

# Examining the Role of Trade Unions in Solving Employee Problems in Tanzania

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## Abstract

This study examines the role of trade unions in solving employee's problem in Tanzania. Workers' performance in Tanzania seems to face some challenges while there are organs such Trade Unions, which can be used as means to improve workers' performance in Tanzania. Simple random and purposive sampling procedures were used to get a total number of 75 out of 100 respondents from two distinct trade unions of C.W.T, TUGHE, and TALGWU. Data were collected through documentary reviews, questionnaires, and interviews. Data analysis was based on quantitative analysis presented in form of tables and percentages. The findings showed that trade unions have not played their role to solve employees' problems as well as preserving the rights of workers.

Besides existence of trade unions, workers were still complaining due to different problems in their working places. The study revealed that if employees' problems could be solved, there will be a satisfactory working environment, which will strengthen working and employment relationships. Therefore, underperformance of trade unions leads to employees' dissatisfaction, which further leads to high absenteeism rate and workers' turnover. The study recommended that the government should reform a free and independent strong regulatory framework of employment and labour relations acts so as to increase independent functioning of trade unions. However, workers should ensure effective and efficient measures in elections and appointment of committed leaders to all trade unions in Tanzania. The leaders should stand firm to defend their members' to employers. This will result in good working performance and satisfaction to employees.

**Keywords:** Trade union, employee, health and safety, salary scale and labour cases

## 1.0 Introduction

Trade Unions are an integral part of any organization. Whatever organization it may be, whether big or small, private or public, trade unions exist to safeguard the interest of employees working therein. Also, the trade union improves the living and the working conditions of the employees (Paragshir, 2013). Like any other organization, the trade union emerges and grows in a definite environment. On one side, the environment may either nurture or impede its growth and development trends.

On the other hand, the organization might influence and shape the environment in which it carries out its functions. The dialectical relationship between an organization and its environment is, therefore, indispensable. The environment in this regard denotes the socio-economic, the legal and political contexts existing in the country at different times. These factors, by and large, play a crucial role in influencing and shaping the behavioral patterns of trade unions. To attain a thorough understanding of the current trade union movement, one needs not negate the varying contexts in which the trade union movement originated and developed.

As such, the historical facts are essential. They should not be overlooked. History shows that the development of trade unions is closely linked to the industrial revolution. Schneider (2005) holds that issues of poverty, working and living conditions of dependent workers around 1850 provoked creation of organizations allowing the joint expression of the workers' interests.

Throughout contemporary history, trade unions have played a crucial role in making workplaces safer. In the United States of America, for example, trade unions were fundamental to the development and passage of the Occupational Safety and Health Act in 1970 (Schurman *et al.*, 1998; the Coal Mine Health and Safety Act, 1969). According to John (1995), Britain's trade unions possess the 'longest history as workers' organization compared to anywhere in the world. In 1990, they faced deep-seated problems and yet, they were more popular than at any other time since the 1960s.

Despite reverses, around half of the workforces are still covered by collective bargaining and thus, trade unions are inseparable from society in which they are created and recreated. Through collective organization of workers by hand and brain, they came into being as a response to capitalism, which created antagonism over terms and conditions of employment.

Conflict is structured by the interest of employers of maximizing profit, which competes with the employees' interest in maximizing wages and balancing power between individual workers and employers. The trade union mobilizes power to redress the bargaining imbalance between employer and employees by articulating conflict between capital and labour and render more equality (Heymans, 1975).

According to Bacon (1999), in industrialized world, workers are becoming more insecure due to decline of trade unionism as the primary institution upon which the employees rely for protective regulation at work. As union membership and coverage by collective bargaining have fallen in Britain, Australia, New Zealand, the United States of America (USA), Germany, and other countries, workers' vulnerability to offensive action by employers and hostile market forces has increased.

In Britain, available evidence indicates that episode of employer recognition of trade unions has been followed by a decline in relative wages, great use of contingent contract and the imposition of managerial machinery characterized by tighter discipline, work intensification and scrutiny of individual employee performance. Security in various manifestations seems to decrease when the protective shield of trade unions is removed. While the decline may hasten the birth of an insecure workforce, the reverse may be true and the shift towards insecure employment. On the other hand, it poses a series of threat to unions because workers are difficult to organize and difficult to present.

Josev (2002) contends that trade unions in developing countries have not achieved a secured income for the majority of workers. Thus, there is a need for them to develop a wide support base that addresses the needs of many constituencies, including schemes, which involve job creation and active involvement in human resource development.

In Africa, trade unions are restricted in terms of the proportion of the nation's labour force that they organize (Adu-Amankwah, 1993). In Ghana, the coverage is about one-quarter of formal sector workers. Their limited coverage notwithstanding, they have a role to play in terms of promoting workers' rights. Formation of trade unions cuts across the troublesome ethnic, political, and religious divides. The primary concern of trade unions has been defence of workers' rights in the workplace. It has been easy to conceive of any process of defending workers' rights as promoting democracy (Fossum, 1985).

In Africa, some events have caused erosion in trade unions' strength. Mozhayev (1990) included changes like production, which no longer prompts workers to associate as they used to. Other events include decline in the size of workers with the tradition of organizing and an increase in the number of golden-collar workers, highly educated and highly skilled specialists who are not much interested in organizing. Also, there ensued the Structural Adjustment Policies of the 1980s, which caused transfer of nearly all public enterprises and industries to private owners who are only interested in making profit and therefore, exploit labour.

The World Bank and International Monetary Fund (IMF) created conditions that give them complete control over countries and only grant credits to developing countries that show proof that their economies are healthy by closing many "inefficient" enterprises, and modernize production with the consequence of reduced labour force and erosion of trade unions' strength. The result has been a drastic fall in membership of trade unions, loss of revenue and the breakup of trade unions into even smaller units in some nations. Any attempt by workers to defend their interests by opposing ultra-liberal policies is interpreted by their government as attempts by trade unions to hamper efforts to modernize the economies of their countries (Kester, 1997).

Therefore, all of these lead to general erosion and suppression of the roles of established trade unions towards defending workers' rights. Within the Tanzanian context, the environment in which trade unions have been operating can be explained using a historical perspective that indicates different periods through which unions have passed. Babeiya (2011) holds that the history of trade unions in Tanzania can be traced since the 1920s when various associations such as The Kilimanjaro Motor Drivers' Association (KMDA), The Tanganyika African Government Servants Association and The Union of Shop Assistants were formed. Tordoff (1967), however, argued that such unions did not enjoy freedom as they were subjected to the control from the colonial state.

In 2000, the Trade Union Congress of Tanzania (TUCTA) was founded as a new umbrella of organization for the unions in the country. Thus, Tanzanian Industrial and Commercial Workers Union (TUICO), Tanzania Local Government Workers Union (TALGWU), Researchers, Academicians and Allied workers (RAAWU), Tanzania Seamen Association Union (TASU),

Tanzania Railway Workers Union (TRAWU), Tanzania Government and Health Employees (TUGHE), Tanzania Plantations and Agriculture Workers' Union (TPAWU), Tanzania Mining and Construction Workers' Union (TAMICO), Communication and Transport and Workers Union (COTWU) became under TUCTA. The main objective of this study was to examine the role of trade unions in solving employees' problems in Tanzania.

## **2.0 Literature Review**

According to Shivji (1986), the industrial relations policy after independence was geared towards prevention of strikes by outlawing strikes, improvement of economic rights and address workers' rights within the context of goals of the country to achieve rapid economic development. Collective bargaining became impossible under those conditions. Instead, the government set mechanisms for fixing wages and other fringe benefits. Workers were introduced to the culture of wage or salary increase announcements by the government during May Day.

Aspects to note include the fact that post-independence governments for three decades did not create a conducive environment for growth and development of an autonomous trade union movement contrary to what has been stipulated on The Employment and Labour Relations Act of 2004. Section 4 of the said Act defines a trade union as "any number of employees associated together for the purpose, whether by itself or with other purposes, of regulating relations between employees and their employer or employers' associations to which the employers belong."

Therefore, trade unions are there for struggling to secure benefits of their members such as financial gains like the rise of wages, bonuses, various allowances, insurance benefits, overtime payment and non-financial benefits such as job security, comfortable workplace, recreational facilities and decreasing fear from employer through collective bargaining. Shivji (1986) argued that the regime deliberately destroyed the symbiotic relationship between the union and their members, leading to weakening of their core function. Stated and known as trade unions are considered with the major principal purposes to negotiate workers and working conditions or terms, regulate relations between workers and the employer, take collective action to enforce the terms of collective bargaining, raise new demands to its members, and help settle their grievances.

The right to formation and participation in trade unions is enshrined both in international and local instruments. In the international arena, the International Labour Organization (ILO) passed the freedom of association and protection of the right to organize convention, Number 87 of 1948 and the Right to organize and Collective Bargaining Convention, Number 98 to provide the freedom of association. Tanzania has already ratified both Conventions. In Tanzania, Article 20 of the constitution of the United Republic of Tanzania of 1977, as amended from time to time, provides for freedom of association.

Section 9 (1) of the Employment and Labour Relations Act of 2004 provides every employee with the right to form and join the trade union and to participate in the lawful activities of the trade union and to know the influence of trade unions in Tanzania. The focus is directed on size of trade unions in terms of members. Their role in collective bargaining and dispute settlement it is the extent of trade unions activities. To know their role currently, guiding factors of assessment are also based on the purpose or goals of their formation or their existence based on various theoretical frameworks of scholars.

According to TUCTA report (2007), there is absolutely no doubt that both government employees and non-government employees, despite being members of trade unions, remain with working grievances like low wages, poor working conditions, poor health and safety, fear from termination to their employers when demanding their interests, unlawful termination and fear to participate on lawful activities of trade unions.

HakiElimu and TTU (2004) conducted a study to investigate teachers' payment in Tanzania and realized that teachers earned less than what was required for their human survival. Teachers in Tanzania earn about United States of America dollars (US\$) 120 a month. Sumra (2006) claims that "teachers are facing many and complex problems in Tanzania." These problems range from low salaries too low status. John (2010) indicates that Government schools do not offer quality education because teachers are demoralized to work effectively due to low salaries they get, poor working conditions and poor treatment they are getting from the government.

According to Manyele and colleagues (2008), in government hospitals, the

working environment is terrible as needle stick injuries accounted for the largest part of the most common accidents (52.9%) followed by a splash of blood from patients (21.7%) ,burn injury from chemicals (10.6%) and slippery floors (5.9%).Most of the hazardous activities were carried out by nurses and attendants. Chemicals used in hospitals were mainly antiseptics and disinfectants, which cause skin burns during handling and use.

Therefore, there is a long-standing complaint from different government and non-governmental employees that the existing Tanzanian trade unions fully support employees in collective bargaining and dispute settlement towards solving the labour-related problems in their working place. This weakness motivated this study that intended to examine the role of trade unions in solving employees' problems by assessing them through functions, aims, and objectives of existence.

**Union control of industry theory:** The theory was propounded by Cole. The theory of the trade union movement is the same theory of class struggle of Karl Marx.

It was in 1913 in his book, "The World of Labour" that he gave a systematic shape to his theory". He argued that unionism is class struggle and the ultimate end is control of industry by labour and not revolution as predicted by Marx. Cole's approach is syndicalist approach, which advocates that workers shall not aim at merely getting wages but also get control of industry in partnership with the state. Cole wants that the trade union has to play an economic role coupled with political activity, which is control of industry (Coles, 1913).

According to him, the main role of trade unions is how to run the industry rather than how to maintain the state. As far as the theory is concerned, the employees through their trade unions have to focus on increasing economic struggles in order to gain power to run the industry. Therefore, the strength of the theory is that for the employees to be owners of industries coupled with political activities will be the way of solving their working problems.

**Lenin's Theory:** Lenin say "The economic struggle is a collective struggle of the workers against the employers for better terms in the sale of their labour power, for better conditions of life and labour." This is inevitably a trade union struggle because the conditions of labour differ greatly from trade to trade. Here Lenin differs from Marx and says that the working

class by their very nature of their needs will get trade union consciousness. But in order to have political consciousness, some outside help is needed for making the workers politically class conscious and thus, contributions from intellectuals are needed. He directs that the intellectuals must lead the struggle of working class not only for better terms for the sale of labour power but also for abolition of the social system, which compels the property less class to sell itself to the rich. Lenin is of the opinion that the workers' aim shall not be economical struggle or the abolition of the very wage slavery but its scope shall be extended to political power in order to have a favourable legislation (Shivji, 1970).

It is important to consider the theory. Trade unions by themselves cannot manage to overthrow the existing socio-political system undermining their working rights. Thus, trade unions could affiliate themselves with other political parties by allowing intellectuals from such parties to join a trade union so that it could be extended into a strong political party. The political party, in turn, will control the political system, leading to establishment of legislation, which favours employees' interests. Therefore, the trade unions by their nature should create the political platform in struggling to overthrow the existing system and thus, the employee problems will be solved.

Hank (1999) conducted a study on the "Role of trade union in development." The study was conducted in western Europe and the objective was to highlight the potential role of trade unions as development partners in order to change misconceptions of unions by the development community as part of the problem rather than as part of the solution (*ibid.*). Data were reported from interviews (*ibid.*). The study found that the trade union has a major role to play in sustainable development and participatory democracy (*ibid.*). Trade unions as a large organized group in civil society can bring a unique contribution to the development community (*ibid.*). They are directly involved with economic systems of production and distribution, they can influence the course and content of employment and socio-economic policies, they are representative and accountable, they have considerable experience in organizing the more vulnerable sections of society, and they have the experience and standing required to access national legal systems and public facilities (*ibid.*). However, the study was conducted in Western Europe and thus, its result cannot be generalized due to the fact that Western Europe environment is not the same like Tanzania. Therefore,

the study did not explain the role trade union towards solving employees' problems, especially in Tanzanian trade union context.

Stefanie (2006) conducted a study on "Why trade unions at the European level do not play as an important role as neo-functional theory had foreseen?" The study was conducted in Europe and used comparative methodology (*ibid.*). This means, comparison of hypothetical assumptions of Neo functionalism was done with the actual state of trade union involvement in labour movement. The study provided that the weakness of the trade unions at the European level has it been, that its bargaining position is comparatively low. In a political system where social policy plays an overall inferior role and social (re-) regulation rests within the member states, they do not possess their traditional bearing channels and therefore, they are looking for more promising areas they could operate in. However, the study does not discuss directly the role of trade union rather, it speculated reasons for European trade unions did not play their roles as neo-functionalists believe in.

### **3.0 Methods**

This is explanatory research, which used a case study to examine the role of trade unions in solving employees' problems. The study used a sample size of 75 respondents from the total population. This was library research and qualitative study, which used primary and secondary data from various sources. Data were collected through documentary reviews, questionnaires, and interviews. Data analysis was based on qualitative analysis complemented with quantitative analysis presented in form of tables and percentages. The aiding tool for analysis was the Statistical Package for Social Sciences version twenty (SPSS V.20). The qualitative and quantitative data analyzed and separated because of their characteristics.

While qualitative data were analyzed through content analysis and thematically, while quantitative data were analyzed by using the SPSS. The edited and coded data obtained through questionnaire surveys were subjected to analysis using the Statistical Package for Social Sciences (SPSS). Responses were summarized into several different categories for entry into SPSS, the categories identified after looking through the range of responses received from the respondents, and then each response category assigned number.

Before entering the information from the questionnaires into SPSS the code book was prepared. This give the summary of instructions that used to convert the information that obtained from each case into a format that SPSS software can understand. Data from interviews analyzed based on themes and also through content analysis. Repeated themes categorized basing on their commonalities and recorded together. Also other categories of themes recorded as they emerge. This method enables the researcher to be reliable and to make thorough analysis under each topic

4.0 Results

Results indicated that about 32percent of workers under trader union (C.W.T) were males and 68 percent were females, while 56 percent of workers under trader union TUGHE were males and 44 percent were females. About 52 percent of workers under trader union TALGWU were males, while 48 percent were females. Overall, the majority of respondents were females (53.3%), while males were 46.7 percent. The details are shown in Table1.This implies that female employees who are under CWT, TUGHE, and TALGWU comprised a larger than male employees.

Regarding the age of respondents, the majority (40%) were of the age group of 20-29. Then 28.3 percent of respondents were in the age group of 30-39, while respondents aged forty years above (>40) accounted for 18.7 percent. According to education level, majority (66.6%) had attained degree level. Respondents with education above degree were 25.4 percent and respondents with secondary education level were 8 percent.

Table1 Demographic Characteristics of Respondents

Categories		Trade Union Workers %			Average
		CWT	TALGWU	TUGHE	
Gender	Male	32	52	56	46.7
	Female	68	48	44	53.3
Age	20 – 29	44	40	36	40
	30 – 39	36	36	13	28.3
	Above 40	20	24	12	18.7
Education	Secondary	0	16	8	8
	Degree	68	60	72	66.6
	Above Degree	32	24	20	25.4

Sources: Field Data (2019)

This implies that the study was conducted and covered employees of different working experiences regarding their age and education levels.

## 4.2 Findings as per Objective of the Study

### 4.2.1 Position of trade union in assisting employees in wage negotiation with employers

To assess the position of trade union towards assisting employees in wage negotiation with their employers in getting high wages, respondents were provided with a statement related to Trade union involvement in wage negotiation. They were asked to respond affirmatively or in a negation.

A close examination of their responses indicated that the position of Trade union on the same was quite low, especially with the members of C.W.T. For example, while 88 percent and 76 percent of respondents from C.W.T and TALGWU reported that trade union does not assist employees in wage negotiation with their employers, only 60 percent of the respondents from TUGHE reported the same and the variation was statically significant ( $P=.003$ )(see Table2).

This indicates that though many respondents trust their trade unions, they are not doing enough as much as salary negotiation is concerned. Therefore, mostly salary increment is determined by the employer (government) and employees are always brunt to the decisions.

**Table 2 Association of variable on the position of trade unions in assisting employees in wage negotiation with employees**

	Value	Df	Sig
Pearson Chi-square	16.691	15	.003
Likelihood ratio	14.071	15	.000
N of Valid cases	75		

Sources: Field Data (2019)

Furthermore, respondents were asked to state why their trade union was not doing much in assisting employees in wage negotiation with their employers. Data showed that 27 percent of respondents, on average, identified

corruption as the reason trade union does not assist employees in wage negotiation with their employers. This could be due to the reason that most of the leaders of trade unions do not work on interest of their members and thus, employees fill corruption is used to silence their leaders. Moreover, 24 percent of respondents mentioned Fear and Disloyal as the reason Trade union has low bargaining power in wage negotiation with employers (See table 3).

**Table 3 position of trade union in assisting employee in wage negotiation**

Position of trade union	Trade union Workers %			Average
	CWT n=25	TUGHE n=25	TALGWU n=25	
Corruption	24	32	24	26.6
Fear	36	12	24	24
Disloyal	20	20	32	24
Incompetence	16	24	12	17.3
Other	4	12	8	8

Sources: Field data (2019)

Fear was mentioned because employers threaten the Trade unions, especially their leaders when they demand for their rights, some leaders fear for their job and their life at large. Other respondents cited incompetence of leaders as the reason to trade union does not assist employees in wage negotiation with their employers.

Furthermore, field data in each trade union showed that about 36 percent of respondents from C.W.T identified Fear as the reason Trade unions have low bargaining power for assisting employees in wage negotiation with their Employers, while other respondents (24%) from C.W.T identified corruption, 20 percent identified Disloyal and 16 percent incompetence as the reason for low bargaining power for assisting employees in wage negotiation with their employers (See table3)

Data from members of TUGHE trade union identified corruption (32%) as the reason to why Trade union has low bargaining power in assisting employees in wage negotiation with their Employers. Other respondents from TUGHE identified incompetence (24%), Disloyal (20%) and fear (12%) as the reasons Trade union has low bargaining power in assist employees in wage negotiation with their Employers.

More so, field data revealed that 32 percent TALGWU members identified disloyal reason as to why Trade union has low bargaining power in assisting employees in wage negotiation with their Employers. Others (24%) from TALGWU identified Corruption, 24 percent said fear and 12 percent identified incompetence as the reason Trade union has low bargaining power in assisting employees in wage negotiation with their Employers.

During interviews with trade union leaders, it was revealed that the employer (government) threatens them when they try to find a solution for their members. But they stressed that they were taking necessary steps to make sure the welfares of employees were taken into consideration by the employer. For example, C.W.T secretary said that, “We are working under a difficult condition, but we will continue to demand for our right until the Government understands and appreciates a significant work we are doing for this country.”

This view is more or less similar to other trade union leaders because employers are always reluctant to offer what is required of them by the employees.

#### **4.2.1.1 Corruption**

From the study, 27 percent of respondents mentioned corruption as one of the reasons for the low bargaining power of trade unions. Moreover, 32 percent of respondents from TUGHE mentioned corruption as one of the reason. It is higher than other trade unions

In addition, 24 percent was mentioned by TALGWU. This implies that employees consider corruption is influencing their leaders not to involve in tough wage negotiation. However, during interviews with a trade union official, they strongly denied any involvement in taking any bribe from employers.

#### **4.2.1.2 Fear**

Field data indicated that 24 percent of respondents, on average, mentioned fear as one of the reasons for low bargaining power for salaries increase. However, this was highly identified by 36 percent respondents from C.W.T, 24 percent was mentioned by members of TALGWU and 12 percent was identified TUGHE members (see Figure 3). This was the reason Trade unions have low bargaining power in assisting employees in wage negotiation with their Employers.

Many members of the trade unions do not demand their rights because they fear to lose their jobs. However, during interviews with trade union official, fear was not a paramount factor. They claimed that the only problem hindering negotiation of wages is the insensitivity of the employers to employees' needs and wants.

#### 4.2.1.3 Disloyal and incompetence

Field data indicate that disloyal was mentioned by 24 percent of respondents on average also. However, this was highly identified by 32 percent respondents from TALGWU and it was further mentioned 24 percent CWT members as well as 20 percent TUGHE members. During data collection, it was revealed by about 67 percent of respondents did not trust their union leaders. This shows that if leaders are not trusted by their members it is even difficult to protest for their rights. On incompetence, field data indicated that 17 percent of respondents, on average, mentioned incompetence of trade union leaders. However, this was highly identified by 24 percent respondents from TUGHE and it was further mentioned by 16 percent CWT members and identified by 12 percent TALGWU members.

### 4.3 Contribution of Trade Unions in Ensuring Good Working Conditions to Employees

Table 3 reveals various Contributions of trade unions in ensuring good working conditions to employees. The following are contributions of trade unions as identified by respondents: 20.6 percent (n=75) mentioned Collective Bargaining, 22 percent (n=75) alluded to Representation, 29 percent (n=75) stated about Employee Welfare, 13 percent (n=75) mentioned Fair Practices and 15.3 percent (n=75) said Legislation. (See table 4)

**Table 4 Contribution of trade unions in insuring good working conditions to employees**

Contribution of Trade Union	Trade unions %			
	CWT n=25	TUGHE n=25	TALGWU n=25	Average
Collective Bargaining	24	20	18	20.6
Representation	20	22	24	22
Employees Welfare	25	30	32	29
Fair Practice	13	16	10	13
Legislation	18	12	16	15.3

**Sources:** Field Data (2019)

### 4.3.1 Collective bargaining

According to research results in Table 4. 20.6 percent (n=75) respondents depicted that Collective Bargaining was one of benefits attained by employees as members of the trade union. Trade unions developed to grant employees an equal bargaining power with their employers who traditionally could exclusively set terms and conditions of work as well as pay. Unions represent workers within a given industry in negotiations with their employers. Since the union comprises a group of workers, it has a greater voice than if employees were dealing with employers individually. Through collective bargaining, social partners have been able to minimize conflicts and confrontation that often characterize the relationship between employers and workers (Khabo, 2008).

Collective Bargaining refers to the process of negotiating standards to govern employment and labour relations. The collective bargaining process allows workers' representatives to make claims to a proportionate share of fruits from their labour. It facilitates communication between capital and labour thereby allowing each party to gain insights into challenges and aspirations of each other (shivji1970). Collective agreement becomes the outcome of collective negotiation where employees reap from being members. Results from this study revealed that respondents alluded that employees are at the advantage of solving their working environment problems since through collective bargaining, they always contain issues ranging from wages, working hours, benefits, job grading, promotions and dispute settlement, among others.

### 4.3.2 Representation

According to Table 4.3, about 22 percent (n=75) of respondents pointed out that representation is among contributors of the trade union in ensuring good working conditions to employees. Trade unions represent members' interests as large numbers of employees work under a very dangerous and discouraging environment. For example, a nurse of Sinza Palestina Hospital during interviews had this to say, "Sometimes we are working without gloves or gumboots, an aspect, which is very dangerous to our health. No one takes care and our trade union representatives know this."

The fundamental rationale for workers to band together in unions is based on fear perceived or reality that individual workers are unable to match the

power of employers as they seek to protect their interests in the employment relationship. By forming or joining unions, workers hope to equalize the power relations at the workplace and they hope to better secure their interests. Worker representation could take several forms. Workers required to be represented in wage negotiations as well as negotiations for broader conditions of work such as working environment, which involves working tools, health as well as safety conditions and the like. Workers require legal representation as they increasingly face the wrath of adversarial employers. Moreover, they require representation at disciplinary hearings (Shivji, 1970). Above all, workers need representation at the national level including state enterprises and agencies such as the social security administration.

For most countries in Africa, trade unions have fought for workers to be represented either by their union representative and chosen representative of the worker or group of workers in disciplinary hearings. Representation may take the form of an individual representation where an individual member of the union who has a grievance or disciplinary problem is accorded to the services of the union.

Representation could also take the form of collective representation where unions represent groups of workers in disciplinary hearings. Collective representation normally takes place where the entire workforce of an enterprise faces possible retrenchment as a result of organizational restructuring. In such circumstances, unions represent their members as they negotiate for their redundancy package. Trade unions in Africa have had an excellent record of representing workers' interests in several enterprises, particularly during days of Structural Adjustment Policies where workers in the public service were hit with mass redundancies. (Khabo, 2008)

Most collective agreements spell out how grievances and disputes may be settled. In most part, disciplinary procedures are internal (they are without recourse to the law courts) and allow workers to be represented or accompanied by their unions. At the national level, trade unions also represent workers' interests in several state enterprises and agencies. One area where trade union representation has been visible across Africa is in administration of social security where trade unions are represented on boards so that interests of not only their members but the workforce generally are protected.

### 4.3.3 Employee welfare

Research results in Table 3 indicate that 29 percent (n=75) of respondents disclosed that employee welfare is one of the benefits attained by employees as trade union members. Unions have successfully fought for better terms and conditions for workers. They represent workers' interests and have secured a variety of benefits, such as higher wages for unionized employees, work-life balance characterized by reasonable work schedules, job security, and protection from arbitrary action by employers.

Dessler (2001) asserted that it is also due, in part, to union activity that discrimination in the workplace was outlawed and that workers have access to health care, safe working conditions and guaranteed Social Security. Unions not only have given workers dignity in the workplace but also they consistently facilitate enhanced welfare and standards.

### 4.3.4 Fair practices

According to information in Table 4.3, an average of 13 percent (n=75) of respondents indicated that trade unions contribute to fair practices in working place. Labour unions deal with the unfair labour practices of employers. The Tanzania Labour Law declares that it is unlawful for employers to dominate a union, discriminate against workers engaged in union activity and victimize workers who file charges against them with the Labour Court. "Every employee shall have the employee's right to freedom of association - (a) to form and join a trade union; (b) to participate in the lawful activities of the trade union..." (Employment and labour relation act of 2004, Section 09(1).

If the employer does any of these prohibited acts, the union can take it up with the board on behalf of employees. For example, the union representing Boeing Company's engineers and technical workers filed charges against the company for interfering with employees engaging in concerted union activity. The labour court investigates charges and may take a variety of actions, including issuance of cease-and-desist or reinstatement orders to remedy unfair treatment against employees. Unions ensure that employers comply with the law and can lodge appeals in federal court if employers do not respect labour court decisions.

### 4.3.5 Legislation

According to the field data in Table 3, 15.3 percent (n=75) of respondents indicated that unions also play a key role in developing labour laws and regulations for effective workers' protection. The unions initiate the push for regulation in areas that concern employees in the workplace. They lobby for creation of laws and regulations as well as disseminate information to the employees about them. Measures such as the Social Security Act as well as the Occupational Safety and Health Act exist as a result of union efforts for better terms and conditions for workers. Unions monitor the status of implementation of employee welfare laws and regulations to ensure they are properly enforced. Moreover, the research findings portrayed that trade unions have a significant strong positive relationship with membership benefits ( $r=0.859$ ,  $P<0.01$ ) (see table 4). This means that many people find trade union is very beneficial in their workplace and it contributes much in insuring good working conditions to employees.

This finding is in agreement with Ian (2009) who stated that trade unions ensure that all people have access to a decent life and decent work in a healthy environment, access to quality public services such as health, water and sanitation, and top quality of education including skills training as means to achieving a decent job. The underlying motivation for forming or joining unions and undertaking collective bargaining is, therefore, to equalize or at least, reduce the power asymmetry between employers and workers.

By this, unions can bring about equality, fairness, respect for human and workers 'rights, and socio-economic justice not only at the workplace but also importantly, in the broader society. This is based on recognition that individually, workers are very weak and not resourceful to demand for their rights at the workplace. Also, there is recognition that there is strength in the unity and collectivism of workers.

**Table 4. Relationship between trade unions and membership benefits**

	Value	Df	Sig
Pearson Chi-square	18.451	15	.001
Likelihood ratio	13.821	15	.030
N of valid cases	75		

**Sources;** Field data (2019)

#### **4.4 Contribution of trade union in assisting employees into different court actions**

To respond to this objective, respondents were asked to give contribution of trade unions in assisting employees into different court actions launched by employers on labour-related cases. According to Figure 4, respondents revealed various contributions as follows: 21 percent (n=75) Participate in Reconciliation, 24 percent (n=75) Participate in arbitration, 20 percent (n=75) Participation in Mediation and 34 percent (n=75) Participation in Litigation.

This implies that the trade disputes, which involve court proceedings because they represent workers into litigation, reconciliation, mediation, and arbitration procedures.

##### **4.3.1 Participate in reconciliation**

Research results in Figure 4.3 indicate that 21 percent (n=75) of respondents depicted that trade union assist employees into different court actions were launched by employees labour-related cases through participation in reconciliation. Reconciliation is used when an employer and its employees, usually represented by a trade union, are in dispute over an issue and cannot reach a solution. Trade unions represent employees in settling the dispute between employer and employee. They can, as a representative, help parties discuss, consider and reflect on their respective positions with consultation and mediation. The conciliator helps the parties to negotiate while whenever necessary addressing internalized perceptions, attitudes, intentions, and behaviours by intending to reduce prejudices and hostility. Conciliation can be applied in pre-conflict and early conflict situations as long as the parties can talk to each other.

##### **4.3.2 Participate in arbitration**

According to the field data in Figure 4.3, 24 percent (n=75) of respondents indicated that the trade union contributes to assist employees in labour cases through participation in arbitration. Arbitration takes place when parties (an employer and its employees, usually represented by a trade union) have exhausted their negotiating procedures on a particular dispute and are unable to agree with a settlement. The trade unions have to safeguard

the legal rights and interests of the employees during the arbitration. The trade unions act on behalf of employees during the arbitration process, this is most effective when the issues in dispute are quite a clear cut. For example, in disputes over pay, grading and disciplinary matters. The Trade unions perform the following functions during participation in labour dispute arbitration: engage the representatives of trade unions in activities of labour dispute arbitration commissions; and appoint trade unions' cadres as part-time arbitrators to handle labour dispute arbitration cases.

#### **4.3.3 Participation in mediation**

Furthermore, research findings in Figure 4, indicate that 20 percent (n=75) of respondents disclosed that participation in mediation is one of the contributions offered by trade unions to employees who have labour cases. Mediation is available to help an organization and its employees (usually represented by a trade union) to resolve a particular dispute where they are unable to agree to a settlement between them. The mediator provides an impartial and independent third party to help parties to find a solution. Before mediation begins, the parties agree with terms of reference, including that they will seriously consider mediators' recommendations. Mediation is completely voluntary and confidential, where the mediator talks to both parties to uncover underlying problems, assists them to understand the issues and helps them to clarify options for resolving the dispute. Many kinds of disputes can be mediated if those involved want to find a way forward. It can be used at any stage in a dispute but it is the most effective before positions become entrenched.

#### **4.3.4 Participation in litigation**

Research results in Table 4, indicate that 34 percent (n=75) of respondents mentioned that trade unions contribute in assisting employees into different court actions launched by employers on labour-related cases through participation in litigation. The Civil Procedure Law of Tanzania applies to labour dispute litigation activities. Trade unions participate in labour dispute litigation activities by the Trade Union Law and the Civil Procedure Law. Trade unions perform the following functions during participation in labour dispute lawsuits: to support and assist the employee in bringing a lawsuit; to be authorized as legal representatives for the employee; to urge execution of effective legal instruments; and to represent the employee to participate

in lawsuits related to collective contract disputes.

Furthermore, the research data depicted that being a member of trade unions has a significant strong positive relationship with winning different court cases filed by the employer ( $r=0.883$ ,  $P<0.01$ ). This means that trade unions accompany their members in disciplinary as well as grievance meetings and provide their members with legal and financial advice. This finding is in agreement with Webster (2007) who indicated that trade unions support and assist the employee in bringing a lawsuit; to be authorized as legal representatives for the employee; to urge execution of effective legal instruments; and to represent the employee to participate in lawsuits related to the collective contract disputes.

## **5.0 Conclusion and Recommendation**

### **5.1 Conclusion**

According to the first research objective, on the position of trade union in assisting employees in wage negotiation, findings indicated that large percentage of employees reported that trade union was not doing enough in salary negotiation since the demanded for salary scale level has not attained and the salary level increment is determined by the employers(government). This was observed when a large percentage of respondents did not appreciate efforts of their trade unions towards negotiating with their employers. Therefore, the existing trade unions proved to have low bargaining power that is why the employees were still complaining about it.

Also, as to the second objective is concerned, findings indicated that contribution of trade union towards assisting employees in ensuring good working condition was still a challenge since a large number of employees provided that they were still working in very poor working conditions. Therefore, one can say that trade union is not assisting them as much as the objective is concerned. Moreover, the discussion showed that trade unions have minimal assistance towards employees into different labour cases and other court actions since a large number of respondents provided that there were still some disciplinary actions that were given to employees without being assisted by a respective trade union.

Therefore, trade unions do not assist employees as much in assisting the employees to solve their labour-related cases. Thus, in summing up, trade

unions are the major and crucial link for the growing working relationship. It is an efficient instrument for helping employees who face different working constraints. It allows employees to solve working problems individually or collectively and acquire the required interests. Trade unions have traditionally been concerned with seeking the economic and social interests of not only their members but also workers and their families. Unions seek to improve wages and the conditions under which their members are employed as well as work. In so doing, trade unions bring about working and employment fairness including social justice to society and the world that is marked by obscene inequality as well as injustice.

According to results from this study, it was revealed that trade unions have not pursued in the required range in solving employees' problems and other core objectives towards struggling to secure benefits for their members, such as financial gains like rise of wages, bonuses, various allowances, insurance benefits, overtime payment and non-financial benefits such as job security, comfortable workplace, recreational facilities and decreasing fear from employers through collective bargaining. For example, within the framework of the collective bargaining process, trade unions have not maximally secured for workers on several important social benefits that are employer-funded due to low bargaining power.

They include, but not limited, to educational scholarship, commonly called study with pay, workers' housing/accommodation loans or subsidies, funeral grants, interest-free loans and provident funds, among others. The welfare of workers seems to be an inseparable component of functions of these unions. The biggest challenge confronting unions as they seek to expand services and benefits to their members is government legal framework and funding. Unions have traditionally relied on collective bargaining and on union dues to provide services as well as benefits to members. At the same time, the dwindling membership is adversely affecting the finances of the unions and hence, their inability to provide services as well as benefits outside the collective bargaining framework.

## **5.2 Recommendations**

Based on the findings, the following recommendations are presented:

The trade unions should frequently provide education and training to employees about their working rights and their rights from being union

members. Such measures will prepare them enough for good grounds for demanding where their rights have been denied by their employers. There should be strong trade unions that can resist policies and programmes that seek directly or indirectly to reduce their power to constantly help members to prosper.

There should be establishment of a reporting system, which will allow for timely monitoring and follows up of employees' problems and that should give up-to-date information about the financial stand of the trade union, different legal including other regulatory employment framework changes, and other pieces of information related to their members both individually and collectively. There should be creation of a good platform through which employees could participate or get involved in day-to-day collective decision-making of the trade union apart from being represented.

On Establishment of Evaluation Framework for Services and Benefits, the study re that though services and benefits were offered, there were no effective means to evaluate satisfaction of such services and benefits. Therefore, it is recommended that user-satisfaction surveys should be instituted to evaluate the impact of various services and benefits offered in the trade unions. External independent customer satisfaction surveys could be one way to do that aspect.

Workers should always present their problems to the union as soon as possible to avoid unnecessary delay of solutions. Workers should ensure election and appointment of committed leaders to their union who could stand firm during defending interests of members to the employers. Such measure will reduce fear, corruption, disloyalty, and untruthfulness from union members.

The Government should always accept advice from the trade unions. In so doing, the welfare of the employee will be improved and there will be an improvement in work performance for growth and sustainability of the country. The government should reform regulatory framework of employment and labour relation to increasing independent functioning of trade unions since some of the trade union leaders are presidential appointees. For example, the TUCTA Secretary General and all other trade unions with some members from the commission for mediation and arbitration (C.M.A.) are the presidential appointees. Thus, such appointments restrict the freedom of the unions.

All measures will reduce strikes and other forms of riots, which cost a lot of employees' performance and government resources. There should be observance of high-quality industrial relations are the key element in managing economic change and reducing their costs, helping workers and companies adapt to change while protecting them from transitory shocks. Good relations between workers and employers produce positive economic and social effects, both in times of slowing economic growth.

### **5.3 Recommendations for Further Studies**

This study focused on the role of trade unions towards solving the employees' problems in Tanzania. In that case, there is a need to conduct a study on other factors that are likely to solve employees' problems. A similar study should be conducted for other trade unions apart from TUGHE, C.W.T, and TALGWU.

Likewise, since the current study was qualitative, with a small sample, there is a need to conduct a quantitative study with a large sample on the role of trade unions towards solving the employees' problems in Tanzania.

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