

**FACTORS AFFECTING UNION PARTICIPATION
AMONG EMPLOYEES AT HOTELS IN KOTA
KINABALU, SABAH**

ENNY MARLINAH BINTI MANGGOR

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ACCOUNTANCY**

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DECLARATION

I hereby declare that the thesis entitle "Factors Affecting Union Participation among Employee at Hotel in Kota Kinabalu, Sabah" is the result of my own research except for quotation, citation, except as cited in the references.

30 October 2014



ENNY MARLINAH BINTI MANGGOR

MB1312017T


CERTIFICATION

NAME : ENNY MARLINAH BINTI MANGGOR
MATRIC NO. : MB1312017T
TITLE : FACTOR THAT AFFECT UNION PARTICIPATION
DEGREE : MASTER OF HUMAN CAPITAL MANAGEMENT

DECLARED BY

1. MAIN SUPERVISOR

ASSOC. PROF. DR. MUHAMMAD MADI BIN ABDULLAH


DR. MUHAMMAD MADI BIN ABDULLAH
Profesor Madya
Sekolah Perniagaan & Ekonomi
Universiti Malaysia Sabah

2. CO-SUPERVISOR

SHARIJA CHE SHAARI



UMS
UNIVERSITI MALAYSIA SABAH

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ABSTRACT

Low pay in the hotel and catering industry is generally held to create a culture of instrumentalism amongst many employees. Therefore, employees need a strong voice to articulate what workers need at their working conditions. This is where trade union can offer a respected representative at workplace to negotiate with employer. However, recently, declining in union density worldwide seems to signify a weakening of their influence. This study attempt to investigate the relationship between employee needs affecting union participation, union role played that affect union participation and employer attitude towards union that affect employee decision to participate in union. A total of two hundred questionnaires were sent to the hotel. To analyses the relationship factors that influence union participation, multiple regression analysis was run. From the data analysis, two hypotheses was accepted, which are reason of employee belong to union and union role, while the other one hypotheses was rejected which is employer attitude towards union.

ABSTRACT

Factor-faktor yang Mempengaruhi Penglibatan Pekerja Hotel dalam Kesatuan Sekerja Di Kota Kinabalu, Sabah

Gaji rendah di Hotel dan Katering Industri lazimnya akan mewujudkan budaya instrumentalism dalam kalangan pekerja. Oleh itu, pekerja memerlukan suara yang kuat untuk menyatakan dengan jelas apa yang mereka perlukan di tempat kerja mereka. Dalam hal ini, kesatuan sekerja boleh menjadi wakil di tempat kerja untuk berunding dengan majikan. Walau bagaimanapun, baru-baru ini, terdapat kemerosotan dalam kepadatan kesatuan di seluruh dunia seolah-olah menandakan kelemahan pengaruh kesatuan di tempat kerja. kajian ini cuba untuk mengkaji hubungan antara keperluan pekerja yang dapat mempengaruhi penglibatan mereka dalam kesatuan, hubungan antara peranan yang dimainkan oleh kesatuan dalam mempengaruhi penglibatan pekerja dalam kesatuan, dan hubungan antara sikap majikan terhadap kesatuan yang mempengaruhi penglibatan pekerja dalam kesatuan. Sebanyak dua ratus soal selidik telah dihantar ke hotel. Untuk menganalisis faktor-faktor yang mempengaruhi hubungan penyertaan kesatuan, analisis regresi pelbagai telah dijalankan. Daripada analisis data, dua hipotesis adalah diterima, iaitu keinginan pekerja menyertai kesatuan dan peranan kesatuan, manakala satu hipotesis tidak diterima iaitu sikap majikan terhadap kesatuan.

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CHAPTER 1

INTRODUCTION

1.1 Introduction

Low wages in the hotel and catering industry will typically create a culture of Instrumentalism among workers (Mars et al., 1984). Situation "dog eat dog" is a basic skill sets out hotel workers get access informal rewards. If the skill is not enough for employees to get their reward, then the "survival" skill is needed. Unofficial rewards including tips and other reward obtained from customers, "knock-off" (stolen goods are usually small - especially food - from the employer) and "fiddles" (theft of cash by manipulating the control system to defraud the employer or customer) (Mars et al., 1979). Even though this old research but seems like the situation remain same until now to our employee at the hotel. Therefore, we need a strong voice to articulate what workers need at their working conditions. This is where trade union can offer a respected representative at workplace to negotiate with employer.

Trade unions are the primary way that allows employees to challenge Imbalance of power in the employment relationship with the collective voice through unions to influence their employment relationship with the employer. Thus, according to Webb and Webb (1920), trade union is a continuous association of workers to maintain and improve the conditions of their working lives. Union consists of manual workers and their main function is to make the head of the bargain regarding salaries and working conditions on behalf of their members, whose function can only be done by professional associations on behalf of their members.

Another definition of Williams and Adam-Smith (2006) which defines the union as a body consisting of employees, through collective organization and mobilization, ahead of the interests they represent, and whether in the workplace and in society in general. It does so by providing workers with protection from arbitrary prerogative of management practices, in consultation with management on the terms and conditions of their employment, giving them more influence decisions that affect them in the workplace, and to provide them with the means implement political changes that favor their interests.

According to INSAN (1987) trade union is an organization within the framework of the basic employer-employee relationship. To strengthen their position, employees traveling together through trade unions to use collective bargaining to deal with and struggle against capitalism to improve the terms of their employment. in addition, employees also through trade unions try to protect the economic interests of workers and other employees. The unions are able to overcome the disunity of members and to strengthen their awareness and unity.

Legal definition from Malaysia context according to Trade Unions Act 1959 (section 2) defines a trade union as any organization or coalition of workers and employers in the workplace, located in Peninsular Malaysia, Sabah or Sarawak, whether in a certain or similar work or industry and whether temporarily or permanently (Khulida et al., 2009). The first trade union in Malaysia has been identified in the 1920s, during the era of the development of agriculture and tin mining. Although the development of trade unions in Malaysia is slightly slower than the Western countries, we must understand the conditions of the workers at the time. The majority of workers in Malaya at that time to be here on a temporary basis and most of the members of their families are in China or India. Half of their wages sent home to their families and they will return to their homeland when they have managed to save some money. Because they really need a job, they decided not to join any

trade union which at the time employer did not want them to join union.

Khulida et al. (2009) after the 1920s, the Malaya Communist Party successfully promote unskilled workers to form trade unions. Employees managed to organized several strikes in the 1930s and at that time, there is no law relating to trade unions and activities until the year 1940, however, it was not feasible because of the Japanese invasion of Malaya. Only in 1946 the governments have the opportunity to intervene by taking the steps to set up the Trade Union Advisory Department and the Trade Unions Enactment. In this enactment, the three main clauses were approved, namely:

- All unions must be registered;
- All national unions must be formed in the same industry; and
- The trade unions officers elected must have worked in the industry for at least three years.

Khulida et al. (2009) these laws were designed to prevent the Communist Party from intervening in labor unions, to limit the size and power of the union and also to control their movement by requiring them to register with the Registry of Trade Unions new officers elected. As a result, there are more than 100 trade unions have been canceled and revoked at the time.

In recent years, the decline in union density globally seems to weakening unions influence at workplace (Maimunah 2008, Bramble, 2001, Benson & Zhu 2008, Heery 2002. Declining union membership, structural changes in employment relationships, management practices, the involvement of unions and democracy, the legal framework and political influence have been under scrutiny in the developed countries (Waddington & Whitson 1993). In addition, unions are faced with economic factors which generally beyond their control, such as the threat of capital flight, and competition abroad.

According to Rose et al (2011), it can be said that the trade union movement in Malaysia face a number of challenges from the changing structure of the labor market and the policies of neo-liberalism. The provisions of the law such as the Trade Unions Act 1959 and the Industrial Relations Act 1967 resulting difficulties for workers to organize themselves (Rose et al, 2011). In addition, Todd and Peetz (2001) argue that industrial relations in Malaysia as a whole still remains a strong framework of "control" over the work framework "commitment". Moreover, government intervention is very spacious, management control in the workplace continues to dominate, and the ability of workers to collective bargaining is still limited.

1.2 Problem Statement

Year 1975 is the end of government Razak also marked the end of accommodative union policy, there is a significant decrease in the rate of growth of the union. Differences in attitudes of various leaders toward trade union are reflected in the pattern of trade growth. From 1970 to 1975, the political climate that is conducive to serve as a good platform for the development of the trade union and the end of 1975, there were 451 751 union members at a remarkable average annual growth of 9 per cent. After the Razak government (1970-1975), there was a significant decrease in the rate of growth of the union. The average annual growth rate of trade union membership dropped to 5 percent in the Hussein government (1976-1981) and then to 1 percent in the Mahathir administration (Fatimah, Roza and Saad, 2002).

According to Nagiah (2008), it is clear that although there was an increase in the number of trade unions, but this increase is most abundant among the union with a small membership. For example, 246 trade union had a membership of less than 5,000 in 1982, rising to 501 in 1997 and 581 in 2003. Over the past two decades, the number has more than 5,000 union members have shown only a very small increase, from 26 in 1982 to 28 in 2003.

Trade union density in Malaysia is low, 9.35 percent in 1990 falling to 9.24 per cent in 1995 and 7.87 percent in 2000. In 2004, the density is 7.84 percent. Although a slight increase to 8.5 per cent in 2002, an overall decline in the density of the following years, with 7.7% in 2006. While in Maimunah (2013) as seen in Table 1.1 below, the data show that the number of unions has steadily increased, but most of the new union was registered in-house union. Maimunah (2013) argues further that it is important to remember that the strength and power of the trade union movement cannot be assessed by the number of registered unions. The size and density of the membership, and financial status of the union's very important factor unions' contributed to the decline of unions.

Table 1.1 Growth Numbers of Unions of Employee, 1999-2012

Year	No. Of Unions
1990	468
1992	479
1994	501
1996	516
1998	531
2000	563
2002	546
2004	563
2006	631
2008	659
2010	676
2012	688

Source: register of trade union, various years, Department of Trade union and www.mohr.gov.my

Many unions are too small (referred to as '*peanut unions*') to be really effective. For example, 62% of union workers have less than 500 members, which means that more effort towards the competition between trade and competition power in the union. These factors have weakened the bargaining power of unions and reduce productivity. Low union membership also lead to limited financial generating needed to support their activities. Weak bargaining power will have a direct impact on the success of unions in achieving its objectives in negotiations with employers.

Furthermore (Nagiah, 2008) If an increasing number of people have work, why are fewer of them joining unions? Therefore, this study tries to investigate employee intention to participate in union.

1.3 Research Questions

- a) Does employee needs influence union participation?
- b) Do the roles of union affect union participation?
- c) Does employer behavior towards union at workplace influences union participation?

1.4 Research Objective

- a) To identify whether employee needs affect union participation
- b) To identify whether the roles of union affect union participation
- c) To identify whether employer behavior towards union influence union participation

1.5 Research scope

This research carries out at the hotel in Kota Kinabalu, Sabah. The questionnaires sent to all level of employee either they are member of union or nun-union members.

Employee will be ask about employee needs that affect their decision to join union, what are union role involve as well as employer behavior towards union that influence them to participate in union. The reason why hotel industry was chose in this study because according to Mars et al. (1984) employees in the hotel received low wages. Therefore, this study try to investigate employee needs at the workplace such as to get better wage, and does union roles help them to negotiate with the employer.

1.6 Limitation

The finding of this research may not congruent to other place and industry in which this research only focus on hotel industry in Kota Kinabalu, Sabah.

1.7 Research Contribution

a) Contribution To Trade Union

From the problem statement that has been discuss which showed the declining membership will weakening the strength of union voice at workplace. Therefore, the finding of this research can give a theoretical framework as a single picture to understand the reason why their membership declining. Perhaps, the understanding of this research can encourage trade union to strategies the way their recruit and promote trade union at workplace.

b) Contribution To Employees

As we know, trade union negotiates about workplace conditions on our behalf with employer. However, with the declining number of membership in trade union can weakening their power to bargain more workplace conditions congruent with current economic. So, the researcher hope from the finding of this research, employee can gain knowledge about trade union and what is the role that union can offer to them.

c) Contribution To Other Researcher

This research were adopted from Ian R. Macaulay and Roy C. Wood (1992) and Shah Rollah et al. (2009) which both of this researcher study about employee perception towards union on hotel industry. Ian R. Macaulay and Roy C. Wood (1992) study about union role at hotel industry, while Shah Rollah et al. (2009) study about factor of influencing employee joining trade union, the role of trade union, and human resource function towards union. In this research it added employer behavior towards union that can effect employee decision to join or not in union (Santanu Sarkar, T.Th). We hope it can contribute to the body of knowledge in this topic.

1.8 Definition Conceptual

Definition conceptual make in order to simplify the readers to understand with more detail about the concept have been used in this research. Among dominant concept have been used is trade union, attitude, and workers.

a) Trade Union Definition

According to Trade Union Act 1959, "trade union" or "union" means any association or combination of workmen or employers, being workmen whose place of work is in Peninsular Malaysia, Sabah or Sarawak, as the case may be, or employers employing workmen in Peninsular Malaysia, Sabah or Sarawak, as the case may be ;

(a) Within any particular establishment, trade, occupation or industry or within any similar trades, occupations or industries;

(b) Whether temporary or permanent; and

(c) Having among its objects one or more of the following objects:

(i) the regulation of relations between workmen and employers for the

purposes of promoting good industrial relations between workmen and employers, improving the working conditions of workmen or enhancing their economic and social status, or increasing productivity;

(ia) the regulation of relations between workmen and workmen, or between employers and employers;

(ii) the representation of either workmen or employers in trade disputes;

(iia) the conducting of, or dealing with, trade disputes and matters related to; or

(iii) the promotion or organization or financing of strikes or lock-outs in any trade or industry or the provision of pay or other benefits for its members during a strike or lock-out;

Following this definition provided by the law, before the employee or employers seeking for registration and recognition, it should be fulfill the definition in order to be the legal trade union. According to Maimunah (2013), this definition has certain implications such as, a trade union need not be called a union, membership of union is limited geographically, Unions of a general nature are not permitted, employers and employees both have the right to form and join union, but they must be separate from each other and must satisfy the conditions explained above, and any organisation or group of workers establish to achieve one or more of the objective stated in the Act is considered having formed a trade union, and must therefore conform, to all legislative requirement of a trade union.

b) Union Participation

Union participation refers to the involvement of the union in collective action (Metochi, 2002) and other activities related to the union (McShane, 1986), which is closely

related to the effective functioning of the union (Sverke & Kuruville, 1995). According to Fullagar & Barling (1989), union participation activities can be divided into two, which are formal activities and informal activities. Formal activities, including participation in elections, attendance at meetings, voting, filing grievances and serve as an officer. In contrast of formal activity that are infrequent and scheduled is informal activities include assisting other members to file grievances, talk about union with friends and family, and read related publications union.

1.9 Conclusion

Trade union has been known as an institution that fights for employee rights. However, recent years show there is declined of union density. There are many factors that contribute to the decline. Employee is one the factors that affects the decline in the trade union membership. How employees perceived union as their protector at workplace affect union density. This is because employee join trade union for several purpose which they hope trade union can play their function effectively at workplace.

CHAPTER 2

LITERATURE REVIEW

2. 1 Introduction

Unions play an important role in the protection of labor legislation and workers' rights, such as health and safety, overtime, and family and medical leave and in enforcing those rights in the workplace. Union members are more aware and they are more likely to benefit from social insurance programs such as unemployment insurance and workers' compensation. Thus, union is a an intermediary institution providing equipment for the benefit and protection legislation (Mishel and Walters, 2003).

Furthermore, Mishel and Walters (2003) in their study suggests that unions raise wages of unionized workers, increase compensation, including salary and benefits, and reduce wage inequality. Strong union can set salary standards which standards will be followed by a non-union employer. Union members are more likely to receive paid leave, the employer provides health insurance, and a pension plan than workers who are not union members. Further, union members receive more health benefits than workers who are not union members.

However, Jo Casebourne et al. (2006) in their study, employees were asked where they would go first to find information about their rights, and the results indicated that employee is referring to HR than trade unions. If the presence of the union is to help employees about workplace conditions, why they go first to HR than the Union?. Therefore, this research attempt to identify reason of employee belong to

union, how the union role play affect employee participation in union and employer attitude towards union that affect employee decision to participate in union.

2.2 Union Density

Table 2.1 shows the number of unions in the sector. Half of the union in the private sector and half in the public sector, with higher membership in the private sector.

Table 2.1 Trade Union by Sector, 1997-2012

	1997	2000	2003	2005	2007	2009	2012
Private Sector	306 (58%)	351 (62%)	331 (61%)	390 (62%)	407 (64%)	436 (65%)	441 (64%)
Civil Service	130 (25%)	127 (23%)	127 (23%)	127 (23%)	130 (21%)	137 (21%)	144 (21%)
Statutory Bodies & Local Authorities	91 (17%)	85 (15%)	84 (16%)	91 (15%)	92 (15%)	93 (14%)	103 (15%)
Total	527	563	542	608	627	666	688

Source: Register of Trade Union, various years, Department of Trade Union and Mohd. Zubir Mohd. Basri, The Changing Face of Trade Unionism in the 21st Century. Paper presented at Employment Law Conference, 2010. 28th January 2010, Kuala Lumpur.

2.3 Size of unions

The size and density of union membership and financial status is very important. The biggest unions in 2011, in terms of membership, are listed in Table 2.2 as unions are basically dependent on members’ subscriptions to finance their activities, the size of the membership is a key factor in union strength. An active union, which is vigorously

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