FROM REPRESENTATION GAP TO RESOLUTION GAP – EXPLORING THE ROLE OF EMPLOYEE VOICE IN CONFLICT MANAGEMENT

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Introduction

This chapter explores the role of employee voice in the resolution of the management of conflict and the resolution of individual employment disputes. It is taken from a broader study of conflict management in the UK, based on five organizational case-studies funded by the Advisory, Conciliation and Arbitration Service (Acas). Since the publication of the Gibbons Review into the UK's system of employment dispute resolution in 2007, substantial policy attention has been paid to the ways in which organizations deal with individual workplace conflict. However, the role of employee voice in supporting (or challenging) organizations in the management of conflict has been a notable omission from this debate. Therefore this Chapter seeks to begin to fill this gap and offer a greater understanding of the function that employee voice plays.

Typically, employee voice is understood as two-way communication between workers and managers, either 'directly' with no intermediary or 'indirectly' via an employee representative (union or non-union) (Rollinson and Dundon, 2007). Direct voice includes activities such as one-to-one meetings with managers and team briefings given by managers to discuss workplace issues with groups of employees. Indirect voice has been traditionally provided through trade union representatives, however, this has been dramatically undermined by declining union density and the erosion of workplace labour organization. Importantly, this 'representation gap' has not been filled by alternative non-union forms of indirect representation, which is found in just 7% of British workplaces (van Wanrooy et al., 2013). Instead, for most employers, voice is increasingly viewed through the prism of

employee engagement, although whether this provides new channels through which conflict can be resolved has been questioned (Colvin, 2013).

In this chapter we begin by briefly examining the changing context of dispute resolution in the UK and then explore the extant literature regarding the development of patterns of employee voice within UK workplaces and how this relates to the management and resolution of conflict. Findings from five detailed organizational case studies are then presented and discussed. Our analysis suggests that structures of employee representation, underpinned by high-trust relationships between key actors, facilitate the informal and early resolution of workplace conflict. However, the growing representation gap in UK workplaces and the consequent reliance on direct voice is progressively eroding the capacity of organizations to manage conflict effectively.

Voice, Engagement and Conflict

In recent years, policymakers and practitioners have given increase attention to the prevention and resolution of individual employment disputes (Gibbons, 2007; BIS, 2011; CIPD, 2011). This has been largely driven by concerns raised by employers over the costs of managing workplace conflict and the consequent impact on organizational performance (British Chambers of Commerce, 2010; CBI, 2011). In response, the UK government has sought to reduce regulation, encourage more flexible and informal approaches to disputes and has also promoted the use of alternative dispute resolution (ADR) processes, such as workplace mediation.

The focus of reform has been on reducing the legal risks associated with terminating the employment and also on resolving disputes outside the workplace (Saundry et al., 2014). For example the government has, for the first time, introduced a system of fees that employees must pay before their case can be brought before an employment tribunal[1]. Employers argue that this will deter weak and

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[1] Employment tribunals are public bodies that have the authority to adjudicate on claims made under UK legislation in relation to unfair dismissal, discrimination and other employment related jurisdictions

speculative claims, while other commentators, and particularly trade unions, argue that many employees will simply be 'priced out of justice' (TUC, 2014:2) In addition, a process of 'early conciliation' has been established under which, before a legal claim is registered, the Advisory, Conciliation and Arbitration Service (Acas) must be notified and an attempt made to reach a settlement. The introduction of these measures has been accompanied by a dramatic fall in the volume of employment tribunal applications.

Unfortunately, this debate has tended to focus on the end of the employment relationship and litigation rather than on the processes through which conflict emerges and is managed within the workplace. Although research has clearly shown that in most large organizations, these processes are shaped by the relations between line managers, HR practitioners and employee representatives (Jones and Saundry, 2012), the role of employee voice in developing effective approaches to conflict management and resolution has been largely ignored by policy makers.

Bryson et al. (2006:279) explain that formal mechanisms of employee voice generally 'involve two-way forms of communication between employers and employees' through which organizations try to obtain important information and secure improved productivity and performance by providing employees a 'meaningful say' at work. This can be indirect, via a third party such as a trade union or staff association or direct, between individuals or groups of employees and management. Employee voice can be heard through multiple and sometimes contradictory channels. At a basic level, it represents an opportunity for staff to make managers aware of their opinions on workplace issues (Dundon and Rollinson, 2004) and this in turn can, depending on the response of managers, shape decision making processes (Wagner, 1994). Indeed, if the voices of employees and workers are not taken into account in the decisions that impact on their working lives, this may lead to discontent and conflict (IPA and Tomorrow's Company, 2012).

Voice can be beneficial for both employers and employees by increasing employee tenure and satisfaction (Avery et al., 2011) as well as reducing the costs of unresolved or formal grievances

(Charlwood and Pollert, 2014). Direct voice is seen as particularly important in positively shaping the relationship between managers and their subordinates and Donaghey et al. (2011) argue that benefits fall predominantly to managers who can acquire useful information that, for instance, may help to improve organizational efficiency.

Despite these perceived advantages, many firms choose not to have any formal voice channels and it has been suggested that employers will only establish such channels if measurable cost efficiencies and other organizational gains can be demonstrated (Bryson et al., 2006, Marginson et al., 2010). Where existing voice channels are perceived to challenge managerial prerogative, employers will often shut them down and attempt to dilute their influence by refusing to use them as a means for 'negotiation and consultation' and focussing only on one-way downward communication to their employees (Cathcart, 2013; Townsend, 2013; Wakeling, 2014).

Furthermore, the mere existence of voice structures does not necessarily mean they will be used by employees. For workers to express their voice, they need to have trust in those with whom they want to communicate so that they feel secure in making their views known and confident that they will be treated fairly and listened to and also that their voice will be heard and acted upon (Gollan 2007; Donaghey *et al.,* 2011; Farndale *et al.,* 2011; Wilkinson and Fay, 2011). In this way, the effectiveness of mechanisms for employee voice is also dependent on the quality of employment relations and the attitude of the employer to involving members of the organization in decision making.

In terms of managing workplace conflict, voice is facilitated through both direct and indirect channels. At a basic level, employees can raise concerns directly with their line manager who can in turn seek to resolve any issues that she might have with the employee. Interestingly, in a recent survey of conflict conducted by the CIPD (2015), over one-third of respondents said that they would respond to conflict at work by discussing the issue with a manager or HR. Where organizations ensure that employees meet regularly with their managers to discuss workplace issues, they are more likely to be able to resolve problems at work and this in turn reduces turnover and improves organizational

performance. Therefore, the response of managers is critical in generating trust and also developing channels of direct voice through which conflict can be resolved (Charlwood and Pollert, 2014).

However, the power imbalance between manager and employee may inhibit this (Timur et al., 2012; Charlwood and Pollert, 2014), particularly as conflict at work is most common between line managers and their subordinates (CIPD, 2015). In addition, it places a greater emphasis on the conflict resolution skills of the line manager. While Pyman et al. (2010) suggest that effective direct voice typically exists in organizations with other good HR practices, there is mounting evidence, reviewed by Jones and Saundry in this volume, of a fundamental deficit in managerial confidence and competence in responding to conflict. They argue that managers are not only ill-equipped to have 'difficult conversations' with their staff but that such opportunities for direct voice are crowded out by operational goals and imperatives.

Formal grievance procedures can also be seen as providing a source of direct of 'employee voice' in offering a way in which employees can raise concerns with their employer (Batt et al., 2002). Formal procedures may also help maintain standards of equity and natural justice and act as a bulwark against draconian managerial action (Sanders, 2008). However, employees may be deterred from making formal complaints by concerns over possible employer reprisals (Boroff and Lewin, 1997; Lucy and Broughton, 2011; Marsden, 2011). For example, Pollert and Charlwood's (2008) study of low paid and unrepresented workers found that they were unlikely to use formal grievance procedures if they came into conflict with their employer.

In this context, it is not surprising that the CIPD survey mentioned above found that only eight per cent of respondents that they would use a formal procedure to respond to conflict. In contrast, 25 per cent of respondents reported that they just let the issue 'go', 12 per cent looked for a new job and 23 per cent turned to someone outside the workplace for advice (CIPD, 2015). This suggests that for a significant proportion of workers, direct voice does not offer an accessible route through which concerns can be aired and problems resolved (Lucy and Broughton, 2011).

One solution to this problem is the use of indirect voice through which representatives can rebalance the employment relationship and provide some protection to employees in conflict situations. Representation in employee grievances and disciplinary cases has traditionally been a central function of trade unions. Workplaces in which trade unions are recognized and union density is high tend to have lower rates of disciplinary sanctions and dismissals (Antcliff and Saundry, 2009). The data is less clear in regard to employee grievances; however, employees are more likely to utilize formal procedures in unionized settings (Kersley et al., 2006).

However, union voice has been substantially eroded in recent years as membership and density have fallen steadily and workplace structures of representation have weakened. In 1984, there were an estimated 335,000 trade union representatives in British workplaces. However, by 2004 this number had fallen by more than 60 per cent to just 128,000 (Charlwood and Forth, 2009). According to WERS2011, workers in only 7 per cent of workplaces had access to an on-site union representative (van Wanrooy et al., 2013). This decline has placed greater significance on the role of non-unionized employee representatives (NERs). These are employees who are enabled and directed by their company to support their colleagues. There are a variety of motives for employers to invest in the development of such representative structures including: compliance with regulation; union avoidance; and a desire to increase employee involvement in decision making and secure greater levels of engagement (Gollan, 2007; Timur *et al.,* 2012, Campolieti *et al.,* 2013). However, despite these drivers there is little evidence that non-union representatives have filled the gap left by trade union decline (Charlwood and Terry, 2007; Van Wanrooy *et al.,* 2013).

There are also concerns about the extent to which non-union representatives provide an effective counterweight to employers. Research has suggested that non-union representatives are constrained by: dependence on the employer for both their existence and their resources; inability to levy realistic sanctions against the employer; lack of training and experience; and also the fact that they have fewer of the rights and protections enjoyed by their unionized counterparts (Gollan, 2007; Charlwood and

Pollert, 2014). Campolieti et al. (2013) found that in North America NERs are becoming substitutes for trade unions, rather than 'complimentary', as a decreasing proportion of workers want to unionize.

Furthermore, while there is evidence of isolated attempts to develop roles for non-union employee representatives within dispute resolution, they are rarely trained to represent staff in disciplinary and grievance matters and WERS2011 found that less than half spent any time on discipline and grievance issues (Podro et al., 2007; van Wanrooy et al., 2013). Charlwood and Terry's (2007) analysis of WERS2004 also found that workplaces with non-union representatives (and no trade union presence) were likely to have higher dismissal rates.

Therefore, there has been a profound change in the pattern of employee voice in UK workplaces, and a shift away from indirect representative mechanisms and towards direct communication (Bryson et al., 2013). Employers see a greater emphasis on direct voice as helping to build organizational commitment, smoothing change processes and improving performance (Bryson et al., 2013). It could also be argued that direct voice addresses workplace conflict in a pro-active way by minimising discontent rather than simply reacting when conflict escalates (Luchak, 2003). As Clarke (2013) notes, data from WERS2011 shows that the majority of employees feel that they are better placed to represent themselves, rather than seeking the services of union representatives.

Therefore it could be argued that rather than looking to resolve disputes though representation, a focus on enabling employee engagement, through direct voice (McLeod and Clarke, 2009) is a more effective way of responding to the challenge of workplace conflict. However, whether engagement can be separated from employers' attitudes to indirect representation and dispute resolution is highly questionable. High levels of trust is an important antecedent of engagement (Alfes et al., 2013; Rees et al., 2013) and as John Purcell (2012) has suggested, this in also linked to notions of organizational justice. At the same time MacLeod and Clarke (2009) acknowledge that another key enabler of engagement, organizational integrity, is influenced by relationships between employees and their immediate managers. Consequently, it could be argued that the way in which managers respond to,

and deal with, conflict, together with the nature of their relationships with employee representatives will have an impact on levels of employee engagement.

In the rest of this Chapter we examine the way in which the changing pattern of employee voice discussed above has shaped the way in which organizations respond to, and deal with, workplace conflict. In particular, we explore the implications of the apparent diminution of structures of representation and ask whether a reliance on direct voice can provide a basis for the effective management of conflict and resolution of individual employment disputes?

Methodology

This chapter draws on data from five organizational case-studies undertaken between 2009 and 2011. While each of the studies were conducted as a stand-alone project, the methods used and the key research questions addressed were broadly similar allowing cross comparison. The organizations also represented different properties in terms of industrial activity, sector and nature of employee representation. They also differed in terms of size; however, they would all be considered large organizations employing more than 1,000 staff. Broad details are contained in Table 6.1, although specific features are not identified in order to preserve anonymity and confidentiality.

INSERT TABLE 6.1 HERE

Within each organization, research normally consisted of three main elements: examination of policy documentation for dealing with individual employment disputes and relevant collective agreements; in-depth interviews with key informants including HR practitioners, operational managers and employee representatives; and exploration of available statistical data regarding employment, workforce demographics and pattern of individual employment disputes.

In total, 131 interviews were conducted, comprising 104 hours of interview data. In broad terms the sample across the five cases could be broken down as follows: 53 HR practitioners ranging from HR adviser to HR director level; 61 line and operational managers; and 17 employee representatives. Importantly, case-studies were not focussed on how individual cases were conducted but on the formal and informal processes that constitute the management of conflict within the organization. Accordingly, details of individual cases were not requested. In addition interviews were neither sought nor conducted with individuals who were involved with individual employment disputes. In all but one case (Organization E) membership of either trade unions and/or staff association was relatively high, therefore, we would suggest that the views of employee representatives interviewed would provide an indication of the broad views of employees within the organization. Of course, we must be cautious in drawing broad conclusions from the data which is drawn from five separate case studies all of which have been conducted in large organizations, with employee representation either from trade unions or trained colleagues.

Findings

Through these case studies the chapter will now explore how different forms of employee voice influenced the way in which conflict was managed and individual employment disputes were resolved. We first examine the use of employee engagement strategies to minimise the incidence of workplace conflict, before exploring the way in which line managers sought to identify and resolve difficult issues. Finally we present evidence of the role played by employee representatives in facilitating informal processes of resolution.

Minimizing conflict through engagement?

Management respondents claimed that effective employee engagement strategies could minimize conflict by improving commitment and motivation of staff, as envisaged by Macleod and Clarke

(2009). They argued that engagement, the incidence of conflict, and management responses to it were intertwined:

> *'It has to start with the recognition that you can't be successful unless you've got people who are engaged come in, come in on time, and you treat fairly; firmly but aware of the boundaries. So there are lots of things that actually make up the ability to have a good department…our engagement score is the highest across the Group, but that for an operation area it's been consistently up over 85, 86 percent. Couple that with low absence, low turnover, you kind of get people who want to be there, who want to deliver and your costs kind of get reduced so there's an equilibrium.' (Operational manager – Organization B)*

Importantly, there was a link between the way that employees were treated and engagement. In essence, dealing with any problems fairly and equitably was more likely to secure the engagement of staff which would mean that problems with conduct and capability were less likely to occur.

In the same organization, respondents highlighted the role of staff forums and actions set up in response to the annual staff survey. These included one senior manager establishing an online facility where staff could pose questions and raise concerns and a similar initiative in which staff were able to log any problems or issues on a central notice-board which would then be addressed by managers. Interestingly, Organization B was highly unionized and engagement mechanisms ran alongside robust structures of representation with union respondents seeing no conflict between these 'twin-tracks'.

Without such channels, there was a danger that low levels of grievances may mask underlying conflict. A senior manager in Organization E argued that although his organization received very few formal complaints this was mainly because 'people just keep stuff to themselves'. Multiple reasons are proposed for employee silence: fear (Gollan, 2007); concerns that raising concerns may appear disloyal (Boroff and Lewin, 1997); and lack of capability on the part of both staff and managers (Lucy

and Broughton, 2011). In Organization E which provided social care, staff worked in small residential teams which provided an environment in which both staff and managers tended to avoid conflict.

A number of respondents argued that 'grievance cultures' had developed in parts of the organizations in which they worked, due to the fact that employees did not feel that they were being listened to or did not have access to channels to voice their concerns. This provided fertile conditions in which discontent could grow. For example, an HR practitioner described work at a site at which in the past there had been *'three of four grievances every week'*. He explained that staff felt the only way that management would take notice of their concerns was if a formal complaint was made through the grievance procedure (Batt et al*.,* 2002):

> *'...the process gets them an audience...because we didn't have the [staff] survey, we didn't have the engagement...if I was on the shop floor and I wanted to raise something, maybe the grievance process was the best way to go about it.'*

In this case, senior managers argued that the development of engagement mechanisms such as a staff survey provided a vital channel for the expression discontent which in turn reduced the incidence of grievances. However, it was also clear from the sample that this could not be separated from the impact of collective representation. In three of the cases, the development of a 'grievance culture' was linked by respondents to a breakdown in trust between union representatives and management. The reasons for this were various but a common feature was a sense on the part of union representatives that they were being excluded from consultative and decision-making processes. In addition, broader concerns over the handling of restructuring and changes to working practices created a negative atmosphere within which formal grievance procedures became a way of challenging managerial authority. Therefore, problems with collective aspects of employment relations could spill over into the way that organizational actors dealt with individual disputes. For managers within such an environment, there was a perception that the union were acting in a confrontational and adversarial manner:

'...it tended to go from nought to a hundred on the Richter scale of disputes very, very quickly...I would be, for example, called up by the union to be told that a member of staff was taking out a grievance...there's been no kind of heads up in advance of that, or any discussion or any attempt to resolve the matter; it was simply a case of moving straight in to a formal process.' (Operational manager – Organization A)

Irrespective of outcomes, this tended to encourage parties to adopt defensive postures to disputes, and led to profound mistrust, fuelling conflict in the future. Therefore, although securing employee engagement may limit the incidence of conflict, this is itself shaped by the way that managers handle conflict when it escalates.

Direct voice – the importance of an 'open door'

Respondents in all organizations emphasised the importance of resolving issues as 'close to the ground' as possible; identifying problems at an early stage and then 'nipping them in the bud'. The key to this was the ability of line managers to spot emerging problems by maintaining regular communication with their staff, often through an 'open door' policy. However, this was not only dependent on line managers having the time and inclination to keep in regular contact with their staff but also creating an environment in which staff felt confident to voice their concerns (Donaghey et al., 2011):

I think the site has a pretty open culture. We encourage people to air their views, we encourage people to bring forward their ideas and opinions...we tend to encourage people to put them on the table and have an adult conversation. (Operational manager – Organization B)

This informal contact was backed up to some extent by formal performance management mechanisms. In one organization, all staff had regular one-to-one meetings with their line managers which were logged and recorded. Both management and union respondents saw this as maintaining important channels of communication, and also providing a place in which employees and managers could raise and try to resolve concerns.

Nonetheless, there was a danger that employee appraisals were reduced to 'box ticking' exercises. This suggests that the existence of a channel do not necessarily translate into actual voice (Farndale *et al.,* 2011). In the case studies it did not appear that there were insidious reasons for silencing employees. Instead, for managers, high workloads and extreme pressure to meet operational targets tended to squeeze out informal communication while more formalized performance management was seen as a 'chore'. As a result, warning signs of conflict could be missed or simply ignored:

> *'I think one our biggest faults of performance management is that it comes to the end of year review and then people are then just told that they're not good enough but there's been nothing through the year, there's been no sort of coaching, there's been no inkling of it…'* *(HR Practitioner – Organization D)*

All organizations within our sample emphasized the importance of managers communicating with their staff. However, even where managers are convinced that their 'door is always open', it may be difficult for employees to raise issues with managers, fearing possible ramifications (Marsden, 2011). To a certain extent more formalized systems of communications such as one-to-ones, review meetings and appraisals potentially provided a more structured and transparent way of managers giving an opportunity to employees to air their views.

While this undoubtedly provided an element of 'direct' voice, it was constrained by the nature of the relationship and the fact that any discussion took place in the context of the employee's performance. Informal processes of resolution should not need to extend beyond manager and employee,

nevertheless, the authority and the power relationship that exists between them makes this problematic (Charlwood and Pollert, 2014). Where the employee has no access to representation they may have insufficient trust in management to explore an alternative to formal procedure. In our sample, it appeared that conflict often remained hidden and either unnoticed or ignored by managers until it escalated into a formal grievance. The receipt of a written complaint could therefore be the first indication of a problem. An HR practitioner explained that:

> *'...often it doesn't actually come to anyone's attention until somebody gets a call in [HR] because there's a grievance being raised by five people against one colleague and everyone is a bit like, 'God what are we going to do with this..' (HR Practitioner – Organization D)*

Indirect voice – the key to conflict resolution

The most consistent finding across the sample was the central importance of employee representation (both union and non-union) in underpinning effective conflict resolution (Timur *et al.,* 2012). Representatives provided an 'ear to the ground' and therefore not only were issues more likely to be identified but there was a greater chance that the root causes of conflict could be revealed and addressed. Organization D, which did not recognise trade unions, had trained a network of representatives, elected by staff, to represent their colleagues in disciplinary and grievance issues. For managers, these non-union representatives provided an early warning system of developing conflict:

> *'[representatives] are the eyes and ears on the floor...and they're the ones that talk to the [staff], so if there is some kind of rumbling.. we're expecting them to be picking that up and then going to the relevant [manager] and discussing that, and then going from there.' (Operational manager)*

Some of the difficulties faced by managers in resolving conflict at an early stage were overcome through informal discussions between employee representatives and HR practitioners, who were able

to broker resolutions away from the emotion of the situation and sometimes the entrenched attitudes of manager and employee(s). The vast majority of union representatives that we interviewed had a clear preference for informal resolution wherever possible:

> *'I'm not fussed about how we get to a resolution of things...If I can phone HR, or a manager, and say 'Can we talk about this before we go into a formal meeting?'...then I'll do that.''* *(Union representative – Organization A)*

However, the simple presence of employee representatives was not necessarily enough. Positive and trusting relationships between representatives, HR practitioners and managers were crucial for constructive informal contact (Jones and Saundry, 2012).

> *'...it's having that open culture where people open up and have those discussions and say things like, 'I'm a bit worried about somebody's behaviour...' (Trade union representative – Organization A)*

Where these relationships were absent, it was unlikely that representatives would share information with management as they would be concerned that this could be used against them. Instead they would often seek to escalate the issue by encouraging the employee to take formal action. Individual disputes became a battleground in which representatives attempted to 'win' the case rather than seek a resolution to the issue.

But, where high trust relations between employee representatives and managers existed, informal contact was commonplace. At the outset of a grievance or disciplinary action, it was normal for the employee representative to be informed. This could be just a courtesy but sometimes provided an early opportunity to establish the context of the problem and explore options as to how the case could progress:

'...they [union representatives] will be involved right from the very beginning. They'll often know about the grievance before we do and you know, they'll often come to see us and say you've got this grievance, what are your intentions basically? 'What are you going to do?'' (HR practitioner – Organization B)

Importantly, the intervention of employee representatives helped to ensure that any mitigating factors were identified at an early stage as employees were more likely to discuss sensitive issues with their representatives as opposed to their managers. In addition an important part of the representatives' role was to ensure that employees properly understood the implications of the case.

'In fact, often, it would be me, or my colleagues, that will say to an individual, you do understand that this could mean...'God, you mean I could lose my job?'...it's sometimes about getting the person they're comfortable representing, to actually say, well, you know, we've done this…You need to be straight with people.' (Employee representative – Organization D)

In this way, employee representatives could try to minimize a sanction and the longer term implications for the employee. For example, where employees were facing dismissal, it was not uncommon for representatives to negotiate for their member to resign their post. These findings challenge Luchak's (2003) suggestion that indirect voice is 'reactive' and does not propose win-win solutions to resolve disputes.

Our research also showed that informal processes did not end with the start of formal proceedings. Even in disciplinary cases, informal discussions and contact often shadowed the formal procedure. For example, it was common for employee representatives and managers to discuss possible agreements and resolutions during breaks or adjournments in formal hearings. Furthermore, managers often worked with employee representatives to uncover the reasons for an employee's misbehaviour

or poor performance. However, this was largely dependent on the presence of employee representatives and on the existence of constructive employment relations.

A key theme of these case studies was the importance of employee representation in underpinning informal processes of resolution. However, the current debate over workplace dispute resolution takes place in a context in which most workers have no access to workplace representation of any type (van Wanrooy *et al.,* 2013). Employee representation is therefore crucial as it provides an intermediary who lies outside the relationship between manager and employee and can act on staff's behalf without any fear of the consequences:

> *'In a unionized environment such as ours, it can help in some ways to diffuse some of these situations…in non-unionized environments I've worked in the past, it's either you like what your manager says or you've got a grievance issue.' (HR practitioner – Organization B)*

Conclusion

Concerns over employment dispute resolution lie at the centre of contemporary debates over public policy and organizational practice. However, these debates have tended to focus on perceived burdens imposed by employment regulation and the threat of litigation rather than on the way in which key organizational actors interact to resolve conflict *inside the workplace.* In particular, the role of employee voice and particularly indirect channels of employee representation have been largely ignored.

The central finding from our research is that employee representation plays a vital role in facilitating early and informal processes of conflict resolution. While it might be expected that employees or representatives themselves may take this view, it was notable that within our interviews, the vast majority of management respondents also expressed this opinion. While there were some cases in which they were able to discuss and resolve issues in an informal way with their staff, managers

accepted that this was not always easy, and that employees may be more likely to talk openly and honestly to an employee representative. Furthermore, they may also be more likely to listen to the advice from a representative who could play an important role in managing expectations and explaining the implications of their situation. By working with employee representatives, managers and HR practitioners were able to identify conflict at an early stage, avoid the necessity for the application of formal procedures and even within formal situations they were often able to negotiate a way forward.

However, the precise impact of representation turned on the nature of employment relations within the organization and in particular the existence of high trust relationships between representatives, managers and HR practitioners. Where there was reciprocity and trust, managers and representatives had the confidence to go outside the process, to exchange their views and explore possible solutions. Where this was not the case, parties would cling to procedure for fear that any 'off the record' discussion would be used against them at a later date. Trust was, in part, related to broader collective issues and it is important to acknowledge that some of the organizational changes noted above could place a strain on these relationships, but it was also centred on the extent to which employee representatives felt that they had a genuine voice within the organization.

More worryingly, these relationships and consequent structures of informal resolution are under significant pressure. Perhaps most obviously, the erosion of union organization has not been compensated by a parallel growth in non-union mechanisms of indirect voice. This representation gap threatens to undermine the social processes of discussion and negotiation which form the basis of conflict resolution. It might be argued that direct voice and related mechanisms designed to secure employee engagement could be the answer to this apparent problem. Certainly, our findings suggest that engagement strategies which provide a direct channel for employee voice have the potential to create more open workplace cultures in which conflict is less likely to emerge and escalate.

But a reliance on direct voice inevitably makes the relationship between the manager and employee the locus of conflict resolution. This is problematic given the acknowledged problem of low levels of confidence and competence among line and operational managers in UK workplaces (see Jones and Saundry in this volume). Furthermore, even where managers have the necessary skills to address and seek to resolve difficult issues, many employees will find it difficult to raise issues directly with their managers, due to the inherent power imbalance within the employment relationship. In contrast, representatives can act as a conduit for negotiation and remove the parties from the emotion and intensity of the situation.

These findings have important implications for policy and practice: first, they suggest that encouraging the development of effective structures of representation should be a critical consideration for policymakers. Second, direct voice alone cannot compensate for the loss of representative voice mechanisms, rather they provide complimentary channels through which difficult issues can be addressed and resolved. Finally, employee engagement should not be seen as a replacement or alternative to employee representation; instead, developing effective conflict resolution processes, underpinned by high-trust relationships between key organizational actors can play a key role in developing workplace justice, trust and consequently securing employee engagement.

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