

## Factors Preventing Public University Academic Staff Involvement in Trade Unions

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### Abstract

Trade unions in Malaysia play an important role in upholding workers' rights through collective voice and consultation with employers to defend the interests of their members. However, there are various factors that prevent the academic staff of public universities from engaging with trade unions in their universities. The focus of this study is to identify factors that hinder the involvement of public university academic staff in trade unions. This study uses quantitative and qualitative methods to achieve its objectives. A total of 168 academic staff members responded to the questionnaire. The quantitative data obtained is then analysed using SPSS software. A structured interview session involving 13 informants among members and non-trade union members was also conducted. The results showed that the level of factors hindering the involvement of academic staff was moderate. While qualitative findings found four factors that hinder the involvement of academic staff in trade unions, namely (i) the roles and functions of trade unions, (ii) the influence of friends, (iii) the terms of membership, and (iv) personal responsibility. The study suggests that public university trade unions should organise various awareness programmes for academic staff to encourage their participation in trade unions.

**Keywords:** Trade Union, Academic Staff, Public University

**Introduction**

Trade unions are defined by the International Labour Organization (ILO) as organisations of workers created with the aim of advancing and defending employee interests and regulating employment relations through a direct process of collective consultation with management. In Malaysia, the definition of trade union is provided under the Industrial Relations Act 1967 ('IRA 1967') means a trade union registered under any law relating to the registration of a trade union in Malaysia.

According to Section 2(1) of the Trade Union Act 1959, it defines "trade union" as: association or combination of workmen or employers, being workmen, whose place of work is in West Malaysia, Sabah or Sarawak as the case may be, or employers employing workmen in West Malaysia, Sabah or Sarawak, as the case may be-

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

(b) whether temporary or permanent; and

(c) having among its objects one or more of the following objects-

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

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

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

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

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

Trade unions play an important role in the field of industrial relations. Its most important function is to represent employees in expressing their demands to the employer in order to achieve a better employment contract. According to Ahmad et al., (2019), trade unions also serve as pressure groups, taking care of the welfare of workers, regulate employee relations and provide services and training for union members. Based on the report by the Department of Trade Union Affairs (2022) until March 2022, there are a total of 750 trade unions in Malaysia. Peninsular Malaysia recorded the highest reading at 79%. While 10% represent Sarawak trade unions and 11% represent Sabah trade unions. Statistical findings show that the total membership is 944,102, of which 90% are members in Peninsular Malaysia, while 5% represent trade union membership in Sabah and Sarawak.

In the context of higher education institutions, trade unions play an important role in safeguarding the welfare of union members, especially the staff of the institution concerned. This is also stated by Ogunode et al (2022) that trade unions can play a broader role, covering aspects of student welfare and university well-being. However, statistics from the Department of Trade Union Affairs (JHEKS) in 2020 show that there are 59 trade unions in the education sector with a total membership of 337,072 members (JHEKS, 2020). This number includes three academic unions at the Public Higher Education Institution (IPTA) level that are registered with JHEKS, namely the University of Malaya Academic Staff Association (PKAUM), the University of Technology Malaysia Academic Staff Association (PKAUTM), and the Mara University of Technology Academic Staff Union (MITASA). All these unions were established with the same purpose, which is to fight for the rights and welfare of academic staff in their respective universities.

However, the involvement of academic staff in the union is relatively low. For example, the total number of PKAUTM members is reported to be only 587 compared to more than 1600 academic staff at Universiti Teknologi Malaysia (37%). This percentage is not much different from MITASA which only has 2,393 members compared to a total staff of 7,820 (31%). The number of members in the union not only symbolizes the strength of the union but also reflects the productivity and effectiveness of the union's role. Therefore, the number of members in a union can be considered an important element in evaluating and giving an impression of the strength and status of a trade union.

Indeed, it has been found that there is a lower tendency among public sector workers to join unions compared to private sector workers. But this matter needs to be improved since the strength of a union depends on the solidarity of union members. Therefore, the involvement of more academic staff, especially in the union at the university level, will be able to increase the density of the union and at the same time strengthen the position of the union as a representative of academic staff to fight for the rights and welfare of academic staff. Therefore, this study was carried out to identify the main factors that hinder the involvement of academic staff at public universities, especially in trade unions.

### **Literature Review**

In the context of Malaysia, representatives from each registered union or university employee association will be members of the Joint Departmental Council (MBJ) which was created earlier by the government through Service Circular No. 02/1992 Restructuring of the National Joint Council for Employees in the Public Sector, Public Service Department. This means that the establishment of a trade union of academic staff is recognised and plays an important role in the management of the university.

According to the Service Circular No. 02/1992, National Joint Council (MBK) which was created under Service Circular No. 02/1979 had been replaced by 3 MBKs i.e. MBK for Management and Professional employees, MBK for Science and Technology workers in the Support Group, and MBK for General employees in the Support Group. All MBKs have the same jurisdiction which is to: (a) give opinions and discuss the principles of remuneration, allowances, facilities and conditions of service for public sector employees. Discussions shall touch on general matters and not matters involving individual employees; (b) enable the Officer to submit any proposed changes or alerts on new developments to obtain the comments and views of the Employees before being brought to the Government's decision.

The workers' participation through union will make it possible to carry out the process of collective bargaining with the management or representatives of the business. This indirectly allows various issues and matters to be discussed for mutual benefit. In addition, among the strategies to discuss the problems faced by the union is through the merger between unions and other unions (Pilim & Ibrahim, 2022). Thus, the transfer of information from more influential unions can help create a good management system with other unions.

According to Yusof and Hamidah (2009), the three main factors driving the involvement of workers in trade unions are economic factors, the protection of rights, and social factors. For example, according to Pauzi and Koris (2020) the trade unions established at the university act to champion the psychological and mental welfare of university staff to ensure that work pressures can be best addressed. Trade unions are also one of the platforms for academic staff to meet and interact with their counterparts and indirectly share problems and views (Sinniah et al., 2019). In other words, trade unions become observers and arbitrators against the actions of employers (Yusop and Hamidah, 2009). Indirectly, the rights of employees will

be protected and more fully guaranteed against any form of discrimination from the employer.

However, there are also factors that prevent academic staff from joining this union at their institutions. A recent study by the Academic Staff Union of Universiti Teknologi Mara (MITASA) has been conducted on the perception of academic staff towards their institutional union and the factors contributing to the lack of interest in participating in MITASA. Their findings were evaluated by comparing factor studies conducted by previous researchers (Aminuddin, 2009; Ganesan, 2016; Ismail et al, 2018) with the latest study (Soh et al., 2021, Sharifah Nursyahidah, 2021; Fadillah Ismail, 2022; Gaong et al., 2022). The results of the study showed that there were both booster factors as well as factors that reduced the number of entries. The analysis showed that the majority of academic staff joined MITASA because they believed the union could fight for the rights of academic staff, followed by believing in the union to meet their psychological demands on issues such as the workplace environment. Meanwhile, the findings on the reduction of staff interest in participating trade union showed that more than half of respondents stated that no information was clearly channelled to them about the union, followed by communication problems, work and family commitments. Therefore, the findings of the study can assist MITASA in identifying their weaknesses and drawing up strategic plans for management.

The findings of the study by Sharifah Nursyahidah (2021) elaborate on developments in trade unions and employment relations. This study found a wide range of issues discussed in previous studies related to the terms of membership in trade unions, trade union democracy, and the selection of members for trade unions. In fact, the findings suggest that there is a problem in the relationship between trade unions and the laws of the country. Past studies have also suggested that political and economic democratisation should be done at the local and national levels in order to get justice to all levels of the lower or upper classes. In addition, previous studies discussed the factors of employee's involvement in trade unions, namely economic factors, safety factors, welfare factors, and economic factors (Ismail, 2022). In fact, the study also found five factors that prevent workers from joining a trade union, i.e., (1) trade unions do not have a good record; (2) the role of trade unions is not in line with individual goals; (3) the staff is not interested in unionizing; and (4) the employer does not support the staff's decision to unionize. Meanwhile, a study by Gaong et al (2022) found that changes in the economy and employment structure have impacted the changing collective actions of workers nowadays. Thus, this study has suggested that unions should act collectively to fight for the welfare of workers and to create awareness among workers about their basic rights in the face of challenges during their tenure.

Referring to studies done on academic staff unions in the last 10 to 20 years, it was found that studies that collected data in the form of studies and measured the driving factors and mitigating factors of participation were still poorly done in educational institutions in Malaysia. The search for publications of scientific studies is seen as very difficult to find at academic staff unions, but targeted studies using online form methods are widely found, though it is likely that only reports and enforcement are done internally and remain unpublished. Thus, it can be concluded that the visibility of each academic staff union is underserved, which makes it increasingly difficult to get more support. In addition, the studies conducted by Rahman et al (2020) on the relationship of top management with academic staff in public universities in Malaysia are related to each other. The results of the qualitative study found that a working environment with less work pressure and fewer employment problems will increase the satisfaction of the academic staff, lead to excellent teaching

achievement, and provide additional services. Therefore, the academic staff union should play an important role in ensuring that the responsibilities and commitments of the union are achieved.

Pauzi and Koris (2020) explained that the trade unions established at the university act to champion the psychological and mental welfare of university staff to ensure that work pressures can be best addressed. For example, the National Union of Teaching Services (NUTP) revealed that hardworking teachers in schools are among those who face high work pressure and face stress problems that interfere with productivity (Mohd Hafiz, 2019).

In addition, a review of the literature found that the CUEPACS trade union, which consists of 400,000 civil servants, was depressed by the work and even experienced mental distress, and some were given psychiatric cards, and the trend has not shown any reduction over the past few years. The cost of living and stress while working are among the main issues and are seen as the main factors causing civil servants to continue to be plagued by stress (Ridauddin, 2019). Thus, this shows that trade unions in educational institutions have the potential to help academic staff voice their views, opinions, and suggestions on their career issues. Trade unions are also one of the platforms for academic staff to meet and interact with their counterparts and indirectly share problems and views (Sinniah et al., 2019).

In the context of a study in Malaysia, a study by Zafir and Fazilah (2006) states that workplace stress occurs due to work needs that do not match the advantages, resources, and wants of employees, thus affecting the physical and mental health of employees. Individuals with stress will show prolonged depression because their mentality is disturbed and they are unable to make good decisions. A study by Tajuddin (2007) found that there was a significant effect of physical function and mental health on productivity among college lecturers.

According to Tajuddin (2007) stress is the most worrying problem as it can cause dangerous diseases such as high blood pressure, heart disease and weaken the body's defence system to fight diseases. Excessive stress can also affect the safety and health of employees, stemming from a person's psychological and physiological disorders that lead to depression in the event of prolonged stress. According to Rees and Redfern (2000), an increase in the accident rate will occur when an individual is depressed because the individual's focus will be affected while doing the job, and this can damage the human resources of the company or organization. This shows that with the availability of trade unions in the university, they can best fight for the psychological welfare of the university staff.

In conclusion, the establishment of trade unions representing academic staff should be the main agenda item in ensuring the welfare of academic staff is maintained. The negative stigma that is often hurled against trade unions should be eroded. Trade unions should not be labelled as impellers and interfere with the management of an organisation. Instead, trade unions can strengthen work institutions with actions in several areas, such as improving working conditions, reviewing existing regulatory frameworks to ensure equal treatment to employees regardless of their employment status, ensuring good working conditions for all employees, modernizing employment services and making them more flexible, strengthening labor market resilience, implementing social dialogue as an effective way to design a balanced and acceptable policy response at the sector and national level and forming a sustainable recovery path in the medium term.

### **Research Methodology**

This study is a mixed-mode study where quantitative and qualitative methods have been used for data collection purposes. Questionnaire instruments and interview protocols

were developed with reference to past studies as well as obtaining views from field experts, including representatives of trade union leaders of academic staff, committee members, and non-union academics. There are 26 items that have been identified as factors that could hinder the involvement of academic staff in trade unions. The reliability of the instrument was tested through a pilot study by obtaining an Alpha Cronbach value of 0.984 for the entire item. Factor analysis is then carried out to identify, reduce, or sort questionnaire items into specific constructs under the study variables. From the analysis, three questionnaire items were issued due to the non-fulfillment of the specified requirements, which have a factor analysis value of less than 0.5. Measurement of questionnaire instruments using five Likert scale points, i.e., 1: strongly disagree; 5: very agree. The study population is made up of academics from three public universities with trade unions. The sampling technique used is non-probability sampling, i.e., simple sampling. Questionnaires were distributed to study samples through electronic and hardcopy mediums. A total of 168 academic staff members responded to the questionnaire. The quantitative data obtained is then analysed using SPSS software. The research team also conducted a structured interview session involving 13 informants among members and non-trade union members to obtain additional information. The qualitative data obtained were analysed using thematic analysis through Nvivo software.

### Research Findings and Discussion

A total of 168 academic staff from three public universities were involved in this study. Table 1 shows the demographic profile of the respondent. Majority of the respondents were non-union members (55.4%), and they were in DS/DM/DG grades 51 or 52 (73.2%).

Table 1

*Respondents' Demographic Profile*

<b>Position Grade</b>	<b>Frequency (n)</b>	<b>Percentage (%)</b>
Professor	1	0.6
DS/DM/DG 53/54	39	23.2
DS/DM/DG 51/52	123	73.2
DS/DM/DG 45	5	3.0
<b>Age</b>	<b>Frequency (n)</b>	<b>Percentage (%)</b>
20-29 years	1	0.6
30-39 years	73	43.5
40-49 years	58	34.5
≥50 years	36	21.4
<b>Gender</b>	<b>Frequency (n)</b>	<b>Percentage (%)</b>
Man	61	36.3
Woman	107	63.7
<b>Race</b>	<b>Frequency (n)</b>	<b>Percentage (%)</b>
Malay	138	82.1
Chinesse	19	11.3
Indian	10	6.0
Others	1	0.6
<b>Duration of service at the university</b>	<b>Frequency (n)</b>	<b>Percentage (%)</b>
< 3 years	21	12.5

3-5 years	27	16.1
6-10 years	38	22.6
11-15 years	35	20.8
16-20 years	15	8.9
21-25 years	16	9.5
>25 years old	16	9.5
<b>Positions in the union</b>	<b>Frequency (n)</b>	<b>Percentage (%)</b>
Non-members	93	55.4
Ordinary members	65	38.7
Committee	10	6.0
<b>*N= 168</b>		

Table 2 shows the frequency distribution of factors that hinder the involvement of academic staff in trade unions.

Table 2

*Frequency and mean distribution according to statements*

No	Statement		STS	TS	TP	S	SS	Min
1	I'm not clear about the advantages of joining a trade union	N	1	14	16	48	16	3.674
		(%)	1.1	14.7	16.8	50.5	16.8	
2	I didn't join a trade union because I wasn't confident in the union's ability to fight for the welfare of academic staff	N	6	31	20	27	11	3.063
		(%)	6.3	32.6	21.1	28.4	11.6	
3	I did not join a trade union because I was not convinced of the union's ability to represent the voice of academic staff	N	3	34	19	30	9	3.084
		(%)	3.2	35.8	20.0	31.6	9.5	
4	I didn't join a trade union because I wasn't convinced of the ability of the union leadership to fight for the interests of academic staff	N	5	36	26	20	8	2.895
		(%)	5.3	37.9	27.4	21.1	8.4	
5	I didn't join a trade union because it was discouraged by colleagues	N	10	40	24	16	5	2.642
		(%)	10.5	42.1	25.3	16.8	5.3	
6	I did not join a trade union because it was discouraged by a top supervisor	N	7	50	18	17	3	2.568
		(%)	7.4	52.6	18.9	17.9	3.2	
7	I didn't join a trade union because I didn't get exposure from university management	N	3	22	13	45	12	3.432
		(%)	3.2	23.2	13.7	47.4	12.6	
8	I did not join a trade union because I was satisfied with all aspects of my job	N	3	26	17	43	6	3.242
		(%)	3.2	27.4	17.9	45.3	6.3	
9		N	14	45	17	16	3	2.463

	I did not join a trade union because it could affect my career development at university	(%)	14.7	47.4	17.9	16.8	3.2	
10	I didn't join a trade union because it harmed my position	N	18	45	17	13	2	2.326
		(%)	18.9	47.4	17.9	13.7	2.1	
11	I didn't join a trade union because I wasn't interested	N	4	26	23	38	4	3.126
		(%)	4.2	27.4	24.2	40.0	4.2	
12	I didn't join a trade union because I was able to solve the job issues I faced individually	N	5	27	25	36	2	3.032
		(%)	5.3	28.4	26.3	37.9	2.1	
13	I was unable to join a trade union due to work commitments	N	4	17	11	57	6	3.463
		(%)	4.2	17.9	11.6	60.0	6.3	
14	I do not accompany the unity of family commitment work	N	13	18	9	46	9	3.211
		(%)	13.7	18.9	9.5	48.4	9.5	
15	I didn't join a trade union because I thought trade unions were anti-employer	N	17	49	11	18		2.316
		(%)	17.9	51.6	11.6	18.9		
16	I have not joined a trade union because so far I have not been clear about the struggle of trade unions in fighting for my welfare	N	2	30	22	32	9	3.168
		(%)	2.1	31.6	23.2	33.7	9.5	
17	I didn't join a trade union because I don't work enough as an impeller	N	3	30	28	24	10	3.084
		(%)	3.2	31.6	29.5	25.3	10.5	
18	I did not join a trade union because in my case the union failed to fight for the welfare of academic staff at the university	N	5	36	23	23	8	2.926
		(%)	5.3	37.9	24.2	24.2	8.4	
19	I did not join the trade union because the trade union failed to fight for my welfare especially with regard to promotion	N	6	40	23	19	7	2.800
		(%)	6.3	42.1	24.2	20.0	7.4	
20	I did not join a trade union because the trade union was not competent in the negotiation process with the university management	N	4	34	26	23	8	2.968
		(%)	4.2	35.8	27.4	24.2	8.4	
21	I didn't join a trade union because the trade union fight had no impact on my welfare	N	3	29	26	28	9	3.116
		(%)	3.2	30.5	27.4	29.5	9.5	
22	I didn't join a trade union because trade unions failed to play a role as an impeller	N	4	38	22	23	8	2.926
		(%)	4.2	40.0	23.2	24.2	8.4	
23	I didn't join a trade union because trade unions were impregnated by a certain political ideology	N	4	30	34	21	6	2.947
		(%)	4.2	31.6	35.8	22.1	6.3	
<b>Overall Mean Average</b>								<b>2.977</b>



Table 4.2 shows the frequency distribution for the scales used. The overall mean average is  $m = 2.977$ , with a standard deviation of 0.601. This suggests that the level of factors hindering the involvement of academic staff is moderate. The statement with the highest mean score, "I am not clear about the advantages of joining a trade union," had a mean value of 3.674, followed by "I was unable to join a trade union due to work commitments" ( $m = 3.463$ ) and "I did not join a trade union because I did not get exposure from the university management" ( $m = 3.432$ ). Meanwhile, the lowest mean score was 2.316, which is "I did not join a trade union because I assumed an anti-employer trade union", and "I did not join a trade union because it harmed my position" ( $m = 2.326$ ).

While the qualitative findings found four main themes that prevent the involvement of academic staff in trade unions, namely (i) roles and functions of trade unions, (ii) influence of friends, (iii) terms of membership, and (iv) personal responsibility, As for the first theme, this study found informants were prevented from engaging in trade union activities because they were unclear about the role of unions and had a lack of awareness of joining unions due to a lack of promotion about unions and outdated union information. Among the informant responses: "There are many lecturers who do not know about unity. Maybe the promotion is a little less. "I'm not *aware* of the union..", "Information about membership.. whether it is the method of registration, how much the fee costs, benefits.. I don't know", "I didn't sign up because I didn't even know the existence of this union."

As for the second theme, the study found that informants did not participate in the union because they were influenced by colleagues who also did not participate in the union. There are even some colleagues who are not aware of the existence of trade unions in their respective universities. "I'm very confident; if you ask my friends about trade union, he's going to ask me back, "What's trade union?"

In addition, academic staff are also prevented from engaging in trade union activities due to Section 27 of the Trade Union Act 1959 (Act 262), which makes it clear that civil servants and statutory bodies of the Management and Professional Group cannot join a trade union unless they have permission from the Chief Secretary to the Government (KSN). This is one of the factors that has hindered the involvement of academic staff in trade unions. This requirement is seen as irrelevant, especially as the majority of academic staff (lecturers) at public universities are academic staff in grades 51 or 52. Even this group is the largest group representing academic staff at the university. This condition indirectly affects the empowerment of trade unions that are seen as not representing a large number of academic staff, thus making it difficult for the union to make claims against the university management during the Joint Departmental Council (MBJ) session.

The last theme found as a result of interviews with informants was personal responsibility, which has curbed the involvement of academic staff in trade unions. These responsibilities include the burden of duty as an academic staffer, fee commitments, and time constraints to engage in union activities due to the demands of more urgent tasks. In summary, the qualitative findings found are in line with the quantitative findings, particularly in terms of the visibility of the roles, functions, and contributions of unclear trade unions. In addition, work commitment factors and the influence of colleagues are also barriers to the involvement of academic staff in trade unions. A new factor identified through qualitative studies is the membership requirement.

The findings of this study were supported by Ismail (2022), who found that academic staff must meet the requirements set by trade unions, such as different grades of positions and employment in the same industry. This has given the academic staff the constraints to

register as trade union members. In addition, lack of information on the role of trade unions also affects the involvement of academic staff, especially young staff (Nursyahidah, 2021). This problem, if not overcome, can have an impact on young staff and give their communities the influence not to engage in trade unions. To address this problem, trade unions should be more creative in organising social programmes such as 'Family Day' and Briefing to give a deep understanding of the union and increase their confidence in the struggle of the union (Gaong et al., 2022). Therefore, it is hoped that this strategy will attract a large number of members, and in turn, trade unions can contribute to a more systematic human resource management process and bring together the voices of workers in carrying out actions collectively.

### **Conclusion**

In conclusion, it is clear that the lack of awareness and sharing on the importance of protecting rights in the workplace led to not many people joining the trade union. In fact, the high work commitment given to academic staff is also the cause of their lack of involvement in trade union activities. This situation will make trade unions in a public university less effective and thus cause the rights of academic staff at public universities to not be fully protected. The findings of this study will help the public university trade unions develop programmes to create awareness among academic staff about the importance of joining trade unions. In addition, this study can help the Department of Trade Union Affairs, Ministry of Human Resources, improve laws related to trade unions. Therefore, this study has provided a basis for the same study to be done in the future but using different methodologies and respondents.

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