contact with criminals and people who are likely to bribe police officers to perform unjust activities.

Moreover, Bruce and Neild (2005) argue that the 'double-demand' puts pressure on police. The double demand is when police are expected to adhere to high standards of conduct and at the same time provide high standards of service without or with little acknowledgement or fair treatment for them. Mallinson and Blanche (2011) argue that the number of police officers who lose their lives during the course of duty is still a concern. Furthermore, according the Popcru website, in the past, black police officers were chased away from the communities they lived and worked in because they were implementing and enforcing unjust laws of the apartheid government. This stigma is still attached to the image of police officers.

These are some of the conditions that police officers are exposed to during their line of duty, to name a few. These have the potential to negatively affect the perception that police officers have about their work, salaries, working conditions and work-life balance thereby providing a platform for grievances and creating conflict.

3.3   Labour rights in essential services

Findings in this area have indicated that unlike other Southern African countries, South Africa is on par with the International Labour Organisation's (ILO) conventions which promote labour rights (Le Roux & Cohen,

2016; Marks & Fleming, 2006 and 2007; Marks & Sklansky, 2008). These are convention 87 which is concerned with the "freedom and protection of the right to organize" and convention 98 which is concerned with the "right to organise and collective bargaining" (Cohen & Matee, 2014: 1631).

It is widely known that even though other countries define essential services providers differently, this 'sector' is characterised by the lack of the right to mobilise and embark on a strike action or any form of work stoppage including but not limited to sit-ins, lock-outs and go slows (Cohen & Matee, 2014; Fashoyin, 2007; Le Roux & Cohen, 2016). This is the main reason why most researchers in this area have primarily focused on conducting research that promotes employees' labour rights.

Part of the research on this issue, includes Fashoyin's (2007) categorisation of countries according to the level employees are afforded labour rights. In the first category, there are no organisational rights. Disputes in these countries are seen as irrational, collective bargaining is an idea, negotiation and consultations are non-existent, and striking employees are dismissed. Countries in this category include Zimbabwe, Lesotho, Botswana, and Mozambique. In the second category organizational rights are existent and provided by law, however due to legal frameworks and administrative measures, these are limited. In short, there are labour rights for employees in these countries; however, there is no true freedom in the organisations. Countries in this category include Swaziland, Namibia, Zambia and Malawi. Furthermore, in these two categories, collective bargaining is non-existent (Fashoyin, 2007). The last category contains South Africa. In this category, there is a clear definition of essential services, bargaining systems are in place, and workers have the right to partake in strike action.

It would not be inaccurate to say that although Fashoyin (2007) found three categories, the countries in these categories can be best placed on a continuum. On one end of the continuum is Zimbabwe: the concept of employees in the essential services embarking on a strike is not entertained (Fashoyin, 2007). Although there is a bargaining council for essential services in Zimbabwe, its recommendations are not binding; they are mere recommendations (Fashoyin, 2007; Le Roux & Cohen, 2016). This means that should the employer enter into a bargaining activity with its employees' representative, the employer will always have the final say. Therefore, in this instance, there is no true labour power in place to be exercised.

On the other side of the continuum is South Africa: its Labour Relations Act allows for employees in essential services to embark on a strike. However, a minimum service must be agreed to and provided during the duration of the strike. This is because according to the essential service argument, collective bargaining that will result in the interruption of services such as sit-in and strikes will "inflict imminent and substantial harm on the society" (Munoz, 2014; 649). In the country, there are bargaining councils for employees in the essential services, and their recommendation can be adopted and implemented.

The South African Police Service has adopted this approach by providing their employees with the right to bargain collectively. The South African Police Service has signed collective and binding agreement between itself, the unions, and the bargaining council. These include dispute resolutions rights and agreements signed in 2005, 2007, 2008, 2012 (Safety and Security Sectoral Bargaining Council, agreement 1/2012) and 2015. This can be regarded as one of the ways that SAPS has demonstrated value for continuous service evaluation in order to improve on their services. Furthermore, this can be seen through the different stages of the labour relations that have been present at the organization and how these have evolved over time. This indicates that SAPS is aware of the importance of managing workplace conflict.

3.4   Legislation, institutions and processes governing conflict management

The South African Police Service is governed by legislation. Their labour relations matters are managed internally through their own processes and standing orders, and externally through other institutions that govern labour relations matters. Internally, SAPS has its own standing orders, and agreements with bargaining councils and trade unions that assist in managing conflict. Furthermore, trade unions assist employees and represent them in labour matters where employees are unable to represent themselves. Externally, there are the institutions such as the Public Service Co-ordinating Bargaining Council (PSCBC), the Safety and Security Sectoral Bargaining Council (SSSBC), the Commission for Conciliation, Mediation and Arbitration (CCMA) and the labour courts.

3.4.1   Trade unions

The Labour Relations Act, No 66 of 1995 defines a trade union as any number of workers in a particular enterprise, industry, trade or profession who are united for the purpose, either alone or with other objectives, of organizing relations between them or some of them and their employers or some of their employers in that enterprise, industry, trade or profession. This group of workers are bonded by collective action to defend and advance their collective interests.

Ferreira (2008) posits that unions come to the fore when employees recognise that their voices and concerns are strengthened by a collective approach to action and organisation. Furthermore, they play an important role of initiating conflict management process through collective bargaining in order to protect and promote employees' interests. This function of protection, including security, and wages is referred to as labour union utility (Choi, 2018). It has therefore been noted that union officials can be regarded as subject experts in the field of representing employees.

An employee might or might not have the skills and knowledge of initiating negotiations with the employer. However, through a trade union, this is made possible. In support of this, Benson (2010) has indicated that amongst other things, shop stewards hold workshops with employees to address and explain matters relating to the applications of rules and regulations within the organization.

Marks (1995) found evidence that the main role and objective of any trade union is to protect and promote the interests, rights and goals of employees. In this respect, employees stand to benefit from belonging to a trade union. Such benefits include improved wages and securing employment stability (Choi, 2018). Unlike in other countries, the South African Law allows for this to take place in the workplace. For example, the Labour Relations advances for trade unions to be allowed on the employers' premises. Accordingly, the LRA specifies that given sufficient representation at an organisation, a trade union is allowed to hold meetings, recruit members and communicate with them on the employer' premises. During apartheid-era, when South African labour relations adopted a unitarist model, this was not allowed. Evidently, Moodie (1994) pointed out that when trade unions wanted to meet, organize and recruit, they would have to secretly arrange for meetings outside the mine compounds.

Prior to 1994, all decisions made in the South African Police Services, or the then South African Police (SAP) as it was known, were concluded unilaterally by management (Marks, 1995). However, post-apartheid, this practice of unilateral decision-making by management was short-lived. Based on Anstey's (2006) analysis, it is safe to assume that the coercive nature of the relationship between the employer and the employee to consent to working conditions and context of the radical approach to industrial relations were not benefiting the employees. Resultantly, Bendix (2010) opines that the dissatisfactions that come out of the labour relationship led employees to organize and create labour organisations.

At the height of the liberation struggle within the country, the Police and Prisons Civil Rights Union (Popcru) was established within a unitarist approach to labour relations to assist police who operated under an authoritarian rule. Popcru was established, as it has been theoretically alluded to in this study, in order to combat challenges that were experienced by the police officers, especially black officers, in a unitarist labour relationship. According to Popcru website, the union was tasked with challenges that included but were not limited to racism, salary disparities based on racial grouping, with blacks being the least paid workers, promotions of other races, and general working conditions that were exacerbated by the apartheid regime.

However, upon its inception, the Police and Prisons Civil Rights Union (Popcru) received immediate attack from SAP management. The attacks were targeted at silencing the voices of SAP employees who were against the illegitimate ways that SAP was operating as well as their working conditions. These attacks included victimizing Popcru members, the dismissal of 54 police officers and the suspension of 400 Popcru members (Marks, 1995). The attacks were seen as legitimate given that the SAP management followed a unitarist approach that saw unions as agents created to undermine management (Chidi & Okpala, 2012).

As a consequent to the industrial approach to labour relations and conflict management as well as the apartheid regime, the union struggled to establish bargaining structures within the organisations in which they were operating. The union was refused recognition until 1993. Following its recognition, according to the Popcru website, police management supported firmly and sponsored the formation of a rival union. Although no other record exists to support this, it was herein when South African Policing Union (SAPU) was established as a rival union. SAPU was believed to be the management's union as Popcru argued that in most cases SAPU always sided with the employer, especially in cases of transformation (IOL, 1999).

However, according to Marks (1995) the South African Police Union (SAPU) was established to assist further with the management of conflict and furthering employee rights within the organization. Since then, South Africa's labour relations have been exemplary compared to other African countries' labour relations. A number of authors have indicated that South Africa has the most democratised labour relations in the region (e.g. Fashoyin, 2007; Okharedia, 2011). Furthermore, when Police Unions in Swaziland wanted to democratise their labour relations, they requested assistance and advice from Popcru (Marks and Fleming, 2007).

Both Popcru and SAPU have been at the fore of assisting SAPS employees to advance and defend their collective interests. For example, Popcru and SAPU were instrumental when the SAPS employees were unhappy about the 'unilateral' decision made by the commissioner to phase out a 12 hour shift and phase in an 8 hour shift (The Labour Court of South Africa, Case no. J1584/05). These employees consulted the union to attend to the case. The negotiations exhausted the internal SAPS structures and when a deadlock was reached, external role players were consulted to manage the dispute. SAPU and Popcru took it upon themselves to consult the SSSBC and the labour court in this regard. This example depicts one of the advantages of a sectoral or industry-specific trade union. According to Bendix (2015), other advantages include minimised inter-unit competition, fewer trade unions that the employer has to bargain with, improved sectoral planning as well as centralised bargaining. Trade unions are created to channel employees' concerns in the right direction with the hope of protecting their right, needs and interests (Bendix, 2010).

Under the Labour Relations Act of 1995 trade unions have gained momentum, impetus and support even though managers had initially attempted to subvert these unions (Bendix, 2010). It has been evident that South African labour relations had to move from the radical to the more 'user friendly' pluralist approach. Besides other factors that could have been at play, this 'move' was due to the made by Bhorat et al. (2009) that South Africa has a very strong and vocal trade union movement that has led to the reforms of the labour relationship.

Over and above these, Okharedia's (2011) analysis of the South African CCMA has led him to argue that other countries such as Ghana, Malawi, Nigeria and Ethiopia can also benefit from adopting South Africa's

approach to conflict and dispute resolution. To further the influence of trade unions, Marks and Flemming (2007) have noted that based on the three successful International Symposiums on Police Labour Relations that they have hosted since 2002, Botswana, Lesotho and Swaziland have established trade union movements. As it stands, the main trade unions in the South African Police Services (SAPS) are the Police, Prisons and Civil Rights Union (Popcru) and the South African Police Union (SAPU).

3.4.2 Collective bargaining

The Labour Relations Act of 1995 stance on bargaining councils is as follows. It allows for the establishment of a bargaining council by one or more registered trade union or registered employers' organisation. Furthermore, it prescribes powers and functions of a bargaining council. These include, but not limited to, concluding and enforcing collective agreements, preventing and resolving labour disputes as well as increasing awareness by promoting and establishing training and education schemes.

The Commission is granted by the LRA the power to establish and accredit bargaining councils. It uses the bargaining council as means of branching out and reducing its workload. The bargaining council can perform all of some of the functions performed by the Commission. However, this does not mean where a bargaining council is responsible for a certain sector/industry then that sector does not submit disputes to the Commission (Bhorat et al., 2009).

SAPS as an employer submits its disputes to bargaining councils and the Commission. This is due to the fact that bargaining councils are authorised by the CCCMA to resolve disputes, manage conflicts and minimize industrial actions. They do so re-actively and pro-actively through the use of mediation and/or arbitration and binding agreements, respectively. According to Zondeka (2008) agreements signed by employers and employees within a certain bargaining council will apply to all the employers and the employees who fall under the scope of that particular council.

In the public sector, the central point of collective bargaining is under the scope of the Public Sector Co-ordinating Bargaining Council. Its implementation was brought about by the "urgency to create labour relations structures and procedures in the public sector" (Ferreira, 2008: 197). It has been suggested that

by 1999 bargaining councils have been created to assist with sectoral collective and dispute resolution with one of them being the SSSBC.

While the PSCBC is available for use by the state as an employer and trade unions representing employees in the public sector, the SSSBC is only available for use by the state as an employer and the unions representing employees in the safety and security sector such as Popcru and SAPU. SSSBC role is to manage conflict, promote working relationships and prevent unhealthy relationship between the State as an employer and its employees.

3.4.3. Commission for Conciliation, Mediation and Arbitration (CCMA)

Chapter seven of the Labour relations Act of 1995 establishes the Commission for Conciliation, Mediation and Arbitration (CCMA) as an independent juristic person. The Labour Relations Act of 1995 states that the CCMA is independent of any political party, employers' and employees' organisation as well as the State. Unlike the PSCBC and SSSBC the CCMA is not limited to any sector or industry; accordingly its jurisdiction is applicable in all provinces in South Africa.

Although the Commission is independent, it is funded by the State (Bhorat et al., 2009). In an attempt to replace the old ineffective, complicated and costly systems of conciliation, the South African government established the Commission in the year 1995. Two factors have influenced the establishment of the Commission. These are the success of the Alternative Dispute Resolution (ADR) of Australia in resolving disputes as well as the success of the operational activities of one of the earliest and effective mediator, the Independent Mediation Services of South Africa (IMSSA) that was created in the 1980's (Okharedia, 2007).

In the same line, the main role of the Commission is to mediate, conciliate and arbitrate disputes that are referred by any party in conflict. These referrals can stem from multiple areas and statutes including but not limited to the Labour Relations Act of 1995, the Basic Conditions of Employment Act of 1997, Employment Equity Act of 1998, Unemployment Insurance Act of 2001, the Skills Development Act of 1998 and other work and/or organisation-based acts such as the South African Police Services Act of 1996.

As it has already been established, the CCMA has the power to licence and accredit bargaining council in the furtherance of its objectives in certain sectors. Resultantly, Bhorat et al. (2009) has shown that not all disputes are referred to the Commission. They have categorised these into cases where there is an independent contractor involved, where there is an agreement already in place that privately resolved the conflict and where the dispute does not deal with the issues in the aforementioned Acts.

Furthermore, where there is a bargaining council in a particular sector, the cases would not be referred to the CCMA (Bhorat et al., 2009). However, according to the SAPS Annual Report (2016) there are cases that have been referred to the Commission. This is over and above the Sectoral bargaining council, the SSSBC, and the Public Sector Co-ordinating Bargaining Council established solely for the dealing of disputes resolution in the Safety and Security sector and the public sector respectively (Ferreira, 2008).

Through the accreditation of bargaining councils to have powers to resolve disputes, the CCMA has been able to focus on internal process and worked on improving them. According to Bhorat et al. (2009) the Commission has been made more user-friendly and accessible to unskilled employees. Furthermore, the Commission's improvements include the absence of "a requirement for formal pleading and complicated referral procedures" (Bhorat et al., 2009: 6). The commission has also ensured that employees would not be hindered from entering the system due to lack of skills, illiteracy and lack of resources. All these improvements have led to an accessible Commission for Conciliation, Mediation and Arbitration.

3.4.5   Labour courts and courts of appeal

The labour court and court of appeal provide the final in terms of labour relationship disputes. They have been established by the Labour Relations Act to have jurisdictions in all provinces of South Africa. According to the Labour Relations Act, when a party is not happy with the outcome of arbitration either effected by a bargaining council, the Commission or the labour court, the party is allowed to appeal the decision to the labour appeals court (Bhorat et al., 2009).

3.5   Conflict management procedure within essential service

As it has been alluded to, management of conflict within essential services does not necessarily follow the same paths an in any other organisation. For essential service providers there are other compulsory aspects that are required to be followed internally prior to engaging external institution or declaring a deadlock. Once an employee is of the opinion that the policies and processes that are in place in an essential service organization are not producing satisfactory results, they are required to undergo compulsory conciliation and arbitration prior to engaging the courts for example.

3.5.1   Compulsory conciliation

When a matter has not been resolved through the internal prescripts of the organisation, engagement in conciliation is the next step in resolving the dispute. Section 74 of the Labour Relations Act is concerned with disputes in essential services. The Acts instructs the parties in essential services to refer any unresolved matter in writing to either a bargaining council or the CCMA for disputes where there is a registered council in that sector or when there is no registered council in that sector, respectively. The council or the CCMA will then resolve the dispute through conciliation.

According to Bhorat et al. (2007) conciliation is when a third party who has to be neutral is invited to facilitate the procedure for settling a dispute. The main objective of this facilitator is to assist the two parties – that is the employer and the union/employees – to find a common ground. Additionally, the conciliator is required to offer suggestions that are geared towards solving the problem without any bias (Oakharedia, 2011). It is also important to note that, although the neutral party is able to come up with a solution; that solution is not binding.

For disputes referred to the CCMA – that is, in the case where no council has jurisdiction – the commission must attempt to resolve the dispute within 30 days where factors such as mediation, fact-finding and advice can be included in the conciliation process (Oakharedia, 2011). At the end of the process, the commission is required to issue a certificate that states whether the dispute was either resolved or not. In a case where the dispute was not resolved, arbitration will follow.

3.5.2   Compulsory arbitration

When a deadlock is not resolved by conciliation or mediation, arbitration follows. The Labour Relations Act allows for any party to the dispute to request the arbitration process, either through a council or through the Commission. The main difference between conciliation and arbitration is that in their nature, the recommendations and outcomes of a neutral party that conciliates are not binding, whereas the outcomes of an arbitrator are binding on the two parties that have reached a deadlock (Bhorat et al., 2009; Oakharedia, 2011).

3.5.3   South African Police Service context

The dispute resolution in South Africa is regulated by the Labour Relations Act of 1995, together with other statutory laws. In essence, the procedure can be divided into three major steps. The first step is to make use of and exhaust all the internal procedures in an organisation. The second step is to refer the matter for conciliation or mediation. The third step is arbitration.

The South African Police Service Act no. 68 of 1995 does not make explicit internal process that needs to be followed when conflict has been detected and in need for a resolution. This does not mean the organization does not have procedures for resolving conflict. This sub-section will be concluded subject to access to SAPS documents in the form of Policies and Standard Operating Procedures that govern the process for resolving conflict.

For the 2016/17 financial year, SAPS had 1 409 grievances and 756 disputes lodged with different councils and the commission. Eighty-one per cent (81%) of all grievances were resolved. Ninety-two per cent (92.6%) of all disputes were referred to the SSSBC, with 2.5% being referred to PSCBC, 3.6% to the CCMA and 1.3% were referred to private arbitrations for conciliation, mediation and arbitration (SAPS Annual Report, 2017). However, the report does not indicate how many of these cases were resolved at which stage and how long the disputes took. This is important to track in order for the organisation to improve on their dispute resolution methods. Below I provide a comparison of different financial years. The aim of this exercise is to understand and paint a picture of SAPS's conflict management landscape. This I do by looking at grievances and disputes lodged as well as number of unlawful labour actions.
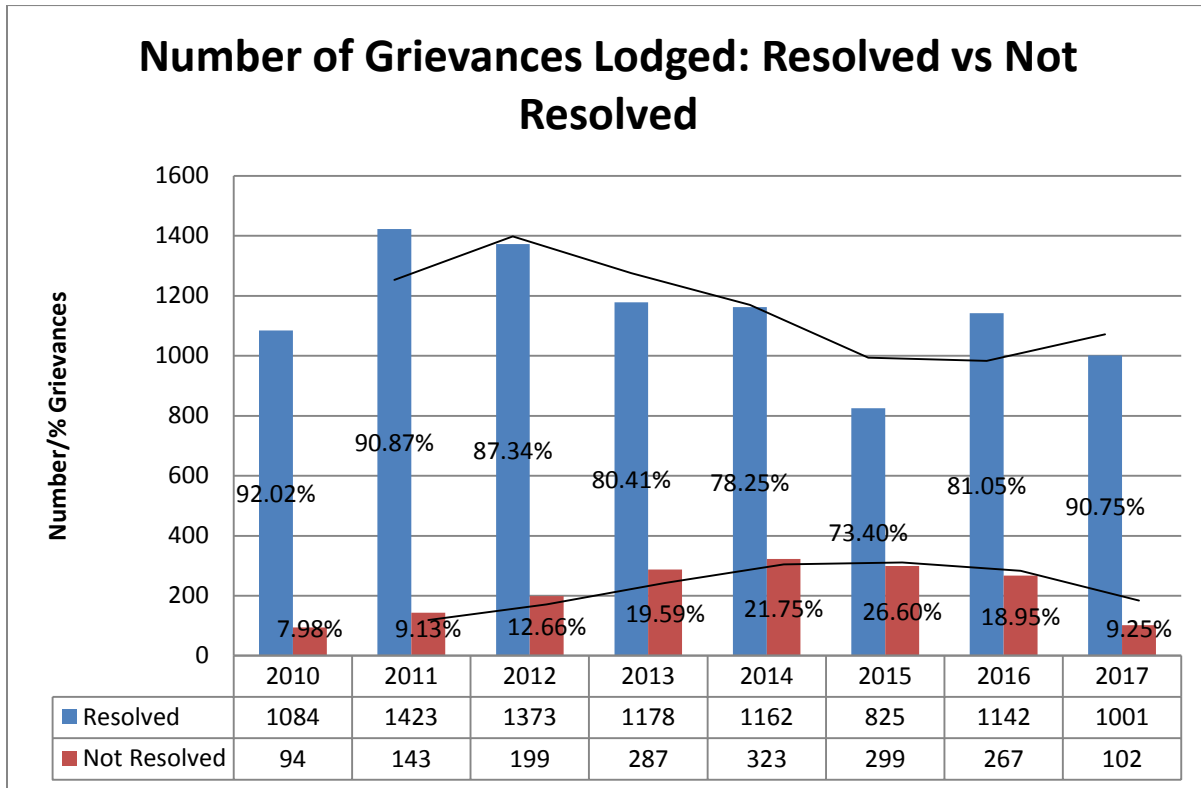
Figure 2: Number of grievances lodged (resolved vs. not resolved)

Figure 2 above displays the number of grievance cases lodged in the organisation. Year-on-year statistics indicate that the SAPS has an acceptable level of resolving grievances. This is indicated by at least 73% of resolved cases in any given year with at most 26% of unresolved cases in any given year. The graphs shows that the highest percentage of resolved cases was in the 2010-11 financial year at 92% (1084) whereas the highest percentage of unresolved cases was in the 2015-16 financial year at 26% (229 cases)[1]. Given these statistics, it can be suggested that the organisation is able to manage their grievances well – when focusing on year-on-year statistics. However, what is worth noting is the convex shape of unresolved grievances. From 2010 to 2015, as indicated in the bar chart above, the service has had an increase in number of unresolved grievances. Furthermore, overall number of grievance lodged, regardless of whether they have been resolved or unresolved, is slightly decreasing overtime.

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[1] The 2015/16 financial year has the highest percentage of unresolved cases. However, the highest number of unresolved cases was recorded in the 2014/15 financial year. When considering the number of grievances lodged, the percentage is relatively low when compared to the 2015-16 financial year.

The numbers also show that a mere one percent of the workforce – at most – is lodging grievances. This can be two-fold. One, employees at the SAPS are content and satisfied with their work and employment conditions thereof to the extent that they do not have reasons to lodge grievances. Two, the SAPS employees have lost trust in the organisation's processes to the extent that they do not lodge grievances in their numbers. This can be explained by comparing other factors, such as disputes (please see figure 4 on page 38).

Number of disputes lodged with different bodies

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
■ Private Arbitration	0	23	21	20	6	17	10	33
■ CCMA	0	43	19	15	14	29	27	32
■ PSCBC	21	50	63	53	34	27	19	30
■ SSSBC	762	562	805	545	729	770	700	1033
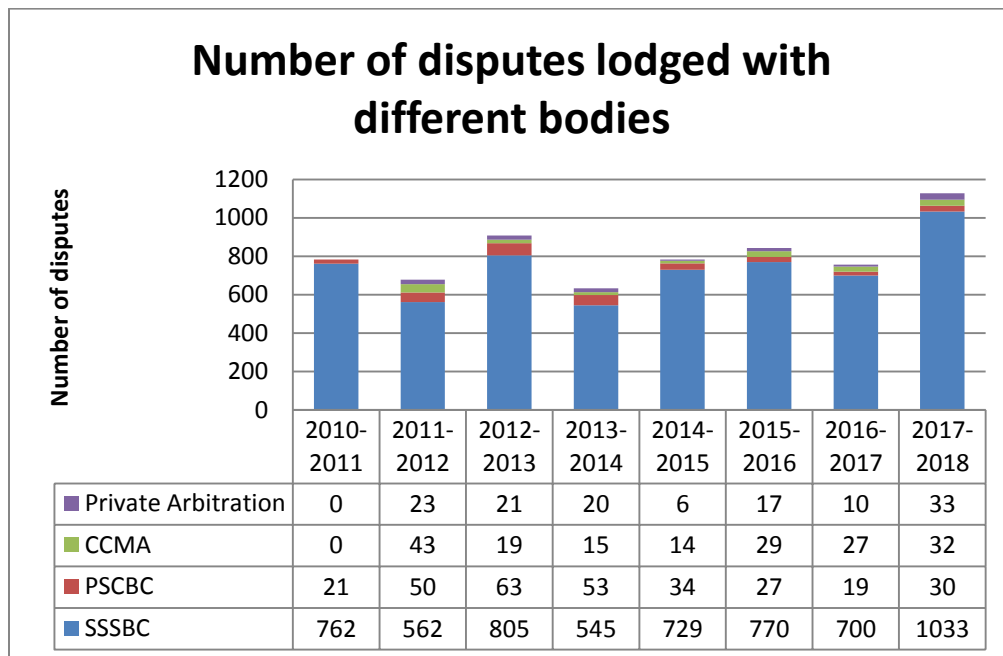
Figure 3: Number of disputes lodged with different bodies

In terms of disputes lodged, the SAPS's annual reports does not indicate how many cases were resolved or not resolved, it only shows figures of how many were lodged as well as who managed the disputes. Furthermore, it does not differentiate between disputes of rights and disputes of interests. Therefore, this makes it difficult for a detailed analysis. Figure 3 above depicts the number of disputes lodged in the SAPS between the years 2010 and 2018. On average, the organisation has attended to 750 disputes per financial year. However, for the 2017/18 financial year, the organisation saw a spike in the number of disputes lodged. Majority of these disputes have been dealt with by SSSBC while PSCBC, CCMA and private arbitration have only managed less than 10% of the organisation's disputes. Overall, the number of

disputes lodged over the years can be seen to have slightly increased. This is interesting considering that the number of grievances over the years decreased slightly. This can be seen in the chart below.
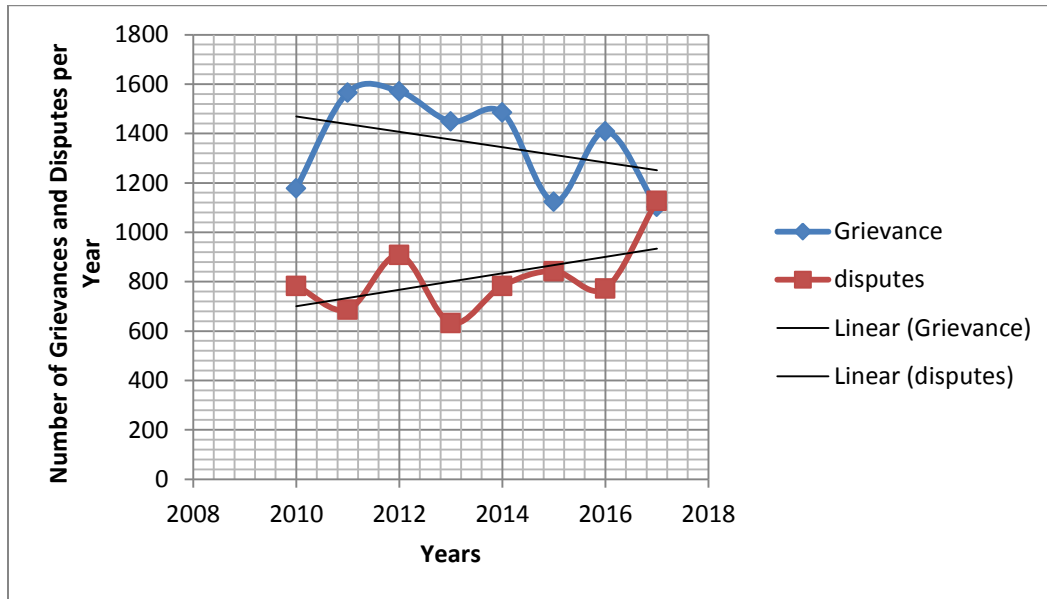
Figure 4: Number of grievances and disputes registered per year

Figure 4 above shows a possible relationship between the number of lodged grievances per year against the number of registered disputes per year. In layman's terms, a grievance is a complaint while a dispute would be considered as a disagreement between two parties. Provis (1993) differentiated between disputes of rights – disputes about unfair dismissal, unfair labour practices and other contraventions of employment contracts – and disputes of interests - disputes about wage increases, modification of collective agreements and other employment benefits. Grievance procedures are put in place at workplaces to minimize disputes and save time, money and preventing the employer-employee relationship from deteriorating (Honeyman, 2003). This is due to the opinion that grievances can be resolved by correcting a misunderstanding, or with a simple negotiation. Therefore, the relationship between grievances and disputes lodged at the SAPS can be interpreted with concerns. The decrease in number of grievances against the increasing disputes suggests that the SAPS might not be saving money, time and the employer-employee relationship may be at risk of deteriorating.

Figure 5: Number of employees found guilty of unlawful labour action

Report on unlawful labour action, as depicted in figure 5 above, completes the picture that I am attempting to paint regarding labour relations at the SAPS. On a normal year, the organisation does not register any unlawful labour actions. However, for the 2010/11 financial year, the police service recorded 23 cases, 2 cases in 2011/12 financial year, 25 cases in 2013/14 and 58 cases in the 2014/15 financial year. No official public record exists that indicates the reasons why there were cases of unlawful labour action for these years. An untested relationship is evident between unlawful labour action in 2015 and unresolved grievances in the same year. For this financial year the organisation recorded the highest number of unresolved grievance at 26% (see figure 2) and the highest number of people found guilty of unlawful labour action. In closing this sub-section on SAPS statistics, one plausible explanation of this statistics can be apportioned as follows. First, SAPS employees record few grievances since they have lost interest in the system. Second, this is supported by disputes that are lodged annually. Third, the existence of unlawful labour action can be described as a manifestation of their dissatisfaction with some of the conflict management processes.

3.6   Conclusion

The chapter was aimed at providing the reader with an overview and discussion of research that have been conducted in this area. It took into consideration the nature of work conducted within the SAPS and the changing environment of SAPS from a labour relations perspective. The inclusion of legislation that needs to be followed when managing conflict and resolving disputes was also important in order to lay a foundation for a discussion on policies and processes adopted by the SAPS to manage conflict.

Chapter 4: Research Methodology

4.1 Introduction

This chapter outlines the methods that were followed in conducting the research. The first part will be a brief discussion of qualitative research, followed by the research design. Part of this discussion will include the method of data collection including sampling and selection of participants. The focus will then be moved towards data analysis, reflexivity and ethical principles.

4.2 Qualitative research

The aim of this study is to explore the issue of labour rights and conflict management in the essential services. The mini-dissertation considers the South African Police Service management of conflict. In particular, how this has been experienced and dealt with is a focus of this study.

In an effort to understand participants' experiences a qualitative approach was adopted. This approach aims to describe people's feelings and experiences and interpret them in a way that will be understood in human terms (Terre Blanche, Durrheim, & Painter, 2006; Wickham, Cooper, & Bailey, 1997). The context is described in order to provide a reference for studying and explaining the events, experiences and feelings that are discussed by participants. Such descriptions are not taken out of context; their subjective accounts as well as the history of the group of interest and the society as a whole are considered when collecting data (Bryman, 2012).

In practice, this entails understanding the history of SAPS as well as the communities they police and how these might play a role in the employees' lived experiences. Such lived experiences may influence how participants describe their perceptions of the conflict management methods used in the organisation. This makes the descriptions, explanations, and interpretation of a qualitative research context-dependent. Based on the above-mentioned factors it was therefore appropriate to use this type of approach in order to collect data that was used to answer my research questions.

4.3   Research design

The blueprint of this study took a case study format which according to Rutterford (2012) involves gathering information about a particular group of people and how they describe and discuss a certain phenomenon. As such the case study looked at the police as the group of interest; the conflict management methods in essential services as the phenomenon of interest; and what perceptions the police have of this phenomenon. Rutterford (2012) further states that although case studies are associated with qualitative data, they are not always restricted to this.

Accordingly, Yin (1994) has suggested that case studies have multiple sources of data and that a researcher may consider using one or more of these. These are archival records, documents, participant observation and interviews. This study was initially planned to examine documents such as legislation, standard operating procedures, and policies and to have a dialogue with participants through semi-structured interviews. Only the documents that were in the public domain were studied. Internal documents were not available. To provide context, the legislation and framework on conflict management such as the Labour Relations Act and the South African Police Service Act were explored.

4.3.1   Selecting research site and participants

The South African Police Station in Tshwane has police stations in seven regions and four sectors, with the first three regions being sub-divided due to their vastness. The division is a way of promoting community-oriented policing by bringing the services closer to the communities. For community-oriented policing, such areas have their own challenges and may affect SAPS employees differently depending on which stations they are based as well as which communities they police. This organisation was purposively selected for the following reasons:

First, the definition of essential service in the Constitution of South Africa covers it implicitly and explicitly. As a result, employees do not partake in strike action due to the nature of their work. Instead, they use alternative methods to resolve their conflict, disputes and grievances with their employer. Second, not all SAPS employee are regarded as providing an essential service. However, this deviation was only recently established through a Constitutional Court ruling. The police stations had to be in close proximity to each

other which made it easier for the researcher to travel between the stations to make appointments and conduct interviews. Given the limitation of resources such as time and funds, this was particularly important to the researcher.

Resultantly, field work for the study was purposively limited to a certain region within a sector of the SAPS in the city of Tshwane. The region selected for this research, covers the central business district, high density student accommodation and previously white suburbs with permanent residents. Furthermore, the region in question covers the city of Tshwane which is the administrative capital of the country where the SAPS head office is located. Service excellence has to be the order of the day for police stations situated in such a city as well as close proximity to the head office. For the purposes of this research, the police stations in this region will be referred to as Police Stations A; B; C and D.

Following a selection of the police stations based on the above-mentioned factors, participants were selected for the sample. With purposive sampling, sample size, which may or may not be fixed prior to data collection, depends on the resources and time available, as well as the study's objectives (Creswell, 2014; Terre Blanche et al, 2006; Wickham et al, 1997). A matrix was constructed and applied to the research in order to attain an understanding from diverse group of individuals employed at the SAPS. It was important for the researcher to interview employees comprising variation in the following characteristics of those in service:

- Race
- Gender
- Work experience
- Rank
- Managerial and non-managerial role (Seniority)
- Conditions of employment (Employment Act)[2]

Commissioned and non-commissioned employees of the SAPS were approached to participate in this research including employees employed under the SAPS Act and those employed under the Public Service Act. Albeit the fact that the research specifically focused on SAPS Act employees on the basis that they are

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[2] SAPS employees are employed under two separate acts, the South African Police Service Act and the Public Service Act.

legally prohibited from partaking in strike action, it was also relevant to include Public Service Act employees. In so doing, the whole ecosystem of employment conditions in the service was covered. The relevance of this was achieved by a judgement passed by the Constitutional Court in 2011 that not all SAPS employees are prohibited from striking. It concluded that the Public Service Act employees unlike those employed under the SAPS Act are allowed to strike; and although they are in an organisation regarded as an essential service provider, they, in the strict sense of the term, do not provide essential services (Case No: CCT 89/10).

The participants for this study were conveniently selected with the above-mentioned matrix in mind. This was mostly due to the nature of police work and the availability of officers since most police officers perform their work outside the office in the field and the emergencies that may need urgent attention by participants (Marks, 2005). Therefore, other methods might have made it difficult to find specific pre-selected police officers who could have been able to avail themselves for the interviews. As a result, no random method of selection was used. Such a method has advantages of producing a sample similar to the population, accounting for differences, increased representativeness and reduced biased results that increases the likelihood of generalising the findings (Johnson, Janet & Reynolds, 2008).

However, a convenient sampling of participants proved useful given the contexts and setting in which the research study was conducted. Furthermore, the aim of this study was not to produce generalizable results in a statistical sense. Results from the study are to be used to gain an understanding of the employees' perceptions of the conflict management methods as applied by the SAPS when dealing with employer-employee conflict.

In agreement with the pre-selected police stations, permission was requested and granted by the Gauteng Provincial Office in accordance with the National Instruction 1 of 2006. The Provincial Office communicated with the selected police stations to provide the researcher with contact details and allow the researcher to continue with the research. The researcher envisaged to interview between twelve and twenty participants from different ranks and background.

However, only eleven participants were able to avail themselves for the interviews. This was mostly affected by one police station which did not participate in the research at all. Numerous reminders were

sent by the Provincial Office for the Station Commander to provide me with their contact details. When this activity deemed ineffective, I went to the police station. However, I was informed that I require an appointment in order to communicate with the Station commander or the secretary, what I perceived to be a form of gate-keeping. Numerous calls were made to the station to no success. However, in attempt to complete the field work within the agreed period between myself and the SAPS, the focus moved to other police stations.

Five employees were recruited from Police Station A, two from Station B and four from Police Station C. Station B postponed planned visits to conduct interviews on three occasions on the basis that employees at the station were on leave and therefore they were understaffed. Interviews with three employees were confirmed for the first visit and only two employees were subsequently available. The third employee was unfortunately on leave. Station B was mostly affected by the leave requirements as explained by the employee who I was liaising with. Employees were required to take leave as part of their policies since these employees were not making use of their leave days.

The diversity assisted by the matrix as previously stated was however, with the limited number of eleven participants, fulfilled to a certain degree. Three participants were employed under the Public Service Act. The remaining eight participants were employed under the Police Act. The sample included African, White, and Coloured participants. Work experience ranged from 8 years to 32 years. For participants employed by the Police Act, ranks ranged from Constable to Brigadier. The sample included management and union representatives as well.

4.3.2   Data collection method and qualitative interviewing

According Yin (1994) there are three conditions that promotes the use of a certain way of collecting data. These include the research question; whether the focus of the study is contemporary or historical; and the control that the researcher has over the phenomenon that is being researched. With qualitative research, the strategies applied to address the research questions are flexible, semi-structured and unstructured interviews amongst others (Bryman, 2012). The use of such strategies fulfils the characteristics of a qualitative research and how it is concerned with promoting a sense of understanding and relating to the participants through building rapport.

One way of doing this, was creating a friendly environment based on the characteristics of a participant. For example, when I noticed that one of the participants was not comfortable with the way I presented myself as an academic researcher, I spoke in vernacular using her home language (Tswana) sporadically. This encouraged her to do the same, and she seemed more relaxed. In this way, participants find it relatively easier to raise issues that they would not normally discuss with anyone whom they have not developed such a relationship with. This was exemplified by participants being able to communicate, in confidence, information they considered to be confidential and private. No officially classified information was shared by any of the participants.

Data for this research was collected through semi-structured interviews. As a method of collecting qualitative data, these interviews were used in such a way that allowed for the interpretation and analysis of socially meaningful information based on feelings, knowledge and experiences as provided by participants. Furthermore, semi-structured interviews enable participants to share their perspectives on events and behaviours – enabling the researcher to see through the eyes of the participants (Bryman, 2012). Unlike quantitative methods such as surveys, this approach takes into account matters that may interfere positively and/or negatively with data collection such as body language and the presence of the researcher in the data collection. These can be probed and explored during data collection and by analysing notes taken during and after the interviews (Conradie, 2011; Terre Blanche et al., 2006; Wickham et al., 1997).

The interviews were guided by the main question and the sub-questions to the study. Participants were requested to outline the processes of managing conflict when a grievance has been lodged in order to ascertain their knowledge; describe the challenges faced during the conflict management processes, and their views on these processes as well as the law regarding strike action within an essential service sector. In order to give meanings to the questions regarding conflict management, it was important to ask employees regarding their employment, focusing on the period they have been at SAPS, relationship with colleagues, negative and positive aspects of their work. Information from participants induced from these questions was used to understand the current state of conflict management methods in the SAPS at station level.

Other questions surfaced during the interview process and were used for probing deeper into the topic that was being discussed. For example, the topic on promotions was discussed exclusively in the second interview to the extent that the participant informed me of the strike action that was due to take place the following day led by Popcru. From this interview, questions about the participants' views on the process of promotions and the strike action by one of the trade unions, Police, Prisons and Civil Rights Union (Popcru), surfaced. These themes were added to subsequent interviews.

The above point is indicative of the advantages of adopting a semi-structured interview as a method of data collection. I had adopted a semi-structured interview approach to allow me and the participants the flexibility to ask and answer questions that surfaced during the process. This approach is important because it helps to uncover and supplement the data that was not anticipated or accounted for in the initial research questions (Wickham et al., 1997).

Furthermore, the use of open-ended questions coupled by the technique of probing gave the participants an opportunity to respond in their own words, rather than forcing them to choose from fixed responses, as close-ended interviews do (Punch, 2005; Terre Blanche et al., 2006). This was also exemplified by one of the interviews where the participant covered a number of questions through the examples he provided. For example, when giving a brief account of his career at SAPS, he also covered questions that had not yet been asked.

All interviews were conducted at the police stations. The selection of the location had its own advantages and disadvantages. On the upside, the employees were readily available should they be called for their duties. For example, one employee was interviewed while she was recording a few files. At one point we were interrupted as one police officer urgently looked for a case number of a deceased person. Another advantage was that I was able to access police officers when they were available. For example, I met one of the police officers at the door and he agreed to be interviewed.

Another positive factor was when I approached another employee for an interview and she directed me to a shop steward. On the downside, it could have meant that some employees were not comfortable and did not feel free to discuss issues at the police station. However, majority of the interviews were conducted in an office at each station behind closed doors and this guaranteed a sense of privacy to a certain extent.

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Most of the interviews were conducted in different offices while two interviews were conducted in a boardroom. It was stressed in the agreement form that my research will not have to interfere with operations and this was adhered to. All interviews were conducted during working hours when work operations were taking place but when participants were free to participate. Only one interview was heavily affected by the rhythm of the office. The interview was paused a number of times to accommodate the participant's work. At Police Station A, a participant offered the use her office for other interviews while she attended meetings.

Participants were provided with a letter of consent to read prior to partaking in the study. This was also explained to them verbally prior to the commencement of the interview. In order to build rapport, the consent letter was explained in non-academic English with a mix of Tswana to most of the participants who seemed comfortable mixing English and Tswana. Great emphasis was made with reference to confidentiality and voluntarily participation as well the importance of recording the interviews. They were further encouraged to have the interviews recorded, to which seven declined. Whilst the aim was to convince them to have the interviews recorded, the participants' rights and autonomy were respected. These participants indicated that the use of a recorder renders the assurance of confidentiality moot. They were of the opinion that their voices could easily be recognised.

Four participants were comfortable with the use of a recording device. All employees at management level agreed to have their interviews recorded. The two other employees who agreed to have their interviews recorded are employed under the Public Service Act. This means that other than the employees at managerial positions, none of the employees employed under the police act agreed to have their interviews recorded. Recorded interviews were transcribed from audio to text, while interviews that were not recorded were re-typed from notes taken for analysis. Transcribed interviews were edited for readability. For instance, in one interview where the employee was stuttering, the repetitions were left out.

Participants were informed that the interviews would last for an average of 30 minutes to 45 minutes. Many were of the impression that 30 minutes were too long for them to be absent from their stations. Interviews varied in length, from 20 minutes to a little over an hour. Although the duration of some interviews can be

regarded on the short side, the environment and nature of police work makes it difficult for one to interview participants for longer periods.

Furthermore, given their irregular working hours and shift, interviewing police officers after working hours would have proven very difficult. All interviews that were not recorded lasted for less than 30 minutes. However, some interviews still took over an hour thus showing the eagerness of employees to assist the researcher. A general rule of thumb according to Terre Blanche et al. (2006) is that a semi-structured interview lasts between thirty to forty-five (30-45) minutes.

4.4 Data analysis

With an ultimate goal of producing a coherent and focused analysis of the social phenomena that was being studied, data were analysed thematically. The process of encoding qualitative information systematically searches and arranges data from interview transcripts, field notes, journals, memos and other materials that may be used (Miles and Huberman, 1994; Punch, 2005). I used the first and second level coding with literature and start up list induced from the transcripts as and when they were being typed. In doing so, there was a sense of familiarisation and immersion with the transcripts. The themes from the transcripts were based on the main research questions as presented in the interview guide (please see annexure B). These helped simplify the reduction and display of information from the transcripts as well as drawing and verifying conclusions.

The transcribed interviews were analysed firstly from the perspective of the main research question and the interview guide (please see annexure B). The interview guide was used as the main direction in terms of identifying themes. Such themes were based on the employees' perceptions of what causes conflict at station level; their experiences with the conflict management process; how they perceive these processes and their views with the essential service's lack of right to strike. Sub-themes were deduced from these parent themes. Sub-themes that were identified included favouritism, relationships with colleagues, views on promotions and working conditions.

All the transcripts were highlighted with different colours to represent the different themes. Notes that were taken during interviews were also used to easily identify themes since these were highlighted during the

interviews. For example, when a participant mentioned something similar to another participant, this was highlighted in the notes and reference was made to another interview. This method also assisted in probing. For example, when I was of the opinion that a participant can elaborate more on a certain topic, I probed using follow-up questions. Additionally, the information that was provided by participants was continuously compared in order to get detailed views from others.

Throughout the process there was a continuous reference to my notes and other themes as I continued to analyse and construct reasons for the coding. This helped me revise the themes and move, replace or recode to different themes. At times some information was identified to form part of different themes and was used accordingly while at other times some information was removed from the themes once it was identified that it is not as fitting as other responses. The transcript was further analysed to identify patterns that could be discussed in the findings as arguments (Miles and Huberman, 1994). Links between the text, notes and themes were made for ease of reference during the final write up.

Two methods of coding were implemented during the data analysis. First, I applied deductive coding where I focused on quotes that were directly related to the interview guide – i.e. answers to the interview questions (Kaefer, Roper, & Sinha; 2015). I highlighted all the stories that elaborated on the interview questions with different colours. Examples included employees' perceptions of what causes conflict at station level (context); their experiences with the conflict management process (processes); how they perceive these processes (perceptions) and their views on lack of right to strike in an essential service as outlined in the interview guide.

Using the two examples from the interview transcripts, the table below shows how some of the codes were formed, combined, revised, replaced or recoded to different codes in order to be developed into main themes for the study (Nowell, Norris, White, & Moules; 2017). Responding to the question, "Do you think your work is stressful?" the participants were cited in the manner indicated in the table below.

Applicable Codes	Quote from interview transcript	Deductive theme
Stressfulness Job demand Characteristics of policed areas (how policed areas differ for stations) Work-family balance	"It is stressful sometimes. You don't get to spend time with your family sometimes; there is all this workload and targets that you have to meet. Sometimes you can't focus on your personal life when you work in SAPS. And you know when people know that you are a police officer, they don't want to know what you do at the police station, they don't know what your job is but they always expect you to be a police everywhere even when you are not wearing uniform. I think it depends on the police station. Not all all police stations are stressful because they don't deal with the same problems. If you compare town and township, they are not the same. During apartheid town was not stressful compared to the townships. I worked in town, lucky for me. [Police Station A] is very stressful to work at. It is overpopulated and the people don't stay here for long, they come and go every month. So it becomes very stress because you don't know who you are working with. So when the population is not permanent, especially at the flats, it becomes very difficult to work with the community because it keeps on changing every time."	Working conditions

Applicable Codes	Quote from interview transcript	Deductive theme
Stressfulness Job demand Compensation (how employee evaluate their benefits against their work)	"You know, let me tell you something, did you know that police officers are the least paid people? The pay that we get here does not meet the working conditions that we get exposed to, they don't cancel each other. For example, we are constantly exposed to risks like health risk. There are no vaccinations. You know if people find a dead body, they call the police uhm you don't know how long that body has been there in a locked room for example neh, it smells, wena you don't know, you go in, you expose yourself to such. Equipment, we don't have equipment, there are no vehicles for us vis pol [visible policing] while other units use their cars for private matters. Do you know how much they give us for danger allowance? R400? What am I going to do with R400? And they expect us to smile and come to work every day…"	Working conditions

Second, I developed inductive coding whilst I was transcribing and when I read excerpts of interviews. This enabled me to discover new themes in the narratives that had not been introduced by questions asked (Kaefer, Roper, & Sinha; 2015). Here, I identified a main storyline, used it as a possible code and searched the data for similar storylines. The inductive coding, was not a mere identification of similar responses, it also included an explanation of events and processes. Where I was of the view that a participant's quote would be best suited as an explanation of a certain topic, the quote was selected as part of that theme. This is where I discovered most of my sub-themes such as possible favouritism (relative deprivation) in the workplace, types of relationships with colleagues (good and strained relationships), and unjust promotions. The table below shows how some references were made to other interview transcripts. The participants were responding to the same question, "Do you think your work is stressful?"

Applicable Codes	Quote from interview transcript	Point made is similar to:	Deductive theme
(un)just Promotions Lack of recognition Favouritism (relative deprivation) No growth	"There is no transformation, and promotions, people spend 10 years doing one thing, no promotion but we have a promotion policy. But then they get someone from outside to be your captain, then you have to train that person when they come back from college. I mean, how is this person a captain if they didn't start at the bottom and at college as well."	Interview 5 from police Station A Interview 2 from Police station C	Promotions
Difference between Police Act and Public Service Act employees Relationship between colleagues	"You know they refer to us as 'hass', if you are a public service member, that is how they refer to us."	Interview 5 from police Station A	Relationship with colleagues
Relationship between colleagues Workplace identity Job-fulfilment	"There is still a gap between police act and public service act employees. So the relationship is just a relationship, you do your job and I do my job that's where it ends."	Interview 1 from police station C	Relationship with colleagues

4.4.1   Reflexivity

In qualitative research, the closest we can get to an objective observation and analysis of data is by acknowledging our influence when collecting the data. This is what Wickham et al (1997) and Terre Blanche et al (2006) refer to as reflexivity. They state that reflexivity is when a researcher explicitly recognises that his presence in data capturing has an effect and influences the way participants respond

and affect the whole research process based on other characteristics that reveal themselves, especially during interviews. As such, it was important to understand that my presence as a researcher may have influenced the interviewees' responses.

My demographics, such as age and gender amongst others also could have influenced the type of responses that I got from the participants. For example, one of the participants perceived the interview as an educational activity based on my age. She indicated that she has a child my age in university who she also assists with assignments. For her, I would assume, the interview was the parting of knowledge from an elder to a younger person.

Another issue was the distinctions between a researcher and a journalist, which many people fail to differentiate especially if they are not in academia. This was one of the main issues with this research. More often than not, I was 'mistaken' for a journalist and it was difficult for some police members to believe that I was doing research. When explaining my reason for conducting the interviews, I was often asked if I am sure I am not looking the SAPS spokesperson.

Another factor was the way I presented myself, I was formal and some members were of the opinion that I am either from the Provincial or Head Office. Being perceived as journalist or a representative from a higher office could have resulted in their reluctance to have our interviews recorded. Furthermore, being perceived as a journalist meant that employees couldn't have been comfortable sharing some information since they had a fear that such information would be in the newspapers. Additionally, some mentioned that they cannot speak on behalf of the police station and that it would be helpful if I interview a Spokesperson. However, these issues were clarified and explained to employees so that they were able to make the distinction. To some extent, such clarifications put the participants at ease.

Not all types of my multiple identities affect the research negatively. One positive aspect was how two participants were open with me. This could have been prompted by the fact that I am a student and they are students as well, with one being a student in labour law. These members in particular were happy to assist a fellow student because they are aware of the difficulties that come with conducting field research. Other characteristics that I may not be aware of might have also influenced the responses during the interviews.

4.5   Ethical considerations

Ethical considerations are an important aspect of any research, especially research that deals with human participants. Hence all research requires ethical clearance and approval in order to be conducted. For the purposes of this study, ethical clearance was granted by the university, initially on the condition that the South African Police Service approved the request to conduct research. This was later changed to full ethical clearance following the approval of the research request by SAPS.

According to Wassenaar (2008) research must be guided by four philosophical ethical considerations. These include beneficence, non-maleficence, autonomy, and justice. First, participants must be made aware that the research will not be harmful in any way. Second, they must be shown respect and their right to privacy should be respected. This was achieved by using numbers instead of names to ensure confidentiality. Third, benefits should be maximized where possible in conjunction with minimizing harm. Fourth, and last, participants must be treated fairly in order to promote justice. Furthermore, these must be outlined and explained to the participants in the informed letter of consent. Participants were provided with a copy of a letter of consent and a verbal explanation of the informed consent letter (please see annexure A).They were provided with a clear explanation of the research objectives.

Adhering to the principle of voluntary participation, no coercion was applied in recruiting participants. A majority of the participants willing to take part in the study were not comfortable with being recorded and signing the letter of consent. They indicated that they felt it would reveal their identity, either through others recognising their signatures and/or voices. All participants who chose not be recorded indicated that they prefer to not attach their signatures to the research.

Only the three participants at managerial level signed the consent letter. All other participants did not sign the letter. They were assured that no negative consequences were associated with the refusal to sign the letter. This, together with the rejection to have interviews recorded highlights the concerns participants have about the potential of their identity being exposed. Being interviewed at the police stations, participants could be identified by other employees who were at the station at that point in time. For this reason, both participants and stations were 'anonymised' in reporting on what they said.

However, the mere fact that I applied a certain matrix to the selection of participants accounted for one of the ethical considerations. In practice, it was stressed that participants should not be limited to any one rank, race, age group or gender. This is particularly important due to the fact that research, speaking in ethical terms, should not target a specific group for its own agenda and exploitation. According to Wassenaar (2008) participants should be selected fairly for a research study in relation to the research question. Vulnerable participants should not be exploited based on rank in society, culture, gender, age, and ethnicity to name but a few. Participants were also informed that the study did not have any benefits and that no harm to participants was foreseen.

Chapter 5: Police Experiences with Conflict Management Methods and Processes at Station Level

5.1   Introduction

This chapter focuses on the experiences of police officers with conflict management and dispute resolution processes at station level. For ethical reasons a decision was made by the researcher to not use the names of the stations as well as the names of the participants. This was used as a mechanism to ensure confidentiality as promised to participants. This chapter will therefore use references such as Police Station A and Participant 1 and so on.

The overall aim of this chapter is to discuss conflict management in the South African Police Services (SAPS) and how employees have experienced it. The chapter will be presented as follows. First, I provide an overview of participants' characteristics followed by employees' perceptions of the main causes of conflict in the SAPS environment at station level. Second, I discuss employee's experience with conflict management processes and how they perceive these. Third and last, I discuss their views on the lack of right to strike as essential services providers.

The themes discussed in this chapter present a summary of the finding from the interviews as well the thematic data analysis that took place. As alluded to in the previous chapter, a number of codes were identified and moved about to represent themes that I found. Using the deductive and inductive coding styles (Kaefer, et al., 2015) the transcribed interviews were coded to represent major findings of from each transcript. These included primary codes such as relationships between colleagues, promotions and favouritism, difference between Police Act and Public Act employees, job-demand, working conditions and management style. Secondary codes included stressfulness, legislation governing the management of conflict in the workplace, specific instances, people's perceptions, subjective definitions and descriptions, characteristics of policed areas (how policed areas differ for stations), work-family balance and workplace identity, compensation (how employee evaluate their benefits against their work) as well as functions of a police and of a police station. Throughout the process there was a continuous reference to my codes and notes as I continued to code, develop themes and find reasons for codes. This helped me revise the codes, replace and move quotes or to different codes.

5.2   Summary of biographical characteristics

A total of eleven participants were interviewed for this mini-dissertation. Their employment details can be summarised as follows. In terms of race, there were nine Blacks, one White and one Coloured employee. The study consisted of seven males with five being employed under the SAPS Act and two being employed under the Public Service Act while there were four females of which one was employed under the Public Service Act (PSA) with the remaining three being employed under the SAPS Act. There were three Clerks, two Constables, one Sergeant, two Captains, one Warrant Officer and two employees who occupied ranks of Colonel and above. Two employees had less than 10 years of experience; two had between 11-20 years of experience; five employees had between 21-30 years of experience while two employees have been with the Police organisation for more than 30 years. All employees belonged to a union with three employees belonging to SAPU, seven belonging to Popcru and one employee belonging to both SAPU and Popcru. At the time of the interviews, one employee employed under PSA was a shop steward and one employee employed under SAPS act was at some point a union representative.

5.3   Perceived causes of conflict at station level

Conflict can be caused by a number of factors. As it has been indicated, when a party is of the opinion that another party has, or is about to, interfere with the former party's interests, then a conflict can arise (Thomas, 1992). Conflict around promotions within an organisation offers a good example of latent conflict. If one party believes that they are not fairly given the opportunity to get promoted they might be disgruntled and consequently conflict will arise. Working conditions as experienced by employees may provide grounds for conflict. Similarly, the relationship with other colleagues may hinder performance and recognition thereby creating an environment prone to conflict. Although not initially anticipated, favouritism and promotions seemed to be the major sources of dissatisfaction and therefore potential conflict at station level. This section focuses on these four factors as they have been identified as risky, which may result in conflict.

5.3.1   Working conditions

It is widely known that the nature of police work can be stressful (Marks, 1995). Therefore, working conditions in this line of work is particularly important in order to maintain a working climate free from conflict and disputes thus positively impacting on performance. This is in line with a suggestion by Choi (2013), De Dreu et al. (2001) that well-managed workplace conflicts improve individual performance and morale, team work as well as organisational commitment. Stress emanating from unfavourable working conditions can negatively affect individual and organisational performance.

When asked about how stressful the working conditions at police station are, all participants agreed that the nature of their work is stressful. While some attributed this to the physical environment, one attributed this to relationships with seniors; all SAPS Act employees attributed this to the nature of police work. The participant indicated that this can be attributed to certain areas and certain police stations. Participant 3, a black captain with over 25 years in the service explained as follows[3]:

> *I think it depends on the police station. Not all uhm all police stations are stressful because they don't deal with the same problems. If you compare town and township, they are not the same. During apartheid, town was not stressful compared to the townships. I worked in town, lucky for me. I was fortunate to work in town. Police Station A[4] is very stressful to work at. It is overpopulated and the people don't stay here for long, they come and go every month. So it becomes very stressful because you don't know who you are working with. So when the population is not permanent, especially at the flats, it becomes very difficult to work with the community because it keeps on changing every time.*

Participant 7, a black female constable with less than 10 years in the service, shared similar sentiments with other Police Act employees and went further to explain that over and above her nature of work, the conditions that they are faced with exacerbates their nature of work. She had this to say:

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[3] Participant 3 is from police station A. His was the 1st non-recorded interview. As such, quotes from this participant were paraphrased notes. Sentences were used verbatim where possible. The notes taken from this interview were elaborated on immediately after the interview while I was waiting for the next participant.

[4] Participant mentioned the Police station by name. This is the police station where the participant is currently based. Police station A is used instead of the actual name.

You know, let me tell you something, did you know that police officers are the least paid people? The pay that we get here does not meet the working conditions that we get exposed to, they don't cancel each other. For example, we are constantly exposed to risks like health risk. There are no vaccinations. You know if people find a dead body, they call the police uhm you don't know how long that body has been there in a locked room for example neh, it smells, wena you don't know, you go in, you expose yourself to such. Equipment, we don't have equipment, there are no vehicles for us vis pol [visible policing] while other units use their cars for private matters. Do you know how much they give us for danger allowance? R400? What am I going to do with R400? And they expect us to smile and come to work every day…

Although the Police Act employees identified their work as stressful, it was a bit different as to how their working conditions and nature of work result in this stress. For example, as indicated in the above quote by Participant 7, comparing working conditions against remuneration can be a source of dissatisfaction as well. She graded the salary and danger allowance, for example, against the communities they work with as well as the environmental hazards they are exposed to when conducting visible policing out in the field.

This participant's depiction of how stressful police work can be by conducting a mere comparison of remuneration against working conditions is very important since it can affect morale and integrity as well as overall performance. This comparison of remuneration against working conditions has been seen elsewhere in a study conducted by Newham. He found that SAPS members in Hillbrow were offered bribes that would accumulate and be better than their salaries (Newham, 2002). The mere fact that SAPS management in Hillbrow did not tolerate misconduct did not deter these employees from engaging in improper conduct because they were exposed to unfavourable working conditions and community members that spread delinquency. The improper conduct and soliciting and/or receiving of bribes could be attributed to unfavourable working conditions.

Participants who are office-bound elaborated on the working conditions within the police station. The three employees appointed under the Public Service act painted a bleak picture in terms of the working

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conditions. They indicated that over and above the area being policed as well as the police station, the employment act – that is either SAPS Act or PS Act – also plays a role in terms of the stressfulness of working in a police environment. In their separate interviews, they indicated how their conditions of employment, which differ from those of SAPS Act participants, affect them and their working condition. Participant 5[5]:

> *Like, okay. On my personal experience I said: why? Like what is wrong about me, I don't give what SAPS is looking for? And I check I am doing it to the best I am doing my job to the fullest. So why doesn't SAPS value me, for such a period, for such time. I am doing the job. And with that little money they are giving me, I am developing myself but they don't recognise that. Even some supervisors ask something from you because they are not familiar but I do have that knowledge. But they consider you as someone who doesn't have knowledge. So in the SAPS there is still that nepotism and favouritism amongst members, even in the organisation itself. It means that eh, whom do you know, if I am connected with those of higher authority I should get promoted because I am not connected with anyone I will not get promoted. So this will also make me, it depends on the individual, it can cause the individual not to perform to the best of his ability because even if you perform too much they don't recognise you they don't value you. Even just appreciation, a reward; say so and so you have done this, thank you, even a certificate just to say thank you.*

According to participant 5, a black male clerk from Police Station A, there is lack of recognition within the SAPS, something that is later discussed as a ground for a group grievance by another participant from Police Station C. The lack of recognition also impacts on career paths in terms of upward mobility. Without this recognition, employees are not afforded the chance for promotion. As indicated in the quote above, such promotions are tainted by perceptions of nepotism and favouritism. Such non-tangible stressful working conditions can negatively affect one's performance.

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[5] Participant 5 is from police station A. His transcript was not typed verbatim. I listened to the point he was making and typed it omitting his stutters to increase ease of reading. However, the English (articulation) was only minimally edited.

Participant 8, a black female clerk, elaborated that over and above the lack of recognition, management does not show interest in people's work in general:

> *You know, people here don't care, as long as they are able to get their documents, dockets, case numbers and so on, they don't care about you the person who is doing the work. You can see how many people walk in here leaving their files here and coming back after two minutes or telling you that they need the file at such a time, forgetting that there are other people that I service. And you know, in CSC, there's no room for growth shem, you will work here until you die…actually if you are employed under PSA, ai forget about promotion, you will do the same job at station level for the rest of your life. At least as a police, there is a rule that says you will get promoted after 7 years, that's something. I mean, look around you, look at these chairs, I have been sitting in this chair for more than 10 years, you can see we don't have window, our cabinets, just look around you, everything is old and depressing, this place is depressing*

The office we were sitting in with this participant was dilapidated. The chairs were not comfortable as she had indicated that they were very old. The cabinets used were old steel cabinets that were mostly used during the olden days. It would have seemed that they haven't been any new furniture in a period of at least 10 years. Furthermore, there was a strong urine smell on the ground floor, especially around the Customer Service Centre (CSC) which poses a health hazard for both employees and civilians. The bathrooms were not in good conditions and the lighting was bad especially for a building were offices do not have windows. Any outsider would not believe that the building is in the administration capital of the country. I could not for a second observe anything positive about the physical environment.

The two quotes from the Public Service Act employees above touched on a number of issues that can affect one's work; the issues they raised are to a certain extent stressful and demoralising. The issue of neglect and detachment by management can be extracted from their quotes. The impression created by the three clerks from two different police stations was that there is nothing positive about working at SAPS. Furthermore, according to them, preferential treatment in terms of promotions is given to Police Act employee even in support structures. As participant 11 explains:

One day you are at work and you hear that someone is now your commander and
they don't have experience and now you must teach that person how to do the job.
As Public Service act employees we are neglected.

From these quotes, it can be deduced that there is a possibility that these employees may not be working in a healthy environment. The issues that they have raised are covered in the Basic Conditions of Employment Act No. 75 of 1997 as working environmental factors that may positively or negatively affect labour in the workplace. These include methods and equipment used for work execution as well as the way employees are treated and expected to perform. The ILO's (1987) manual on Safety-Health and Working Conditions takes the following stance on working conditions:

- Working conditions should not negatively affect employees' professional skills, health, safety and dignity; and
- Working conditions should be continuously changed for the better. This includes improving ergonomics, working methods, and the introductions of new tools and materials.

5.3.2   Relationships with colleagues

As De Dreu (2008) has pointed out, conflict within any system, such as the SAPS in this study, may affect the organisation as a whole, team work or individuals. At organisational level this affects processes, outcome, stability and reputation. At individual level this affects general well-being, job-satisfaction, morale and turn-over. Another factor that is affected by conflict is the relationship between an employee, his/her colleagues and his/her seniors. This affects both team work and chain of command. In an organisation such as the SAPS where chain of command is very important, it is crucial that the relationship between an employee and his immediate commander is well maintained and free from conflict.

Explaining why the relationship with commanders can be problematic at times, two participants elaborated as follows:

Participant 4:

> *Your commanders they don't negotiate things, especially back then during that time when all commanders where white people, they did not want to negotiate especially with black people. They did not like that. So if they tell you that you are going there, that is where you were supposed to go, you were supposed run there even if you had to. I think that is even where this thing of police came from you know in the police we have this saying that "comply and complain later". Do as you are told now and after doing it, then you can start complaining. Some of them can listen.*

With over 25 year experience in the service, participant 4, as indicative in the above quote, immediately compares and to some extent indicates that the relationship between commanders and subordinates can be linked with that of during apartheid. He insinuates that there are aspects from apartheid that are still evident within the commander-subordinate relationship. Equally cognisant of this relationship, participant 3 suggested as follows:

> *You see it was different then, but now its different… during that regime my superiors were white and they were scary. They made it difficult to have a good relationship with them because they were scary. During that time you cannot approach them and talk to them because they were white. You see during that time, in that regime, they exerted power and so it was hard working with them because it was their time. So my superiors were not approachable at all. I did not have people report to me, we all reported to white people. But it is different now. It didn't change overnight in 1995, it was still changing but slow. But after 1995, it changed, but the change was slow. But it took time, it did not change overnight.*

Evident in the quotes above, is the idea that police culture is slow to change as suggested by Marks (2005). There is a sense of comparison between how things were done in the then South African Police Force and the now South African Police Service. During apartheid, the police force was very authoritative in nature and post 1994, it has been perceived to be sluggishly moving away from that nature. However, through

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socialisation some aspects are still intact. As Marks (2005) has stated, if the opportunity presents itself, the police will revert back to the old ways of doing things. This only refers to the management and not policing the public. For example, Anstey (2006) pointed out that in a unitarist doctrine, the authority will have the final say that is definitive and unquestionable – a method applied by commanders during apartheid. This is now practiced as 'comply now and complain later' – strategy used in the police by commanders. In this context, employees are 'allowed' the opportunity to question the authorities; however they can only do this after the fact.

It is evident that there is an issue of authority in the police service at station level. A different perspective was brought to the fore by participant 5, a Public Service Act employee, as he indicated:

> *...it depends on who are you interacting with. Sometimes like for example, let's take my supervisor. Most supervisors are Police Act personnel. Let's say I come with something that I know in the academic perspective, let's say maybe I must show him how we can improve something or how it can be done, but I must remain in that old way of this is how in the police we must do this in the police. Meanwhile there is another way of doing things better and it is not against the process and it is not against the delivery of the service, or the act of doing that things. So having that mentality, so because you are a junior or you are a public servant you can't say do 1 2 3 even that thing is worthwhile, it can benefit the organisation or the unit, so because you are a junior they cannot take it.*

From the three quotes above, the authority issue can be seen as two-fold. First, commanders give order and prefer not to be questioned. Second, commanders do not entertain recommendations from juniors even if they are sound recommendations. The root of the problem is that title, commander. To command means to give a direct and unquestionable authoritative order. If one is ordered to do something, one must do it. It becomes difficult for commanders to accept that their orders can be questioned. Suggesting something to a commander can have different meaning and interpretations. One of the interpretations can be that the commander does not know how to command. Another interpretation is that the commander is being challenged.

However, the two participants who hold senior managerial positions within the SAPS had a different picture to paint. For them, the relationship with their colleagues and their juniors was a good working relationship. They gave credit to the good relationship they had with the seniors when they were juniors. They indicated that when they joined the SAPS they had good working relationships with their seniors and this, in turn, brushed on them as they climbed their SAPS career ladder.

This can be linked to Klukkert, Ohlemacher and Feltes (2009) who found that new recruit that spend more time with existing police officers at work tend to adopt policing styles, culture and working ethics of the seniors that they associate with. These associations bring about interactions from which, through socialisation, police officers develop definitions for positive and negative behaviours. Such behaviours – or their definitions – are then reinforced either negatively by punishment or positively by rewards that the behaviours precede. Modelling of such behaviours presents itself as a result of their reinforcement (Chappell and Piquero, 2004). The managers explained their relationships as follows;

Participant 1:

> *Jah you know It depends on your management style, the way you interact with the people and not forgetting, irrespective of the rank you are holding not forgetting who are you are and who you are dealing with, you are still dealing with human beings like yourself… It is a very jelly relationship.*

Participant 2:

> *You know. We have good relations. I had good relationship with my superiors. There was never time when they struggled to get something from me, you see I know what my responsibilities were. Once you know what your responsibilities are then you don't have to struggle with your superiors if you know. Throughout the years you learn how to work with people and build relationships especially, especially with junior members.*

It is important to note that these two managers, when asked about how they have handled their conflict and grievances in the past, they indicated that more often than not they resolve grievances informally. With the resolution of informal grievance, only the affected parties are involved. In such a case, the commander will have a conversation with the junior member who raised the grievance. Other members such as trade union representatives and human resources personnel are not involved. These managers' way of resolving issues informally can be attributed to the relationship they described with their colleagues and juniors.

This did not only apply to management, there was another employee who held similar sentiments based on her working relationship with her seniors and commander. Participant 10 indicated that she has never lodged a grievance, she was not even aware of the process that needs to be followed simply because she had good working relationship with her commanders. However, she acknowledged her good working relationship with her commanders was perceived as favouritism by other members. The participant, who is originally from another province, elaborated as follows:

> *You see at that time I was having two kids and I was working shifts. So you work four days in and four days out and you also rotate between night shift and day shift. And because I am not from here, I preferred nannies from where I come from in Province A. So when I came to work at night the nanny took care of my kids, during the day they were at crèche and school….One day my nanny got a job interview and told me on the day that she is going to Joburg... I informed my commander and he agreed that I can leave early to pick up my kids…I couldn't work night shift, so my commander agreed that I take leave. After two weeks of leaving early for day shift and taking leave for night shift, I asked for a transfer and my commander agreed. So now I work Office hours so I can be able to take care of my kids…but you see, a lot of people did not like it, they said my commander is favouring me, they also wanted the transfer and when they did not get it, they complain and say my supervisor is favouring me.*

Relationships within the service are grounded on police culture and how different individuals interpret this culture. For example, some employees have good working relationships and some do not. Furthermore, since SAPS members do not necessarily work office hours, it is also crucial as shift workers to maintain a

smooth hand-over of responsibilities and task between shifts. This necessitates the importance of maintaining relationships with fellow colleagues that is free from conflict.

All but one Police Act employee including management said they have good working relationships with their commanders and fellow colleagues. The said employee, participant 6, had previously lodged a grievance against his commander. He specified that although the grievance was 'successfully concluded'; their relationship has not been the same since. This is because his manager was made to apologize in front of the whole team for the remarks he had made about the participant. All participants, including participant 6, agreed that relationships with commanders other than fellow colleagues are the ones that are strained at police station level. Most made general claims with regards to this. Two employees were of the opinion that the problematic relationship between commander and subordinates had its roots in the culture that carried over from the then police force to the police service.

5.3.3   Promotions within the SAPS

One of the factors that affect productivity, efficiency and cost effectiveness of police work is the perception of whether there are fair labour practices within the organisation (Fortado, 2001). Besides other factors, disgruntled employees are also conflict prone. As such, employees who are fairly promoted, and promoted timely when work experience and educational background allows, have better relationship with their employer and perform better than their counterparts. Participants were requested to describe their work experience with labour practices within the SAPS in terms of career advancement. For example, participant 1 had this to say regarding his upward mobility within the SAPS:

> …*you know previously when you were studying maybe for a diploma or a degree*
> *every 1ˢᵗ year level that you achieved you were promoted to the next level every*
> *two years.*

As indicated above, participant specified that during apartheid, there were clear practices in terms of upward mobility. One participant had mentioned that during apartheid, black employees were promoted after a certain period of service but only to the level of captain. Higher ranks were occupied by their white counterparts. These practices were perceived to be fair and clear to some extent. Whereas there were no

limit for white employees in terms of promotion to higher ranks, blacks' advancement were limited to the rank of captain. The practices and processes of advancement, although discriminatory, were clear. However, this has changed since the dawn of democracy. Currently, legislation requires that employees from all races must be treated equally as opposed in the past.

With the ceiling to promotions being removed in the post-apartheid era, all races could be promoted beyond the rank of captain. In terms of upward mobility, the experience participant 1 had regarding promotions has left a positive impact on the member. As a result he indicated that the relationship with his seniors and juniors…*is a very jelly relationship[6].* The participant further indicated that upon joining the SAPS in 1988 as a student, he moved up the ladder at what I consider to be a fair pace:

> *I joined in 1988 as a student constable, in 1990 I became a Lance Sergeant; 1992*
> *I become a Sergeant; 1994 I become a Warrant Officer; 1997 I became a Captain;*
> *2001 I became a Lieutenant Colonel; 2002 I became a Colonel; and then in 2016*
> *is when I became a Brigadier that is where I am now*.

As indicative above, the further up an employee moves in the SAPS ranks, the longer they stay in that position. It took this employee two years on average to move up the rank from being a student constable to being a Warrant Officer. From there, the number of years spent at one rank increased with the exception of moving from a Lieutenant Colonel to a full Colonel.

A clerk also alluded to the fact that in as much as there is little to no upward movement in the administrative side of SAPS, he has moved at a fair pace as well. Simply put in the words of participant 5:

> *I started working in SAPS in 2004 February. I was working in Eastrand in the high*
> *jacking unit; I was working in the admin. Then that unit closed down the*
> *departmental transfer I got transferred to Ekhureleni and then I worked there…I*
> *got transferred in 2005 in April. I worked there from 2005 until 2006 somewhere*
> *around June. That time I was on level 3; having a diploma by that time. From 2006*

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[6] A *"jelly"* relationship means a compatible/good, fluid relationship (the opposite of we don't gel). It was evident in the body language of the participant when he mentioned that he has a jelly relationship that he gets well with the employees that he works with.

December I got promoted from level 3 to level 4 to Alberton SAPS where I was working at supply chain doing procurement and day to day maintenance until last month where I moved from Alberton to [Police Station A]. I came here as a result of a promotion from level 5 to level 7. Maybe my promotion was based on maybe my degree, my honours that I currently hold and I am studying towards my masters.

However, these were the few instances where employees seemed content with their promotions over a period of time. As the participants' responses can show, not all members were afforded the same experience in terms of upward mobility. The remaining employees were not satisfied with the period they have spent on a certain rank/position. One example is a captain who joined the national police in 1985. His recollection of the promotions and his police career advancement were far better during apartheid although it meant he could get promoted as far as being a captain. Participant 3 indicated that in the first ten years (1985 to 1995) of his employment at the SAPS he had moved three ranks up. However since 1995 to date – that is twenty-three (23) years – he had only moved three ranks up. He described his SAPS career as follows:

I joined SAPS in 1985 as a student fresh from college. During those times you joined the force from college. I joined as a student Constable. I became a constable in 1986. In 1990 I became what we used to call Lance Sergeant. And in 1995 that is when I became a Sergeant. I worked as a sergeant up until 2005 when I was promoted to Warrant Officer (W/O). I worked as a W/O from 2005 until I was promoted to Captain in 2013. I have been working as a captain for more than 4 or 5 years now since 2013…It took very long, it took forever to get promoted.

Similarly, Participant 4 had the same experience when it came to promotions.

I joined the SAPS in 1991 as a student from college. In the same year, 1991 I was placed in unit 19 as a constable. Unit 19 is practically what is now known as Public Order Policing (POP). Then I was promoted to Sergeant in 1997/98. In 2000 I was promoted to W/O in Rosslyn. I applied for post and then I got it in Rosslyn. It was

much closer to home. I worked and went home after my shift. Then in 2006 we got letters to transfer from Rosslyn to this police station. I was made to choose between crime prevention and detective work and I chose detective work. And I have been working as a Warrant Officer since 2000.

Evident in the last two responses from the participants is the duration that one can continue in a certain position of rank. Participant 4 in the extract above has been in the same rank for eighteen (18) years as a Warrant Officer. One employee who is employed by the Public Service act also shared the same sentiments in terms of promotions.

Accordingly, Participant 8 had this to say:

I joined SAPS in 2008 as an Admin Clerk. I was fresh from university, although I was unemployed for two year. I joined as a level 3 admin, and I have been at this level ever since. But in 2013 there was a resolution where SSSBC scrapped level 3 and replaced it with level 5. So that was the only "promotion" I have ever had…you apply and there is nothing.

Participant 2, a senior manager, indicated that the manner in which promotion take place at the moment has changed compared to during apartheid. She indicated that it used to take at least two (2) years to get promoted if one had a post matric qualification and studied further. She also mentioned that it took at least four (4) years to get the same promotion if one did not study further to acquire more qualifications.

However, this has changed. She explained as follows:

You know about the strike on Friday[7] is also about promotions. You know it takes so long for a constable to…to be a sergeant, it takes about 11 years, then from a sergeant to a w/o it takes 10 years. Even if you study it will still take that time to be uhm maybe when there is post that they are advertising then you can apply. I think

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[7] The strike/march was organised by Popcru and was not only about police work, it covered all employees who are members of the trade union. One of the main issues raised at the march was the issue of promotions

it has changed a lot from when I was still young we waited two years if you studied

neh and then four years if you didn't study but it has changed through the years.

When asked whether this can have a negative impact on the employees' morale, she responded as follows:

Jah, especially with the young ones now neh they come to the police by thinking

they will get promotions quickly because they have studied.

In any organisation, promotions are sought after. Employees follow different strategies to be competitive when a post they qualify for eventually becomes vacant. Such methods include further training and gaining as much experience and soft skills as possible. In an organisation that employs over hundred and forty thousand employees, the organisation is bound to have disgruntled employees in terms of career advancement. The organisation, even if it wanted to, may not be able to promote employees in numbers and at the pace preferred by employees.

However, employees can accept this fact if they are made aware of the limitations and clear practices that are applied within and organisations, and if those practices are applied consistently. Especially with the case of new recruits as participant 2 suggests; if an employee reads a policy and it indicates that there is a standard promotion after a certain number of years, there is that expectation by employees to be promoted once they have served for a certain period. When this expectation is not fulfilled, there are grounds for dissatisfaction and conflict to manifest itself. One of the manifestations of such dissatisfaction was exemplified by the Popcru march against the lack of clear practices regarding promotions in SAPS among other things.

5.3.4   Perceptions of favouritism

Perception of corruption by SAPS members is to the general public what perception of favouritism within SAPS is to SAPS members. Steyn (2006) found that more South Africans believe that an overwhelming majority of police are corrupt. Similarly, SAPS employees are of the opinion that favouritism within SAPS is as unprincipled as corruption. Becoming or being favoured is perceived as one of the methods applied by employees to become competitive when there are vacancies. Although a few participants have experienced

the effects of favouritism first hand, all employees including management did indicate that they are aware of the perception that some commanders favour certain employees within their teams but they have not been exposed to this.

Participant 5 lodged a grievance for being investigated. The clerk indicated that his commander was not treating him in the same manner as other employees. He perceived this as favouritism.

> *So in the SAPS there is still that nepotism and favouritism amongst members, even in the organisation itself….Yes. I lodged it procedurally but it was informal. Like for example, I say my captain is treating me 123. For example we are 5 in the office under his supervision. I come late, and he shouted at me but these if they come they don't shout at them. If when it comes to the delegation, to me he delegates too much work, to these he doesn't delegate. So it was another form of grievance…*

Informal grievances are not recorded; they can also be seen as raising a concern with your commander. This employee felt that being employed under the Public Service Act put him in an unfavourable position. For him, his commander, employed under the Police Act discriminates against employees of the Public Service Act. Whilst not everyone in administration is a Public Service Act employee the participant feels Police Act employees are favoured more. The quote above shows how the differences in salient characteristics among employees such as being regulated by a particular employment Act might negatively affect communications. This can be influenced by the tendency of employees who have different rights with regards to employment to categorize those who are different from them as an out-group and thereby treat them less favourably (Lee, Zhang, Dallas, & Chin, 2018). Further, different conditions of employment can be a source of relative deprivation as well. In a sense, there is a form of 'us against them' atmosphere between 'police' and Public Service Act support staff.

As an employee who has experience representing other union members during conflict management processes, participant 6 had this to say regarding favouritism at station level:

I have represented many people from different departments, I was a union representative in my time; I have represented them in departmental hearings, departmental trials. So I know the processes that get involved and sometimes it is really, not fair because you will have people being charged just because they neglected doing one small little thing but the next person that does it doesn't get charged, doesn't even get a reprimand. So, my feeling is that, if it is good for one person then it is good for all the persons. And if you are a commander you must draw that line and say you know, we can be friendly, we can stand here and we can joke, but if you cross that line then I have to reprimand you.

Unfortunately, based on the information at hand, impartiality is not practiced by all commanders. Put in context by another participant, it was explained that at times commanders are not consistent with how they apply policies. The inconsistencies are perceived to be as a manifestation of favouritism. Participant 4, who is a Warrant Officer, indicated that few people benefit from commander's discretion while a number of people are not afforded such benefits. This participant explained as follows:

And the other thing, if you work overtime, they won't pay you; they can give you a day off. But also this one is about favouritism, the agreements are biased, some people get half day for working over their shift to the next person shift and some people don't get the half day. And so this is what a lot of people are complaining about. And you must remember it does not only affect you at work, it also affects your life and your family. Because now, you can't spend time with your family and they don't give you the half day that you deserve for working overtime.

The participant proceeded to show me a log book where an employee in his line of work is expected to register the times when he is on duty and the activities being conducted. He explained that the log book is used to show overlaps between shifts and to show when an employee was relieved from their shift. The argument he put forth was that if an employee is favoured by the commander, he will not be reprimanded for relieving another employee late. For example, if there is a murder case, a police officer is not allowed to leave the scene until such time he has been released from his shift. If the police officer leaves at the end of his shift, he will be charged. In an attempt to abuse this loophole, other officers who are expected to relieve

this officer do not pitch in time for their shift. However, as indicated by participant 4, these officers are never reprimanded due to perceptions of favouritism. Cases such as this one supports the position of Van Gramberg, Teicher, Bamber, and Cooper (2017) when they state that the negative ramifications of workplace conflict present enormous strain on individual employees, relationship between employees, their families, and unions.

Sharing similar sentiments participant 3, a Captain who has been working in the SAPS for more than 25 years, indicated that perceptions of favouritism have always been one of the sub-cultures of SAPS. He elaborated as follows:

> *People complain about treatment from their commander, maybe the commander is not being professional, or maybe is not treating the member fair like he treats other, and there is always favouritisms in SAPS. People also complain about promotions, promotions are a big issue at SAPS and people blame their commander for not being promoted. They don't know that the commander is not responsible, but because there is this favouritism thing, they blame them.*

The last sentence from this extract is crucial: employees are not aware that commanders do not make the final decision on promotions but this is clouded by perception of favouritism. The perception here is that since commanders can recommend the employee for promotion, it can be assumed that the commanders only recommend their favoured employees. This issue has been described elsewhere where in 2009 almost 2800 Metro Police were protesting against the incompetence of the then Chief of Police, Chris Ngcobo, and demanding that he be removed from office as he favoured certain police over others (The Times, 2009).

What is of great concern is that perceptions of favouritism have domino effects on other factors of these employees' official duties, relationships as well as private life. For example, most of the extracts above allude to the effects this has on relationships. Such perceptions damage the relationship with commanders. There is a form of mistrust since it appears that some commanders favour some employees over others. One employee indicated that 'favoured' shifts relievers do as they please while at the same time one is not

paid for overtime work. Working overtime affects family time as well. So as a result, families' activities and quality time are affected.

Participant 4 raised a worrying concern; another manifestation of favouritism. He alleged that in his line of work as a detective, commanders have a tendency of not advertising overtime work when there is a circular from the provincial office requesting more officers over long weekends or holidays for example. He claimed that such communication is shared in isolation with employees that are close or favoured by the commander proving them with opportunity to earn more income.

Commanders, alleged Participant 4, personally call certain individuals and ask for their availability to take the overtime work. Normal overtime does not have a monetary reward attached to it; instead employees are awarded a day off. However, there is a budget for overtime work that is communicated from the provincial office or head office. It was concerning to learn of the employee's opinion that commanders might be playing a direct role in selecting who gets paid for overtime work. This allegation questions the issue of transparency and communication.

Over and above this, it appeared as though that the participants have accepted that favouritism within the organisation has become part of the culture. As a result, they have adopted it as an addendum to some of the labour relations procedures and processes that are used in the organisation. This means that in as much as employees may expect their commanders to follow the right protocol with regards to labour relations matters, there is always room for favouritism. Employees have acknowledged that effectiveness of such process may be affected by favouritism.

One participant explained that this phenomenon occurs naturally as a form of association and it extends to unfair treatment and benefits by those who associate together. However, as he indicated commanders and juniors can associate with each other based on race, religion, gender political views, or educational background and so on. As a Public Service Act employee one participant indicated that police act employees receive favourable treatment due to their employment act. However, in a different line of work where all employees are police act employees there have not been a clear indication of what differentiate such employees.

5.4 Experiences with the conflict management processes

When conflict is not well managed, power comes to play and "the threatened or the actual use of force in any continuing social relationship" gains momentum (Dubin, 1960: 501). First, members of the group need to identify that there are incongruent or conflicting goals or interests between them (DeChurch and Marks, 2001). Following this stage, the members of the group will perceive that the other members' activities are not benefiting them – this gives birth to the notion of 'us against them' (Katz and Flynn, 2003). Ultimately, the issue of power and use of force comes to the fore. Managing conflict pro-actively minimizes such negative consequences.

What is noteworthy is the role played by trade unions and police management in the process. Berridge (2011) has argued that poor management in terms of decision-making was the main cause of the Khartoum police strike of 1956. In another example, Dhai, Etheredge, Vorster, and Veriava (2011) found that in an essential service, the 2007 nurses' strike in South Africa was based on the idea that employees may not benefit from the decisions by management. When employees are knowledgeable of the conflict management processes that are to be followed, they are more likely to make use of such processes in order to counter the power exerted by management.

5.4.1 Knowledge of the conflict management processes

In as much as it is the responsibility of individuals to familiarise themselves with the policies within an organisation, De Dreu (2008) has indicated that the role of middle management is to educate employees with regard to the applicable policies within the workplace. Elsewhere it has been argued that trade unions through their representatives and shop stewards also have a responsibility to educate its members regarding such policies, with specific reference to policies concerning labour relations (Bendix, 2010).

This was confirmed by one of the managers who indicated that middle management and unions are both responsible for providing labour relations education to their members. This they do separately. However, in the sample, I identified a split between employees who were aware of conflict management processes and the policies – referred to as standing orders with the SAPS environment – and employees who were not conversant with such processes. There was a further split between employees who were aware of this on

the basis that they have been exposed to such through experience and employees who have attended workshops on the matter. In the former case, employees indicated that they were not aware of the processes until they had to lodge a grievance. It was only through this experience that they learnt about the processes that are in place.

One of the managers indicated that she holds meetings with her subordinates to inform them about policies and any changes, if any. She also explained that there are other means of communication through circulars on the intranet. However, through observations, I found this to be problematic as I noticed that not all police officers have and use computers. Furthermore, circulars on the intranet are not the best method of communication given the nature of police work. Participant 2 described her methods of communicating labour matters as follows:

> I have a file with all our policies and instructions relating to labour issues….You know what, at station level, what we normally do is like SAPU and Popcru they have their own meetings as well and when we have our monthly meeting that is when they come up with issues…uhm…Oh, yes they have their own where they discuss the policies and the police has their own. You know, it is actually done by the provincial office. They do awareness campaigns with us as well. And the unions do their own workshops.

From this manager's perspective, there are avenues within the organisation that promote labour relations awareness such as the provincial office and trade unions. From this perspective, it would appear that the organisation, together with middle management, is doing enough to increase employee knowledge regarding processes that may affect them in the future. She explained that in instances where management have challenges, assistance is available from the organisation when needed:

> We attend these workshops especially when the provincial office can see we have challenges. You see with the bargaining committee, they saw we had problems and they came and we attended a lecture on how to solve the problems. But I can say that from the management side, they equip us with all the necessary information that we need.

The above quote suggests that there is ample support for management to be able to deal with conflict as it arises at the station level. Participant 1 confirmed that as management they do receive the necessary training and information on labour matters. He explained as follows:

> *You know as you become a manager in any organisations, you undergo courses you see so that's where you start learning in terms of conflict resolutions and other aspects of being a manager you see…There are workshops that we attend and every time there a amendments to policies, there are circulars that are work-shopped for us to understand these things.*

What was more interesting, however, was the fact that as an organisation, SAPS has devised methods of managing labour matters at station level by establishing a committee called the lower level bargaining unit. The committee is expected to sit around on labour relations issues and disputes of interests affecting employees at station level. Participant 2 explained as follows:

> *You know it's a new structure. We only started it recently, we nominated the members from the structures, but we haven't had any complaints from our stations as yet and from the unions as yet. We have four members at management from the 7 police stations; we have two members from SAPU and two members from Popcru. We have a secretary. So basically it is a committee of a combined, of every one. The national office came with the idea of the committee.*

Overall, interviewed participants were aware that there are processes in place that are used to manage conflict. However, it was only the knowledge of their existence and not how they function. When asked if they were aware of such policies and how they were made aware of these, the participants continued:

Participant 3:

> *I know that they are there but I don't know much about them, I can't tell you much about them. I know that if a member has a problem they have to tell their*

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immediate commander. They can discuss and the unions can be involved when they discuss the issues that the member has with the commander. I attended one workshop once from the union at the union workshop. The workshop was not at the station, it was held by the union. At the station, we get workshops once in a blue moon.

Participant 4:

Yes, I am aware. I know about the circulars and the standing orders. There are workshops that are held by the shop stewards. I know I attended one that was held by SAPU and also Popcru hold their workshops. The shop stewards explain the processes and the standing orders to the members. For example, if there is a grievance, you solve it between yourself and your immediate supervisor. If that does not work, then you escalate it to the next level. It can go like that until it reaches provincial office, and head office which is the national office.

There are two employees who found out about the processes due to their experience. One lodged a grievance as a student constable and one lodged a group grievance with other clerks. The two participants indicated that they were not aware of such process prior their grievance and were not completely familiar with the actual process.

Participant 7:

Yes I am aware of the processes. Actually, you know how I found out about this, I didn't know these things, I didn't know how they work. I remember I was a student constable at that time and I had to lodge a grievance against my senior at that time and that's how I found out about them.

Participant 8:

> *You see I don't really know much about this. I only knew about them when we*
> *lodged a group grievance back in…I forgot when, but that was then. We lodged a*
> *group grievance and they told us these are steps you need to follow and we did*
> *exactly that…*

Participant 8 and other clerks lodged a grievance because they felt that the station management was not appreciating the work that clerks do at the station. They wanted management to acknowledge their fault, and show recognition where it is due. Furthermore, they wanted management to refrain from saying that clerks are not productive whereas they are managing a workload that is unmanageable. In the end, management agreed to their requests.

In the case of participant 7, a constable with less than 10 years working in at SAPS, she lodged a grievance based on the treatment she received from her immediate commander. Her then white commander was demeaning towards her and she felt discriminated against based on race. She raised this as a grievance and she was informed that the commander would not repeat it again. When asked what she would have done if she knew about the process prior to lodging the grievance she stated as follows:

> *I would have made him apologize to me and say sorry. Coz you know he was*
> *mean to me in front of other people…so I was told that I can actually ask him to*
> *apologize to me in front of those people again. But I didn't know that*

Another participant who was not aware of the conflict management processes was a Sergeant from police station C. She indicated that she has neither been to a conflict management nor be exposed to the actual process of lodging a grievance. Participant 10 explained as follows:

> *Jah, I know that there are these processes because I sit next to HR office [laughs]*
> *so people lodge their complaints next door. That's how I know about them, but I*
> *can't tell you how they work or what is required…I have never attended a course*
> *or workshops or any awareness sessions as you put it.*

The above quotes from the participants suggest that there may be inconsistencies in the manner at which the SAPS conduct its awareness sessions. There was no indication that employees are made aware of labour practices during their training or induction into SAPS. This is crucial since new employees have to be made aware of the processes and procedures that are in place within their workplace (Steyn, 2006). Although both management and unions do hold workshops for the employees, there seems to be a problem with communicating such workshops. One participant informed me that there are supposed to be workshops and meeting on labour matters but these are not taking place.

5.4.2   Perceptions of conflict management processes

It seemed that employees who are familiar with the processes were of the opinion that the processes are in place and could be working properly; however the perception was that these are not consistently applied hence they are not considered efficient. Part of SAPS management is to maintain a certain level of professionalism that can be depicted in the manner they handle operations and labour matters. Applying conflict management methods and processes partially and inconsistently expresses the effectiveness of SAPS management which is dependent on how they maintain a sense of professionalism within the workplace. As Faull (2013) suggests, professionalism within the SAPS is linked to expectations about police behaviour, the way they treat others and whether they abuse their authority or not. Faull (2013) further associates such professionalism with behavioural indicators such as respect, integrity, authority and compassion. These did not resonate with the expressions of the interviewed employees.

One participant indicated that in as much as one may be aware of the processes that are in place, it serves no purpose to have knowledge of something that will not work in your favour. When asked to elaborate, he explained as follows:

Participant 5:

> *Generally I know the…I know the procedure to be followed. But sometimes you*
> *can know the procedure to be followed but at the end it will end up nowhere. You*
> *see it is something that you just wasting your time lodging a grievance because it*

is something that will not just get any help anyway so you end up not doing it... so personally even if you can lodge the grievance sometimes it can end nowhere because of who are you interacting with because maybe it is those shop steward or seniors managers they won't give you a chance to end up reaching what you want to reach. Or even if, I'm not saying, if I am wrong they must at least explain to me in a manner that I must understand, they must say you did fail this in 1, 2, 3 and but they won't give me that chance to end up being familiar to understand what put me in this situation. So you are like, even if you are right or you are wrong you will end up…it will depend on you to think that I am right meanwhile you are wrong, you see.

The perception is that one's association determines how they are treated within the organisation. This was alluded to in the section on perceptions of favouritism. However, it continues to show in the expected output of processes. As this clerk puts it, who you interact with in the organisation is very important. This is not only experienced in official interactions with SAPS management, but according to the participant, it is also experienced when interacting with union representatives. Based on the participants' perceptions and expressions, it could be apparent that employees' expectations are not fulfilled to their desired level due to the supposed lack of professionalism by both management and union representatives.

Participant 9 also showed his concerns regarding the management and how they deal with labour policies in practice. He explained as follows:

You know what, let me tell you something you don't know, these policies are only there for compliance sake, that's what they are there for. I will tell you this, these standing orders don't give meaning to the purposes, and the channels are not useful. And you know what's worse, they have put people there, people who are clueless, they don't know what they are doing there, they don't have qualifications. How can you have a chairperson of disciplinary or labour disputes as any person who doesn't have a legal background or legal understanding of labour matters? These people just pretend to take your complaint but they are just singling you out, they use that to target you. They view complainant as enemies or as a threat.

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As indicated above, the perceptions of 'us against them' resonates with SAPS employees at station level. There is this assumption that if one questions authority, he or she will be singled out. One of the employees from a different station also alluded to this assumption stating that his move from one police station to another could have been due to his nature of questioning the 'comply and complain later' rule. Furthermore, through body language, a lack of trust within the organisation at station level seemed apparent. At times some participants would look around as if to see there wasn't anyone else in the room. There were also gestures such as leaning closer when more accusations were shared, such as the one above.

Over and above what Participant 9 said, Participant 11 who is a shop-steward also added that management at SAPS are ignorant when it comes to labour practices. Based on his experience, he indicated that management is aware of the standing orders and instructions but they do not apply their minds to these processes. He elaborated as follows:

> *You know, commanders are ignorant when it comes to labour relations matters. They only know these instructions, they give instruction without questioning them and so they don't expect you to question them. So when you question them, they don't know what to do. For example, there was a case that went as far as the provincial office but it was ruled out on the basis of unfair labour practices and misuse of power.*

Participant 11 explained that he was accused of underperformance and keeping files to himself to delay operational processes. As a result, his commander went to the participant's office in his absence and took files without his consent. The commander proceeded to investigate him. He lodged a grievance against the commander and this was escalated until such time that it reached the provincial office. The case was ruled on the basis that the commander did not have sufficient evidence that he was underperforming and was guilty of unwarranted entry in his office. Management was requested to cease the investigation since they did not follow procedure correctly.

This and other cases, do not present SAPS management at station level in good light. Instead, it supports perceptions that employees have about their management and the allegations they make. In further support

of this, one manager admitted to being in the wrong when they applied harsher measures to 'set an example'. She stated that one employee had falsely taken sick leave. However, instead of taking away his annual leave days, management substituted this with unpaid leave. The employee won the case and the forged sick leave days were substituted with annual leave days instead of unpaid leave. Management was requested to reverse their decision for not following procedure correctly.

Another employee and an ex-shop steward brought the issue of delayed processes as detrimental to the resolution of labour process and conflict management. Processes are tainted with delaying tactics and therefore take longer than expected to be completed. To a certain extent, he agreed with one of the managers who said that the main issue with resolving issues was with regards to duration. He specified that there is a period in which these have to be resolved and it is not always the case. However, his tone was different from the other two employees from Police Station A and C, respectively. When asked to provide his views on the conflict management processes within the SAPS, Participant 4 had this to say:

> *The processes take long to be resolved. Sometimes you will think that they are doing it on purpose so that you can just forget about it and let it go. Because by the time they give you feedback, ai, you are not interested anymore, you have lost the interest. So they take long. They must change this. They must make them work effectively in a short space, and you will see SAPS will perform better. Because, you know what, all of us...let me say most of us here, are here at work but inside we are complaining. We have issues with our supervisor that are not being resolved and that affects our work. You know it can years to resolve something that is very small in this organization. They just delay it, they like delaying these things.*

Participant 7 coined this as delaying tactics. He explained as follows:

> *And the tactics sometimes that management are using is to delay certain processes. Where it will say… If I register a grievance today, within 3 to 5 days it must go to the next higher level, so my direct commander must do something to mediate or to resolve the issue that I have. Now, if he cannot do it, he must refer it*

to the next higher level. Then that level, it can be the station commander, the
cluster or the province, and that level has also certain time period where they have
to resolve the issue and if they don't resolve it it must go to the next higher level or
place. …we registered a grievance, it took about thirty days instead of three days
for the grievance to be registered and go through the process because the person
that must sign it is not available, the person that must be interviewed is not
available, the correct forms that must be filled in is not always available, the
person handling this is not up to speed to handle the process, so it is a delaying
problem. You know, and you don't get that satisfaction, it seems like you get an
issue of going through the emotions, going through the processes now it is just
better to transfer it. And it is for a simple small thing. You cannot believe it the
processes that you must go through just to resolve a small thing.

As suggested by the participant, the problem is not with the methods or processes that ought to be applied but lies with how these are applied by different individuals who possess the necessary authority. On paper, in terms of which process to follow and the required time frames, the organisation has put in place measures to manage and resolve conflict as when it arises. In a way, it has made it possible for its employees to work and perform in an environment that promotes fair labour practices through a pluralist perspective. However, the perceived biased application of these measures coupled with the old practices such as unquestionable and final authoritative rules such as 'comply now and complain later' that were used through the unitarist perspective could still persist.

Participant 6 explained that this can be frustrating especially in cases that one can easily apply their mind. He explained as follows:

Jah its, you know, it's frustrating. I am a police officer, and as we have been talking
right now, logic has it that it has to happen this way, but yet it is not happening.
And you feel like somewhere, somehow someone is failing you, why is it
happening? Is like you must fight with your own people just to get something, it Is
not like you are fighting someone from outside, or an unknown entity, or the
criminals in the street; it's like we are one family, we are supposed to be looking

after each other. We are supposed to ensure that the employees that are working
for you are being treated fairly so that you can get the maximum output out of them
and make sure that they are happy. Because if you are not working in a work-
friendly environment, it is going to cause issues, it is going to cause problems, the
work performance is gonna go down; there is no discipline in the work; there is no
priority in the work. So at the end of the day you are going to have poor
performance because of small little thing that you could have sorted out.

It is against this backdrop that interviewed employees are not satisfied with the conflict management processes that are in place. However, as indicative of their responses, this is not as a result of the policies and standing orders that are in place. The participants were of the view that different individuals are not applying the same processes in the same manner. The lack of consistency shows that problems can be attributed to personalities, behaviours and different subcultures that have been adopted. For example, Chappell and Piquero (2004) applied Aker's social learning theory to police officers and found that police officers are made in the organisation, and through on-the-job socialisation. The theory states that one's learning process can result in different behaviours; these can be conforming or unorthodoxy in nature. Therefore, it could be possible that some of the practices employed by some commanders are learned in the workplace.

5.5   Essential services and lack of right to strike

Interviewed employees are well aware of the lack of right to strike within the SAPS as an essential service provider. All participants employed under the SAPS act understand their rights and limitation in terms of section 65 of the Labour Relations Act No. 66 of 1995. The act states that a person engaged in essential service may not engage in a strike. The Act goes further to define an essential service as a service the interruption of which endangers the life, personal safety or health of the whole or any part of the population which includes the South African Police Service. Both management and employees employed under the police act agreed as follows:

Participant 1:

For us not to strike? For me I can say it is having a positive impact because you can imagine if they say that one day the police are not working they are on strike what will happen. You know if the criminals can know that the police service is not working within one hour, hell will break loose in South Africa. So if we are not falling under the emergency services, I think for me I agree with the law that we are an emergency service and we don't strike. People will get raped in the streets, there will be no policing, and people will do as they want. You know people may say police are not doing their work, but leave 1 hour, just 1 hour without the police then you will realise how important police are.

Participant 2:

We are here to work; we are here for service delivery, so I don't even think that one of our managers will go on strike. With us, especially if you have been so long in the police, it is all about service delivery.

However, employees employed under the Public Service Act had a different view on the issue of right to strike within the organisation as an essential service provider. Their concerns were indicative of the constitutional ruling that separated the Public Service Act employees from the Police Act employees. The two groups of employees were separated on the basis that as Public Service Act employees, SAPS members may partake in legal strike; however, as SAPS Act employees SAPS members may not partake in any form of strike. The three employees had a different view compared to the Police Act employees as well as what is on paper.

Participant 11:

You know, here at the SAPS things happen in theory. Like your question, in principle Public Service Act employees can strike but they can't strike. They are treated like the Police act employees. PSA members can't strike and that court

order, SAPS management don't implement such things, they didn't implement that court ruling…even these SSSBC and PCBC agreements, they [SAPS management] don't implement those.

Participant 5 indicated that he is aware that there is a difference between the Police Act and Public Service Act employees. He further went on to explain that this is only done in theory and only in matters that benefit the employer. He elaborated as follows:

They say members of the police act are not allowed to go on strike. So, it means mina I am working within the police service I am not a police member. So these things sometime they contradict. And here in South African it means if you cannot go on strike your voice cannot be heard…So some of the things I feel it is not fair. Even myself because I am on this public service act, they said I do have a right but in reality I do not have that right because if I do not come back to work tomorrow I won't get paid, or they want something here. Say they know that I went to that march and maybe I locked the office, they say now we don't get 1,2,3, we don't get our services because you went to that march. Uhm based on that then the disciplinary measures will be taken against me. Meanwhile it is my right [to strike] so my right in other words has been violated. And using this act of the police [that they can's strike] it will seem as they never violated my rights. So, it ends up showing that the constitution, the LRA and the police act do not go hand in hand… So to me, this is unfair.

It was interesting to find that Participant 8 was adamant that all employees working at SAPS were not allowed to strike. She indicated that there is lack of information sharing concerning labour relations within the organisation hence she was not aware that she is allowed to partake in strike.

Albeit the fact that SAPS members employed under the SAPS Act agreed with section 65 of the LRA, they however voiced their concerns towards the union. According to them, they are required to behave in a professional manner that resembles essential services employees. They have a further responsibility of maintaining striking employees during protests and therefore they cannot engage in such. However, they

maintained that the unions have to take it upon themselves improve on their services and thereby compel management on pressing matters. Some indicated that the unions could be perceived as failing SAPS members with regards to collective labour relations matters.

Participants were of the opinion that the unions are failing them based on three reasons. First, some employees alleged that trade unions and union representatives outside the station level are benefiting from the decisions made by SAPS. It was indicated that some decisions are taken at unions' head offices as well as SAPS head office without consulting station level workers who happen to be union members as well. Second, it was alleged that as the biggest union, Popcru's alliance with the African National Congress (ANC) through the Congress of South African Trade Unions (COSATU) disadvantages its members. Participants who brought this up explained that Popcru can only criticise the governing party to a certain extent and that sometimes it sacrifices its members' interests over its own interests when a conflict of interest arises. Third and last, one member indicated that unions are failing their members because they appoint incompetent and unqualified leaders to make decision that do not affect them.

5.6 Conclusion

The chapter at hand provided summaries and themes identified from the interviews. There were different views regarding the conflict management processes within the SAPS. However, there seemed to be group differences as opposed to individual differences. For example, managers differed with employees on certain matters. At the same time, Public Service Act employees differed with the Police Act employees. Albeit their differences, they still identified the same issues that are experienced within the SAPS environment. These include the perceived causes of conflict such as promotions, working conditions, relationship with colleagues as well favouritism. Favouritism seemed to be a much greater issue since it was perceived to affect promotions and relationships with commanders. There was also a general consensus that, in theory the conflict management processes that are in place are functional. However, these were affected by employees and commanders who were not professional when performing their labour relations duties. Furthermore, these were affected by ineffective trade unions.

Chapter 6: Summary and Conclusion

6.1   Introduction

This chapter provides a brief description of the study, recommendations and as well as limitations and draw-backs experienced in the study. It is also used for indications into new avenues for future research.

6.2   Key arguments

The aim of this study was to explore the issue of labour rights and conflict management in the essential services by looking at the perceptions of SAPS employees and how they have experienced the applied conflict management methods. Some insights into this issue can be considered. It is against this backdrop that an effort to understand participants' experiences and perceptions regarding conflict management methods in the SAPS at station level was undertaken.

More specifically, I wanted to be able to outline the conflict management policies, practices and procedures underlying conflict management in the SAPS. However, as previously indicated, I was only able to study the legislation and not how it was operationalized into policies. The study aimed to identify and explain the differences, if any, between conflict management mechanisms for SAPS employees employed under the SAPS Act and those employed under the PS Act; to examine from the perspective of the employees the challenges that police experience regarding conflict management and resolution of disputes; to learn from the conflict management mechanisms and strategies engaged by essential services; and based on these lessons, to provide any recommendations that can be offered to add value for effective conflict management strategies in order to ensure efficient performance.

The South African Police Service is a system, and all its components ranging from administration, procurement, visible policing and management make up the system. Any form of conflict will interrupt the performance of such a system and affect the concerned components and the overall functionality of the organisation. According to Fortado (2001) the management of conflict for example has to be well and

precisely coordinated, coherent and unbiased. As an organisation, the South African Police Service has made this a possibility only in theory. Based on the participants' responses and experiences, the perception was that the methods used to manage conflict are used inconsistently. Furthermore, employees were of the opinion that there are delayed tactics used in order to wear down employees who have lodged grievances. However, this was not a general trend that affected every employee in the service; some employees have managed to successfully have the outcome of grievances in their favour. Albeit this fact their recollection of how the processes are functioning is clouded by negative aspects of this process. For example, more than half of the participants could recall a situation where an outcome of a grievance was in favour of the employee. However, they are still not impressed with how the processes are handled by other commanders.

Fortado (2001) purports further that with fair labour practices, an organisation can be able to promote the efficiency and cost effectiveness of production and service delivery. Furthermore, by devising such policies and procedures for fair labour practices, the organisation provides its employees with a framework that will assist in promoting and maintaining a good working relationship between the staff as well as between the employees and the employer. As a conclusion to this case study and based on the interviewed sample, it can be argued that evident from the participants' perceptions what Fortado failed to account for was the misuse of such policies by management. It was evident from this research that even though there were measures and methods in place, their effectiveness were distorted by management who were not professional in handling such processes. Cases such as management applying harsher sanctions and employees successfully challenging management's labour relations decisions are good examples that were shared by participants at management, commissioned and non-commissioned levels.

Whereas the policy prescribes that a grievance has to be resolved or escalated within three working days, this was not the case due to the lack of professionalism when handling of the process. It was also indicated that the immediate commander has to satisfy himself/herself that the grievance cannot be resolved at his/her level. However, based on responses, experience has it that such grievances are escalated without the immediate commander studying them thoroughly. Participant 6, who maintained that he has represented a number of people as a shop steward, alleged that this is a trend he identified from grievance proceedings. This has a negative impact on the employees as they lose their trust in the processes that are in place. Six participants have confirmed this, saying that management does not have employees' interests

at heart. These are some of the challenges that affected employees with regards to the use of the conflict management processes within the organisation.

Other challenges experienced by the interviewed participants included favouritism, maintaining good relationships with colleagues, challenged promotions and working conditions. Overall, it was indicated that many of the grievances stem mainly from working relationships and promotions. With regards to working conditions and favouritism, employees have come to terms with the existence of such workplace conditions and have adopted them to form part of the culture at station level. With regards to promotions, it is important to understand that the current policy on promotions within the SAPS prescribes that employees may be promoted after spending ten years on a certain position/rank, as one manager has pointed out. However, a number of employees have been placed on the same rank for more than the ten prescribed years. This on its own supports an expectation that employees have with regards to ranks. As a result, this frustrates those who deem themselves more qualified to earn a promotion over their counterparts. As one manager has indicated, there have been cases where a promotion was overturned in favour of the aggrieved.

The above instance indicates two positive things regarding the management of conflict in the SAPS. First, SAPS employees are, to some degree, aware of their 'rights' and are able to follow the right protocols thereby managing conflict in its early stages. This was also shown by employees who have managed to have grievance outcomes in their favour such as the employee who forged sick-note in order to qualify for sick leave and the shop-steward who was investigated for underperformance. Second, the conflict management processes are functional since they are able to undo some sanctions as appealed by employees. However, not all decisions and promotions are challenged by employees. This could be the result of delaying tactics used by some commanders as purported by the shop steward.

One concern was the extent to which these participants have accepted and adopted certain cultures that are not constructive. It was evident that participants have 'accepted' that at any given point in their SAPS career they will be required to train or teach their newly appointed commander how to do his/her job. Although the participants raised concerns regarding management hiring employees that are not experienced and educationally qualified to fill certain positions, they have succumbed to this. They have

shown this by suggesting that they at times find themselves 'teaching' their new commanders how to do their work.

Another factor that was raised by some participants was that some dynamics are embedded in the culture of SAPS such as the treatment of employees. It was evident that there treatment of employees was not fair across the board. However, this was one of the factors that remain unchallenged. For example, Public Service act employees are, by law, allowed to partake in strike action. However, they are expected to forfeit their right on the grounds that they are employed by an essential service provider even though, they do not necessarily provide an essential service. In principle, they are expected to behave in the same manner as Police Act employees since they are not allowed to strike. However, at the same time, the participants alleged that as Public Service Act employees, they are not recognised and appreciated in the same manner that police officers are appreciated. This indicates a form of double-standard that is employed by the management at SAPS.

6.3   Scope of study and limitations

One organisation providing an essential service, the SAPS, was studied. The scope was further limited to eleven interviews from three police stations in one city and one cluster. Financial resources in the form of travelling to and from stations and making calls for arranging interviews were considered in devising the study. The required period to complete the degree and scope of the mini-dissertation also played a role in limiting the study at hand. Given this scope, the study did not intend to provide statistically universal and generalisable results. However, the study aimed to convey differing views, experiences and perceptions of participants policing different communities. Communities serviced by the police stations were areas where people work; some were established residential areas and others in a more transitional residential area. At the same time, participants differed in terms of age, years of experience in the service, rank, race, and gender.

In terms of collecting data, one major set-back was the non-participation of one of the targeted police stations. As part of the research methodology, I anticipated that some police Officers might not be available to partake in the study given that the interviews were planned to take at least thirty minutes. Given the nature of police work in a sense that most of the work is conducted in the field and that any emergency can

occur at any given point, it was important to anticipate and put forward that interviews last for thirty minutes. Furthermore, police work is unpredictable and police officers who might have availed themselves could have at any time been required to leave the interviews and attend to other official matters. As such twenty participants were targeted for this research with the expectation that at least fifteen will be interviewed. However, one police station was not responsive to both my calls and the Provincial Office's request to provide me with their details and conduct interviews. As such the targeted number went from a possible twenty participants to a possible fifteen participants. In the end, only eleven employees were interviewed for this research within the agreed time-frames. For the stations that agreed to participate, it was difficult to find employees to be interviewed; hence only eleven people were interviewed.

The other limitation that was encountered during this study was that the conflict management processes was only provided by word of mouth by the interviewed participants. There was no written documentation to corroborate their descriptions. During the process to request permission at the South African Police Services to conduct research, the request to study documentation on conflict management was mentioned in the letter but overlooked by SAPS. This was not addressed in the final approval letter from the SAPS. Due to the back and forth between the university's ethics committee and the SAPS regarding the issuing of an ethical clearance and an approval letter, the overlooked matter (access to SAPS documents) was not followed up with by the researcher. As a result, the researcher depended only on the employees' accounts of the conflict management processes and procedures.

Another limitation to this study was the exclusion of fulltime shop stewards. The two shop stewards that were interviewed were interviewed on the basis of being employees of SAPS and not as trade union representatives. Including fulltime shop stewards would have provided another angle from which the issue of conflict management could be looked at. As full time shop stewards they could have provided diverse number of cases they have handled in the past, trends they have identified thus having an overview of the actual conflicts that experienced within SAPS at station level. This is important since trade union representatives form part of the parties that are required to be present when a grievance is being formally discussed.

6.4 Recommendations

The area of conflict management within essential services is an under-researched area. There are a number of avenues that future research could look into. However with specific reference to this study, there are two factors that I have identified. First, future research could include trade union representatives in order to have accounts of all parties involved in the management of conflict in essential services. This way, researchers will be able to understand the conflict management process from the perspective of the three parties involved involve in the process. Furthermore, getting an understanding from all involved parties can assist in comparing their experiences and perception thereby identifying differing opinions and ideations as well identifying instances where all parties are in agreement of the methods and processes that are in place.

Second, it is important to study the available material such as policies and standing orders that are used to manage conflict in the SAPS. Future studies that may adopt these additional avenues may be able to fully conclude on the current status of the conflict management processes and mechanism within the SAPS by corroborating employees' perceptions against those of management, trade union representatives and labour relations documentations. At times, employees may differ with what the policies are instructing. Resultantly, they could find themselves providing distorted information unaware based on their beliefs regarding certain processes.

In social science research, different methods of collecting data have their advantages and disadvantages. Combining some of these methods provides the researcher with advantages that exceeds disadvantages. For example, a combination of individual interviews and observations could help understand the experiences broadly. Individual experiences will account for personalities and traits, and observations will focus on how these officers approach situations in their natural settings thus providing a chance to learn the police culture in practice. However, given the nature of police work, these may also be limited. The one factor that can prove helpful in studying police would be a study that is conducted over a long period of time. This may allow the researcher to apply different data collection methods, and allow the researcher to interview a larger sample.

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Annexure

Annexure A: Letter of Consent[8]

Dear Participant

My name is Tshepo Khoetsa. I am registered for a Master's Degree in Industrial Sociology and Labour Studies at the University of Pretoria. In order to fulfill the requirements of my degree, I am required to conduct a research project. My research is titled: Sociological Exploration of Conflict Management at the South African Police Service as an Essential Services. As an employee of the SAPS, I am kindly requesting your assistance by taking part in the research and consenting to an interview.

My research project focuses on the conflict management mechanism and strategies used by the South African Police Services (SAPS). Employees of this organization do not partake in strikes due to the nature of their work. They use alternative methods to resolve their conflict, disputes and grievances with their employer. The aim of this study is explore the current state of conflict management methods in such in the SAPS and how they are being used. If they are used effectively, can they be recommended elsewhere and if they are not effective, what can be done to improve them? Your responses in the interview will be used for the objective of this research project.

If you decide to participate in this study, you will take part in a semi-structured interview that will be scheduled to suit your location and time. The interview will last between 30 and 45 minutes. You will be required to answer a set of predetermined questions as well as follow up questions that may surface during the interview.

In order to avoid misinterpretation of information provided by you, the interview will be recorded. This is also to assist me when I am transcribing the information. The information will only be used by me and my supervisor for the sole purpose of this research project. Your interview responses will not be shared with your direct line managers.

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[8] Letter of consent that was used during the interview process was printed on the University's letter head.

There are no possible risks involved in this study. No participant will experience physical or psychological stress or harm. However, if you do feel uncomfortable at any stage of the study, you may stop your participation immediately. Further, there are no possible benefits from the study.

Participation in this research is completely voluntary. You may choose to cease your participation if you feel uncomfortable at any given point of the interview. Your anonymity is ensured in this study. Information about you obtained for this study will be kept confidential. I will not be collecting your name for this study to ensure confidentiality. Where required I will use pseudo names to ensure anonymity. Other identifying information will be kept separate from your interviews. Any reports or publications about the study will not identify you or any other study participant.

It is important to note that the University of Pretoria's Department of Sociology requires us to store any research data for a maximum of 15 years. Your information will, however, be used once for this project. Should the use of it arise in the future, you will be contacted to provide an informed consent.

Any study-related questions, problems or emergencies should be directed to the following:

Tshepo Khoetsa   u16252226@tuks.co.za (079 5519586)
Dr. Charles Puttergill   charlesputtergill@up.ac.za (Supervisor)
Thank you
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Informed Consent:

I have read the above consent and I am satisfied with my understanding of the study, its possible benefits, risks and alternatives. My questions about the study have been answered. I hereby voluntarily consent to participate in the research study as described. I also consent to an audio record of the interview by the researcher. I understand that I may choose to cease my participation if I feel uncomfortable at any given point of the interview.

_____   _____

Signature of participant   Date

Annexure B: Interview Guide

University of Pretoria

Department of Sociology: Postgraduate Studies

Conflict management in the South African Police Service as an essential service

Main Research Question: What is the current state of the conflict management in the SAPS and how is it managed?

1. Questions on employment at SAPS

    a. Kindly tell me about your work at the SAPS

        i. When did you join the SAPS?

        ii. What are the positive and negative aspects of your work?

        iii. Is the work stressful? If so, in what way?

        iv. How would you describe your relationship with your seniors, juniors and colleagues in general?

        v. Are you affiliated with any union? If so, when did you join the union?

2. Questions on awareness of policy and standard operating procedures

    a. Are you aware of the process that needs to be followed when a conflict/dispute arise?

    b. How were you made aware of these processes (read online/awareness sessions etc.)?

    c. What are your views on these processes?

3. Questions on conflict and disputes of rights/interest

    a. What are the typical grievances that result in disputes within the organisation?

4. Questions on procedure when conflict situation arise

    a. Have you been in a situation where you were involved in or had to resolve any of the above-mentioned conflict/dispute situation (e.g. grievance) at the workplace?

    b. Were the unions involved?

      c.   What was your experience?

      d.   What was the outcome?

5.   In your opinion, does the lack of right to strike have positive or negative impact on employees?

      a.   How has this affected you and your colleagues?

      b.   What do you think can be done to improve how disputes and conflict are handled/ managed within the organisation?

6.   In your view, do you think that the procedures, processes and practices the organisation has in place are effective?

7.   Do you have any comments, questions or suggestions regarding the subject we have been discussing?

Annexure C: Participants' Demographics

Station	Participant #	Race	Gender	Years of Experience	Employment act	Rank	Union	Position grouping
Station A	Participant 1	Black	Male	30+	Police Act	Colonel & above	Popcru	Management
	Participant 2	Coloured	Female	30+	Police Act	Colonel & above	SAPU	Management
	Participant 3	Black	Male	20+	Police Act	Captain	Popcru	Management
	Participant 4	Black	Male	20+	Police Act	Warrant Officer	SAPU	Commissioned officer
	Participant 5	Black	Male	10+	Public Service Act	Clerk	Popcru & SAPU	Non-commissioned
Station B	Participant 1	White	Male	20+	Police Act	Captain	Popcru	Management
	Participant 2	Black	Female	Less than 10	Police Act	Constable	Popcru	Non-commissioned
Station C	Participant 1	Black	Female	10+	Public Service Act	Clerk	SAPU	Non-commissioned
	Participant 2	Black	Male	10+	Police Act	Constable	Popcru	Non-commissioned
	Participant 3	Black	Female	Less than 10	Police Act	Sergeant	Popcru	Commissioned officer
	Participant 4	Black	Male	10	Public Service Act	Clerk	Popcru	Non-commissioned