

Resource Book Employee - Management Cooperation

3

Trainer's Guide

ILO/APINDO Project on Capacity Building and Promoting
Sound Industrial Relations at the Enterprise Level in
Indonesia

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ILO

Resource Book Employee - Management Cooperation

1. Lesson Learned on Employee – Management Cooperation from Selected APINDO's Member Companies

2. Training Manual on Employee – Management Cooperation

3. Trainers' Guide on Employee – Management Cooperation

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Foreword

In Indonesia, the Manpower Act no.13 of 2003 provides the legal basis for the establishment of bipartite cooperation schemes. It is important that bipartite cooperation between management and workers is strengthened to ensure good communication and relations to allow problems to be discussed and resolved through fair processes. Effective communication can create an atmosphere of trust, promote participation and encourage consensus in enterprise level decision-making. It can result in productivity improvements for enterprises and the adoption of new approaches to both protecting workers and rewarding them for their contributions.

While the gateway to enterprise level regulation of industrial relations is facilitated by the bipartite cooperation bodies, collective labour agreements and company regulations for specified companies, there is a need to provide practical assistance on the application and implementation of these cooperation modalities. In a bid to gain further credibility as a professional and representative organization of value to its members, the Indonesian Employers' Association (APINDO) is enhancing its efforts to promote enterprise-level cooperation and to develop related industrial relations services.

In a commitment to support APINDO's capacity building in this area, Employers' Activities Bureau in ILO Geneva (ACT/EMP) and the ILO-Jakarta office, supported by the Netherlands/ILO Cooperation Programme (NICP) are assisting APINDO to strengthen its services to members on industrial relations. This support includes a series of activities:

- (1) benchmarking and compiling lessons-to-be-learned from ten (10) member companies of APINDO on sound workplace relations and employee management cooperation,
- (2) developing guidelines of good enterprise level labour relations to promote labour management cooperation for workplace efficiency, productivity, flexibility and stability, and
- (3) developing training manual and trainers' guide on labour management cooperation for APINDO members.

A set of training materials on labour management cooperation was developed during a Training of Trainers for APINDO members in Bandung in December 2008. The training materials consist of the Training Manual and Trainer's Guide. The corollary objective is to ensure sustainability and to encourage employers to conduct their own activities based on their specific needs.

The publications on Lesson-Learned on Employee-Management Cooperation from Selected APINDO's Member Companies is largely based on actual experiences and best practices as well as challenges identified by companies from various sectors and of different size. There is no single approach in the establishment and operationalization of employee-management cooperation. Each one must adapt and take into account the particular circumstances in each enterprise.

We would like to extend our deep appreciation to Mr.Djimanto and his team in APINDO who have worked very hard to develop the labour management services in APINDO. Our appreciation also conveyed to Mr. Juan Amor Palafox, Mr.Bach Macaraya, Mr. Carmelo Noriel and Mrs. Maretta Dian Arthanti as the consultants and for the formulation and development of the training materials and lesson-learned.

The ILO-Jakarta Office and ACT/EMP wish to express the hope that these publications will be of lasting usefulness to APINDO, its members, and other interested parties for establishing and successful bipartite relations at the workplace.

Alan Boulton

Director, ILO Jakarta Office
June 2009

Jean Francois Retournard

Director, ACT/EMP Geneva
June 2009

Foreword

I would like to congratulate for the publication of manual book for trainers on Employee-Management Cooperation (EMC). This manual book has been tailored through a long-road process of Focus Group Discussion as well as workshops towards expectation that enables this employee cooperation at the workplace could be well transferred by the trainers who have successfully attended the workshops. I should thank the ILO who has put in a lot of efforts to the creation of this manual book and for sure to all parties who have taken participation in it.

It is inevitably doubted that the Employee-Management Cooperation should have been the start point of the development of company. The idea of EMC at a company that has been spreading should be developed simultaneously since the employee or the management must have interest for the future development of a company. EMC is also expected to be able to stand alone as a cooperation institution and would not be falling down into bargaining or whatsoever between the employee and management.

Hence, when seeing the human resources at a company who are direct business partners for the development of the company, therefore, EMC as a cooperation institution between the employee and management that reflects the business interest for the company should be absolutely developed. This is also due to the fact that the management as the manager of company needs workers and conducive working situation to manage the company; meanwhile the workers also need the company as to earn their living.

When talking about a company as the business entity should be placed on the appropriate position. As a business entity, the development will be necessary in the future. EMC will be the only way to develop the company in the future as it also actively incorporates actors within the company. In the other hands, EMC can also be used as the indication of the harmonisation of industrial relation in the company. When the cooperation between the employee and the management goes well, the industrial relations will be much harmonised and conducive for the business climate. At last, it is expected that EMC as the main contributor for the creation of favourable working situation and better work at the company.

Sincerely yours,

Sofjan Wanandi,
President of DPN APINDO

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Trainers' Guide for Employee Management Cooperation Training

This Guide was created by the participants of the Training of Trainers on the Employee-Management Cooperation/Bipartite Cooperation Institution organized by APINDO/ILO, in Bandung, on 16-19 December 2008. This Trainers' Guide aims to help facilitators in planning and implementing training on the establishment of the Employee-Management Cooperation (EMC)/Bipartite Cooperation Institution (LKSB Bipartite) at the company level.

Purpose

The Trainers' Guide for the training on EMC/LKS Bipartite serves as a reference point for APINDO's members and other companies in forming the EMC/LKS Bipartite in line with the Minister of Manpower and Transmigration Regulation No.32/MEN/XII/2008 and for other purposes, as appropriate.

Expected Result

Following the training, participants are expected to be able to initiate the establishment the EMC/LKS Bipartite at the company level including being able to ensure its effective and productive implementation. Participants are also expected to monitor the achievements of the EMC/LKS Bipartite in their company, to encourage the continued promotion of sound and harmonious industrial relations at the company level.

Proposed Detail of Activities

Activity	Time Allocation
Session 1: Registration, opening remarks and introduction to the training	1 hour
Session 2: Presentation on the industrial relations situation at company level by participants (from workers' and employers' perspectives)	1 hour
Session 3: Presentation on the basis and background for creating EMC at the workplace	1 hour
Session 4: Presentation on the essential requirements for EMC to be successful	2 hours
Session 5: Initiating an EMC	3 hours
Session 6: Determining the purpose, nature, function, and cooperation scheme of the EMC	5 hours
Session 7: Monitoring, evaluation and way forward for EMC	2 hours
Session 8: Training evaluation (comments from the participants) and closing remarks	1 hour
TOTAL	16 hours

Proposed Budget

1. Honorarium for the trainer(s)
2. Rent training room
3. Rent equipment, such as computers, LCD Screens, etc.
4. Training materials, such as photocopies, flip chart paper, meta plan card, markers, stationery, etc.
5. Meals (lunch, coffee break) and accommodation, if necessary
6. Administrative support costs, for items such as invitations, certificates, etc.
7. Miscellaneous costs, normally approximately 10% of the total budget.

Preparing and Conducting the Training Session:

Some ideas for a successful training sequence:

1. Schedule demanding sessions early in the day when the participants' minds are fresh and they are able to concentrate.
2. Schedule enough time for each topic to allow the participants absorb the material, and discuss it in groups, before moving on to the next topic.
3. Select the most important topics in each of the modules based on the desired outcomes (in terms of skills, knowledge, and attitude). Distinguish between the "must know", "should know", and "good to know" topics.
4. Use interactive methods of learning such as discussions, games, case studies and exercises to make learning interesting and active. These methods also allow you to ensure the participants understand the topic before moving on. Try to spend as little time as possible lecturing.
5. When it is necessary to present information by way of lecturing to impart new knowledge, always start these presentations with a discussion or brainstorming activity. This will stimulate interest from participants as well as inform the facilitator of the participants' level of familiarity with the subject matter. This will also assist in helping the facilitator relate new material to what is already known and familiar to the participants.
6. Make sure you include time for breaks, wrapping up at the end of the day, daily evaluations, recaps at the beginning of each day, and for a workshop evaluation at the end of the program.

A. Pre-establishment of the EMC/LKS Bipartite Activity

Purpose: to assess the labour-management relationship situation in the company and determine the appropriate actions to help the company develop the EMC/LKS Bipartite.

Preparation: The facilitators should conduct an initial assessment through a questionnaire; interview and observation (verify the situation of the EMC in the company). It is suggested that this activity is done before the training. The result of the assessment is to determine:

- Company's identity (size of company, number of workers, labour or capital intensive, assets and annual turn over in the company)
- Normative issues that have been applied (minimum wages, workers' social security, overtime, status of contract workers, etc.)
- Understanding about the EMC/LKS Bipartite
- The parties involved and their roles in the EMC/LKS Bipartite
- How it was established
- The benefits from the EMC/LKS Bipartite
- Issues to be discussed, the level of discussions: information-based – suggestions – recommendations – decisions – management
- Company's experiences relating to trust and distrust within the company
- Dos and Don'ts in the EMC/LKS Bipartite
- Sample of the EMC/LKS Bipartite activities in the company
- Type of the EMC/LKS Bipartite: formal or informal

Recap of the Assessment Results

The assessment results can be analyzed to determine the appropriate measures of the EMC for the company's condition as seen below:

Measure \ Condition	Informal campaign	Formal campaign	Socialization	Training	Understanding	Build trust	Coaching	Mentoring	Expert (sample of best practices and facilitator)
No EMC	☹	☹	☹	☹	☹	☹			
Semi LKS Bipartite (formally established but not effective)						☹	☹	☹	
Effective LKS Bipartite (formal representation, agenda and clear working system)									☹

B. Initiating the employee-Management Cooperation/ LKS Bipartite

Activity	Purpose	Suggested Method/Media	Duration
Introduction to the training	- Participants understand the whole training process - Facilitators and participants know each other - Understand participants' expectations of the training - Reach agreement concerning the purpose and basic rules for the training	- Discussion - Use flip chart or meta plan card to write the expectations, purpose and basic rules of the training. Stick these on the wall, so the participants will remember and act as an ongoing reference to the facilitator and participants during the training	45 minutes
Presentation on the industrial relations situation in the company (representatives of the workers and management)	- Understand the conditions in the company - Explain the initial assessment made by the facilitator	- Presentation by the representatives of the workers and management - Presentation on the initial assessment by the facilitator - Group discussion to determine the priority issues and follow up action in the company	Presentation: 30 minutes Discussion: 30 minutes
Presentation on the basis and background for the EMC in the workplace	- Understand the participants' level of understanding of the concept and basic rules for the establishment of the EMC/ LKS Bipartite	- Brief presentation - Brainstorming exercise - Discussion - See Book 2 Module 1 part 1-3 Training Manual	Presentation: 20 minutes Discussion: 40 minutes
Presentation on the essential requirements for the success of the EMC/ LKS Bipartite and its justification	- Develop commitment from the participants to the success of the EMC / LKS Bipartite	- Use games to make the participants aware of the importance of creating trust and cooperation (example: X and Y games) - Use case studies to show best practices in the company - Brief presentation to conclude	120 minutes

Activity	Purpose	Suggested Method/Media	Duration
Establish small committee to formulate strategy to form the EMC and appoint facilitator	- Assess the internal commitment of the company - Develop an action plan for the company (determine the purpose, person in charge and time)	- See Book 2 Module 1 part 4 Training Manual - Group discussion to make action plan - Role play (for instance, switching the roles of workers and management to better understand the other's position) - Brief explanation to conclude - See Book 2 Module 2 Training Manual to assess the readiness of the company	180 minutes

C. Implementing and Maintaining the EMC/LKS Bipartite

Activity	Purpose	Suggested Method/Media	Duration
Determine the purpose and nature of the establishment of the EMC? /LKS Bipartite	- Guide the participants to determine a realistic purpose and the nature of the EMC pursuant to the company's situation to ensure support from all parties involved.	- Group discussion - Use study case - Simulation games (for instance the "Planet Explorer") - Brief presentation on the benefits for workers and employers from LKS Bipartite - See Book 2 Module 3 Part 1	90 minutes
Determine the function and scope of the EMC /LKS Bipartite	- Guide the participants to determine issues to be discussed and resolved through the EMC /LKS Bipartite that are mutually beneficial - Guide the participants to create a consensus on the operational rules of the EMC/ LKS Bipartite	- Group discussion - Brainstorming on the elements for the success of the EMC/ LKS Bipartite - See Book 2 Module 3 part 2 Training Manual	90 minutes
Determine the structure and cooperation scheme of the EMC /LKS Bipartite	- Guide the participants to arrange work assignments and responsibility to make the EMC/ LKS Bipartite effective - Build 'problem-solution' culture into the company	- Group discussion - Simulation games - Study case - See Book 2 Module 3 Part 3 and Module 4 Training Manual	120 minutes

16 D. Monitoring, Evaluation and Development of the EMC /LKS Bipartite

Activity	Purpose	Suggested Method/Media	Duration
Conduct regular monitoring and evaluation activities (quarterly/semester/ annually), include in the evaluation: meeting agendas, implementation, reporting, types of activities, participation of members, the result of implementation, budget and administrative support.	- Guide the participants to make regular evaluation plans for the EMC/LKS Bipartite. - Identify the achievements of the EMC at the company level	- Prepare check list in group work - Brainstorming by sharing experiences on the EMC/LKS Bipartite - See Book 2 Module 3 Part 4 Training Manual	60 minutes
Determine development plan of the EMC/LKS Bipartite, for example training for new members, ongoing training for old members, review programs, etc.	- Develop new ideas for the implementation of the EMC/LKS Bipartite to ensure interest and effectiveness with all parties involved and maintain sustained commitment. - Renew operational rules if necessary.	- Group work - Sharing experiences as inputs to participants - Prepare performance indicators of the EMC/LKS Bipartite - See Book 2 Module 3 Part 4 Training Manual	60 minutes

Activity	Purpose	Suggested Method/Media	Duration
Conduct evaluation of the training and ensure commitment from the participants	- Ensure that the training will be followed up with the establishment/renewal or the EMC/LKS Bipartite - Assess whether the goals of the training and expectations of participants have been met	- Questionnaire - Verbal assessment from the participants	45 minutes

APPENDIX:

- Template of action plan form
- Presentation materials (PPT) concerning the basis and background for the EMC at the workplace
- Presentation materials (PPT) concerning the essential requirements for a successful EMC/ LKS Bipartite and its justification
- Presentation materials (PPT) concerning the establishment, implementation and evaluation of the EMC/LKS Bipartite
- Training evaluation sheet

Appendix 1: Template of action plan form

Action Plan to Establish Employee Management Cooperation

Date	Activity	Person in Charge	Remarks

Appendix 2: Presentation materials (PPT) concerning the basis and background for the EMC at the workplace

Fundamentals of Employee Management Cooperation

- ♦ What are LMCs and other forms of workplace cooperation?
- ♦ All forms of structured or intended processes of employee-management cooperation, and management recognized employee initiatives in the workplace

Various Definitions

- ♦ Voluntary committee of labor and management who meet to identify and resolve issues of common interest, normally outside of collective bargaining
- ♦ Forum for regular communication between management and employees that tackles urgent work-related or relationship related issues that increases trust and confidence

Various Definitions

- ♦ Forum for discussion of problems that might otherwise develop into serious conflict and disagreements
- ♦ Forum for exploration of proactive programs aimed at increasing the company's efficiency and productivity resulting to competitiveness
- ♦ Forum to increase employees' involvement in operational-day-to-day concerns

Various Definitions

- ♦ Top to bottom internal structure aimed at collecting ideas and suggestions of every employee towards responding to all concerns within the company
- ♦ Body organized voluntarily, freely by employee and management to stimulate employee management cooperation; decides issues by consensus

Legal Basis

- ♦ Various ILO Conventions on Social Dialogue
- ♦ Legal basis in Indonesia: the Manpower Act – No.13 of 2003 and MOMT Regulation No.Per.32/Men/XII/2008
 - Every enterprise with 50 workers
 - Forum for communication, consultation and deliberation on labor issues
 - Include employer, workers' representatives democratically appointed by workers

Quick Workshop 1

- ♦ Formulate a brief concept of your organization's EMC
- ♦ How will you describe the EMC in your organization (what is the key concept)?

Rationales for Cooperation

- ♦ There are lots of foundations for necessity of cooperation
- ♦ Paradigm of participation
- ♦ Principles of Joint management
- ♦ Participatory elements in TQM (Total Quality Management)

Rationales

- ♦ Macro economic
To improve country image, attract investments
- ♦ Micro economic
 - To increase total factor and labor productivity
 - Competitiveness creates employment to reduce poverty
 - Quality jobs increase job security
 - Expanded formal employment increase union coverage

Quick workshop 2

- ♦ What urgent, strong, continuing pressures, reasons, even motivations would urge, push, encourage labor and management to organize an EMC?

Appendix 3: Presentation materials (PPT) concerning the essential requirements for a successful EMC/LKS Bipartite and its justification

Anatomy of cooperation

- ♦ Spectrum of Concern for others and self interest
- ♦ From Conflict to competition to cooperation to altruism

When and Why Do People Cooperate?

- ♦ Individual factors
 - Principle of reciprocity? As they have behaved in the past, so shall others reciprocate
Implication: start cooperating; get it started
 - Personal orientation to cooperation: cooperators, competitors, individualists, equalizers
Implication: management must be role model cooperators
 - Beneficial communication
Implication: Institutionalize beneficial communication
 - Group size: keep it small and functioning

Organizational Factors

- ♦ Organizational cooperation or competition
Reward team accomplishments; socialized rewards; social pressure for cooperation
- ♦ Recognized interdependence of working
- ♦ Recognized common threats

Quick Workshop 3

- ♦ Why should L and M in my company cooperate with each other?
- ♦ Factors for cooperation; factors against cooperation

Appendix 4: Presentation materials (PPT) concerning the establishment, implementation and evaluation of the EMC/LKS Bipartite

Initiating and Managing the EMC

Creating the Internal Environment

- ♦ Assess internal environment whether conducive for initiating an LMC
- ♦ Type of industrial relations environment
- ♦ Union/mngt perception of management/union
- ♦ Operational concerns
- ♦ Sustaining environment, relation to regular structure

Quick Workshop 4

- ♦ Who will be responsible for groundwork and facilitation for initiating EMC?
- ♦ Enumerate specific responsibilities for groundwork?
- ♦ Other strategies for initiation; campaign

Concerns covered by EMC

- ♦ Effective implementation of personnel policies
- ♦ Productivity
- ♦ Business strategies
- ♦ Strengthen job security
- ♦ Improvement of quality of work life
- ♦ Occupations health and safety
- ♦ Intro of new technology, automation, machinery
- ♦ Workers' welfare and livelihood programs
- ♦ Sports, recreation, social activities

Benefits to Employees

- ♦ Opportunity to participate
- ♦ Access, direct communication to top management
- ♦ Means of inputs on solving operational problems
- ♦ Avenues for airing complaints not appropriate for grievance machinery
- ♦ Opportunity to demonstrate responsibility
- ♦ Opportunity for self improvement; on the job training

Benefits to Management

- ♦ Forum to share information, business conditions, quality problems, product development, strategic role of employees
- ♦ Opportunity for discussions of operational problems and plans
- ♦ Relate with union/ employees without being legalistic
- ♦ Opportunity to demonstrate responsiveness to constructive suggestions/ valid complaints
- ♦ Utilize know-how employee creativeness
- ♦ Communicate issues
- ♦ Enhance social and institutional relationships

Guiding Principles

- ♦ Focus on mutual benefit concerns
- ♦ Consensual decision making
- ♦ Non legalistic approach to issues
- ♦ Non encroachment on management prerogatives
- ♦ Non modification of coy rules and regulations
- ♦ Non modification of contractual and legal obligations
- ♦ Not to interfere with employee rights

Generalized Steps in “Establishing EMC

- Overall orientation on philosophy, purposes of EMC
- Workshop, agreement on common objectives, problems, need to cooperate
- Workshop, agreement on structure and processes
- Workshop, agreement on operating guidelines to govern the cooperation scheme
- Election of officers to Steering and other committees

Generalized Steps in “Establishing EMC

- Officers to activate structure and committees
- Continue training of people, others involved
- Committees to identify, prioritize issues
- Formulation, development of plans, projects
- Implementation of plans, projects approved within guidelines
- Monitoring, evaluation of projects
- Continuous implementation of programs
- Publication, celebration of achievements
- Re-energizing, development

Factors Necessary to EMC Effectiveness

- ♦ Proper Attitudes of Committee Members
- ♦ Appropriate skills
- ♦ Suitable Structure
 - Addresses identified needs and concerns
 - May be informal, but recommended formal
 - Adequate representation
 - Ensures attainment of decisions thru consensus
 - Provides feedback mechanisms

Contributing Factors

- ♦ Convenes regularly
- ♦ Reps are free to express themselves
- ♦ Employees and supervisors are engaged in activities and decision making
- ♦ Complaints and grievances are discussed and deliberated upon

Internal Factors

- ♦ Management encouragement
- ♦ Workers willing to participate
- ♦ Active collaboration and cooperation
- ♦ Management must share long term profit and gains thru terms and conditions of work

Hindrances

- ♦ Poor attendance, non participations during meetings
- ♦ Poor communication skills
- ♦ Lack of information re activities
- ♦ Hostility, adversarial attitude
- ♦ Management unwilling to share decision authority; unwilling to be influenced by EMC

Characteristics of Ideal EM Council

- ♦ Joint management, parallel structure
- ♦ Trust among participants
- ♦ Joint continuing control
- ♦ Clear understanding
- ♦ Enforceability
- ♦ Scope

Adequate Systems

- ♦ Meetings take place during working time
- ♦ Time for research, networking, preparation, follow up
- ♦ Information re agenda submitted to reps on time
- ♦ Procedure for handling internal conflicts
- ♦ Administrative, secretarial, organizational support
- ♦ Financial support

Support for Employee Representative

- ♦ Education, training, development on various competencies
- ♦ Research and access to information
- ♦ Creation of study circles
- ♦ Publication of successes
- ♦ Recognition of participants

The EMC is not

- ♦ An alternative mechanism for all due process obligations of the employer under the law,
- ♦ A cure for all work and work relationship problems
- ♦ An easy solutions to all problems
- ♦ Forum to obstruct legal rights of all employees

When Ready for an EMC?

- ♦ Recognition of need to further improve relationship
- ♦ Relatively harmonious relationship
- ♦ When problems crop up but these need to be resolved together
- ♦ Need to communicate regularly is appreciated
- ♦ When intrigues, complaints, misunderstandings occur but no effective forum can clarify them
- ♦ When employees clamor for more responsibilities
- ♦ When management recognizes readiness and maturity to get involved in decision making
- ♦ Need to stabilize relationship
- ♦ Recognize need for strategic and long term partnership

Two General Structures

- ♦ Departmental or Sectional Sub Committees
 - Steering Committee
 - Departmental committees
- ♦ Functional committees/ Task forces
 - Steering Committee
 - Functional, activity areas
 - Cooperative, savings, loans
 - sports, transportation, canteen, uniform, serviceawards, employee relations
 - training and development

Quick Workshop 5

- ♦ Which EMC structures are appropriate for our Company?
- ♦ Define functions of the Steering Committee/Central Comm
- ♦ Enumerate functional or sectional Committees and their objectives or coverage
- ♦ Illustrate the resolution of an issue, concern or project as it progresses from the workplace to the Steering Committee
- ♦ How does the EMC and its various committees relate to the regular org structure?

Monitoring and Evaluation

Consequences:

- | | |
|--|--|
| ♦ Regular, effective communication | ♦ More understanding, considerate management |
| ♦ Improved problem solving skills | ♦ Lesser incidence of rule violations |
| ♦ Improved physical working conditions | ♦ Improved productivity, efficiency |
| ♦ Higher managerial, employee morale | ♦ Greater sense of volunteerism |
| ♦ Increased commitment to organizational goals | ♦ Better company public image |

Quick Workshop 6

- ♦ Enumerate various measures by which the LMC will be evaluated
- ♦ Who's responsibility to gather initial baseline data; continuing monitor?
- ♦ What levels of change shall we declare success or effectiveness?
- ♦ Other affirmations of our success

POSISI LEMBAGA KERJA SAMA BIPARTIT (EMC) DENGAN TIM MANAJEMEN DALAM PERUSAHAAN

