

Some willingness to engage: A survey of employment relations practices and employee voice opportunities in SMEs in regional New Zealand

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Abstract

This paper addresses the paucity of data on employment relations practices and employee voice in SMEs in New Zealand. The survey forms part of a larger project into determining the inter-relationship of employment relations practices and occupational health and safety outcomes in SMEs through the concepts of the 'good employer' and 'decent work'. The survey data on practices and voice found that there was some willingness on the part of some employers to engage in participative practices but, in others cases, managerial discretion was predominant. Overall, it is unclear whether employment practices and employee voice will improve even though there is supportive legislation in the new Health and Safety at Work Act.

Introduction

Although researchers recognise the important contribution small and medium enterprises (SMEs) make to innovation, job creation and economic development, the plethora of literature focusses on finance, marketing and operational management in SMEs (Wilkinson, 1999). Researchers also draw attention to a dearth of information on employment management practices and issues in SMEs (Coetzer, Cameron, Lewis, Massey & Harris, 2007; Edwards, Ram, Gupta & Tsai, 2006; Forth, Bewley & Bryson 2006; Lamm, Massey & Perry, 2007; MED, 2004; NZHRC, 2010; Wilkinson, 1999; Woodhams, Howard, Johri, Shulruf & Yee, 2007). The main assumption is that SME employers are paternalistic and favour an individualistic approach to managing the employment relationship and occupational health and safety (OHS) risk (Atkinson & Curtis, 2004; McDonald, 2005; Wilkinson, 1999). This assumption is compatible with unitarist ideological beliefs and is a significant issue as the literature shows that the unitarist management norm to protect managerial prerogative prevails in New Zealand workplaces (Geare, Edgar & McAndrew, 2006; 2009) as well as Australian SMEs (McDonald, 2005). Patmore (2015) argues that Australian and New Zealand legislative regimes that are reliant on voluntary participation may contribute to a unitarist workplace culture. The available literature also suggests there may be some tension between employment practices in SMEs and pluralist assumptions embedded in legislative employment protections, albeit eroding protections.

This article forms one part of a larger research project to determine the inter-relationship of employment relations practices and OHS outcomes in SMEs through the concepts of the good employer and decent work. The project addresses the lack of research on the inter-relationships between employment relations (ER) and OHS systems and practices, particularly in SMEs. The significance of the project lies in examining the complex relationships between management practices and systems, and how these influence the control of hazards and risks in the SME workplace.

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Definitions of size vary between countries and over time (Forth et al., 2006; Storey, Saridakis, Sen-Gupta, Edwards & Blackburn, 2010; Wilkinson, 1999). Definitions of large enterprise also vary within New Zealand. Whereas Coetzer et al., 2007 and Knuckey, Johnston, Campbell-Hunt, Carlaw, Corbett & Massey, 2002 define them as over 50, Ryan and Fursman, 2005 and Woodhams et al., 2007 define them as employing over 100 employees. The definition of small enterprises (SE) and medium enterprises also varies widely in international studies, however, fewer than 20 employees is commonly used to define SEs in New Zealand (Coetzer et al., 2007; Knuckey et al. 2002; Legg, Battisti, Harris et al., 2009) and Australia (Kotey & Slade, 2005). This study adopts the New Zealand Business Demography Statistics (Statistics NZ, 2013) classification of enterprise size, i.e. SEs employ less than 19 employees, and medium enterprises employ 20-49 employees. As SMEs employing between 1-49 employees contribute a third of the GDP (MBIE, 2014) there is a growing need to understand the policies implemented in practice in these enterprises.

The article also provides an insight into SME management practices and reviews relevant literature on employee voice in the determination of pay and terms and conditions of work and operational decision-making. The remainder of the article focuses on the survey methodology, results and findings.

Management Practices in SMEs

The literature supports the perception that compliance will not be sufficient if the employer wants to gain strategic advantage, by attracting and retaining an appropriately skilled and motivated workforce who fit into the organisation (Bewley, 2006; Boxall, 1991; Department of Labour (DoL), 2003, Hull & Read, 2009; Sengupta, Edwards, & Tsai, 2009). However, employment management practices will differ between large enterprises (LE) and SMEs. In general, management and organisational factors that influence management practices in SEs are training and industry experience, new technology, influence of quality management, influence of large business, and use of advisors. Structural issues that have an impact on management practices are size (Champoux & Brun, 2003; Coetzer et al., 2007), industry and sector differences (Kersley, Alpin, Forth, Bryson, Bewley & Oxenbridge, 2006; Legg et al., 2009) and ownership influence (Knuckey et al., 2002; Marchington, 2015).

Although it is difficult to generalise ER practices, some studies have suggested personnel and OHS management practices are more likely to be informal and *ad hoc* compared with LEs (Coetzer et al. 2007; Gilbert & Jones, 2000; Gilman, Edwards, Ram & Arrowsmith, 2002; Hasle & Limborg, 2006; Legg et al., 2009; Massey, 2004; Wilkinson, 1999). Where formal practices are present these are often related to the management of OHS (Coetzer et al., 2007; Gilbert & Jones, 2000; Massey, Lewis, Cameron, Coetzer & Harris, 2006). Formal policies and practices are written down, regularly applied within an organisation, and assured to take place (Barrett & Mayson, 2007). Though 35 per cent of SEs used written mechanisms, such as emails, a suggestion box, and employee surveys that facilitate upward communication, the presence of a human resources (HR) administrator was not significantly associated with these arrangements in SEs (Forth et al., 2006). Furthermore, workforce meetings and team briefings were less common and less regular in SEs than in medium enterprises and LEs. Downward communication mechanisms, such as using a management chain, newsletters, notice boards and company intranets were also less common in SEs.

Despite the presence of formal OHS practices in some SEs, there is concern that many employers are isolated, lack knowledge of the enterprises OHS risks and legislative obligations, and lack the resources to implement effective OHS management systems (Champoux & Brun, 2003; Legg et al., 2009). Moreover, few SE employers seek external advice (Combined Chamber of Commerce 'Red Tape' Survey 2003, as cited in de Bruin-Judge, 2006). An additional concern in New Zealand is that

few workplaces are large enough to sustain the formal structures necessary to achieve the standards set out in employment legislation, and international and national standards (Haynes, Marchington & Boxall, 2006; Waldergrave, Anderson & Wong, 2003). Wilkinson, Dundon and Grugulis (2007) had similar doubts whether employment law based on collectivist frameworks ensured the fair treatment of employees considering the high degree of informality in employment relationships. A later study showing that even the smallest enterprises in the UK had some formality, usually formal dispute resolution procedures (Forth et al., 2006), corresponds with a growing recognition that adopting formal practices is a means of reducing SME vulnerability to litigation (Harris, 2000; Kotey & Slade, 2005).

However, there is some debate on whether formal HRM practices are appropriate for SEs (Kotey & Slade, 2005; Rasmussen, 2009a; Storey et al., 2010), moreover, that informal practices are largely well-founded, effective and not necessarily inferior to LE practice (Coetzer et al., 2007; Gilbert & Jones, 2000; Massey et al., 2006). Storey et al.,'s (2010) results confirm that formality is not always the answer. Compared with LEs, employees in SEs had the highest levels of satisfaction decreasing as enterprise size increased. There is, nonetheless, agreement that formalising employment policies ensures consistent and fair treatment of all employees as the number of employees increases (Knuckey et al. 2002; Kotey & Slade, 2005; Storey, 1994; Wilkinson, 1999).

While the implementation of high levels of HRM practices were reported to enhance employment relationships in Australian SMEs (Wiesner & McDonald, 2001; Wiesner, McDonald & Banham, 2007), Kotey and Slade (2005) cautioned that appropriate balance needs to be aligned with the size and strategy of the enterprise. They found that micro and SMEs adopted standardised HRM practices. In addition, a significant number of enterprises implemented more formal practices with growth. The authors proposed that formal practices may even be counterproductive at certain enterprise sizes and suggested that SE employers need to maintain a balance between HRM practices that facilitate accountability and control, reduce the risk of litigation, and ensure compliance with statutory requirements, while at the same time offering adequate flexibility for timely responses to changing strategies. Kotey and Slade's (2005) advice fits with the public sector model of responsible management practice or bounded goodness (Bewley, 2006; Boxall, 1991).

This body of literature suggests that it is difficult to achieve the right balance of formality for establishing and maintaining effective ER and OHS practices that support continuous improvements to efficiency, productivity and socially decent working conditions. Nevertheless, an increase in formal practices is to be expected in enterprises employing more than 20 employees, because the advantages of informal management practices are lost in enterprises with more than twenty employees (Knuckey et al., 2002; Kotey & Slade, 2005; Storey, 1994; Wilkinson, 1999).

Employee Voice

Interest in employee participation schemes and research in New Zealand waxed and waned over the past 100 years, particularly when it was associated with improving productivity through collaboration and engagement between employees and management (Foster, 1995; Haynes, Boxall & Macky, 2005; Rasmussen, 2009b). Moreover, the Commission of Inquiry into industry democracy, in 1989, recommendations for formal representative participative councils for all firms with over 40 employees were ignored (Haynes et al., 2005). It would be difficult for policy makers and decision makers to ignore the increasing body of research on employee involvement and participation in the workplace. Researchers exploring LEs (Bonnet, Figueiredo & Standing, 2003; Rasmussen, 2009b; Robertson, 1971) and SEs (Coetzer et al., 2007; Lawrence, Collins, Pavlovich & Arunachalam, 2006; Sengupta et al., 2009; Weisner & McDonald, 2006) agree that employees should be involved in determining the

formal and informal rules and processes that regulate the employment relationship (voice). An increasing interest in employee involvement and participation in the workplace underpins a general agreement in the LE (Bonnet et al., 2003; Rasmussen, 2009b; Robertson, 1971) and SE (Coetzer et al., 2007; Lawrence et al., 2006; Sengupta et al., 2009; Weisner & McDonald, 2006) literature that employees should be involved (voice) in determining the formal and informal rules and processes that regulate the employment relationship. The mechanisms for participation vary from union representation, workplace councils, team meetings and one-on-one communication. Academic debate exploring voice mechanisms adopting social democracy or dependent on collective representation (unions) may be relevant in large organisations, the public sector and in SMEs in the context of some European countries. However, the debate on individual participation in the workplace is more relevant in SMEs where employment relationships are predominantly individualist.

The Workplace Employment Relations Survey (WERS) 2004 found a degree of formality even in the smallest workplaces, but SE employers were less likely to provide regular formal and systematic information and were less likely to inform employees about financial matters. The majority of SE employers surveyed, however, informed employees about operational, staffing and job changes (Forth et al., 2006). Significantly, SE employers appear reticent to commit themselves to consultative and partnership practices (McDonald, 2005; Ram et al., 2001) and more likely to share information in enterprises without an HR manager (Weisner & McDonald, 2001; Storey et al., 2010). Information sharing may be effected when the family dynamic changes as some responsibilities are devolved to a HR manager. The majority of Weisner and McDonald's (2001) surveyed employers (58 per cent) even refrained from completing the section on sharing information. Storey et al., (2010) found the formalisation of procedures had a detrimental effect on SE employee satisfaction.

The variation in information mechanisms and consultation management practices in SEs draws attention to the influence that power has on employment relationships. SE employers' reticence to engage in genuine consultation is concerning particularly as extreme informality appears to mask autocratic leadership (Rainnie, 1989) and exploitation (Holliday, 1995). Formal direct communication has even been problematic in LEs and it is, therefore, questionable whether employees can realistically have a genuine voice in SEs. As management control increases, the effectiveness of joint consultation committees diminishes. For example, in the New Zealand luxury hotel industry formal, regular and direct communication channels provided little joint regulation, and non-union voice channels were limited in comparison with strongly unionised settings (Haynes, 2005; Haynes & Freyer, 2001). Significantly, these workers felt they had no autonomy or substantive sharing of power when non-union voice communication channels were initiated by management. In more recent case studies of hotels, schools, aged care facilities and manufacturing factories, Markey, Harris, Ravenswood, Simpkin & Williamson (2015) report significant associations between participation, voice, and quality of work environment (QWE). While complex in nature, both representative and non-representative mechanisms were associated with QWE, but non-union forms of representation undermined unionism. Although Markey et al., (2015) reported an association between non-union joint consultative committees (JCC) representation and direct participation with good QWE in the hotel industry, their analysis suggests that there has been no improvement in the hotel industry where union representation tends to be weak. They argue that the hotel workers' high assessment of QWE "... may reflect low expectations for QWE as well as non-union forms of participation" (ibid: 61). Researchers have offered similar explanations for surprising levels of worker satisfaction in SEs (Considine & Callus, 2002; Waldergrave et al., 2003).

The importance of voice is evident in the International Labour Organisation prioritisation of voice in the Socially Decent Work Index (Bonnet et al., 2003) and literature consistently distinguishing a 'good employer' by quality employment relationships built on mutual trust and respect (Anderson & Nuttall,

2014; Arrowsmith & Parker, 2010; 2012; Bacon & Hoque, 2005; DoL, 2003; Hull & Read, 2003; Nadin & Cassell, 2007; NZHRC, 2006; Tipples, Hill, Wilson & Greenhalgh, 2013). This literature supports the Employment Relations Act (2000) objective (s. 3) “to build productive employment relationships through the promotion of ‘good faith’ in all aspects of the employment environment and the employment relationship” based on mutual trust, confidence and fair employment behaviours.

An increasing interest in employee voice is evident in the recent debate (Anderson & Nuttall, 2014; Budd, 2014; Donaghey, Cullinane, Dundon & Wilkinson, 2011; Gollan, Lewin, Marchington & Wilkinson, 2010; Markey et al., 2015; Morrison & Milliken, 2003; Sameer & Özbilgin, 2014; Wilkinson, Townsend & Burgess, 2013; Wilkinson, Donaghey, Dundon, & Freeman, 2014), as well as in complimentary research on the changing nature of work (Future of Work Commission, 2016; Lamm, 2014; Standing, 2011; 2014; Weil, 2014). In fact, it was the rise in non-standard forms of work (Beck, 1992; McGovern, Smeaton & Hill, 2004) and the decline in collectivism (Undy, 1999; Sisson, Arrowsmith & Marginson, 2003) that renewed academic and policy debate on the conditions of work. Beck (1992) argued that the non-standard, individualised employment would erode conditions that had been won by trade unions and result in a decline in job quality. The recent debate shows that workers in non-standard employment are more likely to work in jobs with more bad characteristics. While the growing body of work provides valuable insights into the nature and extent of employee voice, albeit lack of voice in some workplaces, researchers may be talking over each other.

As there are no universal definitions, Marchington and Wilkinson (2005) devised a useful tool to guide comparative analysis. They propose that employee participation (employee voice) can be examined according to four dimensions. The *first* defines the **degree or extent to which employees are able to influence management decisions** (informed of change, consulted, make decisions). Also see Lukes’ analysis of the research debate concerning power (Lukes, 2005; Lukes & Haglund, 2005). The *second* identifies the **levels at which employees participate** within organisational hierarchies (i.e. at the task, departmental, establishment, or corporate level). *Third* is the **range of subject matter** (from relatively trivial matters to strategic management decisions). The *fourth* dimension explores the **form of participation** (indirect through representation; financial schemes such as profit sharing or gains sharing; face-to-face or written communication between managers and subordinate individuals concerning daily job activities, and formal worker suggestion schemes). These dimensions capture the depth and breadth of voice mechanisms. Another way to explore the impact or level of genuineness of voice is by determining whether employee voice is limited to involvement through largely downward communications (Holliday, 1995; Rainnie, 1989; Haynes, 2005), or reflects a higher level of influencing decisions (Coetzee, 2011; Markey et al., 2015). At the highest level, employees will have responsibility for decisions (Marchington, 2015). “Employee involvement, voice, is genuine when employee concerns are taken seriously and their input affects outcomes” (Coetzee, 2011: 27).

Employee Voice in the Determination of Pay and Other Terms and Conditions of Work, and Operational Decision-Making

The literature provides confounding evidence showing high levels of employee satisfaction which is at odds with that showing a high incidence of employment relations problems (ERPs) in the smallest enterprises. On the one hand, employee satisfaction surveys suggest employees in SEs are more satisfied with their experience at work on average than employees in large and medium enterprises (Boxall, Haynes & Macky, 2007; Kersley et al., 2006; Storey et al., 2010). Fifty-seven per cent of UK managers involved employees in introducing and implementing change in SMEs. As a result, employees were more satisfied with their role in decision-making than employees in LEs, and rated managers with greater responsiveness to their needs (Forth et al., 2006). Similarly, despite low

participation and collectivism in Australian SMEs – measured in a low percentage of collective agreements (Weisner & McDonald, 2001; Weisner et al., 2007), employees were more satisfied with recognition for their efforts than those in LEs (Considine & Callus, 2002).

When compared with the US and the UK, New Zealand employees appeared to have higher rates of influence in all areas of decision making (Boxall et al., 2007; Haynes et al., 2005; Macky & Boxall, 2008a;b). Nevertheless, Haynes et al., (2005) found a significant conflict between the level of influence employees had and desired influence over pay, perks and bonuses. Their argument, however, that compromise is ‘normal’ and, consequently, the influence gap is insignificant does not acknowledge the mediating affect that power imbalance has on conflicting interests of employers and employees. There is also research showing that employees in full-time, permanent employment, in professional occupations, or who earn middle to high incomes have greater influence than employees in part-time or casual employment, in low skilled occupations and on low incomes who often have no input in decisions concerning bargaining structures and employment conditions (Boxall et al., 2007; Scott, Roberts, Holroyd & Sawbridge, 1989). Significantly, workers in the secondary labour market reported their income level inadequate (Boxall et al., 2007; NZHRC, 2010).

The literature also suggests that employees working in SEs are generally offered less tangible terms and conditions of work than employees in LEs and yet are generally satisfied (Nadin & Cassell, 2007). In fact, one explanation for higher levels of employee satisfaction may be attributed to the absence of structures for employee representation. A contrasting argument is that informality and closeness of the family style environment accounts for the higher level of employee satisfaction. Waldergrave et al., (2003) argued employees working in SEs were most satisfied with their terms and conditions of employment because in the absence of union presence “... employees were more likely to have less familiarity with bargaining dynamics or understanding of how their terms and conditions could be improved” (ibid: 30). A third explanation is that SE employees have lower expectations with their career prospects, etc. (Considine & Callus, 2002). However, expectations are not static; as the relationship develops over time and the employer and employee become more committed to each other expectations may change from the initial transactional exchange of labour for pay (Arrowsmith & Parker, 2010; Nadin & Cassell, 1999).

Bolton (1971) argues that, while working conditions may sometimes be inferior in SEs and employees often prefer to work in small communicative groups and *ipso facto* experience, greater employee satisfaction and reduced enterprise resource planning (ERP). The argument that informal employment relations were harmonious rested on the rarity of strikes in SEs. Rainnie (1989) criticised this study for barely making a connection between the level of unionism and the level of strike activity. Forth et al.,’s (2006) research justified this criticism. They found that 82 per cent of employees in the UK had pay unilaterally determined by managers; 12 per cent of employers negotiated with individual employees; only five per cent had pay negotiated by collective bargaining, two per cent of those with fewer than 20 employees; and 12 per cent of SEs had arrangements for employee representatives.

A national study showed a similar situation in the New Zealand private sector, with 15 per cent of SEs (employing between 10-20 employees) involved in collective bargaining (Foster, Murrie, & Laird, 2009; Foster & Rasmussen, 2010). However, this reflects a general low level of unionism in the private sector, accounting for only nine per cent of the total number of New Zealand employees covered by collective agreements in 2009 (Blumenfeld, 2010). An explanation for this is the fact that substantial employee gains have come from government intervention rather than collective bargaining which has firmly entrenched the decentralised bargaining and individualised employment relationships that were established under the Employment Contracts Act 1991(ECA) (Blumenfeld, 2010; Rasmussen & Lamm, 2005).

Other explanations for low unionism in SEs are that the employers' close involvement with the daily running of the enterprise removes the need for the formal organisation of employee representation. This may be the case in some SEs as research shows the low demand for unionism and representation is generally related to worker ambivalence, which may be partly due to job satisfaction and good employment relationships (Boxall et al., 2007; Considine & Callus, 2002; Kersley et al., 2006; Storey et al., 2010). On the other hand, it could be related to the high incidence of temporary workers and shift workers, and structural factors that inhibit union organisation in SEs (Anderson & Nuttall, 2014; Forth et al., 2006; 2009; Foster & Rasmussen, 2010; Waldergrave et al., 2003) or employer resistance to unions (Tipples, 2015). Unions appeared to be organised in SMEs with an established union presence (Foster & Rasmussen, 2010; Waldergrave et al., 2003) with anecdotal evidence suggesting some unions are only prepared to negotiate collective agreements for 25 or more employees (Foster & Rasmussen, 2010). However, Tipples (2015) found some dairy employers resolutely refused to have to have anything to do with unions. With employers having greater flexibility in the workplace during the ECA (repealed) and under the present National Government's raft of changes to the ERA, managerial prerogative has been strengthened. This has become more so in SMEs with the growth of individualised employment relationships embedded in the workplace (Foster, Rasmussen, Murrie & Laird 2011; Rasmussen, Foster & Farr, *in press*).

The New Zealand research is consistent with international research showing that the most common mechanisms for involving employees are health and safety representatives and workplace committees. These are more likely in larger and highly unionised enterprises (Bohle & Quinlan, 2003; Kersley et al., 2006; Butcher, & Stewart-Loughnan, 2005; Walters, 2010). The fact that only 28.4 per cent of Haynes et al.,'s (2005) employees working in SEs (1-20 employees) reported regular consultation meetings concerning workplace issues which suggests that the ERA, and the Health and Safety in Employment Amendment Act 2002 have had little influence on employee involvement in SEs. The Taskforce on Workplace Health and Safety (2013) concluded that the Health and Safety in Employment Act 1992 was not being implemented properly. The Taskforce reported that levels of worker engagement in workplace H&S issues were inconsistent across businesses.

To address the inconsistency of worker engagement in New Zealand, one of the most significant changes to the reformed health and safety legislation is the employer's duty to facilitate genuine worker engagement, participation and representation in the management of workplace health and safety risks (see Health and Safety at Work Act 2015 and specifically Worker Engagement, Participation and Representation Regulations 2016). Sustained improvements to working conditions have often occurred as a result of improvements in the regulation of health and safety. Therefore, the recent legislative change may have significant implications for worker involvement in operational decision-making and determining terms and conditions of work.

Methodology

In order to investigate the concept of the 'good employer' in SMEs, a survey was carried out by Massey University (Foster, Farr & Laird, 2015). Data collection was undertaken using both quantitative and qualitative methodologies. Surveys were mailed to a representative sample of 2500 organisations employing between 1 and 50 employees (though some employers with more than 50 staff also answered the questionnaire) using the standard industry classifications, as used by previous researchers (Blackwood et al., 2007; Foster et al., 2011). The surveyed regions were in the Central North Island of New Zealand (Taranaki, Manawatu, Whanganui, Horowhenua, and Hawkes Bay). Data from the self-administered questionnaire was analysed descriptively in relation to responses. Although the

survey sought information on the employment relations and occupational health and safety practices within SEs, for the purpose of this paper only 'employment relations practices' and 'employee voice' were examined, drawing out the relevant items such as the structure and terms and condition of the organisations employment agreements, working arrangements, consultation with staff and attitudes towards unions. A definition was supplied with particular questions so that the respondent was familiar with the terms, for example:

- Negotiate (allowing some form of bargaining before reaching a settlement)
- Consult (discuss with employees before making a decision)
- Inform (let employees know of your decision, no discussion)
- Not inform (e.g. employees may just get a pay increase).

Participants were also invited to partake in semi-structured interviews so as to extract any underlying issues that could not be gleaned from a questionnaire. We received 70 acceptances and a selected portion (25 interviews) was used to ensure that the participants covered the various regions industry and firm sizes in the survey. The interviews were conducted by telephone and taped. Subsequently, the interview information was compared with responses obtained through the questionnaire's open-ended questions. While only a few insights and quotes can be included in this article the interviews gave additional depth and detail to our understanding of employer attitudes and behaviour.

Results

The response rate from the cross-sectional survey was 14.2 per cent (N = 332) which is comparable to other similar studies. Notwithstanding, this is a relatively low figure and the results must, therefore, be interpreted with caution. While these results are purely descriptive, there are differences across the various questions and employer groups. It is important to stress *the overall message of the survey*: employers across industry and size demonstrated some willingness to engage in certain forms of participation but less so in other forms. There were some employers who were prepared to negotiate with individuals on their terms and conditions of work, but the majority of employers either consulted or just informed employees of their decision. On non-pay issues the vast majority of employers provided only the statutory minimum conditions required.

Industry Classification of Firms by Size

Table 1 provides a detailed representation of the distribution of the sample across standard industry classification by size. The largest number of respondents 40.4 per cent was employed in firms with less than 9 employees; 26.6 per cent of respondents were employed in firms with 10-20 employees, and 25.7 per cent of respondents were employed in firms with 20-49 employees. As reported in the methodology section, some employers with more than 50 staff also answered the questionnaire (7.3 per cent) and it was decided to include them in the survey. Please note that the industry classification of 'Others' is approximately 20 per cent of the total.

Table 1: Industry Classification of Participating Employers

Enterprise Size	<9	10-19	20-49	50+	Total Responses
Accommodation and Food Services	6 (1.8%)	9(2.8%)	3(0.9%)	1(0.3%)	19(5.8%)
Administrative and Support Services	3 (0.9%)	0 (0%)	1 (0%)	2 (0%)	3(0.9%)
Agriculture, Forestry and Fishing	3(0.9%)	4(1.2%)	3(0.9%)	0(0%)	10(3.1%)
Arts and Recreation	2(0.6%)	1(0.3%)	0(0%)	0(0%)	3(0.9%)
Construction	7(2.1%)	8(2.4%)	9(2.8%)	0(0%)	24(7.3%)
Education and Training	1(0.3%)	2(0.6%)	1(0.3%)	0(0%)	4(1.2%)
Electricity, Gas, Water and Waste Services	5(1.5%)	4(1.2%)	4(1.2%)	1(0.3%)	14(4.3%)
Financial and Insurance Services	4(1.2%)	5(1.5%)	3(0.9%)	0(0%)	12(3.7%)
Health Care and Social Assistance	9(2.8%)	4(1.2%)	7(2.1%)	2(0.6%)	22(6.7%)
Information Media and Telecommunications	3(0.9%)	1(0.3%)	1(0.3%)	0(0%)	5(1.5%)
Manufacturing	11(3.3%)	9(2.8%)	19(5.8%)	4(1.2%)	43(13.1%)
Mining	0(0%)	1(0.3%)	1(0.3%)	0(0%)	2(0.6%)
Professional, Scientific and Technical Services	13(4.0%)	5(1.5%)	12(3.7%)	1(0.3%)	31(9.5%)
Rental, Hiring and Real Estate Services	2(0.6%)	1(0.3%)	0(0%)	0(0%)	3(0.9%)
Retail Trade	30(9.2%)	9(2.8%)	1(0.3%)	1(0.3%)	41(12.5%)
eTransport, Postal and Warehousing	2(0.6%)	4(1.2%)	6(1.8%)	3(0.9%)	15(4.6%)
Wholesale Trade	5(1.5%)	3(0.9%)	2(0.6%)	0(0%)	10(3.1%)
Other Services	26(7.9%)	17(5.2%)	12(3.7%)	11(3.4%)	66(20.2%)
Total	132 (40.4%)	87(26.6%)	84(25.7%)	24(7.3%)	327(100%)

Note: Five participants did not indicate the size of the enterprise. Total responses, N = 332.

Employment Agreements

We asked the participants what type of Individual Employment Agreements (IEA) arrangements they have with their employees. Table 2 shows employers in all enterprise sizes indicated that they have a variety of arrangements. However, the standardised agreement is the predominant type (63.6 per cent), followed by standardised with some negotiated conditions (46.1 per cent). What is surprising is that 21.6 per cent of the sample individually negotiates conditions of work with some or all of their employees.

Table 2: Types of Employment Arrangements in Individual Employment Agreements

Enterprise Size	<9	10 - 19	20 - 49	50+	N = 332
Standardized IEA	82 (24.7%)	58(17.5%)	55(16.6%)	16 (4.8%)	211 (63.6%)
Standardized IEA with some negotiated individual conditions	47(14.1%)	43(13.0%)	52(15.7%)	11(3.3%)	153(46.1%)
Individually negotiated employment agreements	27(8.1%)	16 (4.8%)	21(6.3%)	8(2.4%)	72(21.6%)

Note: The employers were asked to indicate all the types of arrangements they have with their employees. Some employers have more than one type of employment agreement.

The Frequency SME Employers Reviewed Employment Agreements

Table 3 shows the majority of employers reviewed their employment agreements, but the regularity varied. Annual review (37.8 per cent) and two years or more (20.4 per cent) are the common means. 6.7 per cent never reviewed their agreements. More frequent reviews occurred in enterprises employing more than 20 employees, 50 per cent of the largest enterprises reviewed their agreements annually. Conversely, the proportion of employers who never review agreements increases in smaller enterprises. While these enterprises are not keeping up with legislative changes, 35.1 per cent of all employers only reviewed their employment agreements to comply with legislative changes.

Table 3: The Frequency SME Employers Reviewed Employment Agreements

Enterprise Size	<9	10-19	20 - 49	50+	N=328
Annually	46 (34.8%)	30(34.1%)	36(42.9%)	12(50.0%)	124(37.8%)
Two years or more	25(19.0%)	20(22.7%)	19(22.6%)	3(12.5%)	67(20.4%)
Only to meet legislative changes	45(34.1%)	34(38.6%)	27(32.1%)	9(37.5%)	115(35.1%)
Never	16(12.1%)	4(4.6%)	2(2.4%)	0(0.0%)	22(6.7%)
Total	132(100%)	88(100%)	84(100%)	24(100%)	328(100%)

Employees Entitlements to Non-Pay Terms and Conditions

Table 4 reveals that the majority of employers only provided the statutory minimum requirements to their staff on KiwiSaver (62.5 per cent), annual leave entitlement (67.9 per cent) and sick leave (71 per cent). However, a small number of employers exceeded the minimum provisions for some or all of their staff. When it comes to voluntary provisions, 25 per cent provide health insurance, but alternative pension schemes are rarely provided (8.2 per cent). These results suggest that some SME employers are willing and able to exceed the minimum statutory terms and conditions of work.

Table 4: Employees Entitlements to Non-Pay Terms and Conditions

Enterprise Size	<9 - 50+			N =
	All	Some	None	
Employer contributes in excess of the statutory minimum requirement for KiwiSaver	60(18.8%)	60(18.8%)	200(62.5%)	320
Employer contributes to a pension scheme other than KiwiSaver	10(3.3%)	15(4.9%)	282(91.9%)	307
Private health insurance (e.g. Southern Cross)	34(11.0%)	43(14.0%)	231(75.0%)	308
More than 20 days paid annual leave	34(10.8%)	67(21.3%)	214(67.9%)	315
Paid sick leave in excess of the statutory minimum requirements	33(10.5%)	58(18.5%)	223(71.0%)	314

Pay Review and Settlement Process

Table 5 presents the pay review or settlement process by industry. It is interesting to note that Accommodation and Food Services (AFS) (26.3 per cent), Agriculture, Forestry and Fishing (37.5 per cent), and Retail Trade (23.7 per cent) demonstrated a higher than normal rate of negotiating with their employees. However, some AFS employers did not communicate with employees in any way (21.1 per cent). Of those industries that do not inform their staff of a review, Construction (29.2 per cent) and Electricity, Gas, Water and Waste Services (39.5 per cent) are the most lacking in communicating with employees. Most employers in this sample either consulted (39.4 per cent) or informed (31.9 per cent) their employees over the last pay review and settlement. However, it is noted that overall 15.5

per cent of employers adopted good practice negotiating with their employees and 12.9 per cent adopted bad practice, in not informing their employees of their decision concerning pay review.

Table 5: Best Describes the Last Pay Review or Settlement Process With Employees by Industry

Industry	Negotiate	Consult	Inform	Do not inform	N =
Accommodation and Food Services	5(26.3%)	7(36.8%)	3(15.8%)	4(21.0%)	19
Administration and Support Services	0(0%)	1(33.3%)	2(66.7%)	0(0%)	3
Agriculture, Forestry and Fishing	3(37.5%)	2(25%)	3(37.5%)	0(0%)	8
Arts and Recreation Services	0(0%)	2(100%)	0(0%)	0(0%)	2
Construction	3(12.5%)	7(29.2%)	7(29.2%)	7(29.2%)	24
Education and Training	0(0%)	1(25%)	2(50%)	1(25%)	4
Electricity, Gas, Water and Waste Services	0(0%)	6(46.2%)	2(15.4%)	5(38.5%)	13
Financial and Insurance Services	0(0%)	8(66.7%)	4(33.3%)	0(0%)	12
Health Services and Social Assistance	4(20%)	7(35%)	7(35%)	2(10%)	20
Information, Media and Telecommunication	0(0%)	2(40%)	2(40%)	1(20%)	5
Manufacturing	8(19.5%)	15(36.6%)	13(31.7%)	5(12.2%)	41
Mining	0(0%)	0	1(50%)	1(50%)	2
Professional, Scientific and Technical Services	3(10%)	16(53.3%)	11(36.7%)	0(0%)	30
Rental, Hiring and Real Estates Services	0	1(50%)	0	1(50%)	2
Retail Trade	9(23.7%)	12(31.6%)	15(39.5%)	2(5.3%)	38
Transport, Postal and Warehousing	3(23.1%)	7(53.8%)	3(23.1%)	0(0%)	13
Wholesale Trade	2(20%)	4(40%)	4(40%)	0(0%)	10
Other services	8(12.7%)	24(38.1%)	20(31.7%)	11(17.5)	63
Overall	48(15.5%)	122(39.4%)	99(31.9%)	40(12.9%)	309

Flexible Working Arrangements

Table 6 clearly indicates that employers either do not provide or employees are not requesting flexible working arrangements, even though most employers (77.4 per cent) reported having a flexible working arrangement policy. For those employers who do provide some form of flexible working arrangements, the common provisions are: flexi-time (35.3 per cent), ability to reduce working hours (38.3 per cent) and ability to change set working hours (44.4 per cent). Working only during school term arrangements are the least commonly provided (8.5 per cent).

Table 6: Types of Flexible Working Arrangements Provided in the Past 12 Months

	<9 - 50+		N =
	Yes	No	
Working at home in normal hours	82(25%)	246(75%)	328
Flexitime	116(35.3%)	213(64.7%)	329
Job sharing	39(11.9%)	290(88.1%)	329
Ability to reduce working hours	126(38.3%)	203(61.7%)	329
Compressed hours	38(11.6%)	289(88.4%)	327
Ability to change set working hours	146(44.4%)	183(55.6%)	329
Working only during school term	28(8.5%)	300(91.5%)	328

Consultation

1. Consultation With Employees and Unions

The responses in Table 7 show employers' distinct preference to deal directly with employees (84.3 per cent) rather than with unions (0.6 per cent). Even size shows a predominant resistance towards unions as a third party, with employers preferring to consult directly with employees: less than 9 employees (34.6 per cent) and 10-19 and 20-49 around each (21 per cent).

Table 7: Employers Attitudes Towards Consulting Directly With Employees Rather Than With a Trade Union

Enterprise Size	<9	10 - 19	20 - 49	50+	N = 324
Agree	112(34.6%)	70(21.6%)	71(21.9%)	20(6.2%)	273(84.3%)
Neutral	18(5.5%)	17(5.5%)	11(3.4%)	3(0.9%)	49(15.1%)
Disagree	0 (0.0%)	0 (0.0%)	1(0.3%)	1(0.3%)	2(0.6%)
Total	130	87	83	24	324(100%)

2. Meetings With Staff

The majority of employers conducted a range of regular staff meetings (92.0 per cent). The frequency and range of these meetings varied: 74.1 per cent conducted a range of daily, weekly, fortnightly and monthly meetings; and 17.9 per cent only conducted quarterly and/or annual meetings. Overall, monthly (39.2 per cent) and weekly (31.2 per cent) intervals are most common. Table 8 reveals what topics are most discussed at these meetings. Note that operational matters such as production issues (71.7 per cent) work organisation (58.4 per cent) future plans (50.3 per cent) and health and safety (49.4 per cent) are the most prominent.

Table 8: Topics Most Often Discussed at Meetings

	<9 - 50+		
	Discussed	Not Discussed	N =
Production issues	238(71.9%)	93(28.1%)	331
Work organisation	194(58.4%)	138(41.6%)	332
Future plans	167(50.3%)	165(49.7%)	332
Health and Safety	164(49.4%)	168(50.6%)	332
Training	100(30.1%)	232(69.9%)	332
Financial issues	74(22.3%)	258(77.7%)	332
Employment issues	39(11.7%)	293(88.3%)	332
Government Regulations	36(10.8%)	296(88.2%)	332
Leave and flexible work arrangements	25(7.5%)	307(92.5%)	332
Pay issues	13(3.9%)	319(96.1%)	332

Note: The participants were asked to choose the three topics most often discussed at meetings.

These typical responses show input in operational matters is encouraged:

We have a good working relationship with our staff. We encourage open discussion and involve all employees in decision making (Other, Car dealership).

Lots of formal and informal meetings and discussions (Arts and Recreation).

Matters pertaining to the employment relations practices, such as leave and flexible working arrangements (7.5 per cent) and pay issues (3.9 per cent), are also discussed in some enterprises. However, these are less common. Typical responses suggest that personal matters are managed at the individual level:

We have a good rapport with our staff and have an open door policy (Electricity, Gas and Water).

Maintain close relationship with employees and deal with any problems as and when they arise (Health care).

Consultation with Employees Concerning Redundancy

Some of our surveyed employers had to make roles redundant (N=47). Table 9 indicates that while the majority of affected employers provide notice for redundancy (72.3 per cent), some engage in genuine consultation. Overall, the evidence shows that some SME employers are willing to consult about redundancy payments (46.8 per cent) and options for reducing the number of redundancies. The area where the most consultation occurs concerns the criteria for selecting the pool of employees affected by the role redundancy (55.3 per cent).

Table 9: What Issues Did the Redundancy Consultation Cover?

Enterprise Size	<9	10 - 19	20 - 49	50+	N = 47
Options for reducing the number of redundancies	4 (25.0%)	2(28.6%)	13(68.4%)	2(40.0%)	21(44.7%)
Criteria for selection	5(31.3%)	2(28.6%)	16(84.2%)	3(60.0%)	26(55.3%)
Redundancy payments	4 (25.0%)	3(42.9%)	12(63.2%)	3(60.0%)	22(46.8%)
Notice of redundancy	8(50.0%)	6(85.7%)	16(84.2%)	4 (80.0%)	34(72.3%)
Total	16 (100%)	7(100%)	19(100%)	5(100%)	47(100%)

Discussion

While SEs tend to favour informal communication mechanisms, adopting some formal employment policies and practices are helpful for reducing the SE vulnerability to litigation (Harris, 2000, Kotey & Slade, 2005) and as the number of employees increases, ensuring consistent and fair treatment of all employees (Knuckey et al., 2002; Kotey & Slade, 2005, Kotey & Sheridan, 2004; Legg et al., 2009; Storey, 1994; Wilkinson, 1999). The concept of fairness is also a fundamental aim of statutory minimum requirements guiding employment relationships.

There are three phases in the employment relationship that provide opportunities for employers and employees to negotiate and consult on the terms and conditions of work. The first phase occurs during the establishment of employment relationship, i.e. when the employer and employee agree to the terms and conditions of work and formalise the arrangements in the employment agreement. The second phase encompasses negotiations and consultation concerning changes to terms and conditions of work

arising during the employee's tenure. The third phase arises if the employer is considering redundancies. Statutory duties require all employees to have a signed employment agreement and for employers to consult with employees concerning redundancies.

The results here show that there is a moderate occurrence of employee involvement across all the measures which is divergent from previous studies that show SME employees have low input in determining their pay and other terms and conditions of work (Forth et al., 2006; Gilbert & Jones, 2000). The results reflect a more complex scenario of employee involvement in SMEs. The variation in the amount of employee involvement within and between enterprises and industries indicate that industry and size influence willingness to negotiate and consult with employees. However, the preference to deal directly with employees converges with research showing SME employers are more reticent to commit themselves to consultative and partnership practices (Boxall et al., 2007; McDonald, 2005; Ram, Edwards, Gilman & Arrowsmith., 2001; Waldergrave et al., 2003) resulting in minimal union activity and weak employee bargaining power (McGovern et al., Rasmussen, 2009c).

Despite the predominantly individualist context and beliefs, the proportion of employers providing individually negotiated terms and conditions of work is encouraging for two reasons (51.6 per cent). Firstly, opportunities for employee involvement appear to be better in New Zealand compared with the UK where 82 per cent of employees had pay unilaterally determined by managers (Forth et al., 2006). Secondly, it partially supports research suggesting employees in New Zealand appear to have higher rates of influence in all areas of decision making compared with the US and UK (Coetzee, 2011; Rasmussen, McLaughlin & Boxall, 2000; Boxall et al., 2007; Haynes et al., 2005; Macky & Boxall, 2008a;b). While the remainder of the employees on standardised employment agreements have no input in determining their terms and conditions of work at the establishment phase, the majority of employers provide the statutory minimum requirements for KiwiSaver, annual leave and sick leave entitlements. There is a clear preference to deal directly with employees rather than with unions. What this study clearly shows is that without the use of a third party, the employer has total discretion on how they negotiate, consult or inform with their employees. This supports the work by Foster et al., (2011), Rasmussen, Foster & Farr (*in press*) and Tipples (2015), showing that employers, especially in SMEs, are given greater flexibility in dealing with their employees. Thus, flexibility and individualism is now firmly embedded in the workplace.

Work-life balance arrangements are also usually negotiated in this phase. The majority of employers also exceeded expectations reporting they had formal work-life balance policies, rather than informal arrangements (Yasbek, 2004). Furthermore, the working arrangement results show that some employers are willing and able to consider and negotiate flexible working arrangements. These results compare favourably with MBIE (2016) findings on the following working arrangements: flexible working hours, reduced hours or job share, work from home or other sites. Two of the additional provisions included in our findings are least commonly provided, (i.e. compressed hours and working only during school terms). This suggests that employees requesting less familiar working arrangements appear to have encountered resistance from employers, especially working only during school terms. Industries that work outside of normal working times or employing part-time or casual workers appeared to be more flexible and this also similar to the MBIE (2016) results.

There are many opportunities to involve employees, formally and informally, during the employee's tenure. However, the literature suggests that SME employers are less likely to provide regular formal and systematic information or inform employees about financial matters (Forth et al., 2006). Formal practices include the review of employment agreements, the pay review and settlement process, and meetings. Although this survey did not ask the employers if they sought employee input when reviewing the employment agreements, the strong preference for regular review of employment

agreements (93.3 per cent), albeit some are compliance driven (35.1 per cent), may provide opportunities for employee involvement in SMEs. When it comes to negotiating or consulting with employees concerning pay review, the pattern is similar to opportunities to negotiate at the establishment phase, 54.9 per cent of the SME employers adopted good practices.

The regularity of consultation meetings is one of the measures used to examine joint consultation in the NZWRPS showing employees generally have a high influence in all areas of decision-making (Boxall et al., 2007; Haynes et al., 2005). The employers perform well on this measure. Moreover, the strong preference for regular meetings 92 per cent appears to be an improvement compared with the low incidence (28.4 per cent in enterprises employing 1-20 employees) of consultation meetings concerning workplace issues reported by Haynes et al., (2005). While this study does not examine the level of employees influence or control in decision making, it captures the breadth of issues the SME employers are willing to discuss. The majority of employers discussed production issues, work organisation, and health and safety. This is consistent with SMEs in the UK (Forth et al., 2006). However, some of the employers went beyond work organisation and discussed future plans, training, financial issues, government regulations, leave and flexible working arrangements and pay issues at meetings. The patterns show the majority of employers are making efforts to provide some opportunities for employee involvement when establishing and maintaining employment relationships, however some employers were involved in making roles redundant.

The proportion (55.3 per cent) of employers adopting good practices, i.e. consulting on the criteria for selecting the pool of employees affected by the role redundancy, is consistent with the practices adopted in the first two phases of the employment relationship. The high incidence of affected employers providing notice for redundancy may be compliance driven and/or perceived as an inevitable post-decision administrative task. However, when size is taken in consideration, enterprises larger than 19 employees appear to show a greater propensity to consult with their employees compared to the smaller organisations. While the employers in the smallest enterprises lag in all these areas, some attempts are made to consult with employees.

Conclusions

The findings indicate that some employers, across industry and size, demonstrate a willingness to engage in some forms of participation, but less so in other forms. There are some employers who are prepared to negotiate with individuals on their terms and conditions of work. Nevertheless, the majority of employers either consult but make the final decision or just inform employees of management decisions, suggesting that managerial prerogative still prevails. The fact that the majority of employers provide only the minimum conditions required on KiwiSaver, annual leave and sick leave entitlements, suggests that for many SME employees the minimum statutory requirements become the maximum.

The regularity of meetings and reviewing employment agreements and pay, as well as the formality emerging in the flexibility policies and employment relations practices, also shows some surveyed employers are willing and able to adopt sustainable good practices exceeding their statutory duties. However, there is room for improvement especially in consulting with employees when dealing with redundancy. Overall, it is unclear whether employment practices and employee voice will improve even though there is supportive legislation in the new Health and Safety at Work Act.

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