

Developing a conflict resolution strategy for the local government sphere: The case of the Oudtshoorn Local Municipality

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Abstract

This study comprises an investigation into the causes of conflict between councillors and municipal officials in the local government sphere, with specific reference to the Oudtshoorn Local Municipality. Conflict is regarded as a difference in beliefs, opinions, values and principles between two or more individuals that manifest in role differences and role conflicts within the workplace. In this study the focus is specifically on conflict within the Oudtshoorn Local Municipality and how the identified causes of conflict between councillors and municipal officials can be managed. Conflict could have a huge and negative impact on the employment relationship between councillors and municipal officials if it is not managed properly.

This research was conducted by means of a qualitative research methodology that included a case study approach comprising a literature review and semi-structured interviews for data collection. Semi-structured interview questions were put to respondents in order to obtain their views regarding conflict within the Oudtshoorn Local Municipality. The research objectives provide for an analyses of the theoretical framework for conflict and conflict management, legislation addressing conflict and facilitating conflict management in the local government sphere, an explanation of the nature of conflict between councillors and municipal officials, an explanation of the challenges experienced by the employer and employees when using the current conflict resolution mechanisms and, lastly, proposing an alternative conflict resolution strategy to address conflict between councillors and officials of the Oudtshoorn Local Municipality.

The research objectives of the study were realised through the literature review and the use of semi-structured interviews. The data collection resulted in findings relating to the conflict situation in the Oudtshoorn Local Municipality and the effectiveness of the current conflict resolution mechanisms utilised by the said municipality. Based on the findings, it is argued that the Oudtshoorn Local Municipality is in need of a conflict resolution strategy. Therefore a conflict resolution strategy is proposed for the Oudtshoorn Local Municipality to manage conflict between councillors and officials more effectively.

Lastly, it should be noted that various recommendations are made as to how the Oudtshoorn Local Municipality can implement the proposed conflict resolution strategy in order to exercise better control and management of conflict between councillors and officials. The implementation of the recommendations will enable the employer and employee to have a better understanding of conflict situations in the workplace and, as a result thereof, contribute to a better employment relationship while positively affecting service delivery.

Keywords: Conflict, conflict management, conflict resolution, strategy, causes of conflict, councillors, municipal employees, Oudtshoorn local municipality, political instability, respondents, local government sphere.

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Chapter 1: Orientation and Problem Statement

1.1 Introduction

Conflict is an inherent part of life and is therefore inescapable and inevitable. Employers and employees face conflict on a daily basis and in different situations. Either employers or employees are in conflict with each other, or conflict occurs within these groupings. South African society is marked and marred by persistent conflict. This study is premised on the view that although conflict continuously surrounds people within organisations, this does not mean that they know what it is, how it develops or how to manage it.

The purpose of this study is to analyse conflict by means of an investigation into factors that might lead to the development of conflict between councillors and officials in the local government sphere. Specific attention will be paid to determining the capacity of the Oudtshoorn Local Municipality's management to deal with conflict. The envisaged outcome of this study is to develop a conflict resolution strategy that addresses:

- the causes of conflict between councillors and officials;
- the identification of the capacity and skills needed to resolve conflict as soon as possible in an effective and efficient manner; and
- recommendations to deal with conflict internally with minimum intervention from the outside.

The proposed strategy will help those functioning within the Oudtshoorn Local Municipality to gain an understanding of the conflict resolution methods applicable to local government and how to apply them. This chapter comprises an orientation and problem statement, after which the research questions and research objective of this study will be detailed. The research methodology described in this chapter focuses on the approach to and design of the study, inclusive of a literature review and empirical data collection, the description of the population, and a brief overview of the data analysis strategy and procedure followed.

1.2 Orientation

According to Tidwell (2001:162), conflict exists in relationships when parties believe that their aspirations cannot be met simultaneously, or when they perceive a divergence in their values, needs or interests, and purposefully employ their power in an effort to defeat or neutralise their perceived opponent or to advance the interaction. The above definition pertaining to conflict was cited with a view to identifying the specific key causes of conflict relevant to the understanding

of the dynamics of conflict in the context of this study. The following elements of the definition are identified as important for this research:

- Conflict arises only in a relationship: This is applicable to any relationship, such as a private, working, professional, or political one. Weiss (2014:447) is of the view that employers have economic power over employees due to the exploitative nature of the labour relationship. In the case of councillors and municipal officials, political power and administrative power comprises the relationship under investigation and this will be conceptualised in chapter four of this study.
- Conflict is not always visible: Conflict is always present, although it might sometimes seem that there is no conflict. In consideration of the latter, Anstey (1991a:4) argues that the fact that conflict is not always visible is simply the potential for conflict to develop. Davids (2008:32) confirms that visible conflict is easier to manage.
- Perceptions about the same interests: Conflict usually arises when people have different beliefs, values and interests regarding the same thing (Zajda & Daun, 2009: 50).

The abovementioned elements are the most important considerations for this study as they provide a broad overview of conflict and how it manifests itself in relationships between various parties. Therefore the purpose of the description of the above elements is to provide a background that indicates in which circumstances conflict occurs and the nature thereof. In consideration of the above, Anstey (1991:13) is further of the view that there are various reasons for the development of conflict, such as different goals, structural imbalances, threats to important values, scarce resources, communication and information issues, ambiguity and a lack of coordination. These sources (or causes) of conflict are investigated in this study in order to determine the causes of the development of conflict within the Oudtshoorn Local Municipality, specifically between municipal councillors and municipal officials.

While conflict might occur in any type of relationship, Nel, Erasmus and Swanepoel (1998:4) argue that conflict is central to labour relations (employer-employee relationships) and that the simultaneous existence of mutual and conflicting interests constitutes the basic problem in labour relations. According to Van der Waldt, Venter, Van der Walt, Phutiagae, Khalo, Van Niekerk and Nealer (2007:178), the Labour Relations Act (Act 66 of 1995) provides each party with mechanisms to resolve problems such as conflicts and how the maintenance of sound labour relations can be maintained. The term “labour relations” is relevant to the context of this study as it specifically denotes the relationship between employees (herein referred to as municipal officials), and employers (the municipal council comprising municipal councillors). It is

argued in this paper that the stakeholders in labour relationships are required to balance conflict with cooperation.

Barsky (2007:2) indicates that the term “conflict resolution” refers to the various ways in which employees in organisations deal with organisational conflict. Organisational conflict is a state of discord caused by the actual or perceived opposition of needs, values and interests between employees working together, while individual conflict refers to the individuals with different values, beliefs, interests and goals (Wikipedia, 2012: online). In this study the causes of both individual and organisational conflicts are investigated, as well as how they manifest in an organisational context.

From the above it can be deduced that conflict manifests in a variety of forms, that it happens for various reasons and that it can lead either to improved working relationships or to the destruction of relationships. Conflict resolution mechanisms related to the workplace are contained in the Labour Relations Act (Act 66 of 1995), which contains the guidelines for municipalities to develop the principles, mechanisms and processes to fulfil their duties. In the case of the Oudtshoorn Local Municipality, processes relating to grievance and disciplinary procedures, such as those contained in the Main Collective Agreement, 2007, have been developed for the use of municipalities. According to Finnemore (1998:195), a grievance can be defined as any form of a sense of dissatisfaction or injustice experienced by an employee that is brought to the attention of a supervisor, manager or director of that specific unit or department. This might include unfair administrative action such as discrimination, incorrect wages, abnormal working conditions, victimisation, and wrong interpretation of terms and conditions of a collective agreement (Mischke, 1997:11). The purpose of a disciplinary procedure is not to punish the employee but to rectify the behaviour of such an employee (Bendix, 1996:353). Both grievance and disciplinary procedures are thus used as methods to deal with conflict in the workplace. Kearns (2009:2), however, argues that current grievance and disciplinary procedures could be ineffective in the Oudtshoorn Local Municipality, where there are high levels of conflict, possibly due to a lack of commitment from its management. The Main Collective Agreement, 2007, focuses on the resolution of conflict through grievance and counselling sessions, and disciplinary hearings within local spheres of government such as the Oudtshoorn Local Municipality. Kearns (2009:2) reports that high levels of conflict exist in the Oudtshoorn Local Municipality and these remain unresolved due to the inability of management to deal with conflict effectively. The aim of this research is therefore to contribute to the understanding of conflict by determining the causes of conflict in the Oudtshoorn Local Municipality and the role management (the employer) should play in addressing the causes of conflict, which are further analysed in the next section.

1.3 Problem Statement

The locus of this study, the Oudtshoorn Local Municipality, forms part of the larger Eden District Municipality and is situated in the heart of the Little Karoo in the Western Cape Province (Tyatya, 2011:3). The Constitution of the Republic of South Africa, 1996, describes three categories of municipalities, namely Category A, B and C municipalities, of which the Oudtshoorn Local Municipality is a Category B municipality. Craythorne (2006:57) describes a Category B municipality as a municipality that shares executive and legislative authority in its area with a Category C municipality. In the case of the Oudtshoorn Local Municipality, it shares its executive and legislative authority with the Eden District Municipality (Category C municipality). The categorisation of municipalities is explained further in chapter three.

Van der Waldt *et al.* (2007:4) state that each municipality has a council that makes decisions, while municipal officials and administrative staff are responsible for carrying out the work of a municipality. Councillors are elected members with legislative powers who are chosen by the people of a specific community. In the case of the Oudtshoorn Local Municipality (2014:15), senior managers are appointed by the council and the appointment of municipal officials is authorised by the head of administration in order to perform a specific function within the administration of the municipality. In this paper it is argued that councillors and municipal officials have differing beliefs, interests and expectations, and as a group have differing needs and resource allocations, which could all contribute to conflict. However, the executive authority and public decision-making reside with the council, whereas municipal officials are responsible for the execution of the decisions made by the council (Oudtshoorn Local Municipality, 2007: 6). According to Gildenhuys (1997:16), the responsibility of a municipality is to ensure that the people in their jurisdictional areas have access to the needed basic services. These services are listed in part B of Schedule 4 and part B of Schedule 5 of the Constitution of the Republic of South Africa, 1996. In this study it is argued that in order for municipalities to perform their duties effectively and efficiently, councillors and municipal officials need to work as a team. They should work towards creating a more collaborative environment that would facilitate the management of internal conflict and mechanisms to resolve conflict as it occurs.

In accordance with Section 56 of the Local Government: Municipal Systems Act (Act 118 of 2000), the municipal council is responsible for appointing a municipal manager and the managers who are directly accountable to the municipal manager. In the case of a new council

being inaugurated or constituted, the council can act against its own appointments in the sense that its actions can result in suspensions, dismissals and settlements (South Africa, 2000).

The above could lead to the appointment of permanent municipal officials in acting positions. However, such appointees do not always have the qualifications, competencies or experience prescribed by Section 54A(2) of the Local Government: Municipal Systems Act (Act 32 of 2000) and this could have repercussions, including conflict between councillors and municipal officials representing different interests in a given situation. Section 54A(3)(a) of Local Government: Municipal Systems Act (Act 32 of 2000) indicates that if the appointed person does not have the prescribed skills, expertise, competencies or qualifications, the appointment is null and void.

Francois Barnard Consultants (2009:5) conducted an investigation into problems associated with performance at the Oudtshoorn Local Municipality. The methodology of the investigation was based mainly on books and interviews with municipal officials. According to the investigation report prepared by Francois Barnard Consultants (2009:9), the following causes were identified as problems experienced in the municipality:

- non-payment of acting allowances;
- shortage of skills;
- lack of proper training for management, supervisors and senior officials;
- lack of conflict prevention capacity; and
- inability to supervise properly.

The fourth point hints at the specific role that management should play in the resolution of conflict. Nel *et al.* (1998:274) confirm that grievance procedures should include the involvement of management in order for conflict resolution mechanisms to become more effective and transparent. Bendix (1996:353) reasons that grievance procedures are not effective if managers and supervisors, as well as employees, are not trained properly in the management of grievances. If all parties are successful in resolving conflict internally without the intervention of the courts, fewer grievances will escalate into disputes and there will be fewer referrals of such disputes to external dispute resolution bodies.

It is argued in this study that the factors mentioned above might represent some of the causes of conflict, although there might also be other factors that need to be identified. Against the background outlined above, the problem that was investigated in this research includes the identification of causes of conflict in the Oudtshoorn Local Municipality that lead to a detrimental relationship between councillors and officials. The main assumption is that conflict arises due to a lack of management's capacity to implement the proposed conflict resolution mechanisms in order to deal with conflict effectively. Thus, the aim of the research is to produce a conflict

resolution strategy that addresses the factors and capacity problems identified in the municipality.

1.4 Research Questions

Given the above orientation and problem statement, the following primary research questions have been formulated:

- What theoretical frameworks are used to analyse the occurrence of conflict and the management thereof within public organisations?
- What legislative and policy environment provides for the management of conflict at the local government sphere?
- What is the nature of conflict between councillors and officials working for the Oudtshoorn Local Municipality?
- What are the current challenges experienced by both the employer and employees when implementing the current conflict resolution mechanisms to resolve conflict in the Oudtshoorn Local Municipality?
- What alternative conflict resolution mechanisms could aid the Oudtshoorn Local Municipality to effect internal conflict resolution?

1.5 Research Objectives

The objectives of this study are to:

- analyse the theoretical frameworks describing the occurrence of conflict, as well as the management of conflict within public organisations;
- describe the statutory and regulatory framework pertaining to conflict resolution in the local government sphere of South Africa;
- describe the nature of conflict between councillors and officials at the Oudtshoorn Local Municipality;
- explain the challenges experienced by both the employer and employees in the use of the current conflict resolution mechanisms in the Oudtshoorn local Municipality; and
- propose an alternative conflict resolution strategy to address conflict in the Oudtshoorn Local Municipality.

1.6 Central Theoretical Statements

Masters and Albright (2002:14) argue that conflict arises from debates, disagreements, differing perspectives and views between two or more parties that might lead to or evolve into challenges, contests and disputes. Therefore conflict management strategies are needed in order to manage conflict effectively in the workplace. In support of the above, O'Rourke and Collins (2009:1) are of the view that any disagreement between two or more parties could be detrimental and costly to an organisation if not managed properly.

As indicated thus far throughout this study, the resolution of conflict is important. Therefore Wallensteen (2012:111) argues that conflict resolution mechanisms add a procedural and argumentative level to the resolution of conflict, which might help to make the outcome more acceptable to the parties in conflict. Conflict management consists of various processes, strategies, conflict management styles, interpersonal styles and negotiation strategies that can be utilised in order to avoid, reduce or manage conflict within organisations (Singh, 2008:7).

The abovementioned theoretical statements emphasise the fact that it is important to have a conflict resolution strategy in place that might lead to the effective management of conflict in an organisational setting. Emphasis is placed on the fact that conflict management entails various processes and involves various conflict management styles in order to negotiate in the face of conflicting views, with the aim of resolving the conflict. The abovementioned statement is also applicable to the Oudtshoorn Local Municipality, to which a conflict resolution strategy should be beneficial.

1.7 Research Methodology

Brynard and Hanekom (2006:36) state that research methodology relates to the process of research and the decisions that the researcher needs to take regarding essential aspects of the research project. In light of this definition, a literature review and semi-structured interviews are used to determine the nature of the conflicts, as well as to identify the challenges associated with the current conflict resolution mechanisms utilised by the Oudtshoorn Local Municipality. The challenges in the conflict resolution process at the Oudtshoorn Local Municipality will be explored and the role of individuals such as councillors and municipal officials in the development and management of conflict will be determined. In order to facilitate this, the specific approach to and design of the study are described below.

1.7.1 Research approach and design

The research approach can be qualitative, quantitative or mixed methods, as Cresswell (2014:13) notes. In this study the qualitative research approach is used. Before explaining the details of qualitative research, a definition thereof is provided. According to Brynard and Hanekom (2006:37), the qualitative approach involves research that produces descriptive data, generally in the participants' own written or spoken words, pertaining to their experiences or perceptions. Usually no numbers or percentages are assigned to these observations. Klenke (2008:7) defines qualitative research as a multi-method focus, which involves the interpretation of and naturalistic approaches to any subject matter. Lichtman (2013:7) argues that qualitative research is a way of gathering, organising and interpreting information obtained from individuals. It normally involves in-depth interviews and recording the observations of respondents participating in a specific research project.

According to Merriam and Isdell (2015:16), qualitative research is an effort to understand situations in their uniqueness as part of particular contexts and interactions. This understanding is an end in itself, so there is no attempt to predict what might happen in the future, but rather to understand the nature of that setting. Brynard and Hanekom (2006:37) support this meaning of qualitative research and explain that qualitative research gives the researcher the opportunity to know the people personally, to see them as they are and to experience their daily struggles when confronted with real life situations. From the definitions provided above, the following deductions are made pertaining to qualitative research in the field of public administration:

- qualitative research is used to understand a specific phenomenon;
- researchers analyse and interpret the behaviour of people in the context of a specific situation or context;
- qualitative research focuses on describing the real situation as expressed by the research participants; and
- empirical instruments such as observations and interviews are used as tools to study particular situations.

According to Maree (2007:70), a research design is a plan or strategy used in the selection of respondents, the data gathering techniques and the analysis of data in a research project. Maxwell (2013:2) defines a research design as a plan or protocol for carrying out or accomplishing something. In this regard, Maree (2007:70) states that a wide range of qualitative research designs are available and include conceptual studies, historical research, action research, case study research, ethnography and grounded theory. For the purpose of this study

the focus will be on the case study design. According to Gerring (2004:341), a case study research design is best defined as an intensive study of a single unit with the aim of generalising across a larger set of units to which the case study research design refers.

According to Zaidah (2007:4), there are a number of advantages to case study research, such as the examination of the data that is usually conducted in its natural context. This normally refers to the context in which the activity takes place. In a case study one might be interested, for example, in the process by which a subject comprehends an authentic text. In order to explore the strategies, the research must observe the subject within the environment (Zaidah, 2003:1-6). Qualitative research in the form of a case study does not only help one to explore or describe data, but also to easily explain real experiences and situations that might not be captured through experimental or survey research.

Despite these advantages, case studies also have weaknesses and criticisms have been levelled against their use. Zaidah (2007:5) discusses three types of arguments against case study research. Firstly, case studies are often accused of a lack of rigour. Secondly case studies provide a limited basis for scientific generalisation since they use only a small number of subjects, and in some cases only one subject or case. Thirdly, case studies are often characterised by being too long, difficult to conduct and producing a massive amount of documentation. A common criticism of the case study method is its dependency on a single case exploration, making it difficult to reach a generalised conclusion. These criticisms are addressed through the use of multiple methods of data collection to ensure a valid and relevant response to the problem statement, research questions and research objectives. Furthermore, the aim of this study is to identify the nature of the conflict, as well as challenges related to the management of conflict, within a single case, namely the Oudtshoorn Local Municipality, not to generalise its findings to all municipalities in South Africa.

This study entails both explanatory and descriptive objectives. Brynard and Hanekom (2006: 9) define explanatory research as the identification of why something is the way it is. Therefore, the aim of this study is to explain the nature of conflict as experienced by councillors, municipal officials and union representatives at the Oudtshoorn Local Municipality. Explanatory objectives allow for the different views of management and employees pertaining to challenges experienced in the implementation of the current conflict resolution mechanisms in the Oudtshoorn Local Municipality. According to Neuman (2011:19), descriptive research refers to “painting a picture” of a specific phenomenon while also giving specific details of a situation. Therefore the aim of this study is to give an overview of conflict in the workplace while exploring

the challenges related to the current conflict resolution mechanisms used by councillors and municipal officials in the Oudtshoorn Local Municipality.

1.7.2 Population and Sampling

The population for the study consists of municipal officials and councillors who serve the Oudtshoorn Local Municipality. According to Brynard and Hanekom (2006:55), a population refers to a group in the universe that possesses specific characteristics (for example public officials with post-graduate degrees). “The universe” refers to all subjects who possess the attributes in which the study is interested. The population for this study are officials employed by the Oudtshoorn Local Municipality, councillors elected as part of the municipal council and trade union representatives, specifically those trade union members of both the South African Municipal Workers Union (SAMWU) and the Independent Municipal Allied Trade Union (IMATU) who are responsible for supporting officials during grievance and disciplinary cases.

In 2011, an organogram was adopted by the Oudtshoorn Municipal Council (Annexure A). The approved organogram consists of four directorates within the Oudtshoorn Local Municipality. This municipality has a total number of 970 employees, of which 235 officials are temporary employees, 135 officials are contract employees and the other 600 officials are permanent employees (Payday software system, 2014). Only permanent employees were used as respondents for this study.

In the view of Babbie (1989:214), a study population is the aggregation of elements from which the sample is actually selected. The sampling technique used in this study is purposive sampling. Kumar (2014: 244) regards purposive sampling as based on the judgment of the researcher in identifying who will provide the information most likely to enable the researcher to achieve the objective of the study.

The advantages of purposive sampling are that it is extremely useful in describing a phenomenon or developing something such as a strategy, as in the case of this study. The respondents selected for participation in this research possess the required information and are willing to share such information (Kumar, 2014:244). According to Black (1999:29), the following benefits of purposive sampling are identified as important:

- the effective gathering of data without any constraints;
- no or little problems will be experienced with respect to the availability of the respondents;

- an opportunity will be given throughout the interview process to determine the expressions of the respondent when answering the questions.

Despite the benefits listed above, the disadvantages of purposive sampling are (Black, 1999:56):

- potentially uneconomical;
- it can be disruptive to isolate members from a group;
- the time scale might be too long,
- data/sample could change; and
- samples are not easily defensible as being representative of populations due to the potential subjectivity of researcher.

The above benefits and disadvantages have been kept in mind, although the nature of the research necessitates the purposive selection of identified persons due to their role in the conflict relationship. Therefore the benefits outlined above strengthen the choice to use purposive sampling and, since the intention is not to generalise, the disadvantages should not influence the trustworthiness of the study.

The following table provides a breakdown of the respondents who participated in the research.

Table 1: Respondents included in the research

Category	Description
Municipal officials	2 senior managers each from Corporate Services and Electrical Services; 4 managers each from legal services, human resources, performance management, Wellness Office 3 senior officials each from Labour Relations, Human Resources, Council Support
Municipal councillors	Executive mayor Speaker
Unions	1 union representative from SAMWU 1 union representative from IMATU
Total	13

The selected respondents are councillors, municipal officials and union representatives who are responsible for participating in and managing conflict on a daily basis. As such, the respondents

were able to provide an overview of how conflict situations are being dealt with in the Oudtshoorn Local Municipality.

To ethically protect those participating in the semi-structured interviews, the respondents signed a letter of consent in which it was stipulated that their responses would be used for academic purposes only. Participation is, furthermore, anonymous and voluntary. Permission was requested and obtained from the municipal manager at the Oudtshoorn Local Municipality. No penalty or pressure was exerted on respondents and they were at liberty to withdraw from the study at any time. The outcomes of this study are to be made available upon request to the participants and the Oudtshoorn Local Municipality. The specific instruments used in the collection of data will now be described.

1.7.3 Instruments used in data collection

The instruments highlighted below were utilised in order to collect data to realise the research objectives and answer the research questions posed for the study. The instruments used to collect data included a literature review (documents as sources of data) and semi-structured interviews, as will be described below.

1.7.3.1 Literature Review

A literature review serves as a major tool for gathering and analysing information in the public sector. Therefore a literature review is defined as a review of written documents that present a logically argued case founded on a comprehensive understanding of the current state of knowledge in regard to a research topic (William & Vogt, 2011:186). Brynard and Hanekom (2006:38) are of the view that in order to conduct research successfully, the review of the literature should be well-planned and presented, as well as be indicative that meaningful sources were consulted. According to Brynard and Hanekom (2006:38), it is important to obtain and consult various sources in the field of Public Administration. However, the focus should not be limited to aspects of Public Administration, but should also include literature pertaining to conflict resolution and management, specifically in the local sphere of government.

Literature such as books, government reports, policies and collective agreements obtained from the South African Local Government Bargaining Council (SALGBC), periodicals, dissertations, theses and reports from research organisations were consulted when conducting the study. Both national and international literature regarding conflict and dispute resolution was reviewed. Jesson, Matheson and Lacey (2011:10) argue that a literature review explains why

the research is important, how the research is different and the contribution it makes to the field of study. The literature provided in this study substantiates the challenges encountered in the management of conflict in the local government sphere, specifically in the case of the Oudtshoorn Local Municipality.

The advantages of a well conducted literature review include the following (Aveyard, 2014: 4):

- it introduces new and different ways of looking at a problem;
- enables on to avoid errors and omissions in the planning of the study;
- provides an understanding of the research;
- explains why the research is important
- contributes new ideas to the study; and
- introduces new sources of data.

The literature review is regarded as a time-consuming exercise due to the fact that books, reports, documents and acts are reviewed continuously throughout the study, as indicated by Brynard and Hanekom (2006:38). In discussing the abovementioned literature review, it should be noted that this study comprises literature relating to conflict in the workplace. The literature, as indicated above, was obtained from textbooks, government reports, policies, main collective agreements, dissertations, theses, and reports from research organisations and government.

1.7.3.2 Semi-structured interviews

Data was gathered by means of semi-structured interviews with relevant municipal officials, councillors and trade union representatives. Babbie (1989:174) explains that during the semi-structured interviews, individuals who have been involved in a particular situation are asked to share their experiences. Brynard and Hanekom (2006:39) argue that semi-structured interviews are used more regularly than other methods since this format makes it easier to clarify any question the respondent fails to understand. Corbetta (2003:118) encourage researchers to make use of semi-structured interviews in order to speed up the process by asking the interview questions orally (face to face) and to record the answers.

Rea and Parker (2005:18) summarise the advantages of semi-structured interviews as providing the interviewer with an opportunity to probe the respondent for more detail and clarify vague questions. Noe, Barry, John, Steen and Wright (2005:229) argue that semi-structured interviews are relatively easy to conduct because the participants are directly involved. Semi-structured interviews are also more reliable because the answers are easily verifiable with the

respondents. Further advantages relate to the fact that the recordings of the interview proceedings are immediately available after the interview meeting for ease of reference.

The disadvantages of semi-structured interviews are that they are seen as a very costly activity if one takes into consideration the time it takes to conduct an interview, travel time and interview training. Also, sometimes the respondents who are reluctant to cooperate in the research studies confirm their availability the one moment and postpone the next. The interview process is considered to be stressful for both parties as it is complex and can take more time than intended (Rea and Parker, 2005:18). A remarkable disadvantage noted by Brynard and Hanekom (2006:46) is that many respondents refrain from telling the truth due to fear. In this regard it can be argued that this might be because the respondents fear victimisation and intimidation in the workplace. Since the intention of the study was to obtain information pertaining to conflict resolution within the municipal sphere of government, the respondents were not asked for any personal or political information, which might have caused distress. The respondents were furthermore aware that their responses would be used for academic purposes only.

1.7.4 Strategy for data analysis

Thematic analysis was used in this study. The themes were identified through the literature review and all the data obtained from the semi-structured interviews were qualitatively analysed. Conclusions were drawn, based on the analysis of the interviews. A thematic analysis strategy can be described as the formulation of a theme emanating from the literature by identifying recurring messages that pervade the situations about which the authors write. An advantage of a theme is that it is a dominant feature of a situation or person, those qualities of a place or object that define or describe identity. In a sense, a theme is a pervasive quality that tends to permeate and unify situations and objects (Teddie & Tashakkori, 2009: 252).

Flick (2013: 26) argues that thematic analysis is a data reduction and analysis strategy by which data are segmented, categorised, summarised and reconstructed in a way that captures the important concepts within a data set. Longhofer *et al.* (2013:47) are of the opinion that thematic analysis is normally used in qualitative research in order to identify, report and analyse data pertaining a specific situation or matter surrounding the research. An advantage of thematic analysis is that it is flexible and, for that reason, it is applied in social research in order to provide a significant understanding of a specific phenomenon. Longhofer *et al.* (2013:47) indicate that the purpose of thematic analysis is to discover descriptive patterns; in other words, what themes can be derived from an investigation that might reveal specific answers to the

research questions of a study. The themes of this study referred to above are identified and addressed in chapter four.

1.7.5 Ethical implications

Students who are enrolled to conduct research at the North West University (NWU) are requested to sign a code of ethics in order to uphold and maintain the values and professionalism of research at the NWU. The NWU have a Research Ethics Committee that is responsible for the management of ethics in research. The purpose of this committee is to give approval to students to conduct research before the commencement of their research projects. Once approval has been granted, the academic researcher must commit himself or herself to certain prescribed conditions under which the research may be conducted (NWU, 2008:2) The following ethical considerations should be kept in mind while conducting research (King & Horrocks, 2010:108):

- the researcher should ensure that the respondents are fully informed about the research before commencement of the data collection process;
- deception of participants should be avoided altogether and no risk should be evident for participants in the research;
- the researcher should ensure that participants feels free to answer any question in the interview process without any fear that information will be disclosed to anyone; and
- the research should maintain complete confidentiality regarding any information about participants acquired during the research process.

The abovementioned ethical considerations were applied to this study and the participants were also requested to sign letters of consent, which stipulated that the identities of the interviewees participating in this study would be protected.

1.7.6 Limitations and delimitations

The limitations refer to the problems experienced while conducting the study. The locus of this study is the Oudtshoorn Local Municipality situated in the Western Cape Province. The findings made in this study are based on a specific case, as mentioned above, and cannot be generalised. However they may be used as an example for the local government sphere.

With regard to the delimitations of this study, it should be noted that the focus relates to conflict in the local government sphere. The delimitations of a case study approach include aspects

such as time constraints and the financial resources needed to conduct a study. The researcher is an employee of the Oudtshoorn Local Municipality and, as such, is in a good position to understand the position of both councillors and municipal officials. Objectivity is maintained by ensuring that data is collected from a variety of sources and arguments are presented in a balanced and substantiated manner.

1.8 Significance of Study

According to Theron *et al.* (2001:8), the South African labour market is faced with a number of challenges, such as a large percentage of illiterate employees and employers with no or little background in labour relations, labour law or the training therein. Therefore this study will aim to develop a strategy that can contribute to the effectiveness of management's capacity in conflict resolution mechanisms for the local government sphere. The purpose of the conflict resolution strategy is to propose an alternative to resolving conflict and, if grievances occur, to handle them effectively and efficiently before they escalate into more complex disputes. However, in this study the aim is to contribute towards a strategy that will be both a preventative mechanism and a reactive response mechanism.

The proposed strategy will enable municipalities to resolve conflicts themselves with a full understanding of the capacity needed to resolve conflict. The proposed strategy will also aim to introduce a conflict resolution process that will contribute to effective cost and time management.

1.9 Layout of Chapters

The purpose of **Chapter One** is to provide an orientation pertaining to the locus and focus of the study, to present the problem statement, to describe the research methodology, and to provide elucidation regarding the research questions and objectives.

Chapter Two provides for a theoretical background as to what conflict resolution is, the role thereof and the circumstances that lead to conflict in the workplace. Specific attention is given to theories and models depicting the nature of conflict and the manner in which conflict should be managed. The purpose of the chapter is furthermore to conceptualise conflict within organisations and to identify specific themes, according to which the empirical data collection instrument will be structured.

In **Chapter Three** the legislative framework that provides for conflict resolution in the local government sphere is detailed. The roles and functions of municipalities are described, while the relevant legislation regarding conflict in the local government sphere and that regulating the employment relationship is discussed and analysed. The purpose of the chapter is to address the research objective pertaining to the legislative and policy environment that provides for the resolution of conflict within the municipal sphere of government, while also contributing to the themes identified in chapter two, upon which the empirical data collection will rest.

Chapter Four comprises a discussion of the demographics of the respondents and the empirical findings of the study. Semi-structured interviews were held with respondents in order to acquire information regarding the nature and resolution of conflict in and by the Oudtshoorn Local Municipality. Themes relating to conflict in the workplace are identified and each one is discussed separately. The purpose of the chapter is to empirically enhance the understanding of how conflict manifests itself in the local government sphere and how the employer, namely the municipal council, uses conflict resolution mechanisms to address conflict situations.

In **Chapter Five** an alternative conflict resolution strategy for local government is proposed. The purpose of such a conflict resolution strategy is to address conflict between councillors and officials, and managers and subordinates more effectively.

Chapter Six comprises conclusive arguments and recommendations based on the empirical findings. The chapter concludes with recommendations that will assist in the development of a strategy for conflict resolution within the Oudtshoorn Local Municipality.

1.10 Conclusion

This chapter constituted an introduction and information regarding the orientation and problem statement of this study. Research questions and objectives were provided in order to give an understanding of what this research attempts to address. The research methodology was described, with a focus on the type of research, literature study, empirical study, population and a brief overview of the data analysis strategy and procedure that was followed.

The focus of this study is on conflict between municipal officials and councillors in the Oudtshoorn Local Municipality, which first necessitates a theoretical understanding of conflict. The next chapter therefore comprises a theoretical overview of conflict in the workplace.

Chapter 2: A Theoretical Overview of Conflict in the Workplace

2.1 Introduction

This chapter comprises a theoretical overview of different types of workplace conflict and the management thereof in the workplace. It is argued that conflict is placed within an organisational setting and, as such, organisational and behavioural theories are described. The role of conflict and the circumstances that lead to the development of conflict in the workplace are briefly analysed. Models of conflict such as the process and structural models are discussed in detail. An indication will be provided of the origin of the models, what they were used for and the relevance thereof to the study. Furthermore, in the light of the above, the dynamic environment in which conflict takes place will be explained.

At this stage questions need to be asked about why workplace conflict occurs, how effective the conflict resolution mechanisms are and what are the reasons are for which conflicts remain unresolved. The background provided in chapter one explained that the aim of the study is to investigate the causes of the development of conflict among councillors and officials in the local government sphere.

This chapter provides for a broader theoretical scope regarding what types of conflict are relevant to this study. In this chapter attention is further drawn to various factors that shape workplace conflict, such as organisational factors, which will be defined and discussed. However, before the causes of conflict can be described, a comprehensive definition should be provided.

2.2 Definitions of Conflict

Before one can manage conflict effectively, one needs to understand it. A brief definition of conflict was presented in chapter one and some elements of the definition were explained. For the purpose of this chapter, several definitions of conflict will be provided to facilitate a better understanding of the nature of conflict.

According to Nelson and Quick (2014:387), conflict is a disagreement between two or more parties in which one or all perceive a denial of a right or resource, or the absence of capacity to obtain justice, which leads to anger, hurt, hatred, and possible verbal and violent actions and reaction, resulting in damage to persons emotionally, physically, and/or to property.

Havenga (2002:7) argues that conflict occurs due to opposing needs being simultaneously active in the same situation. That is, a situation occurs in which it is expected of individuals or groups to act simultaneously in differing and irreconcilable ways. According to Likert and Likert (1976:7), conflict is conceptualised as “the active striving for one’s own preferred outcome, which, if attained, precludes the attainment by others of their own preferred outcomes, thereby producing hostility”.

Kreitner and Kinicki (2001:447) are more situation-oriented in their definition; they see conflict as arising from scarce resources or work activities that must be shared and from the fact that the individuals or groups have differing statuses, goals and values. While the above places conflict within an organisational setting, Wall and Callister (1995:517) contend that conflict is a process in which one party perceives that its interests are being opposed or negatively affected by another. In this case, “party” can refer to an individual or a group. Similarly, Anstey (1999:36) is of the view that conflict exists in a relationship when parties believe that their aspirations cannot be achieved simultaneously, or perceive a divergence in their values, needs or interests (latent conflict) and purposefully employ power in an effort to eliminate, defeat, neutralise, or change each other to protect or further their interests in the interaction (manifest conflict). Finally, Rahim (2011:1) recognises that conflict is inevitable among humans and defines it as a natural outcome of human interaction that begins when two or more entities (i.e. individuals, groups, organisations or nations) come into contact with one another when attempting to achieve their objectives. Relationships among such entities might become strained when two or more of them desire a similar resource that is in short supply, when they have exclusive behavioural preferences regarding their joint action or when they have different attitudes, values, beliefs and/or skills.

Anstey (2006:3), on the other hand, reasons that conflict is about change and states that there are efforts to realign relations within and between nations, communities and organisations in order to reduce conflict everywhere.

Smit, Cronje, Brevis and Vrba (2007:377) delineate conflict as arising from the interaction of independent people who perceive an opposition of goals, aims and values, and who see other parties as potentially interfering with the realisation of their goals. They highlight three general characteristics of conflict, namely, incompatible goals, independence and interaction. Smit *et al.* (2007:377) further explain that in an organisation the nature of goal incompatibility can vary substantially. Many organisational conflicts stem from contradictory ideas about the distribution of organisational resources, and when management and labour negotiate about working conditions. Therefore incompatibility is not a sufficient condition for organisational conflict and it

is only when the behaviour of organisational members are interdependent that conflict arises. The last critical component of conflict is interaction, which could destroy work relations or could create an impetus for organisational change and development. From the above, the following deduction regarding the nature of conflict can be made:

- conflict occurs in a specific context, i.e. an organisation;
- conflict entails disagreements about roles, values, statuses, resources and/or interests;
- conflict might lead to change;
- conflict can occur between individuals or groups; and
- if not managed properly, conflict could lead to a total breakdown of relationships between conflicting parties.

For the purpose of this study, conflict is seen as a disagreement about roles, statuses, resources and interests between councillors and municipal officials in the Oudtshoorn Local Municipality. The basic assumption is that every organisation is confronted with conflict and the challenge lies in ensuring that strategies are put in place to reduce conflict, which implies managing it effectively. While the conflict could occur between individuals and groups, the next section details what the different levels of conflict might entail.

2.3 Levels of Conflict

Rout and Omika (2007:5) are of the view that most conflict in the workplace is characterised by rumours, grumbling, criticism, sarcasm and unpleasant comments that lead to a working environment characterised by mistrust and negativity. As a result, the said circumstances become so difficult that employees do not like to see or face each other and working conditions are affected. These employees all have differing goals, expectations and values pertaining to certain situations in the workplace. The conflict might be further aggravated by the dynamic political climate, technological changes, financial issues and operational procedures. These, along with many other factors, make conflict a reality in the workplace.

In light of what has been said thus far, it is import to elaborate on what is termed “the levels of conflict”. According to Collins (2008:12), conflict occurs at various levels, which include the following:

- intragroup;
- interpersonal; and
- intrapersonal levels.

In the view of Rahim (2002:117), intragroup conflict refers to incompatibility, incongruence, or disagreement among members of a group or its subgroups regarding goals, functions and activities. Collins (2008:12) defines interpersonal conflict as conflict that occurs between two individuals, such as superiors and subordinates, while intrapersonal conflict is experienced by individuals within themselves. Collins (2008:28) is of the view that most organisational conflict is interpersonal.

In addition Collins' (2008:28) view outlined above, Hargie (1997:378) describes interpersonal conflict as a process that commences with one party perceiving another party to be frustrated or about to be frustrated. Nelson and Quick (2005:553) argue that interpersonal conflict arises between two or more individuals with different perceptions, values, attitudes and personalities.

Interpersonal conflict is relevant to this study because it helps us to understand the conflict that occurs between an employee and employer. For the purpose of this study, as noted above, an employee is a municipal official, while the employer is the municipal council. Therefore it is important to contextualise the meaning thereof for this study. Since the objective of this study is to identify the causes of the development of conflict within the workplace, it should be noted that interpersonal conflict normally occurs between individuals in the same or different departments or even between individuals from different organisations. The situation with which this study is concerned is the interpersonal conflict between municipal officials and councillors who are accountable to the same organisation, namely the Oudtshoorn Local Municipality and its municipal council.

Although the focus of this study is on interpersonal conflict, additional levels of conflict can also be identified. In the view of Carter (2006:51), structural conflict, for instance, arises between the departments of an organisation due to the relationships between them. Structural conflict is magnified by competition over scarce resources, a competitive reward system, the independence of work units, power differentials, and ambiguity over responsibilities and jurisdiction. Collins (2008:27) is of the view that structural conflicts are situational and exist apart from the individuals who are exposed to them, and they tend to affect people in similar ways.

From the above, the following deduction can be made pertaining to the different levels of conflict:

- conflict occurs on various levels, which can be categorised as intragroup, interpersonal, intrapersonal, structural or organisational levels;
- each level describes the type of interaction in the conflict that takes place between individuals or groups;

- conflict always has a social connotation because it takes place in a social setting;
- conflict can be analysed on a micro level, focusing mainly on the interaction between individuals and groups within an organisation; and
- theorists regard competition and power as an important contributor to conflict.

In light of the various opinions discussed above, interpersonal conflict is the level of conflict applicable to the study as it involves conflict taking place between two or more individuals in an organisational setting. The causes of conflict indicated by Havenga (2002:160) include the availability of resources, affirmative action programmes, size and content of workload, application of new management techniques, cultural differences and racial differences. Singh (2008: 33) is of the view that conflict relates to many aspects, which can be classified as follows:

- a communication aspect, which might refer to lack of proper communication;
- a behavioural aspect, which arises out of human thoughts and feelings, emotions and attitude, values and perceptions;
- a structural aspect, which relates to the structural design of the organisation;
- differences in perception, which means that interdependent individuals and groups get involved in conflict because they hold conflicting values and perceive situations using limited perspective on the issue of conflict; and
- differentiated goals, whereby conflict arises due to similarities of goals and needs for limited resources.

The theoretical causes of conflict described above are relevant to this study because they provide a theoretical understanding of the nature and extent of conflict in the workplace. In order for conflict to be resolved appropriately, it is important to identify the various sources, such as those stated above. Once the sources have been identified, one can strive towards resolving workplace conflict effectively.

Having identified the primary sources of conflict in the workplace, it can be argued that since conflict is an organisational phenomenon in the context of this study, organisational theories should also be considered as theoretical foundations for the study.

2.4 Organisational Theory

According to Mark (2006:2), it is important to first understand theories and how they are developed. Mark (2006:2) defines a theory as an integrated set of concepts formed into propositions that explain particular conditions, phenomena or events in the world. Havenga (2002:14) is of the view that no application can be studied before clarity is provided in terms of the relevance of theories and the understanding thereof. Therefore it is important that a theoretical basis for this study be established and analysed.

According to Horowitz (1985:65), theories provide a useful starting point for any study; in other words, they serve as a foundation for research. Therefore most theories about conflict are regarded as attempts to explain the sources of conflict and how it should be managed.

Turner (2002:125) believes that theories pertaining to the understanding of conflict are characterised by attempts to view social behaviour from the perspectives of conflict or tension among two or more people or groups within an organisational or social setting. These theories provide for establishing a framework between superordinate and subordinate groups or, in the case of this study, employer and officials, which can then be systematically analysed.

Rogers (2013:106) argues that various groups in societal or social classes are perpetually fighting and competing among each other for resources and power. As subordinate groups become aware that they are treated unfairly, they tend to fight with their superiors, causing conflict to become more intense. Slattery (2003:79) argues that in any organisation there are those who hold power, who make decisions, hire and fire, and allocate resources. Slattery (2003:79) further notes that such power is not personal but comes with the position occupied. Those in such power positions seek to maintain their position, authority and control, while those who do not occupy such positions strive to attain them, especially when they are dissatisfied with the way authority is being exercised. This type of conduct is notable in politics, which is an ongoing struggle for power among political parties (Kis, 2008:177).

In organisational theories related to conflict, definitions of what an organisation comprises need to be provided because, as March and Simon (1958:1) argue, definitions provide an understanding of what will be studied. As such, definitions of "organisations" will be discussed, since this study concerns the relevance of conflict within organisations. Gibson *et al.* (2000:5) define organisations as entities that enable society to pursue accomplishments that cannot be achieved by individuals acting alone. Tompkins (2005:1) argues that organisations are complex

and notes that an organisation is large and structurally differentiated, so it cannot be managed effectively by a single individual.

Thus Tompkins (2005:1) reasons that organisational theory is the study of how and why complex organisations behave as they do. To be more specific, organisational theory is the study of formal structures, internal processes, external constraints, and the way organisations affect and are affected by their members. This means that organisational theory is neither a single theory nor a unified body of knowledge; it is rather a diverse multidisciplinary field of study. Organisational theory has three broad subfields. The first one focuses on the organisation as a basic unit of analysis and seeks to explain how organisations are structured. The second subfield is concerned with organisational behaviour, and focuses on individuals and groups as the basic unit in understanding the behaviour among individuals and groups. Organisational behaviour comprises attitudes, motivation and the performance levels of individuals and groups. The last subfield is management theory, which focuses specifically on management processes and practices (Tompkins, 2005:3).

Of these three subfields, organisational behaviour theories are the most applicable to this study, because it is an investigation into the conflict between councillors and municipal officials, which by their very nature are behavioural. The organisational behaviour theories will contribute to understanding how to manage individuals and groups as resources of an organisation and provide an explanation of how people behave in organisations. Luthans (1992:9) is of the view that all managers are called human resource managers because they all manage people, regardless of their technical function, and therefore deal with human behaviour in organisations. Specific attention will now be paid to organisational behaviour as the theoretical foundation for the study.

2.5 Organisational Behaviour

Gibson *et al.* (2000:5) define organisational behaviour as the field of study that draws on theories, methods and principles from various disciplines to learn about individuals' perceptions, values, learning capacities and actions while working in groups and within organisations, while also analysing the external environment's effect on the organisation and its human resources, missions, objectives and strategies. Aquinas (2006:3) refers to organisational behaviour as a systematic study of the actions and attitudes that people exhibit within an organisation. Robbins (2009:3) states that organisational behaviour studies are investigations into the impact of individuals, groups and structures on the behaviour within organisations in order to apply such knowledge to improving the effectiveness of the organisation. Gibson *et al.* (2005:5) is of the

view that, by definition, organisational behaviour studies show that the behaviour of people is visible on different levels, including at individual, group and organisational levels (as is the case with different levels of conflict as manifestations of behaviour).

The above definitions reveal that the study of organisational behaviour relates to understanding, determining and controlling human behaviour in organisations. In all the definitions it is noted that organisational behaviour theory is about studying human behaviour in order to apply such knowledge towards improving employee performance in organisations. The relevance of the above to this study is that an explanation will be provided as to why municipal officials and councillors behave as they do in the organisation, i.e. why conflict arises between councillors and municipal officials. Therefore focusing on organisational behaviour is helpful in terms of understanding the personalities of people and their behaviour in organisations, and how it contributes to conflict.

From the above the following deductions regarding organisational behaviour theory can be made:

- Organisational behaviour theory concerns studies of the behaviour of individual, groups and structures in organisations;
- Organisational behaviour theory leads to improving the effectiveness of organisations; and
- Organisational behaviour theory serves as a foundation for understanding why conflict occurs in the workplace and how employment relationships are affected if conflict is not managed appropriately.

Human relations theory, in turn, is a specific theory considered in organisational behaviour studies. Human relations theories are attempts to describe how individuals behave at work. In the next section the relevance of the abovementioned theory to this study will be explained.

2.6 Human Relations Theory

Human relations theory focuses mainly on the importance of the human being at work (Luthans, 1992:23). The purpose of the theory is to build a nurturing work environment, replacing close supervision with a more relaxed and sympathetic form of supervision, and encouraging the development of cohesive work groups. Although other theories have contributed to the development of organisational behaviour theory, cognisance should be taken of the fact that this study will specifically focus on the human relations theory and the manner in which it contributes to understanding interpersonal conflict. In terms of the human relations theory, people should be

treated as human beings rather than like machines, and their need to participate in the making of certain decisions concerning working conditions and other matters should be acknowledged. In such conditions morale should improve and workers would be more likely to cooperate with management in achieving good production (Tompkins, 2005: 152).

The human relations theory was popularised by Elton Mayo through studies conducted at the Hawthorne Plant of the Western Electric Company. Before the Hawthorne study officially started, Elton Mayo headed a research team that was investigating the causes of very high turnover in the mule spinning department of a Philadelphia textile mill in 1923 and 1924. After interviewing and consulting the workers, the team set up a series of rest pauses, which resulted in greatly reduced turnover and more positive worker attitudes and morale (Aquinas, 2006:7). The purpose of the Hawthorne study was, similarly, to investigate the impact of environmental factors such as illumination, wage incentives and rest pauses on employment productivity (Miller, 2008: 336).

The four major experiments in the Hawthorne study were the illumination studies, assembly test room studies, the interview programme and the bank wiring room. Each of the aforementioned experiments will be briefly summarised below:

- The illumination studies assisted in identifying the impact of social factors on behaviour (Jex, 2002:13);
- The relay assembly test room studies explored specific environmental factors impacting on productivity, including temperature, humidity, working hours and refreshments. However, it was concluded that social satisfaction arising from human associations at work was a more important determinant of work behaviour in general (Miller, 2014: 38).
- The interview programme studies determined the impact of the working conditions on productivity, but in the interview session it was found that the employees preferred to talk about their feelings and attitudes (Koppes, 2014: 335); and
- The bank wiring observation room studies showed that slow workers were pressured to work faster and the other way around (Price, 2007: 13).

In short, the human relation theory highlights the behaviour of human beings at work, which can be either positive or negative. The findings were, quite simply, that a happy employee is a productive employee which will in turn enhance the organisation's productivity.

The factors highlighted so far in this study, such as principles, roles, interests, attitudes, morale, perceptions, values, learning capacity and the feelings of the human beings at work play a

crucial role in working relationships and should therefore be understood by supervisors and management if they want to strengthen and enhance cooperation among individuals and groups at work. The abovementioned will contribute positively towards achieving organisational goals and objectives. In the context of this study, it will contribute towards managing conflict more effectively and efficiently.

However, it should be noted that criticisms have been levelled against the human relations theory. Crowther and Green (2004:37) argue that the research methodology used in the related study was insufficient and substandard. The experiments outlined above were not rigorously conducted with regard to controlling the conditions. Outcomes in certain cases required financial support and assistance, which contradicts the purpose of the human relations theory. Crowther and Green (2004:37) are further of the view that a lack of proper communication exists between managers and subordinates due to the fact that the feelings of subordinates are not considered by their managers. Singh (2008:31) similarly argues that the focus of the human relations theory is narrow because it places too high attention on an individual in an organisation and this might negatively influence the goals and strategies of the organisation.

In light of the above, it can be argued that factors such as values, different beliefs, limited resources, political power, power imbalances, disagreements and attitudes should serve as a theoretical foundation for the study of conflict. Based on the fact that this study is about conflict, the said factors will contribute to understanding the behaviour of individuals at work and how such behaviour leads to the development of conflict in the workplace. The next section concerns the models of conflict applicable to this study.

2.7 Models of Conflict

It can be argued that understanding different models of conflict will facilitate better management of the various manifestations of conflict. In the following section, two specific models, as described by Rout and Omika (2007:12), will be analysed.

2.7.1 The process model

Rout and Omika (2007:12) explain that in the process model conflict between two or more parties is seen in terms of the internal dynamics of conflict. In the view of Drenth, Thierry and Wolff (1998: 351), the process model of conflict is regarded as a model orientated primarily towards the cyclical and dynamic stages of conflict, in which one stage follows after another. The different stages are regarded as frustration, conceptualisation of the issues, actions and

reactions, and consequences. Rout and Omika (2007:12) explain the aforementioned five stages of conflict as follows:

- Frustration, which is the emotion that arises when one party perceives the other party as interfering with the satisfaction of his or her own needs, wants and objectives.
- Conceptualisation, which refers to the way in which each party understands and perceives the situation.
- Behaviour, which relates to the actions that result from the perceptions of conflict that influence the behaviour of each party.
- Interaction between the two parties, which can either escalate or diffuse the conflict.
- Outcome, which is the result when the conflict ceases; the results range from agreement to long-term hostility.

Thus the process model specifically focuses on conflict as a process. This model is relevant to this study because it describes how the process of conflict starts, develops and continues in organisations. Since conflict is an ongoing process, the process model provides a way of analysing the interpersonal aspects that lead to the different stages in which conflict manifest itself. The process model has advantages that are described by Spielberger (2004:448) as follows:

- it creates the awareness that conflict exists between affected parties;
- it highlights the fact that interaction between the parties in conflict should serve as an opportunity to deal with conflict situations;
- it shows that an outcome can be concluded on the basis of the interaction between the parties involved in the conflict; and
- in an attempt to address conflict, the process model of conflict makes provision for an impartial individual or group to facilitate the resolution of the conflict process.

However, Spielberger (2004:449) argues that the process model pays too little attention to the causes of conflict, which could be considered a particular disadvantage of the process model. Accordingly, the process model will be used in the context of this study only to explain the development of conflict in the context of Oudtshoorn Local Municipality. That is, it will be used to study conflict between municipal officials and councillors in relation to the various factors mentioned in previous sections, such as communication, frustration, interest, values and opinions, political power, beliefs, scarce resources and needs, which, it has been argued, are the possible causes of conflict. The next model of conflict that needs to be outlined is the structural model, which will be discussed next.

2.7.2 Structural model

The purpose of the structural model is to shape the conflict by offering four parameters of conflict, which are described below:

- behavioural predisposition, which refers to one party's motives, abilities and personality;
- social pressure, which is the pressure arising from cultural values, organisational workgroup norms and interests;
- incentive structure, which presents the objective reality that gives rise to conflict; and
- rules and procedures, which includes the decision-making machinery, i.e. decisions, rules, negotiation and arbitration procedures that constrain and shape the behaviour of the parties in conflict.

Drenth *et al.* (1998:353) identify the following disadvantage of the structural model:

- an orientation primarily towards influencing the issues and behaviour of the parties involved in the conflict.

Anstey and Ngcukaitobi (2011:2) highlight the advantages of the structural model as being that it:

- attempts to understand the conflict phenomenon by means of studying and determining how conditions are being shaped through the identification of measureable factors that might influence conflict behaviour;
- clarifies and specifies the sort of influence that needs to be exerted; and
- provides for an understanding of conflict

Organisational problems such as conflict experienced in the workplace tend to place conflicting parties in a sequence of events (process model) and involve a constellation of forces (structural model). After highlighting the importance of the models of conflict, it can be deduced that the models of conflict, namely the process and structural models, are relevant to studying conflict as they provide an understanding of the theory pertaining to the procedures of conflict within the different stages of conflict. Anstey and Ngcukaitobi (2011:2) are of the view that the structural model tends to be useful for suggesting system change, while the process model addresses the conflict situation itself. Both models highlighted by Anstey and Ngcukaitobi (2011:2) are needed for effective conflict management.

2.8 The Management of Conflict

In this chapter an overview has been provided of why conflict occurs in the workplace. The definition of conflict above clearly states that it is inevitable. Cadwell (2006:110) is also of the view that no matter how hard one tries to avoid conflict, it always occurs. Therefore the responsibility and obligation to manage conflict at work is vested in managers and supervisors. Should managers and supervisors fail to manage conflict timeously, this could worsen the conflict and contribute to poor performances among employees. In order for managers and supervisors to resolve conflict effectively, it is important to operate within the ambit of processes such as the conflict resolution process and the effective management of conflict process.

According to Raines (2012:12), conflict management refers to the systematic prevention of unproductive conflicts and proactively addressing those conflicts that cannot be prevented. Rahim (2002:208) refers to conflict management as a process of limiting the negative aspects of conflict while increasing the positive aspects of conflict. The aim of conflict management is to enhance learning and group outcomes, including effectiveness or performance in organisational settings. Therefore conflict management should serve to reduce conflict within organisations. In doing so, Batcheldor (2000:7) is of the view that the following criteria are not only useful for conflict management, but also for the enhancement of the decision-making process. The criteria include (Batcheldor, 2000:7):

- Organisational learning and effectiveness: In order to attain this objective, conflict management strategies should be designed to enhance critical and innovative thinking to learn the process of diagnosis and intervention in the right problems;
- Needs of stakeholders: Sometimes multiple parties are involved in a conflict in an organisation and the challenge of conflict management would be to involve these parties in a problem-solving process that will lead to collective learning and organisational effectiveness.
- Ethics: A wise manager must behave ethically, and to do so the manager should be open to new information and be willing to change his or her mind. By the same token, subordinates and other stakeholders have an ethical duty to speak out against the decisions of supervisors when the consequences of these decisions are likely to be serious.

Rahim *et al.* (2001:195-196) acknowledge the importance of the above criteria and identify the following conflict management styles, including:

- **Integrating:** this involves opening up and creating dialogue and collaboration between the parties in conflict, and consists of openness, an exchange of information and an examination of differences experienced among parties in order to find a suitable solution for all parties. This style is characterised mainly by high concern for self and other parties confronted by conflict and also contributes to the effective management of conflict. The integration style further assists parties to see different dimensions or perceptions of a problem while searching for a solution that goes beyond their own limits. The integrated conflict management style is highly effective in managing conflict in the workplace.
- **Obliging:** this style constitutes an attempt to find the same interests of the parties, while trying to minimise the true feelings of the one party to satisfy the other party. This indicates low concern for self and high concern for others. This style is associated with attempting to downplay differences and emphasise commonalities to satisfy the concerns of the others. There is an element of self-sacrifice in this style. It might take the form of selfless generosity, charity, or obedience to another party's order. An obliging person neglects his or her own concerns to satisfy the concerns of another party. Such an individual is a conflict absorber.
- **Dominating,** which is coercive in nature and used by a manager who forces his or her own way. This management style is also known as being competing. This style is identified as a win-lose orientation. A dominating or competing person goes all out to win his or her objective and as a result ignores the needs and expectations of the other party. Thus a dominating person wants to win at any cost. In the context of local government, a councillor will use his political influence to impose his will on a municipal official and command their obedience.
- **Avoiding,** which is ignoring the conflict in the hope that it will go away. The characteristics associated with this style are withdrawal, delaying tactics, sidestepping and "see no evil, hear no evil" situations, postponing an issue until a better time or withdrawing from a threatening situation. Such a person might even refuse to acknowledge that conflict exists. This management style fails to satisfy either parties and.
- **Compromising,** which is used by a manager who is willing to make concessions and the employee also makes concessions for a mutual agreement. The compromising style involves a give-and-take situation in order to satisfy both parties (Rahim, 2011:27-28).

The conflict management styles mentioned above might be relevant to this study because part of the purpose of the study is to determine which conflict management styles are most apparent in conflict situations between councillors and officials, and one or more of the above styles

might be used by managers and supervisors in conflict situations. Although there are five different ways to manage conflict, the avoiding and dominating conflict management styles are considered to be a risk and might worsen conflict situations in the workplace. As mentioned above, ignoring conflict will exacerbate unpleasant working conditions.

As stated several times in this chapter, it is natural for conflict to occur in the workplace due to differences in values, beliefs and perceptions. In the light thereof, the different levels of conflict have been discussed and shown to be relevant to this study. Since the focus of this study is the Oudtshoorn Local Municipality, it was important to analyse the management of conflict as part of the theoretical foundation of this study. As part of understanding the management of conflict, organisational behaviour theory should also be grasped as it relates to the behaviour of individuals in the workplace. The organisational and organisational behaviour theories contribute towards understanding the conflict relationship among councillors and municipal officials within the Oudtshoorn Local Municipality as it focuses on the individual and the attitudes influencing the behaviour of the individual in the workplace. The abovementioned theoretical foundations are included in the human relations theory, process and structural models of conflict. The next section deals with the advantages and disadvantages of conflict in the workplace.

2.8.1 Advantages of conflict

Conflict is can be categorised as either positive or negative, as noted above. Therefore the advantages of conflict will now be explored.

The following advantages of conflict are identified by Wilmot *et al* (1998:175):

- conflict creates awareness that problems exist;
- discussing conflicting views can lead to better solutions;
- managing conflict is quicker and more efficient than letting them fester;
- challenging old assumptions can lead to changes in outdated practices and processes;
- conflict requires creativity to find the best outcomes;
- conflict raises awareness of what is important to individuals;
- managing conflicts appropriately helps build self-esteem;
- managing conflicts well is a sign of maturity;
- conflicts are exciting;
- conflicts encourage people to grow; and
- conflicts create opportunities for both individual and organisational growth and learning.

The advantages of conflict listed above are relevant to this study because conflict can be either positive or detrimental in nature. Conflict needs to be managed in such a way that it increases the motivational levels of individuals confronted with conflict. As such, weaknesses might be exposed that, if addressed, could lead to employees being more productive in executing organisational goals. Since conflict is present in every working environment, with positive as well as negative effects, it is of utmost importance to identify the type of conflict in order to have it resolved properly.

Therefore in this study an attempt will be made to determine the nature of conflict and on this basis propose recommendations in an attempt to address the identified type of conflict. Cognisance should be taken of the fact that employees must capacitate themselves by way of enhancing their knowledge, skills and meaningful contribution towards achieving organisational goals and objective. Therefore this study will view conflict situations as opportunities to improve and manage conflict in such a way that it enhances an organisation (Sears, Rudisill & Mason-Sears, 2012:58).

2.8.2 Disadvantages of conflict

Despite the advantages conflict hold, below is a list of the disadvantages of conflict provided by Robbins *et al.* (2003: 304):

- increased staff turnover;
- decreased employee satisfaction;
- inefficiencies between workers and units,
- sabotaging managements authority; and
- labour grievances, strikes and physical aggression.

Robbins *et al.* (2003: 304) state that the disadvantages of conflict have the ability to work against the organisational objectives set by management if not managed properly. While most employees view conflict in a negative light, Cerri, Clancey, Papadourakis and Panourgia (2012:705) are of the view that conflict can be managed in such a way that a positive outcome can be achieved. The above highlights how crucial it is to understand the nature of conflict in the workplace. In the case of this study, it highlights the nature of behaviour of councillors and municipal officials as individuals within the Oudtshoorn Local Municipality. The theoretical foundation details how conflict develops between individuals and groups in the workplace and also determines the type of conflict and how it can be managed through the different conflict management styles. Each of the styles can be applied to a specific type of conflict in the

workplace. The conflict management styles are useful to this study as they can prescribe and guide how conflict between councillors and municipal officials can be managed in the workplace. The following themes emerged from this literature review: the nature of workplace conflict, causes of conflict, types of conflict and conflict management styles. Each of the abovementioned themes are explained and summarised in chapter four of this study.

2.9 Conclusion

The emphasis of this chapter has been on providing a theoretical overview of conflict in the workplace by means of conceptualising conflict, describing the different levels of conflict, the manifestation of conflict in organisations and the appropriate models of conflict. The various causes of the development of conflict have been highlighted throughout this chapter. In doing so, the theoretical foundation of conflict in the workplace has been explained because aspects such as the importance of organisational theory, organisational behaviour and the appropriateness of the human relations theory have been covered.

In the light of the different levels of conflict mentioned, it has been argued that interpersonal conflict is the most common type of conflict, due to the fact that it happens within an organisation between an employee and employer. The various sources of conflict have been identified and should serve as a foundation for managing conflict effectively. This chapter included a discussion of the conflict management styles and highlighted the positive and negative effects of conflict in the workplace. In the next chapter, the legislative framework enabling the management of conflict in the local government sphere will be detailed.

Chapter 3: The Legislative and Regulatory Environment Enabling Conflict Management in the Local Government Sphere

3.1 Introduction

The focus of this chapter is on the legislative framework dealing with conflict management in the local government sphere. An overview will be provided of all the relevant legislation, such as the Constitution of the Republic of South Africa, 1996, (hereinafter referred to as the Constitution, 1996), which is the supreme law of the land, the Local Government: Municipal Systems Act (Act 118 of 2000) and Local Government: Municipal Structures Act (Act 117 of 1998). The local government sphere will also be described, with a focus on how local government has changed since 1990, the definition of a municipality, and the roles and functions of municipalities.

The legislation referred to above will provide an understanding of how municipalities are governed through legislation. Attention will also be given to the importance of the Labour Relations Act (Act 66 of 1995), which regulates the employment relationship between employers and employees within an organisation. The Labour Relations Act (Act 66 of 1995) applies to all employees, workers, trade unions and employers' organisations. Furthermore, the purpose of other legislation that regulates the employment relationship will be explained, such as the Basic Conditions of Employment Act (Act 75 of 1997), Employment Equity Act (Act 55 of 1998), the Main Collective Agreement, 2007, and the Code of Conduct for Municipal Officials, 2000.

Since the focus of this chapter is on the regulatory framework dealing with the management of conflict in the local government sphere, the way in which national legislation influences internal conflict resolution mechanisms, such as grievance and disciplinary procedures specific to the Oudtshoorn Local Municipality, will be described. Within this context, a definition of grievances will be provided and the nature, causes, advantages and disadvantages of a grievance procedure will be explained, along with its relevance to this study. However, local government should first be conceptualised as both a sphere of government and an organisation within which conflict could occur.

3.2 Conceptualising Local Government

Throughout the history of local government, importance has always been placed on its purpose of serving a community. Before the introduction and adoption of the Constitution in 1996, municipalities in South Africa were known as local authorities operating within their own jurisdictions and were subordinate to the national and provincial governments. Municipal

councils have always had executive and legislative authority, which will be described below. Van der Waldt *et al.* (2007:4) argue that the term “local government” refers to a decentralised, representative organisation with general and specific powers devolved upon it and delegated to it by the national or provincial government. Van der Waldt *et al.* (2007:4) continue that such powers are limited to a specific area of jurisdiction in which that specific organisation has the right to exercise legislative and executive authority.

The process of democratisation started in 1990 with the purpose of restructuring and transforming South Africa. The transformation processes was motivated and aimed at the following (Bekink, 2006:28):

- unbanning of liberation movements;
- reforming local governments that were subordinated entities of statute;
- removing the racial basis of government;
- eliminating unequal service to communities; and
- servicing poor communities.

The process of transformation was set in motion by the Local Government Negotiation Forum in 1993. The Local Government Negotiation Forum deemed it necessary to identify the important goals of local authorities, which were tasked with rendering equal and acceptable services to all local communities (Bekink, 2006:27). The White Paper on Local Government adopted on 9 March 1998 established a framework for a developmental local government system. It stipulated that local governments should work closely with the citizens, groups and community members in order to ensure sustainable human settlements. In doing so, local government continues to make contributions towards serving the people of South Africa in a social and economic manner prescribed by the Constitution, 1996 (Van der Waldt *et al.*, 2007:52). The White Paper on Local Government, 1998, covers aspects relevant to this study, such as the historical context of local government in South Africa (Section A1), the different forms of municipalities (Section A2.1), the power and functions of municipalities (Section A2.5) and the transition process (Section A2.7). These aspects are outlined in this chapter and serve to explain why the local government sphere plays such a crucial role. As noted above, it can be argued that the White Paper (South Africa, 1998: Section B1) emphasises that municipalities and citizens of local communities should work together. Establishing a good relationship should make it easier to address the service delivery challenges listed in the White Paper (South Africa, 1998: Section A.4.1) and foster understanding between municipalities and local communities.

In accordance with Section 40(1) of the Constitution, 1996, the government of the Republic of South Africa is constituted by national, provincial and local spheres of government, which are distinctive, interdependent and interrelated. Therefore Craythorne (2006:6) argues that legislation, policies and bylaws promulgated by national, provincial and local spheres of government must be consistent with the Constitution, 1996. As a distinctive sphere of government, it can be argued that municipalities have the authority to regulate their own internal affairs, including adopting mechanisms to manage conflict.

Van der Waldt *et al.* (2007:48) define a municipality as an organ of state within the local sphere of government that exercises legislative and executive authority within a specific demarcated area of jurisdiction and consisting of political structures, as well as the administration of the municipality and the community. In the view of Craythorne (2006:14) there are two classes of organs of state. The first is an administration (such as the administration each municipality must have) and the second is any functionary (such as an executive mayor and speaker) or organisation (such as an executive committee or municipal entity) exercising a power or performing a function in terms of the Constitution, 1996.

Municipalities are thus core organisations within the sphere of local government. The definitions provided above indicate that municipalities are organs of the state that consist of the political office bearers and administrative officials of the municipality, who serve the community within that municipal area.

In accordance with Section 156 of the Constitution, 1996, municipalities are divided into three categories, namely Category A, B and C, as already alluded to in chapter one. Each of these categories represents a specific type of municipality and the powers vested within such municipality. Category A municipalities are referred to as metropolitan municipalities, which exist in the six biggest cities in South Africa. The metropolitan municipalities have more than 500 000 voters and deliver services within the jurisdiction of each municipality. They are established in the following cities: Johannesburg, Cape Town, Durban, Pretoria, Port Elizabeth and the East Rand (South Africa Government, 2013:online). Category B municipalities share executive and legislative authority in its area of jurisdiction with a Category C municipality, which has a district area of jurisdiction, as stipulated in Section 156 of the Constitution, 1996. South Africa has a total of 231 local municipalities that are divided into wards and organised into 47 district municipalities. The purpose of a district municipality is to coordinate development in and delivery to the whole district (Craythorne, 2006:51).

As outlined above, metropolitan municipalities are responsible for all local services, development and delivery in their metropolitan areas, while local municipalities share that responsibility with district municipalities. As noted in chapter one, the Oudtshoorn Local Municipality is a Category B municipality within the Eden District Municipality, which also includes other local municipalities such as the Bitou Local Municipality, Knysna Local Municipality, Hessequa Local Municipality, Mossel Bay Local Municipality and Kannaland Local Municipality (Eden District Municipality, 2010:2). Each municipality is also assigned specific roles, which will be described next.

3.3 Roles and Functions of Municipalities

According to the South African Local Government Association (SALGA) (2011:8), a municipality has the right to govern on its own initiative the local government affairs of its community. Municipalities should govern the affairs of its community within the ambit of prescribed legislation, which will be analysed below. In the context of the local government sphere, the municipal council is regarded as the authorised body in which decisions are made and municipal administrative officials are responsible for carrying out the work of a municipality (Van der Waldt *et al.*, 2007:4).

As indicated earlier, a municipality exercises legislative authority, which means that municipalities can make and administer bylaws and policies. According to Section 151 (2) of the Constitution, 1996, the legislative and executive authority of a municipality is vested in its municipal council. Therefore a municipal council makes decisions concerning the exercise of all the powers and the performance of all the functions of the municipality, as prescribed by Section 30(3) of the Local Government: Municipal Structures Act (Act 117 of 1998).

The role of local municipalities is to ensure that services are delivered to local communities. The services should be delivered in a sustainable and democratic manner that promotes the social and economic environments referred to in Section 152(1)(b) of the Constitution, 1996. These functions, as noted below, are associated with the roles local municipalities are responsible for carrying out. The powers and functions of municipalities are contained in Section 156(1)(a)(b) of the Constitution, 1996, which emphasises that a municipality has executive authority, as indicated above, in order to manage the matters listed in Part B of Schedule 4 and Part B of Schedule 5. The following functions listed in the abovementioned schedules are: electricity delivery, water for household use, sewage and sanitation, storm water systems, refuse removal, firefighting services, municipal health services, decisions regarding land use, municipal roads,

municipal public transport, street trading, abattoirs and fresh food markets, parks and recreational areas, libraries and other facilities, and local tourism (South Africa, 1996).

Although section 151(2) of the Constitution, 1996, accords municipalities legislative and executive authority, national and provincial government must ensure that municipalities perform their duties in accordance with the prescribed legislation. In light of the above mentioned, it can be argued that it is important for municipal officials and councillors to have a comprehensive understanding of the roles of a municipality. Failure to understand the reason for the existence of a municipality could result in conflict due to differences in beliefs, values, opinions, principles and norms that might exist among councillors and officials. Therefore, it is necessary to focus on legislation pertaining to the regulation of the employment relations in local government and legislation that regulates the management of conflict, as described in the next section.

3.4 Legislative and Policy Framework for the Management of Conflict in Municipalities

The legislative and policy framework is important to this study as it provides for the management of conflict in the local government sphere. Due to the fact that this study is an investigation into the causes of the development of conflict among councillors and municipal officials within the Oudtshoorn Local Municipality, it is essential to understand the principles of an employment relationship. Erasmus *et al.* (2005:442) define an employment relationship as being when a person is employed by someone else to be available to work in exchange for remuneration. In the context of this study, the employment relationship is not limited to aspects such as work and remuneration, but also includes those factors that enhance relationships among such parties. The author agrees with the view of Dicker (2006:6), who states that simple strategies should be in place to foster good employment relations and to ensure that everyone in the organisation works cooperatively towards the achievement of common goals. Thus, municipal officials and councillors should strive towards building better relationships with each other, while taking the legislative framework into consideration. Since local municipalities operate within the three spheres of the South African government system, it is necessary to analyse national legislation influencing this employment relationship.

3.4.1 National legislative framework pertaining to municipal functioning

Section 154(1) of the Constitution, 1996, prescribes that the national and provincial governments should support and strengthen the ability of municipalities to manage their own affairs, exercise their powers and perform their functions in accordance with legislative and other measures. National and provincial governments provide assistance to municipalities in the

form of support and capacity building, and include the following focus areas (Mudacumura & Haque 2004:553):

- integrated development planning;
- local economic development;
- financial support and a proposed financial system that will enhance financial capacity;
- performance management;
- human resource development ;
- capacity building for councillors; and
- infrastructure development.

Although the Constitution, 1996, obligates national and provincial government in terms of Section 154(1) to render support to municipalities, of which certain areas have been indicated above, it should be noted that municipalities also have a responsibility to identify focus areas that require support and assistance. Therefore it is important to foster a good relationship among the various spheres of government in order to ensure cooperation and effective service delivery.

As noted above, the spheres of government are distinct, interdependent and interrelated, as prescribed by Section 41(1) of the Constitution, 1996. Taking into consideration the abovementioned section, it can be argued that it is important for the spheres of government to foster good relationships in order to strengthen and enhance service delivery. Good relationships can be promoted if spheres of government work together and support one another on issues such as capacity building and service delivery.

Chapter 7 of the Constitution, 1996, deals with local government and highlights the core objectives for developmental local government in South Africa. The objectives are contained in Section 152 of the Constitution, 1996, and are as follows (South Africa, 1996):

- to provide democratic and accountable government;
- to ensure the provision of services to communities in a sustainable manner;
- to promote social and economic development;
- to promote a healthy and safe environment; and
- to encourage the involvement of communities and community organisations in the manner of local government”.

The above objectives must be respected by the various spheres of government. In the context of this study, the abovementioned objectives should be executed within the ambit of the relevant legislation and policies.

The relationship established between the spheres of government must further facilitate the realisation of Constitutional objectives by cooperating in good faith and acting in the best interests of the people they serve. Thornhill (2005:178) highlights the reasons for which relationships among councillors and municipal officials within the South African population are complex. These include the fact that councillors and municipal officials have different backgrounds, beliefs, cultural orientation, economic perceptions, business interests, political party interests and labour union interests. Therefore it can be argued that conflict between councillors and municipal officials are motivated and reinforced by the needs, values, perception and expectations of the abovementioned groups, as these are regarded as factors that could lead to the development of conflict. In the next sections the importance of the Local Government: Municipal Systems Act (Act 32 of 2000) and Local Government: Municipal Structures Act (Act 117 of 1998) are introduced and explained.

According to Cloete and Thornhill (2005:41), the reason for the adoption of the Local Government: Municipal Systems Act (Act 32 of 2000) was the need to set out core principles, mechanisms and processes to empower municipalities to be more progressive in order to achieve the social and economic upliftment of communities and provide basic services to the poor and the disadvantaged. The new system of local government must be more efficient, effective and transparent in order to adhere to the objectives of local government as set out in the Constitution, 1996. Cloete and Thornhill (2005:41) argue that the preamble of the Local Government: Municipal Systems Act (Act 32 of 2000) serves to identify the need to create more harmonious relationships between municipal councils, municipal administrators and the communities through the acknowledgement of reciprocal rights and duties. One should also add, however, that harmonious relationships can be developed and established between councillors and municipal officials only if the roles of councillors and municipal officials are clearly defined. The author argues that councillors lack an understanding of their roles, specifically in the management of conflict, which might be a possible contributor to the development of conflict between parties. The roles of councillors will therefore be discussed.

Osmanovic (2002:150) states that the preamble to the Local Government: Municipal Structures Act (Act 117 of 1998) serves to regulate the organisational setups of various organs of local government through the categories of municipalities, types of municipalities, composition, elections, the terms of municipal councils and the meetings of a municipal council. The Local

Government: Municipal Structures Act (Act 117 of 1998) is relevant to this study because it regulates the structure of municipalities and explains how a municipal council and its committees are constituted. The Local Government: Municipal Structures Act (Act 117 of 1998) also prescribes that a municipal council must meet at least quarterly to discuss matters of service delivery.

A municipal council consists of councillors who are elected by the local community for a period of five years to exercise certain roles and functions that include the passing of bylaws, the approval of policies and annual municipal budgets, and to make decisions pertaining to service delivery. This can be regarded as a summary of the executive and legislative functions of a municipality. Each municipal council has an executive mayor, who is the head of the council and is assisted by an executive mayoral committee. Section 60 of the Local Government: Municipal Structures Act (Act 117 of 1998), stipulates that the executive mayor must appoint councillors to serve on the executive mayoral committee in order to assist the executive mayor and to serve as chairpersons on various standing committees. Municipal councillors have an oversight role to play, while the municipal manager is responsible for the overall functioning of the administration (Olivier & Wasselfall, 2009:65). It can be argued that the complex relationship between councillors and municipal officials emerges from the fact that councillors might consider oversight over and intervention in administration to be two sides of the same coin. This makes the relationship between councillors and municipal officials more complex, because councillors might believe that they can instruct municipal officials at any given time without the consent of the municipal manager. Municipal officials are then obliged to carry out these instructions even when they contradict administrative processes. In order to avoid interference, councillors and municipal officials must understand their roles and functions within the local government environment. Moreover, if councillors and municipal officials understand their roles and functions, as referred to above, conflict can be managed properly.

Thus the relationships between councillors and municipal officials are organised through the Local Government: Municipal Systems Act (Act 32 of 2000), which requires a municipal council to appoint a municipal manager. In terms of Section 55 (1) of the Local Government: Municipal Systems Act, (Act 32 of 2000), the municipal manager is referred to as the head of administration and is responsible for the management of the municipality's administration. The municipal employees report directly to the municipal manager as head of administration. The amended Local Government: Municipal Systems Act (Act 118 of 2000), which indicates that the municipal council is the employer of a municipality, contributes to the complexity of the administration of the municipality. As Thornhill (2005:179) argues, the relationship between councillors and municipal officials are affected in the sense that councillors make promises

during election campaigns in policy statements and then depend on the expertise of municipal officials for support and assistance. In this regard, it can be argued that if municipal officials refuse to provide the needed support, a situation will be created that will lead to conflict.

Moreover, although Section 11 of Schedule 1 of the Code of Conduct for councillors in the Local Government: Municipal Systems Act (Act 32 of 2000), prevents prohibits councillors from intervening in the administration, the researcher (who works at the municipality) has observed that councillors still interfere with the administration and thus contribute to conflict among councillors and municipal officials. In most instances the municipal manager is not aware of councillors interfering in the administration, unless a municipal official reports it to the municipal manager. This highlights the necessity for good human resource relationships to be established. The following section therefore outlines the importance of legislation regulating employment relationships in the local government sphere.

3.4.2 Legislation regulating employment relations in local government

This section comprises an overview of the important legislation regulating employment relationships in the local government sphere. Such legislation includes the Labour Relations Act (Act 66 of 1995), Basic Conditions of Employment Act (Act 75 of 1997), Employment Equity Act (Act 55 of 1998), the Main Collective Agreement, 2007, and the Code of Conduct for Municipal Officials, 2000.

The Labour Relations Act of 1995 (Act 66 of 1995) is acknowledged as the pillar of the South African labour relations system. Its purpose, as set out in Section 1 of the Labour Relations Act (Act 66 of 1995), is to ensure that economic development is promoted, to enhance social justice, and to strive towards labour peace and democracy in the workplace. In the context of local government, municipalities are guided by means of the Act to develop principles, mechanisms and processes to fulfil their duties. The objectives of the Labour Relations Act (Act 66 of 1995) should be honoured by employers, employees, trade unions and other relevant employment organisations. In the local government environment, the Labour Relations Act (Act 66 of 1995) regulates the employment relationship between municipal officials (employees) and councillors (employers) by means of the following (South Africa, 1995):

- protecting employees' rights within the workplace in order to prevent discrimination and unfair labour practice (Section 5);
- regulating the organisational rights of trade unions, which will ensure that trade unions will not abuse their power (Section 8);

- prescribing the manner in which collective bargaining can be facilitated (Section 31); and
- regulating disputes arising among employees and employers (Section 9).

From the above, one can deduce that the Labour Relations Act (Act 66 of 1995) establishes a framework to regulate employment relationships, collective bargaining and the resolution of disputes arising in the context of employment relationships. Although the Labour Relations Act (Act 66 of 1995) is regarded as one of the most important pieces of legislation in regulating the employment relationship, cognisance should be taken of other relevant legislation, such as the Basic Conditions of Employment Act (Act 66 of 1995).

Swanepoel *at el.*, (2003:105) is of the view that the Basic Conditions of Employment Act (Act 66 of 1995) has two primary objectives: firstly, to ensure that the working conditions of unorganised and vulnerable workers meet the minimum socially acceptable standards in relation to the level of development of the country and, secondly, to remove rigidities and inefficiencies from the regulation of the minimum conditions of employment and to promote flexibility. The Basic Conditions of Employment Act (Act 66 of 1995) is relevant to this study as it influences the individual employment relationship. The Act covers aspects such as the regulation of working hours (Section 7), leave (Section 20), employment remuneration (Section 32) and termination of employment (Section 37). These aspects are also contained in the Main Collective Agreement, 2007, concluded between SALGA and trade unions such as IMATU and SAMWU. The aspects covered by the Basic Conditions of Employment Act (Act 66 of 1995) outlined above are acknowledged to cause conflict in an organisational setting if certain employees are treated less favourably than others.

According to Swanepoel *at el.* (2003: 105), the Basic Conditions of Employment Act (Act 66 of 1995) aims to address problems such as the inadequate protection of vulnerable workers, such as farm, domestic and part-time workers, poverty in employment, excessive working hours and gender discrimination. The abovementioned problems are the reason for which the Basic Conditions of Employment Act (Act 66 of 1995) was developed. These problems can also be considered to be possible causes of conflict between employers and employees.

The Employment Equity Act (Act 55 of 1998) provides that employees should be protected against any form of unfair discrimination in the workplace. Unfair discrimination can contribute to circumstances leading to conflict situations among employees and employers if not dealt with. According to Grobler (2006:85), the purpose of the Employment Equity Act (Act 55 of 1998) is to achieve equity in the workplace by promoting equal opportunities and fair treatment in employment through the elimination of unfair discrimination and by implementing affirmative

action groups (Africans, coloureds, Asians, women and people with disabilities) to ensure their equitable representation in all occupational categories and levels in the workplace. The abovementioned Act is important to this study, specifically when conflict among councillors and municipal officials arise; conflict resolution mechanisms should then be perceived as being fair, transparent and not influenced by councillors. Although the legislation discussed, regulates employment relationships and protects the rights of parties, municipal officials and councillors are also obligated to adhere to the requirements of fair and open administrative action, as regulated by the Promotion of Access to Information Act (Act 2 of 2000) and the Promotion of Administrative Justice Act (Act 3 of 2000).

Amos, Ristow and Pearse (2009:60) share the view that the purpose of the Promotion of Access to Information Act (Act 2 of 2000) is to promote transparency and accountability in any public organisation, including the local sphere of government. According to Van Waldt *et al.* (2007:42) the Promotion of Access to Information Act was promulgated in adherence with Section 32 of the Constitution, 1996, and gives a citizen the right to exercise his or her right to have access to any information held by the state through the procedures entailed in the Act.

Brand (2008:244) shares the opinion that the Promotion of Administrative Justice Act (Act 3 of 2000) is “to give effect to the right to administrative action that is lawful, reasonable and procedurally fair and to the right to written reasons for administrative action as contemplated in Section 33 of the Constitution, 1996”. Van Wyk (2012: 234) notes that Section 4 of the Promotion of Administrative Justice Act (Act 3 of 2000) stipulates that all administrative actions that materially and adversely affect the rights of the public must be preceded by public participation. In light of the above, while it is acknowledged that the manner in which conflict is managed will be inherently administrative in nature, the manner in which administrative action is taken should be fair, transparent and open to public scrutiny. We shall now turn to the Code of Conduct for Municipal Officials, which is also intended to encourage the fair and reasonable behaviour of municipal officials.

The Code of Conduct for Municipal Officials is contained in Schedule 2 of the Local Government: Municipal Systems Act (Act 32 of 2000). In the view of Van Der Waldt *et al.* (2007:178), the purpose of codes of conduct is to combat maladministration, as well as to address a lack of skills. Therefore it should be noted that in terms of Section 69 of the said Act, the Code of Conduct applies to every staff member of a municipality (municipal officials). Upon receiving the document, the employee should acknowledge receipt thereof and confirm that he or she understands the contents. Therefore Section 70 of the Local Government: Municipal

Systems Act (Act 118 of 2000) provides that the municipal manager should adhere to the following:

- provide a copy of or amendment of the Code of Conduct to every staff member of the municipality;
- ensure that the purpose, content and consequences of the Code of Conduct is explained to staff members who cannot read; and
- communicate sections of the Code of Conduct that affect the public to the local community.

Newly appointed employees are obligated to attend induction training, which is a general orientation regarding labour relations, grievances, disciplinary codes and procedures, communication protocols and reasons for the termination of services (Gerber *et al.*, 1998:129). In addition to the Code of Conduct, which applies to all municipal officials, Section 54 of the Local Government: Municipal Systems Act (Act 32 of 2000) prescribes a Code of Conduct for councillors. This is set out in Schedule 1 and is applicable to every member of the municipal council. However, the researcher has observed that although this Code of Conduct also serves the purpose of combatting maladministration, corruption and political interference by councillors, there are still situations in which councillors are perceived to not adhere to the provisions of the abovementioned Code of Conduct. This in turn hampers the relationship between councillors and municipal officials.

From the above analysis of the legislative environment regulating employment relationships, one could argue that it is important for councillors and municipal officials to build positive relationships, especially when serving the local communities. The legislative environment must be respected by councillors and municipal officials in order to promote the principles of the legislation discussed above. In the next section the internal conflict resolution mechanisms for the management of grievances will be explained.

3.5 Internal Conflict Resolution Mechanisms for the Management of Grievances

The aim of this study is to determine the nature and causes of conflict in the Oudtshoorn Local Municipality, as explained in chapter one. The capacity of management to deal with conflict in terms of the prescribed legislation relevant to local government will be determined. To support the legislation, specific internal conflict resolution mechanisms have been developed.

The following internal conflict resolution mechanisms are used in the local sphere of government (Craythorne, 2006: 211-215):

- grievance procedures; and
- disciplinary codes and procedures.

Each of the above will be explained further for the purpose of facilitating an enhanced understanding of conflict resolution mechanisms applicable to the local government sphere.

3.5.1 Grievance procedures

Giri (2008:14) is of the view that a grievance can be referred to as any feeling of dissatisfaction and injustice. This can be due to the fact that employers act in such a manner that can be detrimental to the employee. According Geet *et al.* (2009: 105), a grievance is described as anything an employee thinks or feels is wrong, generally accompanied by a disturbing feeling. Grievances can also be regarded as any feeling of dissatisfaction or injustice in connection with one's employment situation that is brought to the attention of management.

The above definition of a grievance focuses mainly on dissatisfaction and complaints arising from an employment relationship. This means that a complaint becomes a grievance when a feeling of dissatisfaction is brought to the attention of management. According to the Main Collective Agreement (SALGBC, 2007:15), the objective of a grievance procedure is to resolve conflict as quickly as possible. Grievances should be resolved in such a manner that no employee suffers victimisation or occupational prejudice when lodging a grievance. Craythorne (2006:215) is of the view that the nature of the grievances of aggrieved employees can range from dissatisfaction with their salaries to unhappiness with the way they are treated by their supervisor and/or managers.

Thompson (2013: 95) identifies the following causes of grievances:

- work environment: poor working conditions, defective equipment and machinery, tools and material;
- workgroup related: strained relationship with other colleagues, feelings of neglect, keeping-out or ill-treatment;
- economic causes: fixed wages, wage calculation, overtime and bonuses, such as when employees feel they are getting less than they expected;
- supervision related: managers' attitudes and disposition towards the employee;

perceived notions of favouritism, partiality and bias; and

- work organisation: inflexible and unfair rules, too much or too little responsibility, work overload or underload, both qualitative and quantitative, and a lack of work recognition.

In order to prevent the causes of grievances in general, formal grievance procedures must be adopted and need to be taken seriously by managers and supervisors in order to avoid the implications of non-compliance with the relevant procedures. The nature of a grievance has a narrow perspective and is concerned with the interpretation of a contract or award. A grievance must be submitted in writing by employees, including municipal officials, in respect of situations affecting them regularly without management having attended to such situations (Geet *et al.*, 2009:107). It is acknowledged that once a grievance has been registered in writing, management will be unable to ignore such a grievance and will be obligated to deal with it in terms of the prescribed procedures.

In the event that a complaint is lodged, it can be dealt with through a grievance procedure. This is not always easily achievable and the system, procedures, practices and personalities in organisations need to be reviewed in order to determine proper solutions for parties. Farnham (2002:415) lists the following basic elements of a grievance procedure:

- there should be a formal procedure;
- the procedure should be in writing;
- the procedures for raising grievances and for settling them promptly and effectively should be agreed upon with the employees or union representatives;
- if there is a separate dispute procedure, then the two procedures should be linked;
- an individual grievance should be settled as close to the point of origin and as soon as possible;
- the right of accompaniment should be addressed; and
- confidentiality should be assured.

Craythorne (2006:216) states that negotiation should be part of any grievance procedure because an employee is entitled to negotiate with the employer concerning the terms and conditions of service. The grievance procedures utilised by municipalities make provision for grievances to be managed in different stages, which can be summarised as follows (SALGBC, 2007: 13):

- The first stage provides an opportunity for the immediate supervisor to resolve a grievance initiated by an employee. The period prescribed to finalise a grievance is five days. Failure

to resolve the grievance within the prescribe period shall lead to the following stage, namely escalating the grievance to the head of the department.

- During the second stage, unresolved grievances are dealt with by the head of the department, who should strive towards resolving such grievance within five days. If the head of department is unable to resolve the grievance, it must be referred to the municipal manager or his assignee.
- Grievances against the municipal manager should be referred to the Office of the Speaker, or to an appropriate senior manager of another municipality;
- The municipal manager makes the final decision with respect to grievances.
- If the employee who submitted the grievance is not satisfied with the decision taken by the municipal manager, he or she can refer the matter to the SALGBC.

From the above, it can be deduced that the employees are granted a fair opportunity to bring grievances in writing in order to express their feelings of dissatisfaction. The aggrieved employee has the right to be represented by a union member or a fellow employee throughout the stages highlighted above. The purpose of this is that managers and supervisors should attempt to resolve the grievance. A grievance can be regarded as resolved only once an employee has declared that he or she is satisfied with the outcome (Craythorne, 2006: 215). The advantages of the grievance procedure are that it can enhance good employment relations and can be seen as one of the most effective conflict resolution mechanism in the workplace. It gives an employee the opportunity to air complaints in a formal manner. The Main Collective Agreement (SALGBC, 2007: 53) identifies the following possible negative repercussions of the grievance procedure:

- intimidation;
- victimisation;
- the employee you submitted the grievance against threatens you more than before;
- decrease of productivity levels;
- the employee who submitted the grievance might be regarded as a bad employee;
- limitation of further career development;
- the creation of difficult working conditions;
- unhealthy working circumstances; and
- power imbalances.

Although grievance procedures entail both advantages and possible negative repercussions, one should acknowledge the fact that a grievance procedure can be seen as a mechanism to resolve dissatisfaction speedily before further conflict arises. The basic assumption is that the

grievance procedure is a mechanism that has been created to address conflict effectively. Yet grievances are not always addressed to the satisfaction of complainants and that is why it is necessary for specific disciplinary codes and procedures to be developed as well. In the next section the disciplinary codes and procedures used in the local government sphere are described.

3.6 Disciplinary Codes and Procedures

In the past, the employer had unlimited powers to discipline and dismiss employees (Gennard & Judge, 2005:273). In the event of a dismissed employee wishing to sue the employer for wrongful dismissal, they were not allowed to do so due to factors such as limited support and lack of proper legislation. However, the development of labour legislation such as the Labour Relations Act (Act 66 of 1995) now protects the rights of an employee against unfair labour practice in the workplace. Unfortunately, although employment relationships are statutorily regulated, there are still factors that hamper employment relationships that can possibly lead to the development of conflict within the workplace. Grogan (2009:343) supports this view by arguing that conflict in the employment relationship is due to inequality, imbalances of power and subordination.

The focus of this section is the internal conflict resolution mechanisms for the management of conflict. Therefore it is important to understand the manner in which disciplinary matters are being addressed in the local government sphere. Before attending to the latter, an overview will be provided of the disciplinary procedures within the local government environment. For the purpose of this study, it should be noted that disciplinary matters in the Oudtshoorn Local Municipality are regulated and managed according to the Disciplinary Code and Proceedings prescribed by the Labour Relations Act (Act 66 of 1995). Govender (2010:3) states that the Disciplinary Code (circular no. 6 of 2010) regulates proceedings pertaining to disciplinary matters if an employee is found guilty of misconduct. The said Disciplinary Code should be regarded as a guideline for municipalities to address misconduct such as maladministration, corruption and fraud within the local government sphere.

The local government sphere focuses on corrective action as a disciplinary measure that should not be regarded as punitive. This will depend on what the employee did and how serious it was. According to Grogan (2009:118), an employee can be dismissed on grounds recognised by Schedule 8, Code of Good Practice of the Labour Relations Act (Act 66 of 1995) to justify the dismissal of employees. Such grounds comprise misconduct (Section 3.4), incapacity or ill-health (Section 8) and/or operational requirements (Section 9).

The disciplinary process comprises the following steps, according to Govender (2010:21). The employer first becomes aware of an allegation of misconduct being made against an employee and appoints an investigating officer to investigate the matter and report to the municipal manager. If the municipal manager finds that enough evidence is available to support the allegation, the employee is charged, and the municipal manager appoints a presiding officer and a prosecutor. Thereafter a charge sheet is compiled that indicates that there will be a hearing at the time and on the date specified on the charge sheet, and served on the employee. The disciplinary hearing is regulated in terms of section 6 of the Disciplinary Procedures and Code (Govender, 2010:3). The chairperson has powers and functions that are also regulated in terms of Section 7.5 of the abovementioned code. The ruling of the chairperson is final and binding.

In light of the above, the following observations can be made:

- disciplinary codes and procedures are essential for the maintenance of order in the workplace;
- disciplinary codes must be adhered to and respected by municipal officials and councillors; and
- disciplinary codes must be used to avoid ambiguity and inconsistency in the employment relationship.

In order for the disciplinary processes to be conducted effectively, it is required of municipal officials that they have the necessary skills, expertise and experience in conflict management and labour relations. Thus it is expected of municipal officials to be objective, impartial and reasonable, as outlined in Section 5 of the Disciplinary Procedures and Code (Govender, 2010: 3). According to the Code of Conduct for Municipal Officials, an employee is expected to act in the best interests of a municipality. Therefore employees who serve as chairpersons and initiators in disciplinary hearings should promote the principle of natural justice, as indicated in the disciplinary code and proceedings (Govender, 2010: 3).

Grievance procedures and disciplinary codes can be regarded as conflict resolution mechanisms utilised by the Oudtshoorn Local Municipality to resolve conflict. The various factors contributing to conflict that were outlined in this chapter should be managed through grievance procedures and disciplinary codes. It can be argued that when grievance procedures and disciplinary codes are not utilised effectively, this might compromise the relationship between councillors and municipal officials. An important observation in this regard is that clarity

should first be obtained concerning the roles of councillors and municipal officials, as well as an understanding of grievance procedures and disciplinary codes.

3.7 Conclusion

This chapter outlined the legislative framework supporting and enabling local municipalities in the context prescribed by the Constitution, 1996. An overview was provided in order to understand the roles and functions of local municipalities. Legislation governing and regulating employment relationships have been have been discussed. In the next chapter, the empirical findings relating to conflict in the Oudtshoorn Local will be detailed.

Chapter 4: An Analysis of Conflict Management in the Oudtshoorn Local Municipality

4.1. Introduction

The first three chapters comprised a theoretical background pertaining to conflict in the workplace and the regulations related to conflict management in the local government sphere. The theory regarding the causes of conflict in the workplace and how it can be managed was expounded in the previous chapters. The empirical evidence regarding the causes of conflict between councillors and municipal officials at the Oudtshoorn Local Municipality will now be presented and analysed.

The purpose of this chapter is to investigate and analyse the challenges experienced in relation to the current conflict resolution mechanisms used by the Oudtshoorn Local Municipality. Chapter one of this study highlighted the research objective, which will be addressed in this chapter.

The empirical findings will be discussed in relation to each of the following themes:

- nature of workplace conflict;
- causes of conflict;
- types of conflict;
- conflict management process (grievance procedures); and
- the management of skills necessary for managing conflict.

The themes referred to above will be discussed in detail and integrated into the various responses received from the respondents. Two research objectives, namely to describe the nature of conflict between the councillors and officials of the Oudtshoorn Local Municipality, as well as the challenges in the use of the current conflict resolution mechanisms in the Oudtshoorn local Municipality are addressed in this chapter. The next section contextualises the case of the Oudtshoorn Local Municipality in detail.

4.2 Contextualising the Case

In chapter one it was noted that a case study design was used in this study in an attempt to identify challenges regarding the management of conflict within a single case, namely the Oudtshoorn Local Municipality. The Oudtshoorn Local Municipality is situated in the Little Karoo in the Western Cape Province of South Africa (Wikipedia 2011:online). The vision of the

Oudtshoorn Local Municipality is to be a strong and caring municipality that strives to improve the quality of life of all the citizens in its jurisdiction in a sustainable manner. The mission statement is to provide better services, improve the lives of the people in its jurisdiction, eradicate extreme poverty and create an environment that is conducive to sustainable economic and social development. The organisational values of the Oudtshoorn Local Municipality are accountability, integrity, transparency, mutual support and innovation. These values should characterise the functioning of the municipality as a whole and the behaviour of officials in particular (Oudtshoorn Local Municipality, 2015:11).

The Council of the Oudtshoorn Local Municipality is constituted by 25 councillors. Of the 25 councillors, 13 are elected from the 13 wards and the remaining 12 are chosen from a party list on a proportional representation manner, based on the number of votes acquired by each political party through the election process (Department of Local Government: 2012:1).

The Democratic Alliance (DA) has 12 seats and the African National Congress (ANC) 11 seats, while the Congress of the People (COPE), the National People's Party (NPP) and Independent Civic Organisation of South Africa (ICOSA) have one seat each (Department of Local Government: 2014:1) The rules of order of the Oudtshoorn Local Municipality (2007:13) clearly state that a majority of councillors constitutes a quorum. Thus, with the council consisting of 25 councillors, 13 councillors constitute a quorum that can hold a council meeting. Currently the DA and Cope are governing the Oudtshoorn Local Municipality as a coalition, while the other parties referred to above constitute the opposition to the Democratic Alliance coalition (Meyer: 2008)

The Oudtshoorn Local Municipality has three representatives on the Council of the Eden District Municipality. These councillors represent the DA, ANC and Cope (Department of Local Government, 2014:1). The Department of Corporate Governance and Traditional Affairs (2015:1) notes the following observations regarding the Oudtshoorn Local Municipality:

- the council of the municipality is not functioning;
- irregular acting appointees in senior positions;
- water pollution and inadequate refuse removal, and a general breakdown in delivery of services to communities;
- irregular appointment of service providers and procurement processes
- poor communication with communities; and
- Eskom debt and decline of the tourism industry.

The abovementioned observations indicate that the Oudtshoorn Local Municipality is indeed dysfunctional, with problems at both an administrative and political level. In light of the above, Bredell (2015:2) argues that this is because the ANC coalition has prevented the DA coalition from actually taking control of the municipal council, which has resulted in political instability, which in turn impacts on the administration of the Oudtshoorn Local Municipality. Bredell (2015:3) further confirms that council meetings are not taking place as prescribed by Section 18(2) of the Local Government: Municipal Structures Act (Act 117 of 1998). This has resulted in the municipal council failing to approve its annual municipal budget.

In the next section the focus is on the evidence gathered through the semi-structured interviews relating to the theme of the nature of conflict in the workplace, which demonstrates the differences of opinion that exist between councillors and municipal officials.

4.3 Nature of Workplace Conflict

The respondents were asked questions pertaining to the nature of the conflict currently experienced in the workplace. A copy of the semi-structured interview format containing the questions is attached as Annexure B. In this section the way in which the respondents answered the question on how they viewed the nature of conflict in the workplace is expounded.

In chapter two, the nature of conflict was conceptualised as occurring due to differences in perception, opinions, values, beliefs and needs between individuals and groups. It was noted that conflict could also be regarded as a struggle over limited resources that have to be shared between two or more parties in an organisational setting. (Van Gramberg, 2006:72). Gall (2013: 27), among others, notes that the nature of conflict in the workplace is embedded in the employment relationship due to the differences and dynamics experienced in the workplace. indicated in chapter one as they are continuously competing for better resources and benefits which serves their own interest. In the light of the abovementioned, it can thus be said that conflict is inherent in the employment relationship due to differences as highlighted above (Kersley, Alpin, Forth., Bryson, Bewley, Dix, & Oxenbridge, 2006: 207). In the view of the abovementioned, the nature of conflict in the workplace is embedded in the employment relationship due to the differences and dynamics experience in the workplace (Gall, 2013: 27).

The 13 respondents participating in this study agreed with this description and added that conflict in the workplace occurred due to unfair treatment, frustration, political interference, misunderstandings between people, gossip and disagreements between people. The respondents further indicated that the factors highlighted above influenced the relationship

between councillors and municipal officials, and stated that conflict was experienced on a daily basis, whether personal or work related.

Two of the respondents felt that most of the conflict was experienced on an employment level between a head of the department and his or her subordinates, while the other 11 respondents disagreed and shared the view that most of the conflict was between councillors and municipal officials. Thus the majority of the respondents viewed conflict as a being between councillors and municipal officials. However, it should be noted that when the respondents do not collectively perceive conflict to manifest in the same manner, it becomes difficult to address conflict constructively.

The majority of the respondents constantly emphasised that management (the council) and the employees (municipal officials) did not get along due to the abovementioned factors, which influenced individual performances and service delivery. From the above, it is evident that the conflict experienced between councillors and municipal officials occurs due to the fact that councillors and municipal officials pursue their own interests instead of serving the people. A part of the problem, as Brown (2012: 95) argues, is that conflicts in the workplace are worsened when councillors give officials instructions when they are not entitled to do so. The municipal official to whom the instruction is given also has a responsibility to report it to the municipal manager or to advise the councillors that certain procedures need to be followed if a councillor requests anything.

One of the respondents indicated, furthermore, that councillors are involved in tender processes and also attempt to influence the appointment process, while the Local Government: Municipal Finance Management Act (Act 56 of 2003) prohibits a councillor from participating in tender and appointment processes. Councillors and municipal officials have a responsibility to serve the local community within the jurisdictional area of the Oudtshoorn Local Municipality. In doing so, councillors must serve the purpose they are elected for and municipal officials must execute the decisions of the council and perform the duties they are appointed to do. This will lead to better service delivery within the jurisdictional area of the Oudtshoorn Local Municipality.

Six participants agreed with the definition of the nature of conflict that was noted in chapters one and two, namely as taking place within an organisation and occurring because of competing needs and priorities (Mason & Mendoza, 1993:18). One respondent added that conflict within the municipality was mainly between councillors and councillors, councillors and officials, and between municipal officials themselves, indicating the conflict was endemic at the municipality. The other six respondents provided brief answers pertaining to the nature of workplace conflict.

It can be argued that since councillors and municipal officials identify the nature of conflict in the Oudtshoorn Local Municipality differently, the opportunity for conflict increases exponentially. Some respondents indicated that no conflict exists in the Oudtshoorn Local Municipality, while other municipal officials suggested that conflict does exist. The councillors revealed that conflict exists and is, in fact, inherent as a result of the political nature of the local government sphere. It is possible that the two councillors could represent the views of the majority of the councillors. Two municipal officials argued that since the Local Government: Municipal Systems Act (Act No.32 of 2000) emphasises that a councillor should not intervene in the administration of a municipality, no conflict exists between the two parties as the abovementioned legislation is clear on that point, was noted in chapter three of this paper.

Since councillors and municipal employees hold different views of conflict in the workplace, it follows that those respondents who argued that conflict does not exist, were not able to identify areas of conflict, while those who shared the view that conflict does exist were ambivalent about the effectiveness of the conflict management measures used for managing the conflict in the Oudtshoorn Local Municipality. As noted above, conflict situations have the potential to worsen and influence the employment relationship as a result of ignoring the existence of conflict in the workplace. It has to be acknowledged that without a shared and common understanding of the nature of conflict, the management of conflict becomes a challenge. The next theme relates to the causes of conflict in the Oudtshoorn Local Municipality.

4.4 Causes of Conflict

In chapters one and two, specific theoretical causes of conflict were identified, which included discrimination, incorrect wages, abnormal working conditions, victimisation, unfair treatment, misinterpretation, different goals, structural imbalances, threats to important values, scarce resources, power imbalances, political power, communication and information issues, ambiguity and a lack of co-ordination (Anstey, 1991:13). O'Rourke and Collins (2009:1) concur and add that if these causes of conflict are not managed properly, it could hamper the realisation of the organisation's goals and objectives. Pardey (2007:3) identifies the following causes of conflict in the workplace, which relate to the causes of conflict already identified in this dissertation:

- opposing objectives;
- values being threatened;
- feedback being taken as criticism;
- situations becoming emotionally charged; and
- a negative working environment.

As indicated above, there are many causes of conflict in the workplace, but for the purpose of this study, the factors as identified in this study are regarded as sufficient for the purpose of this research. The causes of conflict help to understand the behaviour of individuals in an organisational setting. In this section the views of the respondents in this study regarding the causes of conflict in the Oudtshoorn Local Municipality will be detailed.

Seven respondents indicated that they viewed political interference as the main cause of conflict within the Oudtshoorn Local Municipality. Three respondents reasoned that the local government sphere was politically driven and, as a result thereof, conflict was inherent, as indicated under the abovementioned theme. The other two respondents were of the view that there was no conflict within the Oudtshoorn Local Municipality and specifically not among councillors and officials. In chapter one, it was highlighted that political power and administrative authority will comprise the relationship between councillors and municipal officials. Although the majority viewed political interference to be the main source of conflict in the workplace, different opinions were provided as to how they viewed political interference in the administration, which will be summarised below.

The respondents argued that councillors may liaise directly with municipal officials, as long as it is within the ambit of the law and relates to service delivery issues. Councillors have an oversight role over the administration of a municipality, which enables them to liaise with municipal officials. The municipal officials should also understand the roles and functions of councillors. Three respondents further suggested that conflict was inherent in the functioning of councillors and municipal officials and that it would always be present because a municipality consists of politically elected officials who represent the community and the administration appointed to execute municipal policies.

Five respondents shared the view that the local sphere of government was very political in nature because “municipal officials want to be councillors and councillors want to be municipal officials, especially in the case of Oudtshoorn Local Municipality”. The latter clearly indicates that the councillors and municipal officials do not want to be responsible for their roles and functions. The councillors prefer to focus on the role of the municipal officials and the municipal officials focus on the role and function of the councillor. Councillors and municipal officials should accept their roles and functions. It is acknowledged that the seeming lack of taking responsibility for roles and functions on both sides can be identified as a possible source of conflict. Therefore councillors and municipal officials should stick to their roles and functions in order to reduce possible areas of conflict in the Oudtshoorn Local Municipality.

The objectives of a councillor differ from the core objectives of local government, as stated in the Constitution, 1996. Therefore the view of eight respondents that councillors do not understand their roles as politically elected representatives is of particular concern. The majority opinion (eight respondents) is that councillors do not understand their roles, but if more officials and councillors were interviewed a broader picture might be obtained. Two respondents however argued that councillors do understand their roles and functions, which again highlights the point that conflict could arise due to the fact that there is no shared understanding of the sources of conflict. The argument can be made that if councillors suggest that they understand their roles and functions, yet their behaviour indicates that they do not, as the officials claim, the potential for conflict increases exponentially.

Five respondents stated that the Oudtshoorn Municipal Council is failing to approve its annual budget which is indicative of the fact that councillors do not understand their roles and functions. Their argument related to the fact that Section 16 of the Local Government: Municipal Finance Management Act (Act 56 of 2003) states that a municipal council must approve its annual budget before the start of a new financial year. The Oudtshoorn Local Municipal Council failed to approve its annual budget and its integrated development plan as prescribed by legislation. In light of the above, it is impossible for the Oudtshoorn Local Municipality to function properly and to perform any duties relating the purchase of goods and services if the budget remains unapproved. Failure to understand their roles and functions in the local government sphere therefore leads to compliance problems for the Oudtshoorn Local Municipality and the municipality is currently under administration because of its failure to approve the annual budget.

In consideration of the above, it should be noted that the eight respondents to this study also alluded to other causes of conflict, although they indicated that political interference was the main source of conflict. The eight respondents were of the view that councillors approached municipal officials directly without following the necessary protocol prescribed by legislation. For example, the respondents say that councillors ask municipal officials to do favours for them such as printing private documents, obtaining confidential information and seeking advice regarding the appointment of staff in order to influence recruitment and selection processes. The eight respondents indicated that the councillors influenced processes by using political power to make municipal officials fear them. The respondents suggested that councillors used Section 56 and Section 57 appointees to appoint officials who were politically aligned to them, but who were not appropriate candidates for the job or lacked the skills, qualifications or experience to perform. In chapter one it was noted that should Section 56 and Section 57

appointees do not adhere to such political instructions, councillors threaten them with suspension, as they are authorised to do so.

The abovementioned is an indication of the respondents' perception of the misuse of political power by councillors. The detrimental effect of this is that relationships between councillors and municipal officials are being destroyed by self-interest. The causes listed here escalate the conflict between councillors and municipal officials within the Oudtshoorn Local Municipality. The legislative framework discussed in chapter three of this study prescribes that councillors should not intervene in the administration, but for the reasons highlighted above, councillors continue to intervene in the municipal administration. Therefore it seems that the councillors' perceived disrespect for the legislative framework and positions of municipal officials cause conflict to arise between councillors and municipal officials.

In their answers to the question addressing the relevant legislation related to the Constitution, 1996, Labour Relations Act, 1995 (Act 66 of 1995), the Main Collective Agreement, 2007, the Local Government: Municipal Systems Act (Act 32 of 2000) and the Local Government: Municipal Structures Act (Act 117 of 1998), it is clear that both councillors and municipal officials are familiar with the legislation that address conflict in the workplace. All 13 respondents indicated that the sources of legislation noted above were not applied effectively within the Oudtshoorn Local Municipality. The 13 respondents agreed that municipal officials and councillors knew what the most applicable sources of legislation were for the local government sphere, but indicated concern that municipal officials and councillors did not understand the importance thereof, or the implications of non-compliance with such legislation. The following shortfalls were identified by the respondents:

- “municipal policies are not compiled in line with prescribed legislation”;
- “policies are not reviewed on an annual and regular basis”; and
- “the policies are outdated.”

Having noted the above, the general observation emanating from this theme is that municipal officials have a responsibility to ensure that policies are compiled in accordance with legislation. Municipal officials, with the support, advice and assistance of the South African Local Government Association (SALGA), should arrange that workshops be conducted in order to keep councillors up to date with new legislation and amendments brought to legislation. The importance of this is that if councillors are up to date on new legislation and amendments on legislation, decisions taken by the Council will be lawful. Therefore the council is not to be blamed for the fact that municipal officials neglect their responsibility to councillors. This,

however, is also a potential area for or cause of the development of conflict in the Oudtshoorn Local Municipality.

It is therefore acknowledged that the main causes of conflict as identified by the respondents include perceived political interference, a lack of understanding of roles and functions and a perceived non-compliance with the requirements of legislation. The next theme focuses on the types of conflict, which are analysed below.

4.5 Types of Conflict

The different types of conflict were theoretically identified in chapters one and two and include intragroup, interpersonal and intrapersonal conflict (Collins, 2008:12). After consultation with the respondents in this study, it was confirmed that interpersonal conflict serves as the most applicable type of conflict. Four respondents referred to political conflict as the main type of conflict and stated that political conflict falls under interpersonal conflict, which will be explained below.

Of the 13 respondents, eight indicated that interpersonal conflict was the primary form of conflict and stated that such conflict happens between managers and subordinates, councillors and municipal officials, and labourers and supervisors, especially when a municipal official feels that he or she was treated unfairly or less favourably. Four (4) respondents were of the view that the local government sphere was functioning in a political environment in which factors such as political decisions, political power and political interference play a crucial role in the municipality. The concerns highlighted here are that political conflict filters down to the administration of the municipality. On an administrative level, it is difficult to manage such conflict as there is no conflict resolution strategy in the Oudtshoorn Local Municipality to deal with political conflict. As long as no political conflict resolution strategy is present, the employment relationship between councillors and municipal officials can have detrimental effects on both the functioning of the municipality and the services that are meant to be delivered to its community.

Alcock (2014:79) argues that political conflict is inevitable and includes disagreements among political parties over power and resources, especially in the local spheres of government. Alcock (2014:79) further shares the view that most political conflict takes place between political parties and is likely to be about power and control. The local spheres of government have become so politicised that political conflict filters down to the administration of the municipality and affects the municipal officials. This appears to be the case at the Oudtshoorn Local Municipality,

because municipal officials are involved in the business of political parties and use the resources of the municipality to benefit certain political parties.

Four of the respondents stated that members of political parties made certain promises to officials in senior positions in order to have them on their side. One respondent also stated that municipal officials were members of political parties and had the interests of their parties at heart. Municipal officials in the Oudtshoorn Local Municipality use councillors to protect them on a political level against victimisation and intimidation.

Interpersonal conflict was discussed in chapter two of this study. Since the majority view is that interpersonal conflict happens in the local government sphere, it can also be argued that municipal officials involve councillors in interpersonal conflict, as highlighted above. Therefore it seems that the interaction between political and interpersonal conflict have an important influence on the functioning of the Oudtshoorn Local Municipality as a whole. As noted at the beginning of the chapter, the municipality is politically divided, which might allow for further conflict to manifest since the officials and councillors, as political party members, would want their own political party to govern the municipality.

Based on the respondents' comments in this regard, it can be argued that the conflict experienced in the Oudtshoorn Local Municipality is not limited to interpersonal conflict, but can also be intergroup, as indicated by one respondent. The respondents' motivation in this regard is that conflict might also arise between management and organised labour over the terms and conditions of service, which involve promotions, advertised positions, overtime, standby allowances and acting allowances. Management and organised labour normally negotiate in what is called the Local Labour Forum (LLF). The Local Labour Forum is a statutory body provided for in the Main Collective Agreement, 2007 (SLGBC, 2007: 14). The abovementioned terms and conditions can start at interpersonal level and may be managed at intergroup (management and organised labour) level.

Taking into consideration the theoretical description of types of conflict, it can be argued that the various responses are in line with the theoretical overview regarding the types of conflict. It is therefore acknowledged that since interpersonal conflict manifests within the municipality, the proposed alternative conflict resolution strategy should also focus on managing interpersonal conflict. The conflict management process is important and is discussed as the next theme.

4.6 Conflict Management Process

The management of conflict in any workplace is important in order to build sound relationships between the employer and employee. The relationships between the employer and employee must remain healthy as this is in the best interests of the organisation and its goals and objectives (Mamorsky, 2001: 37). Various causes of conflict have been identified that need to be managed through the conflict management process in order to prevent the escalation of conflict in the workplace. The management of conflict was defined and discussed in chapter two of this study, as well as the different conflict management styles used to manage conflict in the workplace.

In terms of the information acquired through the interview process, six respondents argued that grievance procedures were used to manage conflict at the Oudtshoorn Local Municipality, while the other seven respondents shared the view that conflict could be managed by the employee wellness office at the Oudtshoorn Local Municipality. Five respondents were of the opinion that the wellness office should be regarded as a tool to manage conflict because conflict is associated with ill-discipline, which is managed by the employee wellness office. To this effect, the respondents argued that the employee wellness office was equipped with a suitable municipal official who is trained to deal with conflict situations within the Oudtshoorn Local Municipality. According to Swanepoel *et al.* (2003:541), the employee wellness office is not intended to be a conflict resolution centre in the local government sphere, but should rather focus on the wellbeing of the employees at work. Despite this, the five respondents supported the idea of the employee wellness office dealing with ill-discipline because, they argued, grievances and disciplinary procedures were not utilised effectively.

Seeing that the employee wellness office successfully deals with ill-discipline in the workplace, it could be reasoned that only certain matters should be referred to the employee wellness office and other matters that have serious repercussions should be investigated and if *prima facie* exists, formal disciplinary actions must be instituted. Three respondents further stated that they were not labour relations experts and needed intensive training in order to understand and manage discipline effectively. The comments made by these respondents regarding their capacity to manage conflict are especially important. The proposed strategy therefore needs to include the capacitating those involved in the management of conflict.

The respondents referred to above also indicated that the various policies, disciplinary codes and the relevant legislation were intended to ensure that conflict be managed correctly. Seven respondents further argued that heads of departments were appointed in order to see that

policies, disciplinary codes and legislation were applied and enforced correctly. They said that the municipal manager, as head of the administration, must ensure that this be done. The theory stated in chapter two highlighted that if conflict is not managed properly through the legislative framework, it could escalate to conflict situations in the workplace.

However, nine respondents indicated that the grievance procedures and management of discipline should be utilised more effectively because the stages that should be followed in terms of the grievance procedures were not followed correctly, with managers and supervisors not attending to the grievances within the prescribed period and grievances being converted into labour disputes. These were the reasons raised by respondents as to why grievance procedures in the workplace are not utilised effectively by manager and supervisors. The above respondents also argued that disciplinary procedures were not followed in accordance with the prescribed rules and regulations because employees were suspended without being granted an opportunity to provide reasons for which they should not be suspended. Moreover, they complained that during the implementation of the grievance procedures, chairpersons and prosecutors involved in disciplinary hearings were continuously replaced, which delayed the process. If the hearings continued and if the employer acted outside the prescribed period of three months, such matters were then referred to the SALGBC for consideration. The involvement of an outside organisation in the management of conflict is not considered to be beneficial to either conflicting party and, as such, the one could argue that proposing an alternative conflict resolution strategy should focus on internally managing conflict.

Six respondents indicated that due to the lack of a conflict resolution strategy specifically aimed at addressing conflict between councillors and municipal officials, the Office of the Speaker dealt with the management of discipline pertaining to councillors. This is because the Speaker is regarded as the Chairperson of the Council, as stipulated in Section 37 of the Local Government: Municipal Structures Act (Act 117 of 1998). The respondents indicated that they felt the Speaker should focus more on complying with legislation regulating the discipline of councillors. Once again, the issue arose that councillors interfere in the administration of the municipality without having to face the consequences of such actions. If councillors interfere in the administration of the municipality, it does not necessarily mean that the councillors are in breach of the Code of Conduct for Councillors unless the Council did not authorise a councillor to do so. Thus a councillor may intervene in the administration of the municipality, but subject to certain conditions. According to Section 11 of Schedule 1 of the Code of Conduct for Councillors, councillors can intervene in the administration and management if mandated by council to do so and can give an instruction to officials based on the resolution of council.

The respondents also stated that councillors who were absent for three consecutive council meetings were not disciplined, although this was prescribed by the Local Government: Municipal Systems Act. Municipal officials should be disciplined at a disciplinary hearing and therefore the Speaker of Council should establish a disciplinary committee in order to discipline these councillors. Section 14 of the Local Government: Municipal Systems Act states that a municipal council can investigate any matter relating to a breach of the Code of Conduct for Councillors and make a finding, or it can establish a committee to do so and make a recommendation to council. After a report into the alleged breach of the Code of Conduct for Councillors has been tabled before the council for final approval, the council may institute a sanction. The councillor has also a right to appeal the outcome of the investigation (South Africa, 2000).

In the Oudtshoorn Local Municipality, it is evident that a conflict resolution strategy should be established in order to manage conflict between councillors and municipal officials. The purpose thereof would be to strengthen relationships, which could lead to serving the people better, as noted in chapter one.

The general observation emanating from this theme is that the Oudtshoorn Local Municipality has good conflict resolution mechanisms in place but municipal officials fail to apply such conflict resolution mechanisms by continuously seeking reasons for which it cannot be utilised effectively. Moreover, the Oudtshoorn Local Municipality does not have conflict resolution mechanisms in place that make provision for conflict to be resolved between councillors and municipal officials. Therefore the municipality is in need of such a mechanism in order to manage conflict between councillors and municipal officials. At this stage, the Code of Conduct for Councillors is the only lawful guide to the management of the discipline of councillors. As noted throughout this study, the respondents concur that conflict originates from perceptions regarding unfair treatment and feelings of dissatisfaction that can be resolved and managed only through grievance procedures, disciplinary hearings and the municipal wellness office. In the next section the management skills necessary to manage conflict are described.

4.7 The Management Skills Necessary to Manage Conflict

In order to have conflict managed successfully in any workplace, it is important that the management (council) and employees (municipal officials) possess the necessary skills. Shapiro, Pilsitz and Shapiro (2004:2) argue that specific conflict management skills are required in order to manage conflict better. Conflict management skills will contribute to management and employees developing the ability to analyse conflict situations, to have better decision-

making abilities and take responsibility for the consequences of their decisions. Shapiro *et al.* (2004:2) further highlights the following important key aspects pertaining to the management of skills necessary to manage conflict in the workplace, including:

- critical analysis of attitudes and perspectives on conflict matters;
- developing useful skills for conflict management;
- understanding the importance of communication in conflict management; and
- gaining the ability to communicate in ways that the parties in conflict understand.

Of the key aspects provided above, it is noted that communication skills (listening, speaking and writing effectively) are likely to be the most important skills that one needs to have in order to manage conflict situations in the workplace. Supporting the above, Warne (2005: 42) identifies the following conflict management skills:

- people management skills, which includes decision making, time management, speaking and writing; and
- interpersonal skills, which includes managing conflict, negotiation, self-awareness and adapting to change.

It can be argued that the skills identified above will contribute to the effective management of conflict in the workplace. Managers and supervisors will be empowered to be able to view conflict from a different perspective and therefore it can be argued that the effectiveness of the conflict management process will be enhanced through the better understanding and handling of conflict situations due to the acquisition of such skills.

Eleven of the 13 respondents argued that management lacked the necessary skills to deal with conflict in the Oudtshoorn Local Municipality. The fact that almost all of the respondents said this is a very big concern. Cognisance should also be taken of the fact that the respondents mentioned certain factors that hindered management from managing conflict, such as political instability and political interference. Two respondents reasoned that no formal training or experience was required to deal with conflict within the Municipality, implying that conflict management was not considered to be a priority to management (the council). It should also be noted that the respondents themselves were line managers; thus by identifying the lack of skills in managing conflict they also acknowledged their own limitations in this regard.

Six respondents said that management brought in skilled persons from outside the municipality to manage conflict within the Oudtshoorn Local Municipality, meaning that the management of

conflict is outsourced to external parties. The respondents were of the opinion that municipal officials were not labour experts and professional consultants were needed. The literature used in this regard, such as the Main Collective Agreement (2007) and the disciplinary code and procedures, however, denotes that municipal officials should participate in disciplinary hearings as prosecutors and chairpersons. Formal training for this is provided by the Office of the SALGA (SALGA, 2011). The fact that the respondents recognised the lack of internal capacity to manage conflict further strengthens the need for an alternative conflict resolution strategy. This should serve as an opportunity for municipal officials to equip themselves with the necessary skills to have a better understanding of conflict and to manage conflict effectively.

One respondent argued that due to the political instability, municipal officials were not granted a fair opportunity to deal with conflict situations. As pointed out previously, local government is functioning within a political environment and therefore the respondents perceive it to be difficult to manage conflict without pressure from the politicians. This further exacerbates the instable political environment experienced within the Oudtshoorn Local Municipality.

The various conflict management styles that were outlined in chapter two above need to be taken into account in the conflict management process. The conflict management styles referred to in chapter two are also cited by Jowett and Lavalley (2007:36), and include the following:

- integrating style;
- obligating style;
- avoiding style; and
- compromising style.

As indicated in chapter two, avoiding and dominating conflict management styles will not be taken into account as these are likely to contribute to and even escalate conflict in the workplace. From the various responses obtained through the interview process, it is evident that management is perceived not to have the capacity or skills to manage conflict situations within the Oudtshoorn Local Municipality, specifically due to the involvement of politicians in the administration of the municipality. The fact that respondents perceive administrative appointees to be politically aligned makes it further difficult for management to be objective and impartial in conflict situations. The political appointees serve on the structures of political parties, which mandate councillors on various matters. Therefore the respondents emphasised the seriousness of political influence in the administration, which is a major concern in terms of the effective functioning of the administration.

Generally, it is observed that various skills are required in the Oudtshoorn Local Municipality to manage conflict situations in the workplace. The management styles currently used in the Oudtshoorn Local Municipality are the avoiding and dominant conflict management styles, which is evident from the fact that dealing with conflict is outsourced rather than managed internally. As indicated under the previous theme, conflict is not managed within the prescribed timeframes, which causes delays in the whole process.

The above analysis of the empirical data in relation to identified theoretical themes indicates that conflict is a reality within the Oudtshoorn Local Municipality. The conflict is exacerbated by the fact that councillors and municipal officials do not share the same understanding of the nature of and causes for conflict. The study has also identified the outsourcing of conflict management as specifically problematic, which highlights the specific need for internal capacity development for all managers involved in conflict situations.

4.8 Conclusion

In this chapter, the case of the Oudtshoorn Local Municipality was explored by noting the mission, vision and the values espoused by the organisation. The feedback and responses provided by the respondents to this study were detailed and analysed in relation to the themes regarding conflict that were highlighted above and the literature on the subject. Challenges and concerns were highlighted accordingly. The reasons for the complex relationship between councillors and municipal officials were consequently explained in this chapter.

In the next chapter a proposed conflict resolution strategy will be tabled in order to manage conflict in the Oudtshoorn Local Municipality. The focus of the conflict resolution strategy will be to address conflict on strategic, tactical and operational levels of the municipality.

Chapter 5: Proposed Conflict Resolution Strategy for the Oudtshoorn Local Municipality

5.1 Introduction

In the previous chapter themes such as the nature of conflict, types of conflict, perceptions regarding the effectiveness of the conflict management process and the management skills necessary to manage conflict within the Oudtshoorn Local Municipality were identified and analysed. In this chapter a proposed conflict resolution strategy for the Oudtshoorn Local Municipality is presented. The proposed strategy constitutes an attempt to address conflict in the Oudtshoorn Local Municipality by addressing the problems identified and highlighted in chapter four of this study. The problems identified are regarded as important and should therefore be managed by means of a conflict resolution strategy.

The proposed conflict resolution strategy will be presented in this chapter as a flow diagram in order to illustrate the functioning (proposed implementation) of the strategy. As outlined in chapter one, conflict happens on various levels of society but for the purpose of this study, conflict in an organisational setting was discussed with specific reference to the Oudtshoorn Local Municipality. The proposed conflict resolution strategy should improve the ability of the municipality to manage conflict, as regulated by the legislation analysed in chapter three of this study.

In the proposed conflict resolution strategy, decision making is of the utmost importance and will be discussed in terms of how it relates to such a strategy. The purpose of decision making in this strategy is to ensure that the correct decisions are taken when dealing with conflict situations in the workplace. The levels of decision making in conflict include strategic, tactical and operational levels. The proposed strategy will focus on resolving conflict in the local government sphere between councillors and municipal officials through mediation and negotiation. Before the role of decision making can be described, attention should be given to conceptualising the strategy within the context of the study.

5.2 Defining Strategy

The term “strategy” will now be defined. According to Lafley and Martin (2013:3), a strategy can be defined in many ways and is an integrated set of choices that uniquely position an organisation to create sustainable advantages and superior value relative to the competition. Lafley and Martin (2013:3) are further of the opinion that a strategy can also be defined as a detailed plan that specifies what the organisation will do in order to reach its goals and

objective. In accord with this, the goals and objectives of the proposed strategy are better mechanisms pertaining to the management of conflict between councillors and municipal officials.

In agreement with the above definition, Matthews and Brueggemann (2015:240) are of the view that a strategy is a coordinated and integrated set of five elements, namely a winning aspiration, where to play, how to win, core capabilities and management systems. Harrison and John (2013:80) share the view that a strategy provides strategic direction to an organisation and is established and communicated through tools such as mission and vision statements, which are regarded as important in order to communicate ideas and a sense of direction and purpose to internal and external stakeholders, and also to guide managers in the making of decisions about how resources should be allocated. Waters (2006:10) summarises the definition of a strategy as a fundamental pattern of current and planned objectives, resources and interaction with markets, competitors and other entities.

From the abovementioned definitions, it is clear that defining a strategy provides an organisation with strategic direction, both with respect to what it wants to achieve and how it will achieve it. Therefore the purpose of the proposed conflict resolution strategy is to reduce and manage conflict in the Oudtshoorn Local Municipality and this can only be achieved if a proposed conflict resolution mechanism is established that focuses on conflict between councillors and municipal officials in the Oudtshoorn Local Municipality. Lastly, it is noted that the definitions of a strategy provided above emphasise the importance of a strategy in the workplace. In chapter four of this study, the challenges identified with the current conflict management process highlight the need for a proper conflict resolution strategy.

5.3 Levels of decision making in an organisation

Thornhill (2011:302) defines decision making as a conscious choice among alternatives that usually involves facts and values. According to Pride, Hughes and Kapoor (2010:6), decision making is an act of choosing one of the alternatives. In support of the definitions provided above, Griffin and Van Fleet (2014:281) are of the opinion that decision making can either refer to an act or a specific process. In the context of this study, managers and supervisors need to make decisions pertaining to conflict situations in the Oudtshoorn Local Municipality.

Decision making plays a crucial role in the management of conflict in any work environment. There are different levels of decision making that should be taken into account, such as strategic, tactical and operational levels in an organisation. Comprehending the role of decision

making is important in order to understand how the strategy operates in each of the abovementioned levels.

As discussed in chapter three of this study, officials of the Oudtshoorn Local Municipality are currently attempting to address conflict by following grievance procedures and the management of discipline through the employee wellness office. As noted in the previous chapter, the Oudtshoorn Local Municipality does not have a conflict resolution strategy that deals specifically with conflict between councillors and municipal officials, since the councillors and municipal officials do not perceive conflict in the same manner. As noted in chapter four, the respondents indicated that due to the absence of a conflict resolution strategy for disagreements between councillors and municipal officials, conflict cannot be managed properly between these parties. One should also keep in mind that the strategy will not be utilised only for conflict between councillors and municipal officials, but will also be helpful for conflict that arises between managers and supervisors. The next section focuses on the different decision-making levels in a working environment.

5.3.1 Top management: strategic decision making and conflict

In the view of Falconer and Bagshaw (2004: 14), conflict arises at various levels of society. As indicated above, decisions are taken by managers and supervisors pertaining to conflict situations in an organisational setting. Kircher *et al.* (2013: 142) are of the view that decision making can be influenced by conflict. At the strategic decision making level, top management is tasked with focusing on the goals, objectives and direction of an organisation. In other words, they are responsible for making decisions pertaining to all aspects of an organisation. The decision-making process of top management involves the development of policies and rules that regulate conflict situations. The strategic policies have the potential to affect the entire organisation and should therefore be developed in accordance with the needs of the organisation at every level. In the context of this study, the focus of top management is to ensure that decisions regarding conflict be taken and that such decisions are fair, reasonable and lawful.

Papadakis and Barwise (2012:51) similarly argue that conflict has a significant impact and effect on the strategic decision-making process, as well as on the performance of the organisation. This indicates that conflict can disrupt the effectiveness of a strategic-decision making process. Papadakis and Barwise (2012:51) further reason that conflict can also be beneficial in the process of decision making and identify the following benefits in this regard:

- conflict enhances the decision quality by encouraging a more thorough evaluation of alternatives;
- conflict makes provision for the decision makers to have a better understanding of the conflict situations and how to integrate conflict solutions into policies and strategies; and

From the above, it can be argued that although conflict might have a negative impact on the decision-making process, it is important to identify negative factors in order to determine the way forward for the development of an effective decision-making process. Thus conflict can also be regarded as a valuable tool in decision making as it enhances the quality of decision making in any organisation and therefore helps to ensure that high quality decisions are made that will contribute to the goals and objectives of any organisation.

As stated in chapter four, the grievance procedures and the management of discipline are not utilised effectively in the Oudtshoorn Local Municipality and they also do not make provision for conflict to be resolved between councillors and municipal officials. Therefore one can argue that strategic decision-making processes through mediation and negotiation should be included in the grievance procedures and in the management of discipline. This will enhance the effectiveness of managing conflict in the local government sphere. In the next section, the tactical decision-making level and its influence on conflict management will be addressed.

5.3.2 Middle Management: tactical decision making and conflict

According to Montana and Charnow (2008:94), tactical decision making refers to decisions that are made on a middle management level by mid-level managers, such as divisional or departmental managers. As a result, decisions made on the middle level entail the development of specific tactical processes or procedures to accomplish the strategic goals defined and highlighted by top management.

Although top management's strategic decisions are non-specific because they are applied to all departments within the organisation, tactical decisions express organisational goals in a specific departmental manner. Tactical decisions are therefore more specific and concrete than strategic decisions and more action orientated (Memmert, 2015: 62). For the purpose of this study, tactical decision making will relate to decisions pertaining to how negotiation and mediation are to be included within the current grievance procedures and in the management of discipline.

On a tactical level, internal decision situations involve conflict between members of the same organisation, as highlighted throughout this study. Radford (2012:63) supports the views of

conflict provided and contextualised in the study, and contributes thereto by stating that in many situations, benefits are obtained from recognising the causes of conflict. In the case of this study, the causes of conflict were identified in chapter four, which dealt with the empirical findings. Radford (2012:63) believes that after recognising the causes of conflict, such causes normally relate to a degree of difference of opinions between parties acting in good faith. The assumption here, for the purpose of the study, is that councillors and municipal officials will interact with each other in good faith since they both serve a specific community and are responsible for achieving specific organisational and developmental goals.

The decisions pertaining to conflict on a tactical level should relate to the policy objectives that were developed and established at the strategic level. Tactical decisions regarding conflict are very important and can influence the quality of decisions if policy developed at strategic level is not tactically operationalised (Emmitt & Gorse, 2009:22). This emphasises the importance of operational decision making, specifically within the context of conflict management.

5.3.3 Supervisory level: operational decision making and conflict

According to Perry (2009:44), operational decisions are made on the lowest or supervisory level within the organisation and concern the course of daily operations of an organisation. Decisions made at operational level determine the manner in which operations are conducted in order to accomplish the tactical decisions made by mid-management. In the public sector, these decisions concern the most effective and efficient way to accomplish the goals on the day-to-day level.

In agreement with the above, Campbel, Edgar and Storehouse (2001:27) are of the opinion that operational decisions include the short-term objectives of an organisation regarding its daily activities. The operational decisions are dependent on the strategic and tactical decisions. The operational decisions are made on a supervisory level and are normally not complex. For the purpose of this study, operational decisions will include the decisions taken to implement grievance or disciplinary procedures fairly and in good faith when addressing conflict between councillors and municipal officials.

The problems highlighted in the previous chapter normally relate to the development of conflict due to a difference in the views or perceptions of individuals or groups within an organisation. The management of conflict in the workplace depends on decisions that are good for the organisation and have the ability to reduce conflict situations. Therefore the levels of decision

making are important to this study as they provide for a better understanding of decision making pertaining to managing conflict in an organisation.

In short, decisions are made at the various levels of an organisation. The decisions taken at each of the abovementioned levels have the potential to contribute to conflict or to resolve conflict by ensuring that strategic, tactical and operational decisions operationalise negotiation and mediation as part of a conflict resolution strategy. A proposed conflict resolution strategy will be described in the following sections.

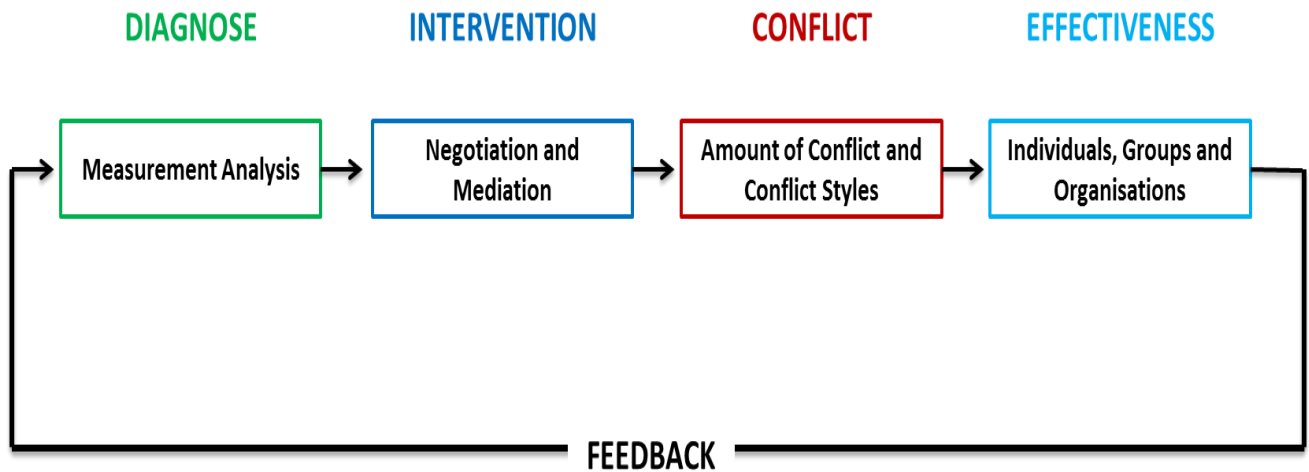
5.4 Proposed Conflict Resolution Strategy

When two or more individuals are employed by an organisation, the possibility for conflict exists. Many causes should be taken into consideration in the event of conflict, especially the causes of conflict between individuals or groups concerning disagreements about roles, duties, procedures and allowances, as emphasised throughout chapters one to four. In the event of conflict, it is the responsibility of supervisors to manage such conflict and impose steps to resolve it as soon as possible (Thornhill, 2012: 246).

The literature on conflict in the workplace clearly indicates that there is a need for a strategy to manage conflict effectively at all the levels. Based on the literature, the purpose of a conflict resolution strategy is to manage interpersonal conflict by focusing on:

- minimising conflict at all levels within the workplace in order to create a more conducive working environment;
- finding a better solution to manage conflict;
- preserving relationships; and
- committing both parties to successfully resolving the conflict.

The following conflict resolution strategy proposes to serve the purposes outlined above and therefore it is important to illustrate the strategy to indicate how it will work (Figure 1). The conflict resolution strategy covers the process involved in organisational conflict management, the diagnosis of and intervention in conflict. The proposed conflict resolution was developed in light of the challenges and shortcomings identified in the previous chapter. This conflict resolution strategy will serve as both a preventative and reactive response mechanism that will provide solutions to the management of conflict.

Figure 1: Conflict Resolution Strategy

Source: Adapted from Rahim (2015:58)

The proposed conflict management strategy serves to limit the negative aspects of conflict and to increase the positive aspects of conflict at all the levels at which conflict takes place, and will also enhance learning and group outcomes (Brinkert, 2012:94). The focus of the proposed conflict resolution strategy is not to avoid or eliminate conflict, but to manage conflict situations in the workplace.

In this section, the elements of the conflict resolution strategy will now be discussed in relation to the findings, literature and theory of conflict. The proposed conflict resolution strategy is illustrated as a process in which conflict is to be diagnosed (step 1), addressed through an intervention (step 2), while concomitantly identifying the needed conflict management style (step 3) and determining the effectiveness of the conflict management process (step 4) through feedback on individual and organisational performance. As explained in the theory of this study, it is important to first identify or determine the type of conflict before any conflict situation can be resolved effectively, as described in the following section.

5.4.1 Diagnoses through measurement and analysis

Francis and Albright (2002:31) are of the view that tools need to be available to diagnose and measure conflict in the workplace. Normally this refers to the causes of conflict, as identified and discussed throughout this study. Rahim (2015:58) argues that proper diagnosis of the causes and effects of the different types of conflict is important because the underlying causes of the conflict might not be what they appear to be on the surface. Therefore it is argued that if an intervention is made without proper diagnosis, the probability exist that the wrong problem might be resolved.

The findings outlined in chapter four of this study should be regarded as the diagnosis of the causes of conflict in the workplace. In this regard, it is argued that the diagnosis of any problems in the workplace must come before the intervention to manage conflict in the workplace. The causes of conflict indicated in chapter four are political interference, political instability, differences in views, perceptions and opinions, illegal and political appointments, municipal officials use councillors for their benefit and the other way around, misuse of power and municipal resources by councillors and officials, the involvement of municipal officials in politics and, lastly, the instability of the administration, as well as the political structures of the council. These are the key causes of conflict in the Oudtshoorn Local Municipality as per the findings of this investigation into conflict.

As noted in chapter four of this study, the respondents also stated that the current conflict resolution mechanisms are not used effectively and efficiently, and therefore it can be argued that there is a need to develop a conflict resolution strategy in the Oudtshoorn Local Municipality that is applicable to each of the levels as referred to below.

A comprehensive diagnosis of conflict in any organisation should include the measurement and analysis of the aspects listed below (Rahim, 2015:208):

- the quantity of conflict at intrapersonal, interpersonal and intergroup level;
- the styles of handling intrapersonal, interpersonal and intergroup conflict;
- the sources and styles of the abovementioned types of conflict;
- the effectiveness of individual and groups within an organisation in terms of learning.

Interpersonal conflict is the type of conflict that appears to be the most common type of conflict that happens at the Oudtshoorn Local Municipality between councillors and municipal officials. Therefore, in the context of the proposed conflict resolution strategy, interpersonal conflict should be managed through negotiation and mediation. The grievance procedures in the local government sphere will still apply in conflict situations, as mentioned above, but negotiation and mediation will apply if the parties in conflict are unable to identify common areas of conflict. The next step is the conflict intervention.

5.4.2 Conflict intervention

Golembiewski (2000: 383) is of the opinion that intervention is needed if there is too little or too much conflict and if the conflict is not handled effectively. In the Oudtshoorn Local Municipality, it has been noted that conflict has not been managed successfully. The conflict intervention

mechanisms that will be introduced in this strategy to address and manage conflict effectively are negotiation and mediation. Negotiation as a management tool in the conflict resolution strategy will be discussed first.

Mehnert (2008:2) defines negotiation as a process of arriving at joint decisions involving parties with different preferences and states that negotiation can be viewed as a way of getting what you want from the other party in the process of decision making. This view relates to the definition of Fells (2012:6), who states that negotiation can be regarded as a process whereby two parties with differences that they need to resolve try to reach an agreement through exploring options and exchanging offers and agreement. Spoelstra (2009:21) supports these definitions and is of the opinion that negotiation is the interactive process of creating value and wealth, which involves various actions or phases, such as communication, building relationships, defining problems and opportunities, creating perceptions and decision making.

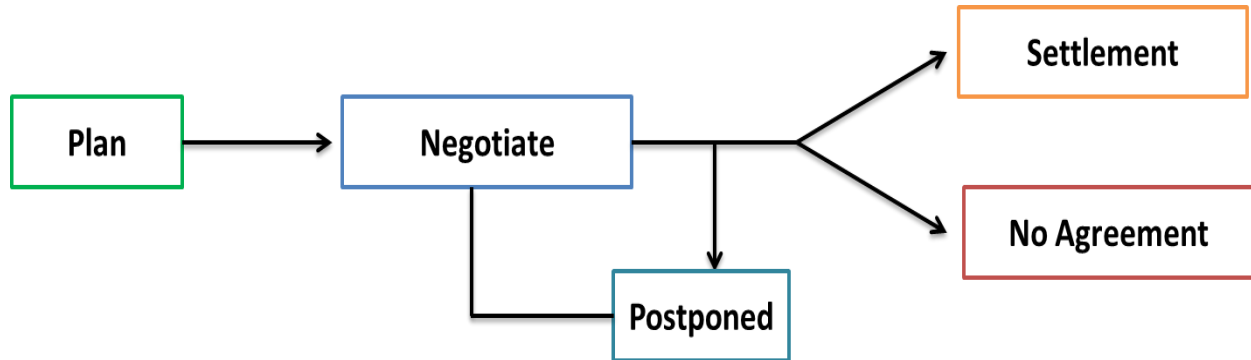
Schellenberg (1996:150) summarises the negotiation process as follows:

- that communication be regarded as a key element of the negotiation process as it enable parties in conflict to reach mutually satisfying agreements;
- the more parties anticipate future interaction in similar negotiation situations, the more likely they will be to reach mutually satisfying agreements ;
- negotiators often have levels of aspiration that relate to what they expect during the negotiation process and these expectations contribute to the identification of agreements other than formal bargaining processes; and
- agreements between parties in conflict often reach points at which there is a sense of equity, in that there is a reasonable balance in terms of what both sides gain through the negotiation.

From the abovementioned, it can be argued that the type of conflict that necessitates negotiation is interpersonal conflict, in particular the conflict between councillors and municipal officials in the case of the Oudtshoorn Local Municipality. The definitions of negotiation emphasise that negotiation is between two parties, who should engage with each other in order to find joint solution to a conflict situation. The causes of conflict outlined above could thus be addressed and managed better through negotiation if the conflicting parties work together with the right attitude, namely desiring the conflict to be resolved. The inclusion of negotiation will add value to the grievance procedures at the Oudtshoorn Local Municipality by making provision for conflict to be resolved and managed between conflicting parties. The grievance procedures were explained in chapter three of this study and it was noted that there are

different stages through which conflict can be resolved and managed. The negotiation stage of the proposed conflict resolution strategy will apply once the different stages of the grievances procedures have been exhausted. The negotiation process is presented as follows:

Figure 2: The Negotiation Process



This approach to conflict management will hopefully be followed within the Oudtshoorn Local Municipality. A plan first needs to be proposed by the conflicting parties as to how they propose the conflict situation should be managed. After consideration of such plans, the parties need to negotiate in order to find suitable solutions to the conflict problem. Once such solutions have been obtained, they will then be converted into a written settlement agreement. In the event of no settlement agreement, the conflicting parties need to consider starting the process from the beginning with a different approach to the conflict situation. If the parties are still not able to meet on the proposed dates to hear the matter, the matter can be postponed.

The process of negotiation makes it easier for the parties in conflict to engage with one another in order to arrive at an agreement that suits the needs of both parties. The negotiator simplifies the process of negotiation between the parties in conflict. Negotiation therefore serves as a problem solving process, in which communication plays an important role. In the conflict resolution strategy for the Oudtshoorn Local Municipality, negotiation will first apply if the conflicting parties are unable to identify common areas of conflict. This means that if the parties in conflict are unable to reach an agreement through negotiation, as an extension of the existing grievance procedures, the next step will be to mediate the conflict between the parties, which might include using an external mediator to resolve the conflict situation. While emphasis has been on internally addressing and managing conflict throughout the study, it has to be acknowledged that situations (specifically of a political nature) might need the identification of an acceptable, independent third person to mediate the conflict. We will explore this next.

Mediation is introduced as a conflict resolution strategy that will apply if the conflict cannot be resolved through negotiation. Lemmon (2008:196) defines mediation as the process in which a

qualified third party is appointed in order to assist the conflicting parties to find a suitable solution. Esplugues and Marquis (2015:669) are of the view that mediation is a decision-making process in which the parties are assisted by a third party, the mediator who attempts to improve the process of decision making and to assist the parties to reach an agreeable outcome. Weinstein (2001:28) states that mediation is a remarkably effective and flexible tool to resolve conflict and strengthen relationships between the parties in conflict. Having noted the definitions of mediation, it is important to understand the role of mediation in the proposed conflict resolution strategy.

Mediation must be part of the proposed conflict resolution strategy for the following reasons, as indicated by Doherty and Guyler (2008:11):

- Mediation is voluntary due to the fact that the outcome is determined by the parties in conflict, as they control the situation. The parties in conflict need to agree to mediation.
- Mediation is solution and agreement orientated, and does not focus on the problem that created the conflict situation but rather on how solutions can be obtained through mediation to establish good relationships in the workplace.
- The parties in the conflict provide the solution and not parties from outside, such as advisors, labour consultants or lawyers.
- The mediator is impartial as he or she serves as the cornerstone of the mediation process and must not take sides. The mediator must demonstrate fairness and objectivity from the beginning of the mediation process to the end.
- Mediation processes are usually confidential and should remain confidential.
- If the mediation process seems to be unsuccessful, formal or legal procedures can be invoked.

From the abovementioned, one can argue that the process of mediation supports the parties in conflict through the assistance of a third party especially if the conflicting parties are unable to agree on the causes or grounds of conflict. Brown (2012:353) is of the opinion that by being objective and acceptable to both parties, decisions taken by mediators tend to be accepted more easily by the conflicting parties.

Cownie, Bradney and Burton (2007:179) share the view that mediation works when the parties do not even want to sit around the same table. This means that the conflict situation has become so bad between the parties that they can no longer manage to be alone in the same room. The latter was mentioned in chapter two of the study, and that it was deemed necessary to make use of a mediator to mediate conflict situations between the parties. Swanson

(2007:248) further argues that polarised groups can be brought together through mediation; hence it can break the impasse and will thus contribute to the continuation of the discussion by the parties.

Having said the above, Weinstein (2001:138) is of the view that the parties still have the final decision with regard to the conflict situation. Once an agreement has been reached between the parties, the mediator remains responsible for assisting the parties to clarify the conflict matter so that the details of the resolution are made comprehensive and clear. Therefore it can be argued that mediation plays an important role in the conflict resolution process. During the mediation process, the parties in conflict are provided with an opportunity to express their views regarding a conflict situation and are also responsible for the solution to the problem. Thus mediation serves as a key factor in the proposed conflict resolution strategy for the local government sphere. Although conflict has the ability to destroy an employment relationship between the parties in conflict such working relationships can be improved and rebuilt by utilising mediation as one of the key methods or strategies in the conflict resolution process. The next step is the associated conflict management styles that support negotiation and mediation.

5.4.3 Conflict Management Styles

Various conflict management styles were identified in chapter two of this study. These conflict management styles include persuading, compelling, avoiding, collaborating and negotiating, as depicted in the following table.

Table 5.1: Conflict Management Styles

Type of Style	Description
Avoiding	The avoider in the conflict normally regards conflict as a fearful situation and feels hopeless if they fail to reach their goals and maintain good relationships. Avoiders withdraw from conflict situations
Collaborating	A collaborator does not only value his or her personal goals to be important, but also the relationship between the parties.
Compelling	Compellers pursue their own goals at the expense of other parties. They assume that conflict is settled by one party winning and the other party losing.
Persuading	Persuaders maintain good relationships between the parties
Negotiating	Negotiators seek to settle conflict through negotiation in order to have both parties satisfied with the outcome.

Each of the abovementioned conflict management styles can be useful in negotiation and mediation when dealing with conflict between councillors and municipal officials. Crawley and Graham (2011: 3) are of the opinion that managers must develop conflict management styles that affect the way a conflict is perceived and handled. Conflict should be managed through the relevant conflict management styles in the negotiation and mediation process, as this will contribute to resolving conflict and rebuilding damaged relationships at work between the conflicting parties. This will also create better working conditions in future for councillors and municipal officials, as there will be better mechanisms in place. Since conflict is inevitable, it can be argued that there will always be conflict in the workplace and this necessitates the adoption of conflict management styles that support negotiation and mediation as extensions of the current grievances procedures utilised by the Oudtshoorn Local Municipality to resolve conflict effectively.

Notably, any of these styles can cause a problem if used inappropriately and therefore it should not be assumed that the avoiding style is always wrong. Nor should it be assumed that the compelling style is always inappropriate and that attempts should thus be made in every situation to collaborate or to persuade. The conflict management styles that are generally accepted as appropriate can be harmful in a conflict situation. For example, collaborative styles are inappropriate in conflict situations in which managers could take advantage of naïve employees are considered to be vulnerable (Leas, 2014:4). Due to the fact that there will always be a difference in beliefs, values, views and perceptions, which might lead to conflict in ongoing relationships, the difficulty is not in the occurrence of conflict, but in choosing the correct management style during proposed negotiation or mediation of conflict between councillors and municipal officials, as is the case in this study.

In the next section the will focus will be on determining the effectiveness of conflict management.

5.4.4 Determining the effectiveness of conflict management

The last element of the proposed conflict resolution strategy is determining the effectiveness of the conflict management for individuals, groups and the organisation. Determining organisational effectiveness is influenced by the extent to which the organisation learns from the use of this proposed strategy. However, effectiveness does not necessarily mean resolution, but implies that learning has taken place to ensure that similar conflict situations do not occur again. Rahim (2015:34) defines organisational learning as a process of detecting and correcting a certain error in the workplace. This means that that organisational learning provides that

processes can be improved through better knowledge and understanding. King (2009:5) is of the opinion that organisational learning is regarded as the most important way in which the organisation can sustainably improve the utilisation of knowledge.

In the view of West (2003:33), the following four key factors contribute to the facilitation of sustained organisational learning:

- people are naturally learning while working, but need help to learn both regularly and rigorously from their work;
- such learning needs both a robust organisational system and a positive organisational climate in order to promote learning in the workplace;
- learning is valued by the organisation in terms of achieving its objectives; and
- the organisation should be able to transform itself continuously through its learning to the benefits of the stakeholders.

Organisational learning is relevant to the proposed conflict resolution strategy as it enables the conflicting parties to understand conflict situations in the workplace and to use that knowledge to create better working conditions. The mere fact that organisational learning contributes to understanding conflict in the workplace will place councillors and municipal officials in a better position to understand and acknowledge the challenges faced by each of the parties, such as those noted in the previous chapter. The individuals confronted with conflict should use the conflict as an opportunity to benefit to the organisation and to learn from past conflict experiences. Rout and Omiko (2007:46) are of the view that learning from conflict situations in the workplace contributes towards improving decision making and also helps to identify problems and find alternative solutions.

Having said that, the proposed conflict resolution strategy will effectively contribute to the better management of conflict in the Oudtshoorn Local Municipality. As noted above and in the theory, literature and findings of this study, the challenge lies with the diagnosis of the type of conflict. This is basically to ensure that the correct conflict matter be managed and addressed. Therefore better knowledge and understanding of processes and skills involved in conflict management must be enhanced through learning. The individuals and groups in the organisation must understand the behaviour of the individual at work, that is, why the individual behaves as he or she does, as indicated in chapter two above.

The general observations are that the abovementioned conflict resolution strategy illustrates the steps that need to be followed in order to resolve conflicts between councillors and municipal

officials. The grievance procedures in the local government sphere do not make provision for strategies such as negotiation and mediation to be included in the management of conflict process, and against this background it was deemed necessary to introduce negotiation and mediation in the proposed conflict resolution strategy. Organisational learning plays a crucial role in in terms of helping individuals in the workplace to understand conflict and learn from conflict situations.

The aim of the proposed conflict resolution strategy is to resolve conflict internally without having to refer conflict matters to external conflict resolution bodies such as the SALGBC. Moreover, mediation and negotiation might be crucial to dealing with conflict between councillors and municipal officials in the local government sphere because most of the conflict experienced on this sphere of government is political and interpersonal in nature.

5.5 Conclusion

In this study various challenges and shortcomings pertaining to the management of conflict in the Oudtshoorn Local Municipality were identified. The causes of conflict between councillors and municipal officials were investigated. In chapter one it was indicated that a proposed conflict resolution strategy be presented in order to manage conflict more effectively at the municipality. This research objective has been addressed accordingly.

In this study it was noted, after having investigated the causes of conflict, that the Oudtshoorn Local Municipality does not have a mechanism that serves as a tool to resolve conflict among councillors and municipal officials. Therefore the proposed conflict resolution strategy outlined in this chapter can be used to address conflict situations at the Oudtshoorn Local Municipality, specifically through negotiation and mediation as extensions of the current grievance procedure.

The proposed conflict resolution strategy consists of elements such as diagnoses, intervention, conflict and effectiveness. Each of the proposed elements was discussed with respect to how it relates to the conflict situation highlighted at the Oudtshoorn Local Municipality.

Chapter 6: Conclusion and Recommendations

6.1 Introduction

This final chapter of this dissertation includes a summary of each chapter contained in the study. The research objectives, as noted in chapter one, are linked to relevant chapters and are highlighted in the summary below. Lastly, recommendations are made regarding the management of conflict between councillors and municipal officials in relation to the use of the proposed conflict resolution strategy for the Oudtshoorn Local Municipality.

6.2 Summary

In chapter one of this study, the orientation and problem statement were explained in order to give an overview of the study. The focus of the research was to investigate the causes of the development of conflict between councillors and municipal officials working in the Oudtshoorn Local Municipality. Chapter one highlights the fact that the Oudtshoorn Local Municipality situated in the Little Karoo serves as the locus of this study. The research objectives were detailed and as follows:

- analyse the theoretical frameworks dealing with the occurrence of conflict and the management of conflict within organisations;
- describe the statutory and regulatory framework pertaining to conflict resolution in the local government sphere of South Africa;
- describe the nature of conflict between councillors and officials in the Oudtshoorn Local Municipality;
- explain the challenges experienced by both the employer and employees regarding the use of the current conflict resolution mechanisms at the Oudtshoorn Local Municipality; and
- propose an alternative conflict resolution strategy to address the conflict in the Oudtshoorn Local Municipality.

Subsequent to the above, it was explained that a qualitative research methodology approach was used for this research. The research methodology was outlined and it included the use of a literature study and semi-structured interviews as data collection instruments. Lastly, an overview was provided of the content of chapters one to six.

Chapter two of this study focused on providing a theoretical overview of conflict and conflict management in an organisational setting. The research objective in this regard was to analyse the theoretical frameworks describing the occurrence of conflict and the management of conflict

in organisations. In relation to the research objective highlighted above, it should be noted that the study addressed the objective. Several definitions of conflict in the workplace were provided in order to establish a conceptual understanding of what conflict really is. The different levels of conflict namely, interpersonal conflict, intrapersonal conflict and intergroup conflict were explained and a deduction was made regarding the levels of conflict and its relevance to the study.

Furthermore, chapter two included a theoretical understanding of the different theories that are relevant to the context of this study. The theories highlighted in this study were the Organisational Theory, Organisational Behaviour and the Human Relations Theory. Each of the aforementioned theories were contextualised to gain a better understanding of the relevance of the theories to this study. The process and structural models of conflict were also discussed. The advantages and disadvantages of each of these models were explained to determine the applicability of such models to this study.

The last part of chapter two focused on the management of conflict in the workplace. A theoretical overview of the management of conflict was provided in order to understand what conflict management is and how it can be managed in the workplace. The various conflict management styles that feature in the theory of conflict management were discussed in detail, namely were the integration, obliging, dominating, avoiding and negotiation style of conflict management. Chapter two served as the theoretical foundation for this study; therefore emphasis was placed on the theoretical aspects highlighted throughout chapter two of this study.

Chapter three comprised a description of the regulatory environment that provided for conflict management in the local government sphere. Attention was paid to the research objective, as noted in chapter one of this study, to describe the statutory and regulatory framework pertaining to conflict resolution in the local government sphere in South Africa. The abovementioned research objective was addressed accordingly. The relevant legislation influencing conflict management in the local government sphere was explained and analysed in order to see how municipalities are governed through such legislation. The most important source of legislation, namely the Constitution of 1996, serves as the supreme law of the land and relevant sections were referred to and explained. The different types of municipalities were also explained and the case, namely the Oudtshoorn Local Municipality, was identified as a Category B municipality.

The roles and functions of municipalities were also outlined in this chapter. The legislation regulating the employment relationship between an employer and employee was also unpacked. The legislation discussed in this chapter makes provision for the effective managing of conflict in the workplace, especially between councillors and municipal officials.

The internal conflict resolution mechanisms laid down in chapter three, namely the grievances and the disciplinary procedures, were also discussed. These conflict resolution mechanisms are currently utilised by the Oudtshoorn Local Municipality to manage conflict. However, it was indicated in this chapter that the grievance procedures were not utilised effectively. The various causes of grievances that could lead to the development of conflict in the Oudtshoorn Local Municipality were also discussed. In conclusion to this chapter, the disciplinary process for the local government sphere was also described in order to give an overview of how discipline is maintained in municipalities.

In chapter four the analysis of conflict management at the Oudtshoorn Local Municipality was detailed. In this chapter the research objective to explain the challenges experienced by both the employer and employees in the use of the current conflict resolution mechanisms at the Oudtshoorn Local Municipality was addressed. In this chapter the case of the Oudtshoorn Local Municipality was contextualised and it was explained that the council of the Oudtshoorn Local Municipality was constituted by 25 councillors who were elected to serve on the Municipal Council. The Oudtshoorn Local Municipality has 13 wards and it was explained that the majority political party was the party with the most seats in the council. The political instability evident within the Oudtshoorn Local Municipality was highlighted on the basis of literature such as newspapers and press releases by the Western Cape Member of the Executive Council for Local Government and Environmental Affairs.

Interview questions were put to the 13 respondents and the outcomes thereof were thematically analysed in order to determine the challenges experienced pertaining to the management of conflict at the Oudtshoorn Local Municipality. The views of both councillors and municipal officials were recounted and summarised. The findings were presented according to the following themes:

- The nature of workplace conflict, with a focus on how individuals such as councillors and municipal officials understand conflict: the findings were that all the respondents understood what workplace conflict was and how it developed or manifested at the municipality.

- The causes of conflict: the findings were that most conflict in the Oudtshoorn Local Municipality was the result of political instability, differences in opinion between councillors and municipal officials, and a failure to understand roles and responsibilities of both parties.
- Types of conflict: theoretically, the types of conflict were mainly interpersonal, intrapersonal and intergroup conflict. However the respondents stated that political conflict was likely to be the most common type of conflict in the Oudtshoorn Local Municipality.
- The conflict management process: this included the grievance and disciplinary procedures that are currently used by the Oudtshoorn Local Municipality to manage conflict. The respondents explained that the Oudtshoorn Local Municipality was currently also making use of the employee wellness office to manage conflict.
- The management skills necessary to manage conflict, which was basically an attempt to evaluate whether employees and management had the capacity to manage conflict in the Oudtshoorn Local Municipality. The responses in this regard revealed that the manner in which conflict was managed was not conducive to a productive working environment.

In chapter five, the study proposed an alternative conflict resolution strategy for the Oudtshoorn Local Municipality. The purpose of the strategy was to resolve and manage conflict between councillors and municipal officials effectively. The development of a proposed conflict resolution strategy addressed the final research objective indicated in chapter one. The proposed conflict resolution strategy was formulated in line with the needs and challenges outlined in chapter four of this study. After having conducted interviews with various respondents, it was concluded that the current conflict resolution mechanisms were not utilised correctly and therefore the need arose to adhere to the research objective.

The definition of the term “strategy” was provided, as well as a discussion of decision making and the different levels of decision making in an organisation. The proposed conflict resolution strategy was discussed and the main elements thereof will be summarised below:

- diagnosing the situation was the first step in the proposed conflict resolution strategy and here it was indicated how the causes of conflict should be diagnosed in order to have a better understanding of the conflict and the type of conflict identified;
- the intervention followed and included conflict intervention mechanisms such as negotiation and mediation, which may be used to manage conflict in the proposed conflict resolution strategy with the purpose of getting conflicting parties to engage with each other and to find possible solutions to their conflict;
- the identification of conflict management styles was the next step. Here the focus was on providing an overview of the various conflict management styles and explaining the conflict

management styles that should be taken into account when dealing with conflict in the workplace; and

- the last step was to determine the effectiveness of conflict management in the workplace and how the organisation might learn from conflict situations in order to have a better understanding of conflict and how it can be managed through negotiation and mediation.

The proposed conflict resolution strategy made provision for negotiation and mediation. These are not currently included in the grievance procedures of the Oudtshoorn Local Municipality. The conflict management styles were integrated with the various conflict situations in order to understand conflict and the management of conflict in the workplace.

6.3 Recommendations

The recommendations below are based on the empirical findings and literature detailed in this study. On this basis, the following recommendations are proposed as essential for the Oudtshoorn Local Municipality and its ability to manage conflict and enhance relationships between the management and the employees, and thus between municipal officials and councillors. The recommendations are thematically grouped according to the steps in the proposed strategy:

- Diagnosing through measurement and analysis, which can be achieved when:
 - councillors and municipal officials understand the causes of conflict and try to find the best possible solutions and practice for conflict;
 - councillors and municipal officials investigate conflict situations before attempting to manage the conflict;
 - proper orientation and induction meetings are held with councillors in order to determine the roles and responsibilities of both parties regarding the administration of the municipality;
 - municipal officials are trained to understand the interpretation of legislation governing the local government sphere and proper induction training is provided; and
 - communication serves as a key factor in addressing conflict between councillors and municipal officials.
- Promoting conflict intervention through:
 - councillors and municipal officials understanding negotiation and mediation as strategies for effective problem solving;

- training in management of day-to-day issues between councillors and municipal officials, as this will strengthen the capacity of both parties in conflict-related situations;
- resolving conflict before it leads to the breakdown of relationships between conflicting parties; and
- determining what the capacity challenges are in the management of conflict and addressing such challenges through the training and development.
- Integrating conflict management styles by:
 - managers and supervisors within the Oudtshoorn Local Municipality dealing with conflict and ill-discipline within the prescribed period contained in the grievance procedure and the disciplinary procedure and code;
 - managers and supervisors determining which conflict management style should be applied in which conflict situation; and
 - councillors and municipal officials being made aware of the various conflict management styles and being taught how to utilise such styles in various conflict situations.
- Determining the effectiveness of the proposed conflict management strategy by ensuring that the Oudtshoorn Local Municipality:
 - involves the South African Local Government Association (SALGA) in assisting the municipality to build capacity through training and developing councillors and municipal officials in conflict management;
 - educates councillors and municipal officials to understand their roles and responsibilities towards each other, as well as the influence that misunderstandings might have on their employment relationships and the delivery of services to the communities;
 - promotes the professional and ethical behaviour of both councillors and municipal officials;
 - holds separate workshops with councillors and municipal officials on conflict in the workplace, because this will enable them to have a different approach to conflict; and
 - updates the councillors and municipal officials regarding amendments to legislation in order to take decisions that comply with the requirements set for the local sphere of government.

It is acknowledged that the proposed conflict resolution strategy will be successful only if both management and employees, that is, councillors and municipal officials, support and commit to it. The commitment of all involved is, however, subject to the ability of the municipality to identify the negative consequences of conflict not being managed proactively and constructively.

6.4 Conclusion

In this study the various causes of conflict within the Oudtshoorn Local Municipality were investigated and identified. A proposed conflict resolution mechanism was formulated to aid the municipality to address conflict between councillors and municipal officials. As noted throughout this study, the five research objectives outlined in chapter one were addressed.

Information regarding conflict in the Oudtshoorn Local Municipality was obtained and gathered through the use of semi-structured interviews. The responses were analysed and presented under pre-established themes. The responses included the views and opinions of councillors and municipal officials regarding conflict, the management of conflict and legislation that provides for dealing with conflict in the local government sphere.

Throughout this study it became evident that conflict was not managed properly at the Oudtshoorn Local Municipality. The fact that management lacks the capacity to address conflict situations within the legislative framework can be regarded as an area for further research. In this regard, further causes of conflict could be explored through interviewing all the councillors and municipal employees.

The study has demonstrated why it has become so important to manage conflict, and to enhance capacity to improve working relationships between management and employees. The researcher recognises that the political environment within which municipalities operate contributes to opportunities for conflict between councillors and municipal officials. However, it has also been demonstrated that conflict management, even in these complex situations, can be effective in addressing issues polarising individuals and groups, as well as ensuring enhanced service delivery.

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Annexure A: Institutional Structure of the Oudtshoorn Local Municipality

OUTTSHOORN LOCAL MUNICIPALITY

INSTITUTIONAL STRUCTURE



Annexure B: List of Interview Questions

List of Interview Questions

1. What is your understanding of workplace conflict?

This question wants to know if employees understand conflict in the workplace.

2. Do you think conflict exist between Councillors and Municipal Officials? Please motivate your answer?

To determine if conflict exist between councillors and municipal officials and what the reasons are therefore.

3. What in your view or opinion are the causes of conflict between Councillors and Municipal officials or factors leading to the development of conflict?

This question investigates the various causes of conflict in the workplace.

4. Why do you think conflict occurs in the workplace?

This question aims to investigate the knowledge levels of municipal employees within the Oudtshoorn Local Municipality. The purpose is to determine whether employees know what the reasons are as to why conflict occurs in the workplace. The question will further determine whether employees understand workplace conflict. In order for any conflict situation to be addressed, it is utmost important to first gain an understanding of the problem before an effective resolution can be embarked on.

5. What are the mechanisms used by the Oudtshoorn Local Municipality to resolve conflict among officials?

This question will try to determine if municipal employees are aware of the fact that conflict can be resolved through the various conflict resolutions mechanisms available. This will be determined by the manner in which municipal employees answer the

questions. Therefore this question requires the respondents' knowledge in terms of the various mechanisms applicable to local government.

6. How effective are the conflict resolution mechanism as referred to above, in resolving conflict?

Upon identifying of the various conflict resolution mechanisms, this question will investigate the effectiveness of the current conflict resolution mechanisms. In other words the focus will be to gain as much information from the respondents which will determine the effectiveness of the conflict resolution mechanisms currently used by the Oudtshoorn Local Municipality.

7. What type of conflict is applicable in a working environment such as Oudtshoorn Local Municipality and how does it manifest in the workplace?

This question is aimed to determine whether municipal employees are familiar with the conflict environment in Oudtshoorn Local Municipality. This means that the purpose is to determine if the respondents know what the types of conflict are and among those types of conflict, which type are most applicable to Oudtshoorn. This question will in support of the conflict type identified by a municipal employee, gain reasons as to why it is relevant.

8. Identify and explain the main sources of conflict within the Oudtshoorn Local Municipality.

This question is aimed to investigate the various sources of conflict in Oudtshoorn Local Municipality. Respondents will be required to provide valid reasons as to their experience in Oudtshoorn Local Municipality as to why they've identified such sources. Afterwards reasons will be expected in support of the sources listed. The purpose of this is to investigate the problem as to why conflict occurs between municipal employees and councillors within the Oudtshoorn Local Municipality.

9. In your view, what are the most important sources of legislation that needs to be considered in dealing with conflict in the workplace?

This question determines whether the respondents to this study know what the sources of legislation are at Oudtshoorn Local Municipality. It is important to know the

various sources of legislation regulating conflict at Oudtshoorn Local Municipality. The sources of legislation serve as a framework in which conflict can be dealt with in order to strive towards resolving conflict effectively.

10. Do you think management possesses over the necessary expertise, qualifications and experience to deal with conflict among employees?

This question relates to the ability of municipal employees to deal with conflict accordingly. The views of the respondent are essential in order to determine the shortages in the conflict management processes among management. This ranges from qualifications to experience and also to determine if municipal employees in management positions consider all relevant factors when dealing with conflict.

11. How do you deal with conflict?

This question investigates the manner in which municipal employees' deal with conflict. It will determine whether employees deal with conflict within the scope of the prescribed legislation.

12. Conflict is normally seen as something negative, does conflict have the ability to destroy an employment relationship and why?

The purpose of this question is to determine how municipal employees view conflict in the Oudtshoorn Local Municipality. The way in which respondents' answers this question will determine if employment relationships can be destroyed by means of conflict. The answers will be analysed in order to determine the current status regarding conflicts ability to destroy employment relationships.

13. How can conflict be resolved internally without intervention from parties outside the municipality?

This question will investigate how conflict can be resolved internally without any external intervention. The question will assist in finding out from the respondents what is needed to enhance the conflict resolution processes.

14. What is the procedure to be followed if certain allegations are made against an employee?

This question serves to investigate whether municipal employees are aware of the procedures to be followed in the event of misconduct. It will be further determined if municipal employees understand what to do regarding certain situations.

Annexure C: Letter of Consent



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Public Management & Governance
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Respondents for MA study
Oudtshoorn Local Municipality
6620

07 July 2015

Dear respondent

Request to participate in this research

The above matter refers.

Please note that I'm Mr Earl-john Jantjies and am pursuing research towards a Masters degree in Public Management & Governance at the North-West University, Potchefstroom Campus. I have received approval from the Municipal Manager to conduct research at the Oudtshoorn Local Municipality. The letter of approval is available for inspection.

The topic of my research is "Developing a conflict resolution strategy for the local government sphere: The case of Oudtshoorn Local Municipality".

Each identified respondent will be requested to complete a questionnaire as well as participate in semi-structured interviews. The purpose of the questionnaire is to obtain biographic information about respondents participating in this study. The purpose of the semi-structured interview questions is to determine the effectiveness of the current conflict resolution mechanism utilised at the Oudtshoorn Local Municipality.

Respondents participate in the study according to their own free will. Names of respondents will merely be used for research administration purposes but identities of all participants will be withheld and protected. Therefore each respondent will simply be referred to as respondent one, two or three, etc.

The abovementioned process regarding completion of the questionnaire and interviews will approximately take 15-20 minutes.

Kind Regards

E Jantjies

Participant one

**QUESTIONNAIRE COMPLETED BY MUNICIPAL OFFICIALS, COUNCILLORS
AND UNION MEMBERS AT THE OUDTHSHOORN LOCAL MUNICIPALITY**

SECTION A: BIOGRAPHIC AND DEMOGRAPHIC INFORMATION

The personal information provided below is important to this study as it will be used to ease the process of data analysis.

Please indicate with a cross (X) the following general questions in the appropriate box

A1

Gender	Male		Female	
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A2

Age	21 - 30		31 – 40		41 - 50		51 - 60		61 +	
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A3

Highest Qualification	Grade 12		Diploma		B-degree		Postgraduate degree		Other	
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Position	Municipal Manager/Director		Senior Manager		Manager		Senior Admin officer		Other	
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A4

Experience in the municipality	0 -1 year		2 -5 Yrs		6 - 10 yrs		11 -15 Yrs		16 – 20 yrs		20 + yrs	
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