

**PERCEIVED FACTORS INFLUENCING PERFORMANCE OF KENYA
UNION OF POST PRIMARY EDUCATION TEACHERS UNION
OFFICIALS IN DISPUTE RESOLUTION IN KISUMU COUNTY, KENYA**

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**A Research Project Submitted in Partial Fulfillment of the Requirement of
the Degree of Masters of Education in Corporate Governance**

University of Nairobi

2017

DECLARATION

This research is my original work and has not been presented for a degree in any other university

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This research project is dedicated to my loving husband Engineer Bernard Omore my sons Brayden, Adrian and Ryan for the encouragement, patience and support all through this course.

ACKNOWLEDGMENT

First of all, I thank the Almighty God for His Grace and Mercies that are sufficient for me during the studying and research period. My sincere gratitude goes to my supervisors; Dr. Jeremiah M. Kalai and Dr. Susan Chepkonga for their dedication, unwavering support and tireless efforts as well as their positive criticisms and continuous prompt reading and correction of my drafts. My special thanks also go to Dr. Grace Nyagah and Dr. Jeremiah Kalai, the previous and current chairpersons of the Department of Educational Administration and Planning for their professional guidance. I wish to appreciate all my lecturers in the Department of Education Administration and Planning without whom I could not have acquired this knowledge. Special thanks go to my mother Maryanne Oyuga, my brothers and sisters for their emotional support throughout the entire process. Last but not least, I thank all my colleagues of group 42 who were always present in time of need. May God bless all of you abundantly.

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ABBREVIATION AND ACRONYMS

ADC-	Annual Delegate Conference
CPID-	Chartered Institute of Personnel and Development
GCTU-	German Confederation of Trade Unions
HR-	Human Resource
KUPPET-	Kenya Union of Post Primary Education Teachers
NEC-	National Executive Council
SPSS-	Statistical Package for Social Sciences
TSC-	Teacher Service Commission
UK-	United Kingdom
WPM-	Workers Participation in Management

ABSTRACT

The purpose of this study was to investigate perceived factors influencing performance of Kenya union of post primary education teachers' union officials in dispute resolution in Kisumu County, Kenya. Specifically, objectives of the study were to establish the influence of training on trade union officials' perception of their effectiveness in industrial dispute resolution, the extent to which top management commitment to union matters influences union officials effectiveness in industrial dispute resolution, assess the extent to which involvement in decision making of union members influences union members' effectiveness in dispute resolution and examine the influence of communication during negotiation on industrial dispute resolution. The study was based on unitary theory by Alan Fox (1996). The study adopted a cross sectional survey research design. The target population of this study was 1485 unionized members from 175 secondary schools and 100 KUPPET representatives in Kisumu County, Kenya. The sample for this study consisted of 149 (10 percent) unionized secondary teachers and 10 (10 percent) KUPPET representatives. The teachers were purposively selected and simple random sampling was used to get the required number of participants. Purposive sampling technique was also used to select the KUPPET representatives. Data collection instruments for the study were questionnaire and interview schedule. Descriptive statistics was used to analyzed quantitative data then presented in percentages and frequencies. Qualitative data was transcribed then presented and organized as themes and narratives. The study found that training influenced trade union officials' perception of their effectiveness in industrial dispute resolution as it gives them basic skills and knowledge on dispute resolution, top management commitments influenced disputes resolution at KUPPET to a great extent, involvement in decision making of union members is a vital element of industrial democracy and it influenced union members' effectiveness in dispute resolution and communication during negotiation influenced industrial dispute resolution to a great extent. From the research several recommendations are made; for effectiveness in industrial dispute resolution, trade unions should train their officials. The level of commitment by the top management on union matters should be higher for the union to succeed in settlement of industrial disputes. Union members should be involved in decision making at all stages in settlement of industrial dispute and communication during negotiation should be well timed and parties should have confidence and trust between them. Suggestions for further studies include further research on other perceived factors influencing performance of Kenya union of post primary education teachers union officials in dispute resolution in Kisumu County, Kenya, since this study focused only on: training, commitment by the top management, involvement in decision making of union members and communication during negotiation.

CHAPTER ONE

INTRODUCTION

1.1 Background to the study

Industrial disputes are systematically arranged protests which go against the laid down terms and conditions of employment according to the industrial dispute act (1947). An industrial dispute means a conflict between an employer and its employees, which is connected with the employment, or terms of employment or with the conditions of labor. Such disputes may result in strikes, picketing and any other forms of protests. Industrial dispute is not a personal dispute or an individual, it generally affects a large number of workers having a common interest (Kapur & Punia, 2002).

Industrial disputes have become one of the most delicate and complex problems of modern industrial society. Industrial growth is not possible without cooperation of labors and harmonious relationships. It is therefore in the interest of all the parties to create and maintain good relations between the employees and employers (Herbert & Henzler, 2005). Trade unions worldwide are facing a lot of challenges, as evidenced by research done in Europe has shown that union members are not satisfied with their unions (Georgelles & Lange, 2010). A panorama of industrial disputes in Great Britain reveals a series of conflict period usually occurring in years of profound economic change, when the standard of living was threatened and organizational of workers expanding.

Such period of severe conflict have frequently resulted in restrictive action of some sort (Waddington, 2003) by the term of conspiracy and protection Act, 1875, trade union becomes free to get into collective bargaining. British machinery for dealing with industrial dispute has four parts: collective agreement, investigation, conciliation and arbitration (Mathics & Jackson, 2008).

Conflict occurs as a result of clashing of personal or party interest. In the industrial area, the conflict arises between the two parties to industry, those who work for profit and those work for wages (Michaellowa, 2002). Conflict also arises in industrial relations between labor and management over matters such as wages and benefits, layoffs, safety, work hours and unionization. Unionization takes place when employees feel that they are disrespected, not well paid, not safe and not appreciated and as a result they find union as the workable option. Some people view trade unionism as a terminal decline which is no longer relevant to advanced society.

Others trust that unionism has reached a marginal position in employee relation and some sense is resurrecting it is required. Trade unions are facing many challenges worldwide. In general trade unions carry out significant role in the life of an employee. It has been used to settle disputes between members and the management, the implementation of changes and securing adequate representation of members in government (Georgelles & Lange, 2010). In Nigeria, section 47

of the Trade Dispute Act defines a trade dispute as any dispute between employers and workers which is connected with the terms of employment and physical conditions of work (Anyim, 2009). Whenever there is a dispute which leads to strike or any other act, the trade union comes in for a settlement with the employer. A negotiating procedure is adopted (Webster, 2002). Organization labor puts in a strong influence in the individual organization and in the economic, social and political climate of a country. For example in circumstances where the employees are represented by a union, policies and practices offering the relationship of employment that were initially decided by the management alone become subject to joint determination (Diver, 2005).

According to Herbert and Henzler (2005), causes of industrial dispute can generally be categorized into economic and non-economic. Economic causes are related to monetary compensation like salary, wages, allowances, bonus, working hours, working conditions, leave, medical benefits, and holidays without pay, illegal termination, and refusal of employment, retrenchments and unjust layoffs (Herbert & Henzler, 2005). On the other hand, political factors, sympathetic strikes, ill treatment by other workers of the company, and indiscipline come within the purview of non-economic factor which often lead to an industrial dispute or a major labor issue. Akintade and Olu (2000) argue that industrial disputes take place as a result on non-realization of workers' aims and aspirations. There are various factors that affect settlement of industrial disputes in the

education sector such as training among union officials, top management competence, members' participation and involvement and communication.

According to Chartered Institute of Personnel and Development (2008) research study, more than half of the United Kingdom workforce has had no training on settlement of industrial disputes, despite it costing British business £24 billion a year. As a result, around a third of all employees simply allow industrial disputes to continue, causing untold damage to morale and productivity. In developing countries, however, many unionists do not have proper training in industrial disputes and resolutions (Muhia, 2004). This may be largely attributed to the lack of training facilities and qualified trainers. The training of trade union officials in seminars has raised concern and that as much as the training of union leaders takes place, it is important to determine whether the seminars and workshops are focused on labour laws and matters pertaining to labour and industrial relations (Muthamia, 2003).

Trade unionists require training in areas such as: good management practices, public relations, negotiation skills, procedures for collective bargains agreements, manual skills for administration work, labour laws on sections regarding issues of trade union activities, labour relation procedures and research activities (Kipchumba, 2010). Moreover, Schuler (2003) argues that trade union officials require training and development to provide educational schemes aimed at

enhancing workers knowledge of the work environment and to inform workers of their rights and responsibilities. Training and development for union officials helps in preparing background notes for court cases and contributes to successful representation of union members in legal matters.

Ayega (2012) on a study about perceived factors influencing settlement of industrial disputes by Kenya National Union of Teachers (KNUT) in Nairobi found that in-service training among union officials was affecting settlement of industrial disputes among union officials at Kenya national union of teachers to a great extent. Training on settlement of industrial disputes provides the basic skills necessary for mediation (Tripathi & Arya, 2002). The study by Ayega (2012) revealed that effective communication skills, basic skills necessary for mediation and alternative dispute resolution were influencing settlement of industrial disputes to a great extent. The most significant forms of in-service training that helped in settlement of industrial disputes included; basic skills necessary for mediation, alternative dispute resolution and effective communication skills respectively (Kibe, 2014).

Kibe (2014) found that the top management commitment was critical in defining the success rate in settlement of industrial disputes at KNUT. The top management commitment affected settlement of industrial disputes through; establishing communication channels, positive relationship with employees,

mediation on behalf of employees, and through proper rewards respectively. The top management would achieve this via establishing integrated communication channels, establishing positive relationship with employees, mediation on behalf of employees and through proper rewards (Kibe, 2014). Employee involvement in management is an essential ingredient of industrial democracy and hence it influences settlement of industrial disputes positively (Ayega, 2012). Ayega found that full recognition of the workers was influencing settlement of industrial dispute at Kenya National Union of Teachers to a great extent. In addition, developing worker consciousness of their democratic rights and developing workers free personality were also influencing settlement of industrial dispute to a great extent. According to Ayega (2012), the ethical objective of participation is to develop workers free personality and to recognize human dignity. The political objective of participation is to develop workers conscious of their democratic rights on their work place and thus bring about industrial democracy (Ayega, 2012).

Despite industrial dispute, individuals or parties involved can still talk. Whenever it is possible to have a communication link between the two parties in dispute there is possibility of exchanging perceptions, assumptions, stereotypes, and attitudes, which have been built up by conflict groups vis-a-vis others (Adejimola, 2009). However, poor communication or the absence of communication can easily escalate the dispute between the parties or individuals. The exchange and

sharing of information can help in a great way to resolve crises and build confidence between the parties. Communication related factors that affect settlement of industrial disputes include confidence and trust of the parties, labor management interaction and neutral mediation process (Ayega, 2012).

1.2 Statement of the problem

Trade unions have been used to settle industrial disputes between members and employers, the implementation of changes and securing adequate representation of members in government, public and private sector (Anyango, Obange, Abeka, Ochieng, Odera & Ayugi, 2013). Protection of the working life of workers is the main reason why trade unions are established. Currently KUPPET is facing many challenges and hence weakening its performance. KUPPET has failed to fight for its members. Retired teachers have yet to receive their pension even after an order from the court. Union officials are using the union for political gains instead of fighting for welfare of members. KUPPET has also failed to recruit more members to make it stronger. KUPPET officials lack negotiation skills which make them ineffective. The teachers service commission recently held a five day workshop in Kisumu to train union officials on how to negotiate pay rise (Wanzala, 2016). KUPPET members claim that officials have not worked devotedly to make their lives better. This feeling of dissatisfaction among members is as a result of no or improper communication between union officials and their members.

1.3 Purpose of the study

The purpose of the study was to investigate perceived factors influencing performance of Kenya union of post primary education teachers union officials in dispute resolution in Kisumu County, Kenya.

1.4 Objectives of the study

- i) To establish the influence of training on trade union officials' perception of their effectiveness in industrial dispute resolution in Kisumu county branch of KUPPET.
- ii) To determine the extent to which top management commitment to union matters influences Union officials effectiveness in industrial dispute resolution in Kisumu County branch of KUPPET.
- iii) To assess the extent to which involvement in decision making of union members influences union members' effectiveness in dispute resolution in Kisumu County branch of KUPPET.
- iv) To examine the influence of communication during negotiation on industrial dispute resolution in Kisumu County branch of KUPPET.

1.5 Research questions

- i) What is the effect of training on trade union officials' perception of their effectiveness in industrial dispute resolution in Kisumu county branch of KUPPET?

- ii) To what extent does top management commitment to union matters influences Union officials effectiveness in industrial dispute resolution in Kisumu County branch of KUPPET?
- iii) How involvement in decision making of union members does influences union members' effectiveness in dispute resolution in Kisumu County branch of KUPPET?
- iv) What is the effect of communication during negotiation on industrial dispute resolution in Kisumu County branch of KUPPET?

1.6 Significant of the study

This study may benefit the Kenya Union of post primary Teachers as it outlines factors influencing officials' performance in dispute resolution, it also states the effect of training among union officials, commitment of the management, in union matters, the involvement of the union members in decision making as well as communication during negotiation in dispute resolution. To the government it may provide information on how to come up with policies used in settlement and how to curb industrial disputes in Kenya. To the researchers and academicians, it may avail the base on which secondary materials on the factors influencing performance of KUPPET union officials in dispute resolution can be got and a basis for further research.

1.7 Basic Assumptions

The study made the following assumptions;

- i. Respondents cooperated and gave reliable and honest information when responding to items in the questionnaire.
- ii. All teachers have joined or about to join a trade Union of their choice.
- iii. The factors which influence employees in other sectors to join trade Unions also apply to teachers and teaching profession.

1.8 Limitation of the study

Limitations are aspects of research that may influence the research negatively but which the researcher has got no control over (Mugenda and Mugenda, 2003). The study will be conducted in Kisumu County. The major limitations were that some respondents failed to give answers to questions therefore the information may turn out to be unavailable. To check on this, the researcher designed questions which are not too long and also explain to the respondents that the information will be treated with confidentiality. They were also made to understand that the information sought was for the purpose of the study only. The gain of the study to the respondents was made clear in order to motivate them.

1.9 Delimitations of the study

Delimitations are boundaries of a study. The study was carried out in Kisumu County Branch of KUPPET among members of the KUPPET in different public secondary schools and representatives of the union.

1.10 Definition of terms

Terms that were used in this study include the following:

Collective Bargaining refer to the process of negotiations between teachers service commission and KUPPET.

Communication refer to the process of passing information from Kenya union of post primary education teachers officials to member teachers.

Industrial disputes refer to a conflict between teachers' service commission and teachers on the terms of employment

Labor relations refer to the relations between the teachers service commission and the teachers' representatives.

Training refer to teaching or developing in oneself or others any skills and knowledge that relate to specific useful competencies

Participation refer to the action of members of kuppet taking part in union activities.

Performance refer to accomplishment made by kuppet with regard to employees represented in industrial dispute

Management commitment refer to the participation by the highest level executives in a specific program.

1.11 Organization of the study

This study was organized in five chapters. Chapter one consisted of introduction, background of the study, statement of the problem, purpose of the study, research

objectives and questions, significance, basic assumptions, limitation and delimitations of the study. Chapter two contained related literature. It comprised of introduction, concept of dispute resolution, training of union officials and dispute resolution, top management commitment in union matters and disputes resolution, unions members involvement in decision making and dispute resolution, communication during negotiation and dispute resolution, Summary of literature review and theoretical frameworks.

Chapter three concentrated on research methodology and comprised of the research design, target population, sample size and sampling procedure, criteria for selection of schools, research instruments, validity and reliability of instruments and data collection procedures. The fourth chapter presented data analysis, interpretation of data and discussion of findings. Finally chapter five provided the summary, conclusion, recommendations and suggestions for further studies.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This review focused on factors influencing union officials' performance in dispute resolution. The chapter in detail examined the effect of training among the officials of the trade union on dispute resolution, the effect of the involvement of the union members in decision making, how the commitment of top management in union matters affects settlement of industrial disputes and the effect of communication during negotiation on industrial resolution. It also provided the summary of literature review, theoretical and conceptual framework of the study.

2.2 Concept of dispute resolution

Dispute resolution is a term that refers to numbers of processes that can be used to resolve a conflict, dispute or claim. Dispute resolution processes can be used to resolve any type of dispute including family, employment or business among others. The united states federal government utilizes dispute resolution process to assist government employees and private citizens resolve complaints and disputes in many areas including workplace, employment and contracting matters.

Country such as German and Sweden have strong centralize unions where every type of industry has a specific union which are then gathered in large

national union confederation. The largest union confederation in Europe is the German confederation of trade unions (GCTU) usually there are at least two national unions, one for academically educated and one for branches with lower education level. Both of them fight for the working conditions and salaries of their members (Kapur & Punia, 2008).

2.3 Training of union officials and dispute resolution

Training is the systematic modification of behaviour through the learning process which occurs as a result of education, planned experience, instruction and development. Training is a planned and systematic effort to modify or develop knowledge, skills, and attitudes through learning experience to achieve effective performance in an activity or a range of activities (Buckely & Cable, 2002). Its purpose in the work situation is to enable an individual to acquire abilities in order that he/she can perform adequately a given job or task. A variety of training methods have been used to train staff aspect of the labour movements both in developed and developing countries. In developing countries, however, many unionists do not have proper training in industrial disputes and resolutions (Muhia, 2004). This may be largely attributed to the lack of training facilities and qualified trainers.

The employees in an organization should be viewed as the most significant component of the citizen community and should be physiologically satisfied with

knowledge and skills through education and training and to ensure the knowledge is effectively used. Tripathy and Arya (2002) on the study about trade union – management relations in India found that there is a growing need for the kind of education that will equip workers and trade unions to fulfill their social and economic responsibilities. Training on settlement of Industrial disputes provides basic skills required for mediation. The training involves an overview of alternative Dispute Resolution, Confidentiality, stating the definition of mediation and the stages involved, use of effective communication skills during the mediation process and applying the interest based approach in mediating disputes. Exercises and role-plays are also used throughout the training course to equip the participants with an opportunity to practice the techniques and the skills taught during the training.

According to CPID (2008), more than half of the UK workforce (55 percent) has not had training on settlement of Industrial disputes; despite it costing British business 25 billion pounds per year. Due to this about (28 percent) of employees simply allow Industrial disputes to continue, causing damage to morale and productivity. This approach is all over, even though 80 percent of British workers have to spend time dealing with disputes at workplace, it is also revealed that every UK employee spends about two hours dealing with disagreement every week. The most important point of the issue is marked lack of training, even among the top management who often shoulder the responsibility of the day-to-

day disputes management. About 65 percent of the top management indicated they have no formal training in managing disputes; this makes them helpless and under-skilled when solving the issue (Kapur & Punia, 2002).

According Kapur and Punia (2002), majority of workers cite dispute management as a critical leadership skill in the organization and training adds value among the HR practitioners, a third said that training in dispute management skills for managers has resulted into a formal disciplinary cases, 25 percent confirms it improves the morale, 25 percent states that it helped team productivity and performance. The majority 95 percent of those going through training as part of leadership development state that it helped and incidents of positive outcomes from conflict increased significance in line with the amount of training received (Michaelowa, 2002).

2.4 Top Management commitment in union matters and disputes resolution

Management as well as organizations are aware that they face future of rapid and complex changes. This has created uncertainty and individual demand for improved participation at all levels of the organization. This has changed perception of leadership with regard to the respective roles played by the leaders and their followers. Daver (2005) on the role of leadership said that the top management has to take the lead in ensuring that their employees have ways in which they can channel their grievances and ensure that they are well settled. It is

the management role to ensure that disputes are managed successfully (Herbert & Henzler, 2005). Committed leaders are said to be transformational. They are responsible for settling dispute and motivating workers. They elicited this performance by appealing to followed higher order needs and moral values generating the passion and commitment of follower for the mission and values of the organization, Instilling pride and faith in followers, communicating personal respect, stimulating subordinates intellectuality, facilitating creative thinking and inspiring followers to willingly accept challenging roles. The leaders therefore identified the future of the organization and pulled individuals to find their commitment and energies towards the organizational goals .This can only take place if all the organizational top managements are well skilled in settling industrial disputes. This is because industrial disputes lead to strikes and low employee productivity (Daves, 2005).

Top management form objectives and strategies for implementation (Ross & Irwin, 2006), Young and Jordan (2008) suggests that “the essence of top management support relates to effective decision making to ensure dispute resolution takes place. A crucial part of a successful project is top management support. Commitment and management from top management plays a key role in influencing success in almost any initiative within an organization and not just in dispute resolution (Raub & Weesie, 2002). Raub & Weesie (2002) further argued that commitment and support from top management is important in every kind of

management and it is therefore an important factor for dispute resolution without compromising an organization performance, it is also for effective decision – making process in order to formulate strategies to ensure employees grievances and addresses are handled adequately. Internal communication should support business strategy and improve business performance. The effective leader who is good at communication can set clear mutual expectations and goals. Communication ensures that the team members understand and support not only where the team is now but also where they want to be in future (Mc Conell, 2003).

2.5 Unions members involvement in decision making and dispute resolution

Members' involvement in Management of unions is an essential ingredient of industrial democracy (Mc Adams & Paulser, 2004). The idea of workers participation in Management meets the psychological needs of the workers to a great extent (Mc Adams & Paulsen, 2004) It may also be in the general areas of managerial functions. According to Mc Adams and Paulser 2004 workers participation is based on the fundamental concept that the ordinary worker invests his labour in and ties his fate Tripathy (2002) looks at management to be participative if it gives its operations to influence its decision making process on any level or if it shares with them some of its managerial privilege. It's a situation where workers representatives are to some extent involved in decision making but the ultimate power are in the hands of a person which encourages him to

contribute to goals and share responsibilities. Maure (2007) states that whenever individuals are given opportunity to give their opinions in decision – making they show initiative and easily accept responsibility .He further states that the workers participation is as a result of their involvement in management and it leads to better understanding of their roles and it promotes efficiency and increased productivity (Mac Dowell, 2005).There are four levels of workers participation, informative and associative participation, consultative participation where management accept and implement the employees greater share of workers in discharge of managerial functions, decisions taken by management to employers with alternatives to select the best for implementation. Decisions participation is where decisions are jointly taken on matters of production and welfare.

Haas and Stack (2003) states that workers participation in India provides a wide scope for their uplifting but these schemes are not successful due to management attitudes towards it. The representative of workers are not given due recognition by management hence the creation of negative trade unions towards the same scheme since they feel it reduces their power. For success, the management should appreciate and accept the schemes while trade unions should cooperate.

2.6 Communication during negotiation and dispute resolution

People and organizations are understood well when they communicate effectively to others. Both the union officials and members need to communicate effectively so that their efforts are understood by either party (Anyango et al., 2013). Every part of management requires effective communication. Poor interaction is a major weakness which is capable of ruining the union. According to Anyango et al. (2013), when a union is not communicating effectively with the members, they are likely to misunderstand their union. Anyango et al argued that constant communication with members ensures that members do not complain because they understand their union. Proper communication with members will make them understand activities of the union, union's achievements and challenges so that the unions are not seen to be ineffective but an integral part of the teachers (Anyango et al., 2013).

Mediator is a third party involved in the negotiation process where union and management are involved to help reach a settlement. The mediator does not resolve the dispute but tries to make the two parties reach an agreement by maintain communication and suggesting alternative solutions to dead locked issues (Budd 2004). The function of the mediator must have good knowledge of the issue and an ability to come up with solutions to the problem ,he must be an effective communicator know the importance of timing ,have confidence and trust of the parties involved .A mediator must integrity ,impartiality and fairness

(Glowwe, Ilias & Kremer, 2003). Collective bargaining is a process of solving of solving the employees problem at the work place. It provides opportunity for discussing the workers problems with their employees give their demand to the employees and they agree on the condition (Kapur and punia, 2002) .Collective bargaining comes up when a number of workers comes into negotiation as a unit with the employer in order to reach an agreement on condition of the employment (Daver, 2005).

Collective bargaining restricts employers from unfair judgment or actions and this enables them learn how to deal with employees. The management also learns the grievances of workers and opens channel of communication between them levels of an organization if collective bargaining is well conducted then results can lead to harmonious industrial climate which can lead to development (Salmon, 2000). Collective bargaining also improves the status of workers in the society. Wage earners increases .Their social and economic position .Employers are also able to retain high power and dignity it also serves as peace treaty between the employer and employees. However the settlement between the two parties is a compromise, it comes up with rules that restrict the authority exercised by employers over the employees and putting it under joint control of union and management. (Salamon, 2000).

2.7 Summary of literature review

This literature review on factors influencing KUPPET union officials' performance in dispute resolution in Kisumu County Branch, Kenya. This include training of trade union officials on dispute resolution, top management commitment to union matters on dispute resolution , union members involvement in decision making on dispute resolution and communication during negotiation on dispute resolution.

2.8 Theoretical frameworks

The study will be based on unitary theory. This theory is credited to Alan Fox (1996). It views the organization as pointing towards a single or unified authority. Emphasis under the unitary perspective is placed on common values, interests and objectives. Unitalism in nature implies the absence of factionalism within the enterprise (Fajana, 2000).The main assumption of unitary approach is that management and staff and all members of the organization share the same objectives, interests and purposes thus working hand-in –hand towards the common goals. Unitary theory furthermore has a restriction approach where it demands loyalty of all employees. Trade unions are deemed as unnecessary and conflict is perceived as disruptive.

The unitary theory is applicable in this study from the employees' point of view; it means working practices should be flexible. Individuals should be business

improvement oriented, multi-skilled and ready to tackle with efficiency whatever tasks required. It also means that if a union is recognized, its role is to improve communication, staff and the company. The theory also emphasizes good relationship and sound terms and conditions of employment. According to Rose (2008) under unitary perspective, trade unions are regarded as an intrusion into the organization from outside competing with management for the loyalty the employees.

This theory also ensures employees participation in workplace decision is made possible. This helps in empowering individuals in their areas of duty and improves team work, innovation, creativity, discretion in problem –solving, quality and improvement. The theory also ensures that employees should feel that the skills expertise of managers support their endeavors.

This theory is also applicable to the study as from the employers' point of view, it means that staffing policies should try to unify efforts, inspire and motivate employees. The organization objectives should be properly communicated and discussed with the staff. Reward systems should be designed to secure loyalty and commitment. The personal objectives every individual employed should be discussed with them and integrated with the organizational needs.

2.9 Conceptual framework

Figure 1 shows the relationship independent variables and dependent variable of the study.

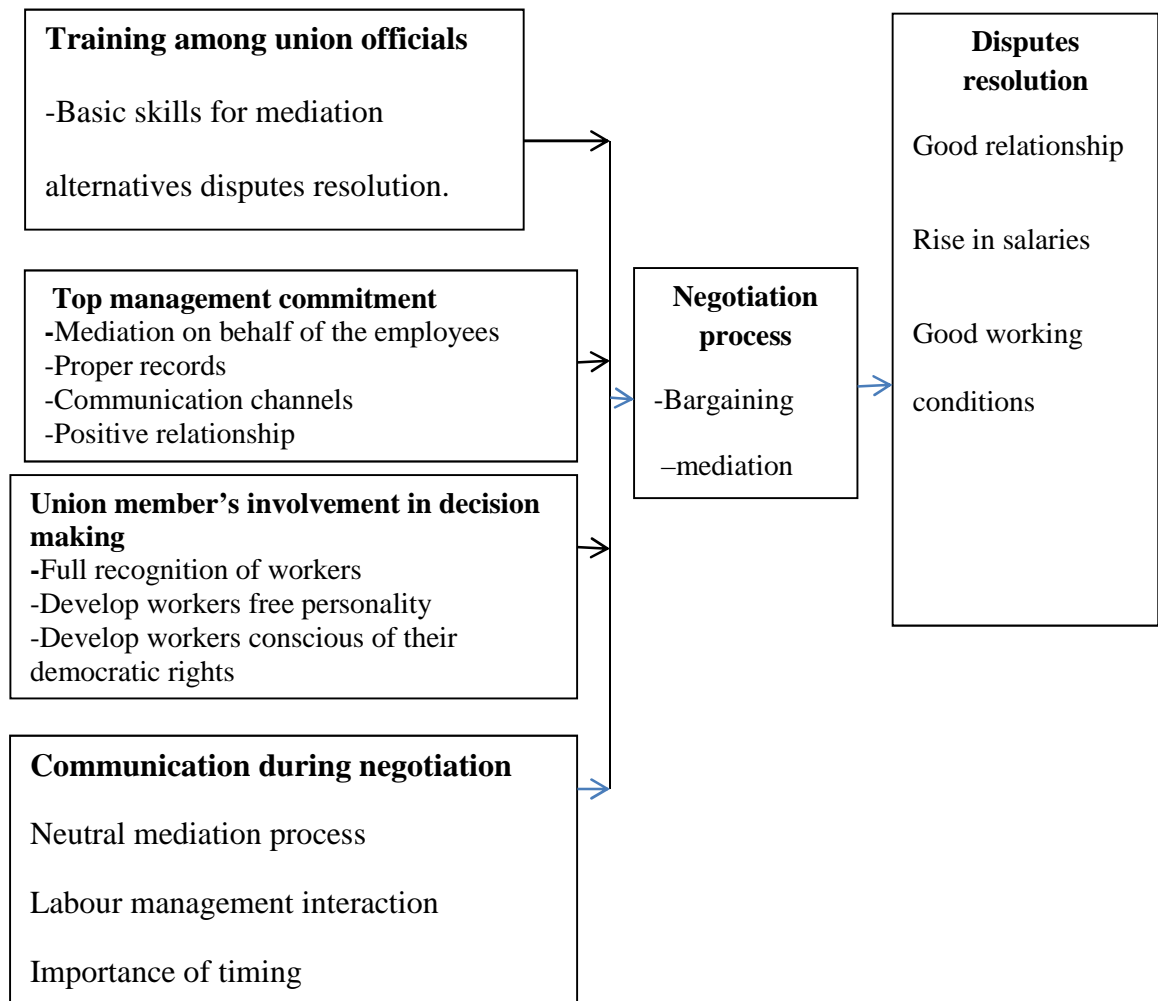


Figure 1 Relationship independent variables and dependent variable

Figure 1 shows the independent variables are lack of training among union officials, on trade union matters, top management commitment, union members involvement in trade union matters and communication during negotiation. The study therefore seeks to determine the relationship between the independent

variables and disputes resolution by KUPPET. In this conceptual framework, the dependant variable in this study is dispute resolution by Kenya union of post primary education. Dispute resolution by Kenya union of post primary education is influenced by several factors that constitute the independent variables which are, training among union officials, top management commitment, union members involvement in union matters and communication during negotiation.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter described methods which were used in the study. These included research design, target population, sample and sampling techniques, research instruments for data collection validity and reliability of instruments data collection procedure and data analysis.

3.2 Research design

This is the arrangements of conditions for collection and analysis of data in a manner that aims to combine relevance to the research purpose with economy in the procedure (Babbie, 2002) The study will be based on cross sectional survey research design The design is considered appropriate for the study because according to Kothari (2003) survey is concerned with describing recording analyzing and reporting conditions that exists or existed. The descriptive cross sectional survey design is justified as this approach will allow generalization of findings and its representation.

3.3 Target population

Mugenda and Mugenda (2010) observe that a target population is the entire group of individuals or items under consideration in any field of inquiry and have a common attributes. The target population of this study is 1485 unionized

members from 175 secondary schools and 100 KUPPET representatives in Kisumu County, Kenya.

3.4 Sample size and sampling procedure

A sample is a small portion of a target population sampling means selecting a given number of subjects from a defined population as representative of that population (Orodha, 2002). According to Mugenda and Mugenda (2003), 10 percent or above of the accessible population is enough for a study. The sample for this study will consist of 149 (10 percent) unionized secondary teachers and 10 (10 percent) KUPPET representatives. The teachers will be purposively selected and simple random sampling will be used to get the required number of participants. Purposive sampling technique will be used to select the KUPPET representatives. This will allow the researcher to use cases that have information required with respect to the study objectives.

3.5 Research instruments

Data collection instruments for the study will be questionnaire and interview schedule. Questionnaires will be used to collect data from unionized teachers while interview schedule will be used to collect data from KUPPET officials. The questionnaires adopted in this study are structured and contained open-ended and closed-ended questions. The selection of this research instrument is guided by the fact that the targeted population is literate and is unlikely to have difficulties

responding to questionnaire items. According to Orodho (2005), questionnaires give freedom to the respondents to express their views and make suggestions without fear as confidentiality is assured. Interview schedule is a tool that contains general or specific factual questions. It enables the researcher probe or seeks detail at personal, open, detached and empathetic levels. It is used in obtaining large amounts of information from a relatively small number of people. In this case the KUPPET representatives.

3.6 Validity of the instrument

Oso and Onen (2011) define validity as the extent to which research instruments measure what they are intended to measure. It is the extent to which research results can be accurately interpreted and generalized to other populations. To determine content validity of the research instruments, a pilot study will be carried out to 14 unionized teachers in two of the un-sampled schools which would help the researcher to evaluate validity, clarity of questionnaires and sustainability of language used in the instruments. Items that will fail to measure what they are intended to measure will be changed accordingly.

This is the accuracy and measuring fullness of the conclusions which are based on the research results (Mugenda and Mugenda, 2009). To ensure validity supervisor who is a researcher expert in the area will scrutinize the instrument, give suggestions which will help revise the questionnaire before using it.

3.7 Reliability of research instruments

Reliability is a measure of degree to which a research instruments yield some result after repeated trials (Mugenda & Mugenda, 2010). To establish the reliability piloting will be done on 14 unionized secondary school teachers representing 1 percent and 2 KUPPET officials representing 2 percent and will not be part of the study. Mugenda and Mugenda (2003) recommend the use of between 1percent and 10 percent of the target population for piloting. The instruments are then re-administered after one week to determine the stability of research instrument. This is in line with Shuttleworth (2009) who stated that the instrument should be administered at two different times and then the correlation between the two sets of above 0.7 at 0.05 significance level of confidence is deemed to mean that the instruments are reliable and thus the questionnaire can be used for data collection. Scores will be correlated using the Pearson Product Moment formula as shown below:

$$r = \frac{N\sum XY - (\sum X)(\sum Y)}{\sqrt{\{N\sum X^2 - (\sum X)^2\}\{N\sum Y^2 - (\sum Y)^2\}}}$$

Where r = Pearson co-relation co-efficient

X = result from first test

Y = result from second test

N = number of observations

A r value of between 0.7 – 1 is considered reliable according to (Mugenda & Mugenda, 2003). The r value computed was 0.83; therefore the research instruments were reliable.

3.8 Data collection procedure

The researcher will seek for a research permit from National Commission for Science Technology and Innovation (NACOSTI) in order to carry out the research study after getting clearance by the Department of Educational Administration and Planning of The University of Nairobi. Thereafter, she will proceed to the Kisumu County Commissioner's office and the Kisumu County Director of Education Office, for further consent before visiting the teachers and KUPPET representatives in their respective schools. She will then book for appointments with the school principals to allow for the administration of the questionnaires, and the interview schedule to the respondents.

3.9 Data analysis techniques

Data analysis is the whole process which starts immediately after data collection and ends at the point of interpretation and processing data (Kothari, 2008). The researcher will check for completeness of questionnaires and code information. Coding helps to ensure data collected is fed into the accurately computer and processed using statistical package for social science (SPSS) software for analysis. Descriptive statistics will be used to analyzed quantitative data then presented in percentages and frequencies. Qualitative data will be transcribed then presented in form of tables and organized themes as narratives.

3.10 Ethical procedures

Airasian (2000) states that code of ethical conduct are of paramount importance in a study because they safeguard the protection of participants identity and those of research locations. Full consent of respondents will be obtained prior to the study. The researcher will explain the objectives of the study to the respondents, brief them on the study and why it is being carried out. Exaggeration or deception about the purposes and study objectives will be avoided (Bryman & Bell, 2007). Dignity and respect of respondents will be prioritized and their anonymity ensured. No respondent will be required to write his/her names on the questionnaires. The researcher will ensure adequate level of confidentiality of the research data and any communication in relation to the study done with transparency and honesty (Bryman & Bell, 2007).

CHAPTER FOUR

DATA ANALYSIS, INTERPRETATION AND DISCUSSION

4.1. Introduction

The purpose of the study was to investigate perceived factors influencing performance of Kenya union of post primary education teachers' union officials in dispute resolution in Kisumu County, Kenya. This chapter presents data analysis, findings, presentation and interpretation of findings. Data collection relied on questionnaires administered to unionised teachers and interview schedules for the KUPPET representatives. Quantitative data was analyzed using descriptive statistics; frequencies and percentages and the findings presented on tables, pie charts and bar graphs. Qualitative data was analyzed into themes and presented in tables and discussions.

4.2. Response rate

According to Bryman (2012), response rate is defined as the percentage of a sample that does, in fact, agree to participate in a study. It is calculated as number of usable questionnaires divide by total sample less unsuitable or uncontactable members of the sample multiplied by 100. The study had a total sample of 159 comprising of 149 unionized teachers and 10 Kenya union of post primary education teachers' representatives.

Table 1 shows the response rate for the study.

Table 1

Response rate

Targeted respondents	Total sample	Number of usable questionnaires/interview schedule	Unsuitable or uncontactable members of the sample	Response rate Percent (%)
Unionized teachers	149	134	13	98.5
KUPPET representatives	10	8	2	100
Total	159	142	15	

Table 1 indicates that majority of unionized teachers (98.5 %) were contactable and returned questionnaires which were usable for the study. A questionnaire return rate of over 80 percent is absolutely satisfactory, while 60 – 80 percent return rate is barely acceptable (Edwards, Diquiseppi, Robert, Wentz, Prator & Kwan, 2000). This implies that the return rate is acceptable. 100 percent of the KUPPET representatives were contactable and their interviews used for the study. This shows a response rate of above 90 percent for all the respondents.

4.3 Demographic data of the respondents

The study sought to establish whether there were differences in unionisation of the teachers by gender and whether gender influenced performance in dispute resolution. The respondents were asked to indicate their gender. Table 2 shows distribution of respondents by gender.

Table 2

Distribution of respondents by gender

	Unionized teachers		KUPPET representatives	
	Frequency (f)	Percent (%)	Frequency (f)	Percent (%)
Male	71	53	6	75
Female	63	47	2	25
Total	134	100	8	100

The data in Table 2 indicates that majority of unionized teachers (53 %) and KUPPET representatives are male. This implies that there exist gender imbalance in union membership and representation. Male teachers are more interested in joining and being involved in union activities than female teachers. Kirton and Healy (2008) found that male domination meant that trade union activity was typically organized to suit employment patterns and life style for male. Studies on

women’s attitudes towards trade unions show that many have narrow view of what unions do, and how they might be useful to them (Tomlinson, 2005). Andibo (2012) found that women lack confidence to join unions or to aspire for leadership positions. This shows why there are more male than female in union representation.

The researcher sought to establish the ages of unionized teacher. The findings would help the study to establish whether the unionisation patterns of teachers in Kisumu County by age. Table 3 shows distribution of teacher by age.

Table 3
Distribution of teachers by age

	Frequency (f)	Percent (%)
25 – 30 years	13	9.7
31 – 34 years	16	11.9
35 – 40 years	34	25.4
41 – 44 years	43	32.1
45 – 50 years	14	10.5
51 – 54 years	9	6.7
Over 55 years	5	3.7
Total	134	100

The data in Table 3 indicates that many teachers (32.1 %) are aged between 41 – 44 years. This implies that the union is dominated by a bit older population. Kibe (2014), found that a higher percentage of the unionised teachers in KNUT were aged 25 – 34 years. The difference can be as a result of KUPPET members being from secondary while majority of KNUT members coming from primary school. Age is an attribute that affects the perception of respondents being members of KUPPET.

The level of education and awareness of teachers is a vital element of good industrial relations. The more educated the teachers are, the more they will make sensible demands regarding their welfare, conditions of employment and involvement in decision making of the trade union. It is also easier for the government and teachers service commission to negotiate with more educated union representatives than less educated ones. The study sought to establish from teachers their highest education qualification. Figure 2 shows the distribution of teachers by academic qualification.

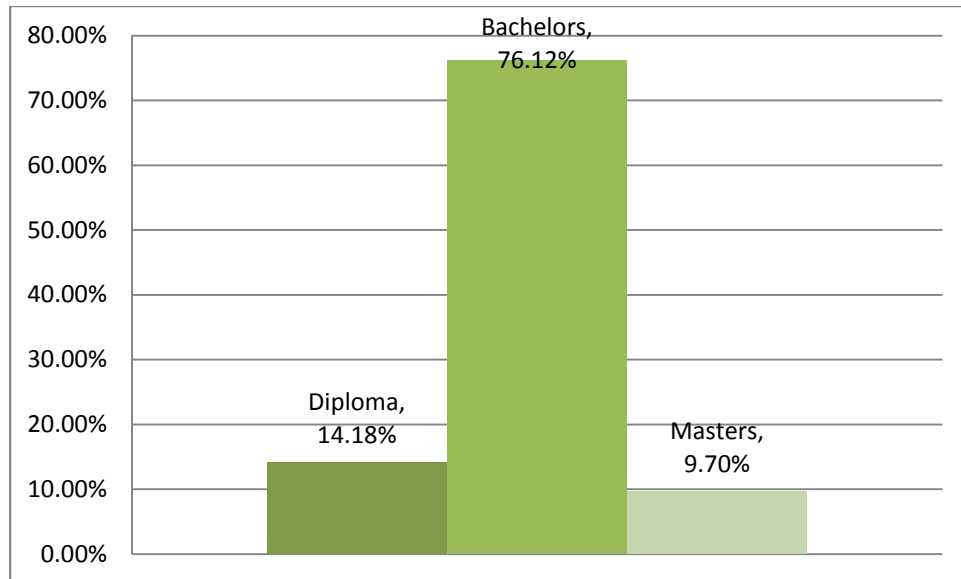


Figure 2. Distribution of teachers by academic qualification

Figure 2 indicates that majority of teachers 102 (76.12%) had bachelor’s degree. This is due to the fact that majority of secondary teachers are university graduates and bachelor’s degree being a requirement for one to teach in secondary schools. This shows that majority of teachers are highly educated and are best able to make an informed choice whether or not to participate in the affairs of the union; as well as the form and level of participation. Teachers were asked to indicate years of service/work experience as teachers. Table 4 indicates teachers’ years of service.

Table 4

Teachers' years of service

	Frequency (f)	Percent (%)
1 – 10 years	32	23.8
11 – 20 years	71	53.0
21 – 30 years	23	17.2
Over 31 years	8	6.0
Total	134	100

The data in Table 4 indicates that majority of teachers (53%) have been in the teaching profession for between 11 – 20 years. This implies that they have experience and know factors influencing performance of Kenya union of post primary education teachers' union officials in dispute resolution.

4.4 Influence of training on trade union officials' perception of their effectiveness in industrial dispute resolution

Studies have found that in developing countries like Kenya, many trade unionists do not have proper training in industrial disputes and resolutions. This may be largely attributed to the lack of training facilities and qualified trainers. Owing to this deficiency, the unionists become easy targets for manipulation by the

authorities making them ineffective. The respondents were asked if their union officials (if any) had undertaken any training on dispute resolutions. Figure 3 shows teachers' responses on training of union officials.

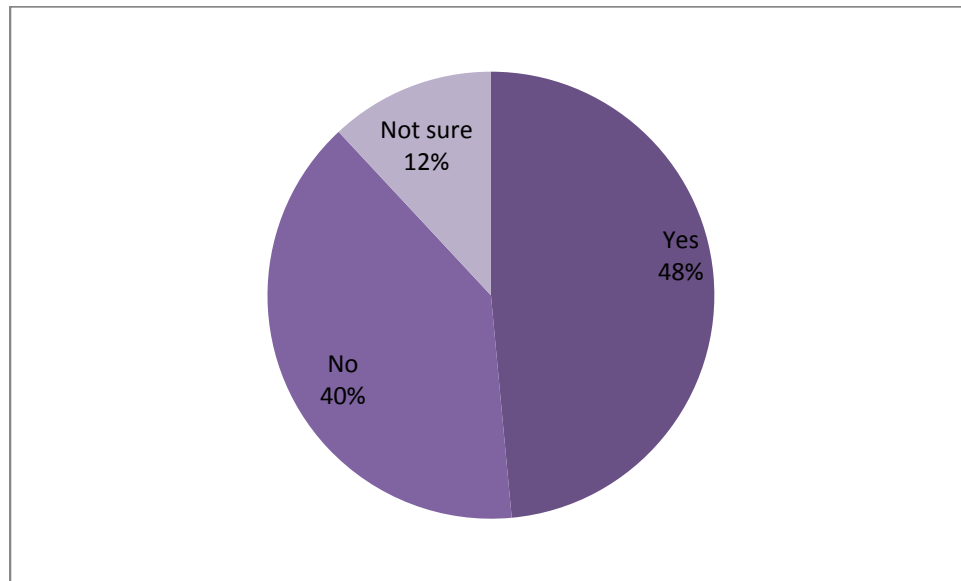


Figure 3. Teachers' responses on training of union officials

Figure 3 shows that many of teachers 65 (48 %) indicated that the union officials had undertaken training in dispute resolution. Those who had trained were perceived to be more effective in dispute resolution than those who did not because they were not easily manipulated by the government and the teachers service commission.

The study sought to establish from the respondents whether training of union officials (or lack of it) influenced on dispute resolution. Figure 4 shows teachers' responses on influence of training on dispute resolution.

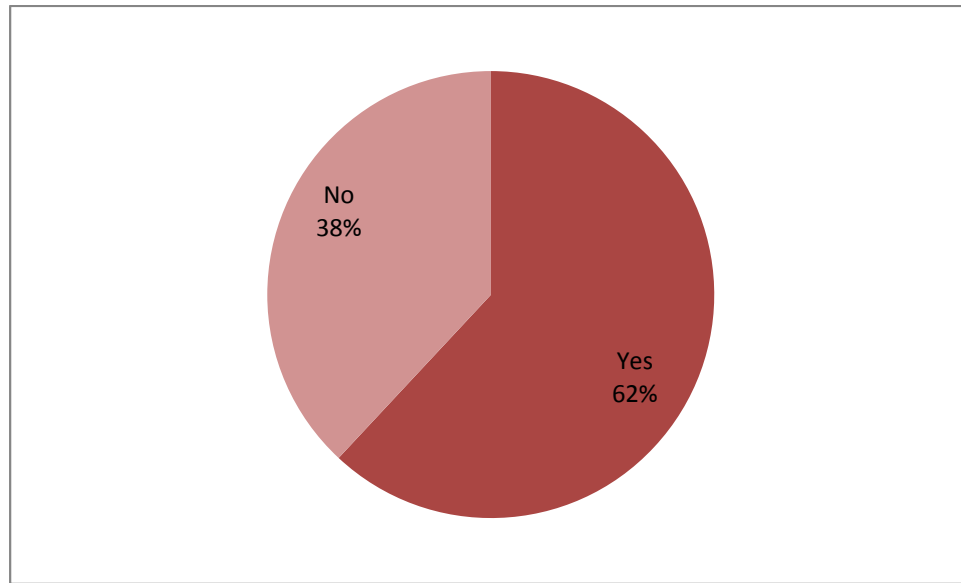


Figure 4. Teachers' responses on influence of training on dispute resolution

Figure 4 indicates that majority of teachers 83 (62 %) agreed that training of union officials (or lack of it) influenced on dispute resolution. Training positively influenced the process of dispute resolution while lack of it influences the process negatively. This implies that training of union officials (or lack of it) has direct relationship with dispute resolution. Training for union officials improves quality negotiations in collective bargaining and effective performance in dispute resolution.

The study sought to establish the influence of training on trade unions' perception of their effectiveness in industrial dispute resolution. Unionized teachers were asked to indicate to what extent the training among union officials affect dispute

resolution at KUPPET. Figure 5 shows the influence of training on dispute resolution.

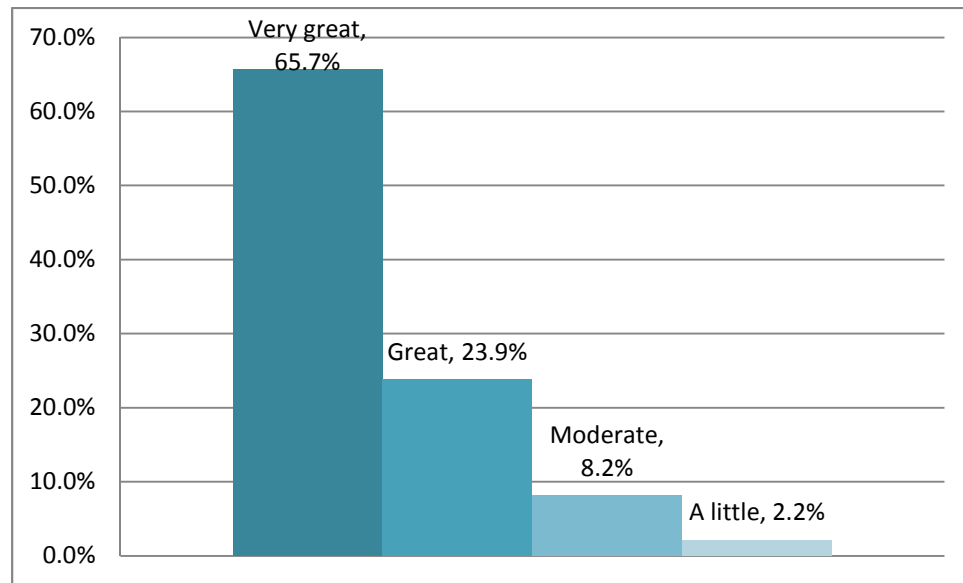


Figure 5. Influence of training on dispute resolution

Figure 5 indicates that majority of teachers 88 (65.7%) indicated that the training among union officials affected dispute resolution at KUPPET to a very great extent. Majority of KUPPET representatives indicated that training gave them basic skills and knowledge on dispute resolution. The findings agree with Ayega (2012) and Kibe (2014) who found that highest percentage of teachers indicated that the training among union officials affected settlement of industrial disputes at KNUT to a great extent. A study by Chartered Institute of Personnel and Development (2008) revealed that more than half of the UK workforce had no training on settlement of industrial disputes, as a result, around a third of all

employees simply allow industrial disputes to continue, causing untold damage to morale and productivity. This implies that training has a very great influence among union officials in dispute resolution. Teachers were asked to indicate their level of agreement on the extent to which different aspects of training among union officials affected settlement of industrial disputes in KUPPET. The responses were rated on a five point Likert scale where: Where 1= not at all, 2 = little extent, 3 = moderate extent, 4 = great extent, and 5 = very great extent. Table 5 shows the extent to which different aspects of training among union officials affected settlement of industrial dispute.

Table 5

Extent to which different aspects of training among union officials affected settlement of industrial disputes

	Mean	Standard deviation
Basic skills necessary for mediation	4.1700	0.9367
Alternative disputes resolution	4.0084	1.1005
Effective communication skills	4.3642	1.0953

N = 134

Table 5 shows that teachers agreed to a great extent (mean = 4.1700, SD = 0.9363) that basic skills necessary for mediation affected settlement of industrial disputes, alternative disputes resolution (mean = 4.0084, SD = 1.1005) and

effective communication skills (mean = 4.3642, SD = 1.0953). The mean of greater than 4 indicates that the respondents agree to a great extent. This implies that training of union officials influenced dispute resolution to a great extent. The findings are in line with Ayega (2012) who found that effective communication skills influence settlement of industrial disputes to a great extent (mean of 4.1310), basic skills necessary for mediation (mean of 4.0476) and alternative dispute resolution (mean of 3.9048). Training comprises of an overview of different dispute resolution, defining mediation and its stages, confidentiality, using effective communication skills in the mediation process, and applying the interest-based approach in mediating disputes (Kapur & Punia, 2002).

4.4.1 Challenges of training KUPPET faces

KUPPET officials were asked to give some of the challenges of training that the union faces. Majority (100 percent) indicated that training does not focus much on labour laws and matters affecting labour and industrial relations. Other challenges included lack of training facilities and qualified trainers, inadequate finances among others.

4.5 Extent by which top management commitment to union matters influences union officials' effectiveness in industrial dispute resolution

The researcher sought to establish the by which top management commitment to union matters influences union officials' effectiveness in industrial dispute resolution. The unionized teachers were asked how often top management took

paid/unpaid time off for union duties and activities. Figure 7 shows frequency of top management taking paid/unpaid time off.

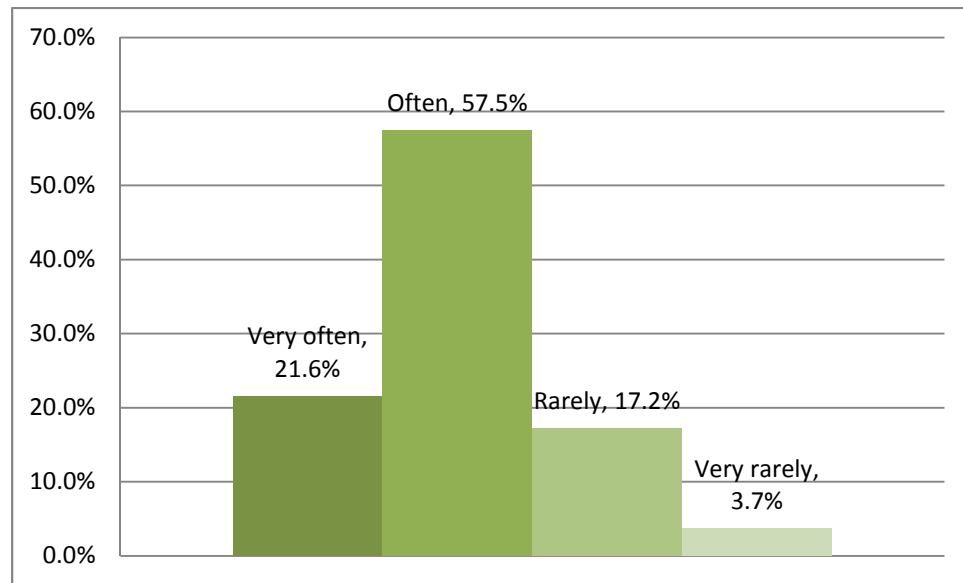


Figure 7. Frequency of top management taking paid/unpaid time off

Figure 7 shows that majority of teachers 77 (57.5%) indicated that top union management often take paid/unpaid time off for union duties and activities. This implies that the top management was committed to the union as they took time to take part in union duties and activities with or without being paid. Commitment and support from top management is important in every kind of management and the number of time it happens plays a significant role in influencing success in dispute resolution (Raub & Weesie, 2002). Teachers were asked to indicate the extent by which top management commitments influence disputes resolution at

KUPPET. Figure 8 shows influence of top management commitment on dispute resolution.

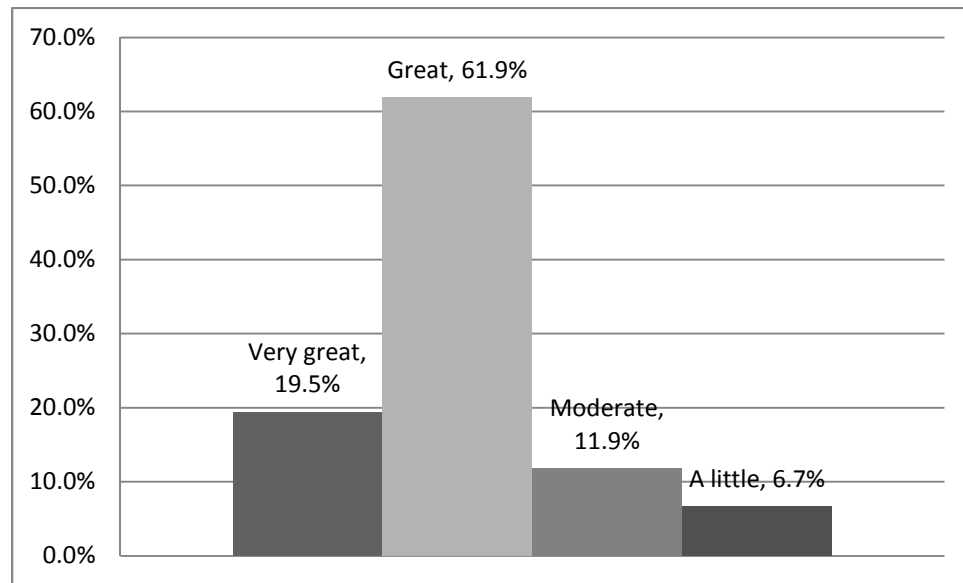


Figure 8. Influence of top management commitment on dispute resolution

Figure 8 indicates that majority of teachers 83 (61.9%) indicated that the top management commitments influenced disputes resolution at KUPPET by a great extent. Majority of KUPPET representatives (87.5 percent) indicated that management which is committed on dispute resolution usually succeeds compared to one which is none committed. This is in line with Kibe (2014) who found that top management commitment was important in defining the success of settlement of industrial disputes in Kenya National Union of Teachers. Kibe further stated that top management would achieve this via establishing positive relationship with employees, establishing integrated communication channels,

mediation on behalf of employees and through proper rewards. Top management has to lead the way in ensuring that their employees have ways in which they can channel their grievances and therefore ensure that they are well settled (Daver, 2005). Commitment and support from top management leads to successful mitigation of any dispute.

Teachers were asked to indicate their level of agreement on the extent by which the following facets/stages of top management commitment affect disputes resolution at KUPPET. The responses were rated on a five point Likert scale where: Where 1= not at all, 2 = little extent, 3 = moderate extent, 4 = great extent, and 5 = very great extent. Table 6 shows top management commitments influence on disputes resolution.

Table 6

Top management commitments influence on disputes resolution

	Mean	Standard deviation
Mediation on behalf of employees	3.8945	0.8392
Proper rewards	4.2510	0.7547
Communication channels	3.9401	0.9421
Positive relationship with employees	4.1938	0.7843

N = 134

Table 6 shows that mediation on behalf of employees by top management influenced dispute resolution to a great extent (mean = 3.8845, SD = 0.8392), proper reward by top management (mean = 4.2510, SD = 0.7547), communication channels (mean = 3.9401, SD = 0.9421) and relationship with management (mean = 4.1938, SD = 0.7843). The means are greater than 3 which mean that the respondents agree with the most of the question items for the objective top management commitment influence dispute resolution. The findings concur with Kibe (2014) who found that through establishing communication channels (Mean=4.2136), positive relationship with employees (Mean=4.1521), mediation on behalf of employees (Mean=3.7143), and through proper rewards

(Mean=3.5333), top management commitment affected settlement of industrial disputes in KNUT. This implies that top management commitment affects settlement of industrial disputes in the two teachers unions in Kenya.

4.6 Extent by which involvement in decision making of union members influences union members’ effectiveness in dispute resolution

The researcher sought to establish the extent by which involvement in decision making of union members influences union members’ effectiveness in dispute resolution. The teachers were asked to indicate their level of involvement in decision making. Figure 9 shows level of involvement in decision making.

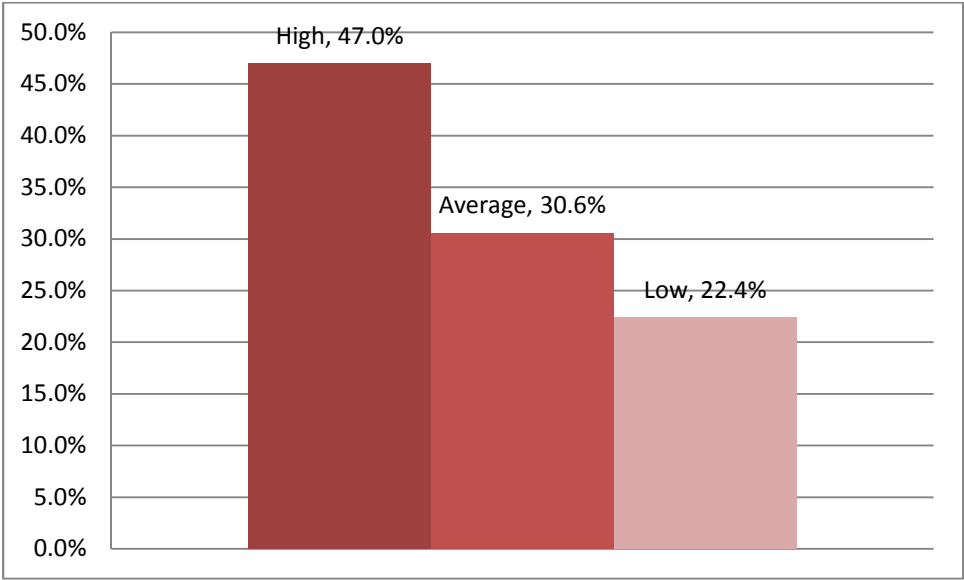


Figure 9. Level of involvement in decision making

Figure 9 indicates that many teachers 63 (47 %) are highly involved in decision making. This implies that the level of involvement in decision making among union members is high. High involvement in decision making was reduce disputes and lower grievances rate. This can influence effectiveness the unions in dispute resolution positively as members are not highly involved in decision making.

To determine how effective the teachers were in dispute resolution, the study sought to establish their level of competence. Figure 10 shows level of competence in dispute resolution.

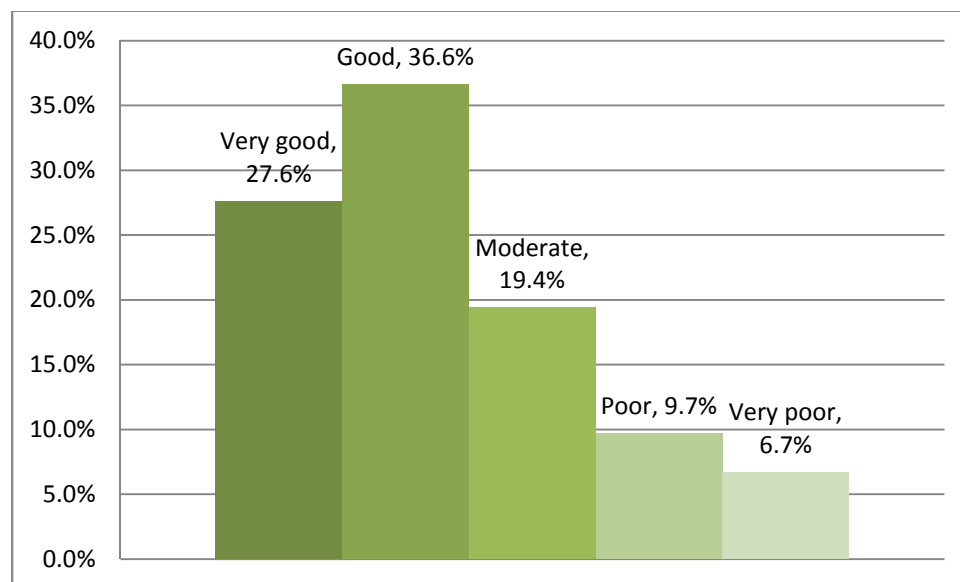


Figure 10. Level of competence in dispute resolution

Figure 10 indicates that the level of competence of many teachers 49 (36.6 %) was good. This implies that many teachers have the ability to handle disputes

effectively. The more competence one is, the more effective he/she is in dispute resolution. This concurs with Ayega (2012) who found that in KNUT, management competence affected settlement of industrial dispute at to a very great extent.

The teachers were asked to indicate the extent by which employee involvement affect disputes resolution at KUPPET. Figure 11 shows extent of employee involvement on dispute resolution.

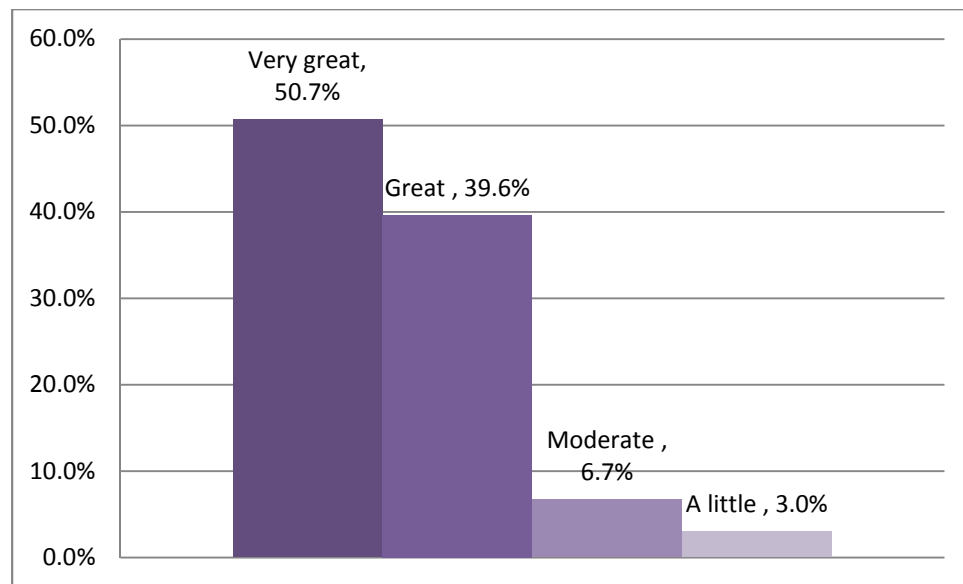


Figure 11. Extent of employee involvement on dispute resolution

Figure 11 shows that majority of teachers 68 (50.7 %) indicated that involvement in decision making of union members influences union members' effectiveness in dispute resolution to a very great extent. This is in agreement with Kibe (2014)

who found that majority of the union officials (64 %) indicated that the employee involvement affected settlement of industrial disputes at KNUT to a great extent. This implies that involvement in decision making influences members' effectiveness in dispute resolution in both teachers' unions. McAdam and Paulsen (2004) who found that member's involvement in union's management is a vital element of industrial democracy.

Teachers were further asked to indicate their level of agreement on the extent by which the following facets of employee involvement affect the disputes resolution at KUPPET. The responses were rated on a five point Likert scale where: Where 1= not at all, 2 = little extent, 3 = moderate extent, 4 = great extent, and 5 = very great extent. Table 7 shows facets of employee involvement influence on disputes resolution at KUPPET.

Table 7

Facets of employee involvement influence on disputes resolution at KUPPET

	Mean	Standard deviation
Full recognition of workers	4.3740	1.1802
Develop workers free personality.	4.0598	1.0952
Develop workers conscious of their democratic rights.	4.2103	0.9958

N = 134

The data in Table 7 shows that majority of teachers agreed that the different ways through which employee involvement affected settlement of industrial disputes at KUPPET ; full recognition of the workers (mean = 4.3740, SD = 1.1802), development of workers' free personality (mean = 4.0598, SD = 1.0952) and through developing consciousness of workers democratic rights (mean = 4.2103, SD = 0.9958). The means are greater than 4 which indicate that the respondents agreed with the facets of employee involvement influence on dispute resolution. Mullins (2005) found that the main objective of involvement was to develop workers conscious of their democratic rights on their work place and thus bring about industrial democracy.

4.7 Influence of communication during negotiation on industrial dispute resolution

The researcher sought to establish the influence of communication during negotiation on industrial dispute resolution. Communication is very crucial in the management and resolution of disputes between the two parties. Communication is very vital in resolving industrial disputes. Teachers were asked whether communication process was timely or not in the event of a dispute. Figure 12 shows timeliness of communication during negotiation.

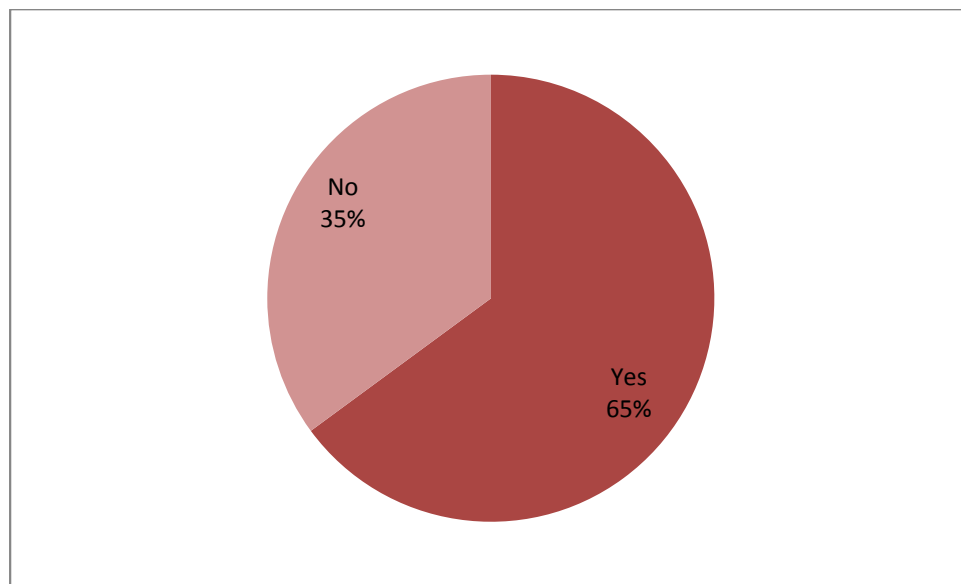


Figure 12. Timeliness of communication during negotiation

Figure 12 shows that majority of teachers 87 (65 %) indicated that during negotiation, communication was timely at different stages. This implies that they received information about the negotiation process on time and this build

confidence. In negotiation, the mediator must know the importance of timing and be an effective communicator.

Clarity is significant for the effectiveness of communication. The study sought to establish how the message communicated by union officials was clear to members. Figure 13 shows clarity of communication.

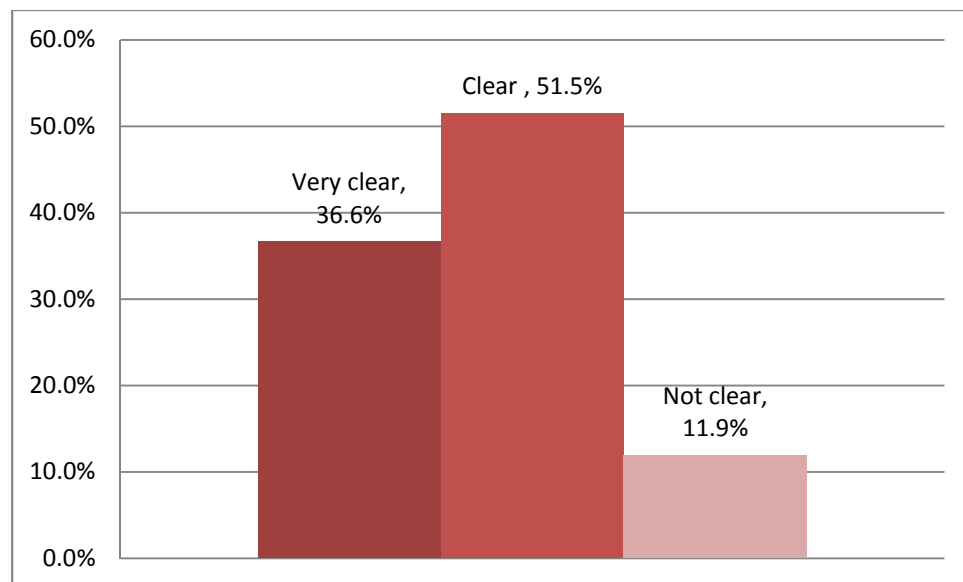


Figure 13. Clarity of communication

Figure 13 shows that majority of teachers 69 (51.5 %) indicated that the communication received from union officials was clear. This implies that the communication was effective. Clarity of information removes doubt that might arise between the conflicting parties. The teachers were asked to indicate the extent by which communication affect disputes resolution at KUPPET. Figure 14

shows influence of communication during negotiation on industrial dispute resolution.

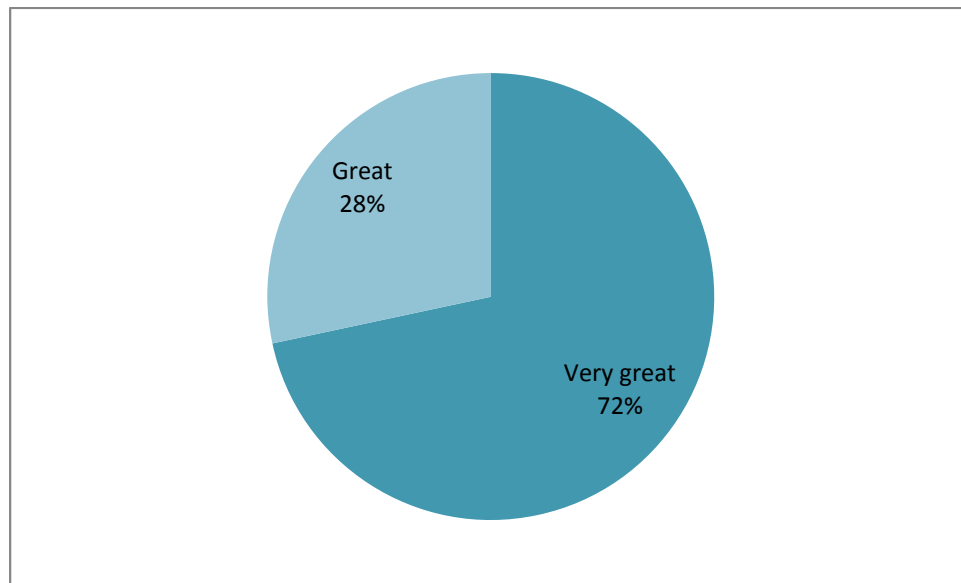


Figure 14. Influence of communication during negotiation on industrial dispute resolution

Figure 14 shows that majority of teachers 96 (72 %) indicated that communication affect disputes resolution at KUPPET to a very great extent. This implies that influence of communication during negotiation on industrial dispute resolution is very great. This is in line with Ayega (2012), who found that 53.6 percent of the respondents agreed that communication was affecting settlement of industrial dispute at KNUT to a very great. Communication was a strategic factor that defined the settlement of industrial disputes in the Kenya National Union of Teachers (Kibe, 2014). Kibe further states that settlement of industrial disputes in

the KNUT was highly dependent on the communication strategies that the union had adopted. Mediation in communication is a process available to the parties involved in contract negotiations by which an outside party is called in by union and management to help them reach a settlement (Herbert & Henzler, 2005).

Unionized teachers were further asked to indicate their level of agreement on the extent by which the following facets of communication affect disputes resolution at KUPPET. The responses were rated on a five point Likert scale where: Where 1= not at all, 2 = little extent, 3 = moderate extent, 4 = great extent, and 5 = very great extent. Table 8 shows facets of communication influence on disputes resolution at KUPPET.

Table 8

Facets of communication influence on disputes resolution at KUPPET

	Mean	Standard deviation
Neutral mediation process	3.8237	0.9632
Labour management interaction	4.0146	0.9173
Importance of timing	4.3671	0.9257
Confidence and trust of the parties	4.1935	1.0322

N = 134

The results in Table 8 shows that majority of teachers agreed that for effective settlement of industrial disputes at KUPPET, communication should ensure; neutral mediation process (mean = 3.8237, SD = 0.9632), labour management interaction and (mean = 4.0146, SD = 0.9173), importance of timing (mean = 4.3671, SD = 0.9257) and confidence and trust of the parties (mean = 4.1935, SD = 1.0322). The means are greater than 3 which indicate that the faces of communication influence dispute resolution. This is in line with Ayega (2012) who found that importance of timing, confidence and trust of the parties, labour management interaction and neutral mediation process influenced settlement of industrial disputes at KNUT to a great extent. Herbert and Henzler (2005) found that the function of a mediator is to offer a positive environment for dispute resolution by drawing on extensive professional experience in the field of labor management interaction. The mediator must be an effective communicator, know the importance of timing and most of all, have the confidence and trust of the parties.

The researcher sought to establish from the unionized teachers the frequency of occurrence of the various forms of industrial dispute in at the work place. Their responses were rated on a four point Likert scale where: Where 1= very rare, 2 = rare, 3 = common and 4 = very common. Table 9 shows teachers' responses on the frequency of occurrence of various forms of industrial dispute

Table 9 Teachers' responses on the frequency of occurrence of various forms of industrial dispute

	Mean	Standard deviation
Strikes	4.2605	0.9654
Trade disputes	3.7006	1.0076
Lock –out	3.9501	0.8219
Go- slow	4.3743	0.9328
Work –to – rule	3.5094	0.8975

N = 134

The data on Table 9 indicates that common forms of industrial disputes were strikes (mean = 4.2605, SD = 0.9654), trade disputes (mean = 3.7006, SD = 1.0076), lock-out (mean = 3.9501, SD = 0.8219), go-slow (mean = 4.3743, SD = 0.9328) and work-to-rule (mean = 3.5094, SD = 0.8975). This implies that the KUPPET is faced with different forms of industrial dispute which required the adoption of various communication strategies to enhance the settlement of industrial disputes. Ayega (2012) and Kibe (2014) found that KNUT faced the same forms of industrial disputes. This implies that both the primary and secondary teachers in Kenya are faced with the same industrial dispute irrespective of the trade union there are in.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1. Introduction

This chapter presents the summary of the study, conclusions, recommendations as well as suggestions for further studies.

5.2. Summary of the study

The purpose of this study was to investigate perceived factors influencing performance of Kenya union of post primary education teachers union officials in dispute resolution in Kisumu County, Kenya. Specifically, the study was set to establish the influence of training on trade union officials' perception of their effectiveness in industrial dispute resolution, the extent to which top management commitment to union matters influences union officials effectiveness in industrial dispute resolution, assess the extent to which involvement in decision making of union members influences union members' effectiveness in dispute resolution and examine the influence of communication during negotiation on industrial dispute resolution in Kisumu County branch of KUPPET. The study adopted a cross sectional survey research design where the target population of this study was 1485 unionized members from 175 secondary schools and 100 KUPPET representatives in Kisumu County, Kenya. The sample for this study consisted of 149 (10 percent) unionized secondary teachers and 10 (10 percent) KUPPET

representatives. The teachers were purposively selected and simple random sampling was used to get the required number of participants. Purposive sampling technique was also used to select the KUPPET representatives.

Data collection instruments for the study were questionnaire and interview schedule. The researcher sought for a research permit from National Commission for Science Technology and Innovation (NACOSTI) in order to carry out the research study after getting clearance by the Department of Educational Administration and Planning of The University of Nairobi. Thereafter, she proceeded to the Kisumu County Commissioner's office and the Kisumu County Director of Education Office, for further consent before visiting the teachers and KUPPET representatives in their respective schools. She then booked for appointments with the school principals to allow for the administration of the questionnaires, and the interview schedule to the respondents.

The researcher discovered that majority of teachers agreed that the training among union officials affected dispute resolution at KUPPET to a very great extent. Training gave of KUPPET representatives basic skills and knowledge on dispute resolution. The study found that basic skills necessary for mediation affected settlement of industrial disputes to a great extent, alternative disputes resolution affected settlement of industrial disputes to a very great extent while effective communication skills affected settlement of industrial disputes to a great extent.

Top union management oftenly take paid/unpaid time off for union duties and activities. Top management commitments influenced disputes resolution at KUPPET to a great extent. The study also found that management which is committed on dispute resolution usually succeeds compared to one which is none committed. Mediation on behalf of employees by top management influenced dispute resolution to a great extent. Proper reward by top management and positive relationship with management influenced dispute resolution to a very great extent while communication channels influenced to a great extent.

The level of involvement in decision making among union members was high and this affect dispute resolution positively as high involvement in decision making reduces disputes and lower grievances rate. Union members' competence in dispute resolution was good. Involvement in decision making of union members influences union members' effectiveness in dispute resolution to a very great extent because it is a vital element of industrial democracy. The different ways through which employee involvement affected settlement of industrial disputes at KUPPET to a great extent included; full recognition of the workers, development of workers' free personality and through developing consciousness of workers democratic rights.

Communication affects disputes resolution at KUPPET to a very great extent. For effective settlement of industrial disputes at KUPPET, communication should

ensure; neutral mediation process, labour management interaction, importance of timing and confidence and trust of the parties. Strikes were very common forms of industrial disputes, trade disputes and work-to-rule were common, lock-out was very rare while go-slow was rare.

5.3 Conclusions

Based on the above findings, several conclusions were arrived at;

Training influenced trade union officials' perception of their effectiveness in industrial dispute resolution as it gives them basic skills and knowledge on dispute resolution. Basic skills necessary for mediation, alternative disputes resolution and effective communication skills were the most important forms of training that assisted in settlement of industrial disputes.

Top management was committed to the union as they took time off to take part in union duties and activities with or without being paid. The top management commitment to union matters influenced union officials' effectiveness in industrial dispute resolution to a great extent in Kisumu County branch of KUPPET. Success in settlement of industrial disputes was determined by the level of commitment by the top management of the union.

The involvement in decision making of union members is a vital element of industrial democracy and it influenced union members' effectiveness in dispute

resolution. High involvement in decision making reduces disputes and lower grievances rate. Different ways through which employee involvement affected settlement of industrial disputes at KUPPET included; full recognition of the workers, development of workers' free personality and through developing consciousness of workers democratic rights. Communication during negotiation influenced industrial dispute resolution. Communication should ensure; neutral mediation process, labour management interaction, importance of timing and confidence and trust of the parties for effective settlement of industrial disputes.

5.4. Recommendations

The following recommendations were made by the study:

- i. For effectiveness in industrial dispute resolution, trade unions should train their officials. This will help them acquire basic skills and knowledge in dispute resolution.
- ii. The level of commitment by the top management on union matters should be higher for the union to succeed in settlement of industrial disputes.
- iii. Union members should be involved in decision making at all stages in settlement of industrial dispute.
- iv. Communication during negotiation should be well timed and parties should have confidence and trust between them.

5.5. Suggestions for further study

There should be further research on other perceived factors influencing performance of Kenya union of post primary education teachers' union officials in dispute resolution in Kisumu County, Kenya, since this study focused only on: training, commitment by the top management, involvement in decision making of union members and communication during negotiation.

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APPENDICES

APPENDIX I: INTRODUCTION LETTER

Oyuga Pauline Ateto

University of Nairobi

P.O BOX 92,

KIKUYU

Dear Sir/ Madam,

RE: LETTER OF INTRODUCTION

I am a student at the University of Nairobi taking a master of education in Corporate Governance as a requirement of the study. I intend to carry out a study on **Perceived factors influencing performance of Kenya union of post primary education teachers union officials in dispute resolution in Kisumu County, Kenya.**

Kindly allow me to carry the study in your school. The identity of the respondent will be treated utmost confidentiality.

You are therefore requested not to write your name on this questionnaire.

Yours faithfully

Oyuga Pauline Ateto.

APPENDIX II: QUESTIONNAIRE FOR UNIONIZED TEACHERS

This questionnaire is intended to collect data on perceived factors influencing performance of Kenya union of post primary education teachers union officials in dispute resolution in Kisumu County, Kenya.

Introductions

- a. Please do not write your name on the questionnaire
- b. The information you will give will be treated with confidentiality
- c. Indicate your choice by a tick ()

Section A: General information.

1. What is your gender? Male() Female ()

2. What is your age bracket?

18 – 24 years () 25 – 30 years () 31 – 34 years ()

35 – 40 years () 41 – 44 years () 45 – 50 years ()

51 – 60 years () over 61 years ()

3. What is your highest level education?

Primary () Secondary () Diploma certificate ()

Bachelors degree ()

Others, specify-----

4. How many years of service /work experience as a teacher?

1-10years () 11-20 years () 21-30 years () over 31 years ()

Section B: Influence of training on trade union officials' perception of their effectiveness in industrial dispute resolution

5. Have your union officials undertaken any training in dispute resolution?

Yes () No () Not sure ()

6. Has training of union officials (or lack of it) influenced on dispute resolution?

Yes () No ()

If Yes how?

Positively () Negatively () Others (specify).....

7. To what extent does the training among union officials affect dispute resolution at KUPPET?

i) To every great extent () to a great extent ()

ii) To a moderate extent () to a little extent ()

iii) To no extent ()

8. What is the extent to which the following facets of training among union officials affect Disputes resolution at KUPPET?

Where 1=not at all, 2=little extent, 3=moderate extent, 4=great extent, and 5=very great extent.

	1	2	3	4	5
Basic skills necessary for mediation					
Alternative disputes resolution					
Effective communication skills					

Section C: Extent by which top management commitment to union matters influences union officials’ effectiveness in industrial dispute resolution

9. How often do top management take paid/unpaid time off for union duties or activities?

Very oftenly () Oftenly () Rarely () Very rarely ()

10. To what extent do you think top management commitments effect disputes resolution at KUPPET?

To every great extent () to a great extent () To a moderate extent (), to a little extent () To no extent ()

11. What is the extent to which the following facets/stages of top management commitment affect disputes resolution at KUPPET?
 Where 1=not at all, 2=little extent, 3=moderate extent, 4=Great extent and 5=very great

	1	2	3	4	5
Mediation on behalf of employees					
Proper rewards					
Communication channels					
Positive relationship with employees					

Section D: Extent by which involvement in decision making of union members influences union members' effectiveness in dispute resolution

12. What is your level of involvement in decision making?

Highly () Averagely () Lowly ()

13. What is your level of competence in dispute resolution?

Very good () Good () Moderately () Poor () Very poor ()

14. To what extent does employee involvement affect disputes resolution at KUPPET?

To a very great extent () to a great extent () To a very moderate extent ()
 to a little () To no extent ()

15. What is the extent to which the following facets of employee involvement affect the disputes resolution at KUPPET?

Where 1=not at all, 2=little extent, 3=moderate extent4=Great extent, 5=very great extent.

	1	2	3	4	5
Full recognition of workers.					
Develop workers free personality.					
Develop workers conscious of their democratic rights.					

Section E: Influence of communication during negotiation on industrial dispute resolution

16. Is communication timely during negotiation?

Yes () No ()

17. How do you rate the clarity of communication?

Very clear () Clear () Not clear ()

18. To what extent does the communication affect disputes resolution at KUPPET?

To a very great extent () to a great extent () To a moderate extent () to little extent () To no extent ()

19. What is the extent to which the following facets of communication affect disputes resolution at KUPPET?

Where 1= not at all, 2=little extent, 3=moderate extent4=great extent, 5=very great extent.

	1	2	3	4	5
Neutral mediation process					
Labour management interaction					
Importance of timing					
Confidence and trust of the parties					

20. On a scale of 1 to 5, how would you rate the frequency of occurrence of the following form of industrial dispute in your work place?

Where 1=very rare and 5=very common

	1	2	3	4	5
Strikes					
Trade disputes					
Lock –out					
Go- slow					
Work –to – rule					

APPENDIX III: INTERVIEW GUIDE FOR KUPPET OFFICIALS

1. What is the most important thing in disputes resolution in an organization?
2. How affective is disputes resolution in KUPPET?
3. What are the factors that determine disputes resolution in KUPPET?
4. Who is responsible for disputes resolution in KUPPET?
5. How does training affect disputes resolution in KUPPET?
6. Which specific issues about training pose a challenge in disputes resolution in KUPPET?
7. How does KUPPET deal with challenges about training in disputes resolution in the organization?
8. What are some of the challenges about training that KUPPET has not been able to address?
9. How does top management commitment affect disputes resolution in KUPPET?

10. What could be the major cause of lack of commitment of the people involved in settlement of industrial disputes in KUPPET?
11. Which areas of disputes resolution are affected by challenges of commitment by top management in KUPPET?
12. What are the possible ways of dealing with the challenges of lack of commitment by top management in KUPPET?
13. How does member's involvement affect disputes resolution in the organization?
14. What are the policies in place that that ensue members involvement affect disputes resolution in the organization?
15. How does communication affect disputes resolution in the organization?
16. What causes delays in communication with members concerning issues related to the disputes resolution in the organization?
17. What would you use to suggest the possible measures that could also be implemented to counter the challenges of disputes resolution at KUPPET?

THANK YOU FOR YOUR COOPERATION

APPENDIX IV: RESEARCH CLEARANCE PERMIT

THIS IS TO CERTIFY THAT:
MISS. PAULINE ATETO OYUGA
of NAIROBI UNIVERSITY, 1562-40100
KISUMU, has been permitted to conduct
research in *Kisumu County*

Permit No : NACOSTI/P/17/65091/19691
Date Of Issue : 10th November, 2017
Fee Received : Ksh 1000

on the topic: **PERCEIVED FACTORS
INFLUENCING PERFORMANCE OF KENYA
UNION OF POST PRIMARY EDUCATION
TEACHERS UNION OFFICIALS IN DISPUTE
RESOLUTION IN KISUMU COUNTY,
KENYA**



for the period ending:
30th October, 2018


.....
Applicant's
Signature


.....
Director General
National Commission for Science,
Technology & Innovation

CONDITIONS

1. The License is valid for the proposed research, research site specified period.
2. Both the Licence and any rights thereunder are non-transferable.
3. Upon request of the Commission, the Licensee shall submit a progress report.
4. The Licensee shall report to the County Director of Education and County Governor in the area of research before commencement of the research.
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7. The Licensee shall submit two (2) hard copies and upload a soft copy of their final report.
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REPUBLIC OF KENYA



National Commission for Science,
Technology and Innovation

RESEARCH CLEARANCE
PERMIT

Serial No.A 16386

CONDITIONS: see back page

APPENDIX V: RESEARCH AUTHORIZATION



NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

Telephone: 020 400 7000,
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Email: dg@nacosti.go.ke
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When replying please quote

NACOSTI, Upper Kabete
Off Waiyaki Way
P.O. Box 30623-00100
NAIROBI-KENYA

Ref No **NACOSTI/P/17/65091/19691**

Date: **10th November, 2017**

Pauline Ateto Oyuga
University of Nairobi
P.O. Box 30197-00100
NAIROBI.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on *“Perceived factors influencing performance of Kenya union of post primary education teachers union officials in dispute resolution in Kisumu County, Kenya”* I am pleased to inform you that you have been authorized to undertake research in **Kisumu County** for the period ending **30th October, 2018.**

You are advised to report to **the County Commissioner and the County Director of Education, Kisumu County** before embarking on the research project.

Kindly note that, as an applicant who has been licensed under the Science, Technology and Innovation Act, 2013 to conduct research in Kenya, you shall deposit **a copy** of the final research report to the Commission within **one year** of completion. The soft copy of the same should be submitted through the Online Research Information System.

GODFREY P. KALERWA MSc., MBA, MKIM
FOR: DIRECTOR-GENERAL/CEO

Copy to:

The County Commissioner
Kisumu County.

The County Director of Education
Kisumu County.