

**PERCEPTIONS OF PROFESSIONAL ETHICS IN LABOUR RELATIONS AT THE  
GAUTENG DEPARTMENT OF EDUCATION (GDE), SOUTH AFRICA**

**By**

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## DECLARATION

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### **PERCEPTIONS OF PROFESSIONAL ETHICS IN LABOUR RELATIONS AT THE GAUTENG DEPARTMENT OF EDUCATION (GDE), SOUTH AFRICA**

I declare that this thesis is my own work and that all sources that I have used or from which I have quoted have been indicated and acknowledged by means of complete references.

I further declare that I submitted the thesis to originality checking software and that it falls within the accepted requirements for originality.

Finally, I declare that I have not previously submitted this work, or part of it, for examination at Unisa for another qualification or at any other higher education institution.



SIGNATURE

20 May 2024

DATE

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This thesis is dedicated to the following people:

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  - (a) Mogaba and Mausiele Tsebe
  - (b) Malesela and Ntebatje Bopape
2. My parents, Puleng (who passed on 13 April 2024) and Mosebo Tsebe
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## **ABSTRACT**

Ethics is not a new phenomenon under investigation. Countries worldwide are concerned with how workers conduct themselves while on duty and have developed mechanisms to promote ethical behaviour in both the private and public sectors. It is, furthermore, of essence to promote ethical behaviour in the public services because of the nature of services that are delivered to communities. Although the South African government has done much to provide a legislative milieu for public officials to operate in, the unethical behaviour within the public service continues as if no legislation exists.

In the South African public service, ethics and promotion of ethical behaviour have become a topical debate following the institution of several commissions of inquiry such as the arms deal, allegations for impropriety regarding the public investment corporation, Mokgoro and recently the Zondo commissions. The GDE is not immune to unethical behaviour because there is a steady increase in misconduct cases, grievances, and disputes. These ultimately affect the mandate of the institution to deliver effective service delivery, to promote professionalism, and to clamp down on loss of state finances. The current measures to curb unethical behaviour do not seem to have a positive influence on employees' behaviour and conduct. This negatively impacts the image of the institution and the relationship between managers and employees which in return affects their operations.

The study followed a quantitative approach to explore whether the existing measures of promoting ethical behaviour enhance professionalism and effectiveness, and ultimately promote sound labour relations between managers and employees at the GDE. A questionnaire was utilised to gather data and following the implementation of the questionnaire, ideas and themes were identified in the data. The research presented the findings and recommendations in response to whether the existing measures of promoting ethical behaviour enhanced professionalism and effectiveness, and sound labour relations between managers and employees at the GDE. The most important findings are that despite the presence of effective measures of promoting ethical behaviour and the existence of sound labour relations at the GDE, there are employees and managers who are still involved in unethical behaviour. There are instances where unfair labour practices are recorded at the GDE, and often not

reported in fear of victimisation. The study recommends that the GDE may have to adopt several cardinal ethical standards that would guide all employees and managers on how to act accordingly. Finally, the study recommends that the GDE may have to involve trade unions (representing employees) in different labour relations committees where decisions related to labour relationship are concluded.

## ABBREVIATION/ ACRONYMS

ANC	African National Congress
BCEA	Basic Conditions of Employment Act
BUSA	Business Unity South Africa
CCMA	Commission for Conciliation, Mediation, and Arbitration
CEMS	College of Economic Management Sciences
COIDA	Compensation for Occupational Injuries and Diseases Act
COSATU	Congress of South African Trade Unions
DBE	Department of Basic Education
DPLG	Department of Provincial and Local Government
DPSA	Department of Public Service and Administration
DPoSA	Disabled People of South Africa
DoEL	Department of Employment and Labour
DoL	Department of Labour
ELRC	Educators Labour Relations Council
EU	European Union
FEDUSA	Federation of Union South Africa
GDE	Gauteng Department of Education
GDP	Gross Domestic Product
GPSSBC	General Public Service Sectoral Bargaining Council
ILO	International Labour Organisation
LRA	Labour Relations Act
MEC	Member of Executive Committee
MINMEC	Ministers and Members of the Executive Committee
NACTU	National Council of Trade Unions
NCPD	National Council for People with Disabilities
NDP	National Development Plan
NEDLAC	National Economic Development and Labour Council
NGO	Non-Governmental Organisations
OECD	Organisation for Economic Cooperation and Development
PFMA	Public Finance Management Act

PHSDSBC	Public Health and Social Development Sectoral Bargaining Council
PSC	Public Service Commission
PSCBC	Public Service Coordinating Bargaining Council
RWOPS	Remunerative Work Outside the Public Service
SACE	South African Council for Educators
SADF	South African Defense Force
SAFTU	South African Federation of Trade Unions
SANCO	South African National Civic Organisations
SASA	South African Schools Act
SAYC	South African Youth Council
SGB	School Government Body
SHRM	Society for Human Resource Management
SSSBC	Safety and Security Sectoral Bargaining Council
UAE	United Arab Emirates
UNCAC	United Nations Convention against Corruption
UNISA	University of South Africa
VBS	Venda Building Society
WNC	Woman's National Coalition



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# **CHAPTER 1: INTRODUCTION AND RATIONALE OF THE STUDY**

## **1.1 INTRODUCTION**

Could it be that the promotion and maintenance of professional ethics results in sound labour relations and a coherent relationship between employer and employee is guaranteed? A presumption ought to be accomplished to determine the extent to which the promotion and maintenance of professional ethics results in labour relations in South Africa by signifying the perceptions on the effect of professional ethics in labour relations at the Gauteng Department of Education (GDE) in South Africa. In the interim, it is argued that the absence of sound labour relations may bring about hostile relationships between employees and employers which might lead to unethical acts at the GDE. Therefore, it remains important to determine whether professional ethics results in sound labour relations or sound labour relations maintain professional ethics.

This chapter introduces the rationale of the study which is elucidated through a presentation of the background and the problem statement. This chapter also presents the primary and secondary research objectives and research questions. The research design and methodology are added to outline the sample selection, identify the respondents, describe the procedure used in designing the instrument and collecting data, and to provide an analysis of the collected data, as well as to detail the possible limitations and delimitations to the study. The study's ethical considerations are also described. The terms and concepts used in the study are defined and the preliminary review will be shown in the research.

## **1.2 BACKGROUND AND MOTIVATION FOR THE STUDY**

Dorigatti and Pedersinin (2021:14) describe labour relations as relations and interactions between actors or role players. Dorigatti and Pedersinin (2021:14) further establish that labour relations may be regarded as a subsystem in the workplace environment that involves the relationship between employers and employees as role players. Maria and Stopforth (2023:159) explain that labour relations may be regarded as individual labour or collective relations. The relationships between the actors or role players in individual and collective labour relations are explained in chapter 3 of this research.

It is argued that the promotion and maintenance of ethics might result in professionalism, effectiveness, and sound labour relations at the GDE. The Constitution of the Republic of South Africa, 1996 (hereafter referred to as the Constitution), section 195(1)(a) (1996:99) articulates that employees ought to promote and maintain a high standard of professional ethics. The Public Service Commission (PSC) further explains in the code of conduct for public service that a high standard of professional ethics in the public service can be promoted and maintained if employees are encouraged to think and behave ethically (PSC, 2002:7-8). Arguably, the code of conduct for public servants is cast off as an aid in developing and presenting ethics training for all employees (PSC, 2002:8).

It is, however, observed that there are many other legal frameworks (other than the Constitution and the code of conduct for the public service) that express ethical obligations and expectations related to the duties and responsibilities of employees in the public service. The contract of employment, for example, might be regarded as one of the legal frameworks that embody ethical obligations and expectations that are related to the duties and responsibilities of employees because it clarifies the job descriptions of employees. A contract of employment, according to Messenger (2018:23), requires employees to work according to standards set by the employer including wearing company uniforms, hours of work and overtime arrangements. It may, therefore, be resolved that a contract of employment regulates the terms and conditions of employment between the employer and the employee. It is further stated that employees and employers are further guided by the contracts of employment on how to accomplish duties and fulfill their responsibilities.

In addition, employees are also guided by performance agreements as suggested by Durmaz and Düşün (2016:42) and productivity, quality and effectiveness of goods and services are based on the achievement of basic targets that are featured in the performance agreements. Gogoi and Baruah (2017:2) expand that ethics and performance managements are adjacent because the proper implementation of performance agreements leads to fewer ethical transgressions in the workplace. It is consequently argued that ethics and performance management are linked to improve organisational performance and employee satisfaction and development (Gogoi and

Baruah, 2017:2-3). It is expected that performance agreements might generate ethical standards that employees must adhere to while on duty. But it may further be resolved that performance agreements prompt employees to what is required from them.

One of the performance standards at the GDE is to improve grade 12 pass rates. Therefore, the behaviour of employees at the GDE ought to be regulated to manage and prevent conflict of interests, detect, and prevent corrupt activities and investigate incidents of unethical behaviour as required by the PSC if grade 12 pass rates are to be improved (PSC, 2017:13). The PSC (2017:3) further reports that various strategies and policies were introduced to inculcate ethical conduct amongst the employees and reveals that ethics management in the Gauteng Province is about exposing and correcting unethical acts relating to corruption, failure to disclose financial interests, other financial misconducts, non-compliance with the code of conduct, remunerative work outside the public service (RWOPS) and receipt of undisclosed gifts.

It is observed that the last factsheet report issued by the PSC about disciplinary proceedings on financial misconduct was for the financial year 2016/17 (PSC, 2017:3). It is reflected in this 2016/17 factsheet report that the Gauteng Province is leading other provinces with the amount of money involved in the financial misconduct. Table 1.1 provides an authentic representation of the Gauteng Province's disciplinary hearings related to financial misconduct during the 2016/2017 financial year.

**Table 1.1:** Disciplinary action involving financial misconduct reported at national and provincial departments in 2016/2017 financial years

NATIONAL/ PROVINCES	AMOUNT INVOLVED DURING FINANCIAL YEARS	AMOUNT RECOVERED	NO LOSS TO THE STATE	AMOUNT NOT RECOVERED
	2016/2017			
<b>NATIONAL</b>	R246 025 219.68	R632 342.49	R239 678 720.15	R5 714 157.04
<b>SUBTOTAL</b>	<b>R246 025 219.68</b>	<b>R632 342.49</b>	<b>R239 678 720.15</b>	<b>R5 714 157.04</b>
<b>PROVINCIAL</b>				
Eastern Cape	R944 485.54	R159 104.41	R303 026.95	R482 354.18
Free State	R1 420 507.93	R144 852.71	R514 313.42	R761 341.80
<b>Gauteng</b>	<b>R198 312 821.71</b>	<b>R282 428.80</b>	<b>R68 137.57</b>	<b>R197 962 255.34</b>
KwaZulu-Natal	R54 889 424.45	R265 273.51	R481 553.01	R54 142 597.93
Limpopo	R2 589 688.34	R316 785.22	R1 179 868.01	R1 093 035.11
Mpumalanga	R16 665 572.68	R8 304 702.51	R445 219.40	R7 915 650.77
North West	R1 345 783.93	R1 022 285.00	R0.00	R323 498.93
Northern Cape	R1 407 101.50	R58 784.96	R1 168 000.00	R180 316.54
Western Cape	R752 470.00	R165 770.00	R400.00	R586 300.00
<b>SUBTOTAL</b>	<b>R278 327 856.08</b>	<b>R10 719 987.12</b>	<b>R4 160 518.36</b>	<b>R263 447 350.60</b>
<b>TOTAL</b>	<b>R524 353 075.76</b>	<b>R11 352 329.61</b>	<b>R243 839 238.51</b>	<b>R269 161 507.64</b>

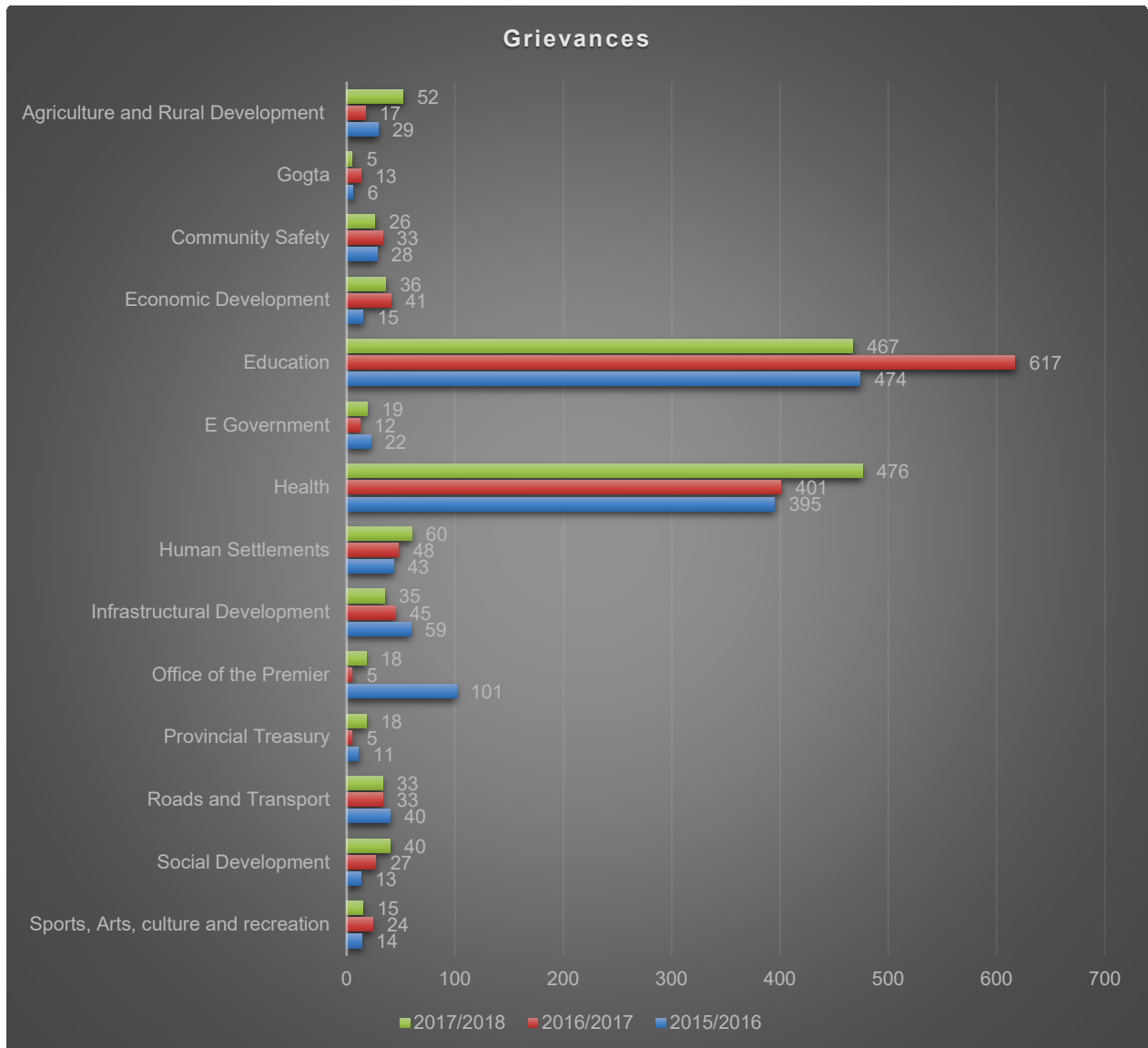
**Source:** Adapted from PSC (2017:9)

Based on Table 1.1, the financial disciplinary proceedings at the Gauteng Province amounted to R198 312 821.71. However, the factsheet report does not reveal which is the leading department with the most disciplinary proceedings on financial misconduct in the Gauteng Province. Considering that the number of grievances recorded under the GDE far exceed those from other departments in the Gauteng Province, it may be argued that the GDE is the leading public department with disciplinary proceedings on financial misconduct.

Employees might commit financial misconduct because, according to Netshitenzhe (2014:4), of the increasing and concerning crisis levels of unemployment, inequality and poverty faced by the entire nation in South Africa. Furthermore, the International Labour Organisation (ILO) argues that the emergence of the COVID-19 pandemic brought about a decline in economic activities across all sectors of the economy leading to unemployment and poverty (ILO, 2020:4-5). Consequently, the ills of unemployment, inequality and poverty might compel employees to be generous and kind to some members of society (including friends and families) who are willing to pay a bribe.

While some employees might partake in unethical activities, others are willing to lodge grievances. Figure 1.1 confirms that some employees consider lodging grievances instead of partaking in unethical activities as a way of showing dissatisfaction triggered by unemployment, inequality, and poverty. Employees might also lodge grievances

where supervisors show a lack of commitment to ethical principles which may lead to inequality among subordinates and corrupt activities such as misappropriation of finances. Figure 1.1 provides a summary of grievances reported during 2015to2018.



**Figure 1.1:** Number of grievances reported by Gauteng departments in 2015/16, 2016/17, and 2017/18 financial years

**Source:** Adapted from PSC (2018:9)

The departments in the Gauteng Province are reported to have received 1 300 grievances during the 2017/18 financial year with the GDE (represented as education) recording the highest number of 467 grievances (PSC, 2018:9). In the preceding financial year, 1 284 grievances were reported and nearly half (617 grievances) were



lodged with the GDE. Lastly, with the GDE tallied 474 grievance cases from the 1 250 grievances that were reported in the 2015/16 financial year (PSC, 2018:9). These reports mark an increase of 1.2% from 2016/2017 financial years and an increase of 4% in 2016/2017 from 2015/2016 financial years. It demonstrates that staff dissatisfactions at the GDE are more abundant than in any other department in Gauteng. However, Figure 1.1 does not reflect on the causes of these grievances.

Grievance resolution and disciplinary proceedings are significant practices that might assist with curbing unethical acts. The PSC reflects that a grievance is “a dissatisfaction regarding an official act or omission by the employer which adversely affects an employee in the employment relationship, excluding an alleged unfair dismissal” (PSC, 2003:3). Conversely, the Public Service Coordinating Bargaining Council (PSCBC) concluded the disciplinary code and procedures for the public service to promote acceptable conduct and to avert and correct unacceptable conduct (PSCBC, 2003:2). The promotion of acceptable conduct might be understood as the desired action to promote ethical behaviour and to curb unethical action in the public service. With the inception of the grievance resolution and disciplinary proceedings, it may be argued that the GDE does enough to promote professional ethics and sound labour relations.

It is also acknowledged that grievance resolution and disciplinary proceedings are labour relations practices. The Department of Public Service and Administration (DPSA), in its labour relations policy framework for the public service, lists grievance and disciplinary management as practices of labour relations that strive for labour peace and equality in the public service (DPSA, 2018:12-14). Dispute resolution is also listed as one of the labour relations practices (PSCBC, 2018:8). The Commission for Conciliation, Mediation, and Arbitration (CCMA) (2022:45) indicates that there are interventions aimed at promoting dispute resolution through conciliation, special mediation and arbitration processes by effectively using financial and human resources in the dispute resolution process.

The Department of Labour (DoL) submits that the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC), Safety and Security Sectoral Bargaining Council (SSSBC), General Public Service Sectoral Bargaining Council

(GPSSBC) and Educators Labour Relations Council (ELRC) are sectoral bargaining councils where government departments (including the GDE) may resolve disputes through conciliation, arbitration, and mediation processes (DoL, 2014:6-7). The Department of Labour has been renamed as the Department of Employment and Labour (DoEL) (Smit, 2019). On the other hand, the Labour Relations Amendment Act, 6 of 2014 (hereafter LRA) established the Labour Court which, according to Geldenhuys (2016:5), adjudicates cases that are referred to them. Section 145(2) of the LRA (2014:176-177) extends that the Labour Court exists, among others, to set aside awards where commissioners commit misconduct in relation their duties or commit gross irregularity in their conduct or exceed their powers.

It is deduced that grievance resolution, disciplinary proceedings and dispute settlements are processes that follow procedures that might help curb unethical actions. Compliance with ethical standard and principles and procedures might help grievance and dispute resolution as well as disciplinary processes to unfold in an ethical manner. The unfolding processes of grievance, dispute resolutions and disciplinary proceedings might lead to sound labour relations if professional ethics are promoted and maintained. The gap in the literature that this study endeavours to explore is whether the GDE might accomplish sound labour relations by adhering to ethical standards and principles that are entrenched in several legislative frameworks related to grievance and dispute resolution, and disciplinary proceedings.

It is set that, even with ethical standards and principles, certain unethical actions might unravel. While the causes of unethical actions will be addressed in chapter 2, the next section will assert the research problem.

### **1.3 PROBLEM STATEMENT**

The issue of ethics and ethical behaviour in public services is not unique to then GDE and South Africa. Many countries around the world have recognised the importance of promoting ethical conduct in both private and public sectors. The importance of ethics in public services is especially critical because these services directly impact the well-being and quality of life of the communities they serve.

In the South African context, there have been several high-profile cases and commissions of inquiry, such as the arms deal scandal, allegations of impropriety regarding the Public Investment Corporation, and the Zondo Commission into allegations of state capture, which have drawn attention to issues of ethics and corruption within the public sector. These incidents highlight the need for improved ethical behaviour within government institutions.

Misconduct cases, grievances, and disputes in GDE are on the rise, which is concerning as these issues can negatively affect the ability of GDE districts and schools to deliver effective services, promote professionalism, and manage state finances responsibly. Overall, the GDE recorded an increase in the number of misconduct cases, grievance cases, and dispute cases over the three financial years during the financial years 2020/21, 2021/22, and 2022/23. During the financial year 2020/21, GDE handled 241 misconduct cases resulting to 47 and R85000 fines collected as opposed to the estimated R44 000. GDE further handled 382 grievance cases, 42 dispute cases during 2020/21 financial year (GDE, 2021:241-242). During the financial year 2021/22, GDE handled 426 misconduct cases resulting to 70 dismissals, and R107000 fines collected instead of the estimated R94000. GDE further handled 664 grievances and 63 dispute cases in 2021/22 (GDE, 2022:241-242). The GDE handled 536 misconduct cases resulted 95 dismissals and R137000 instead of the estimated R99000 in 2022/23 financial year. In the same financial year, 731 grievance cases and 297 of dispute cases were handled (GDE, 2023:219). Therefore, the breakdown of ethical behaviour within the GDE may be viewed as something that do not only harm the reputation of GDE districts and schools, but also strains relationships between managers and employees, ultimately impacting their overall effectiveness.

The existing measures to address unethical behaviour in the GDE may not yield the desired impact on employees' conduct which suggests a need for a more comprehensive and effective approach to promoting ethics and preventing misconduct in the GDE. Such an approach might include better training and education on ethical principles, strengthening oversight and accountability mechanisms, and promoting a culture of integrity from the top down. Furthermore, fostering a sense of responsibility

and a commitment to the well-being of the community among employees can be key in addressing these issues.

This study, therefore, seeks to explore whether the existing measures to promote ethical behaviour enhance professionalism and effectiveness, to ultimately promote sound labour relations between managers and employees at the GDE.

#### **1.4 RESEARCH OBJECTIVES**

In pursuit of the problem statement, the main research objective is to investigate whether ethical behaviour enhances professionalism and effectiveness and promotes sound labour relations between managers and employees at the GDE.

Subsequently, the secondary research objectives are:

- To investigate the impact of unethical behaviour on the effectiveness of the GDE.
- To examine whether the measures instituted by the GDE are effective in promoting ethical behaviour.
- To explore whether ethics enhances the professionalism of employees at the GDE.
- To determine whether sound labour relations exist at the GDE.

#### **1.5 RESEARCH QUESTIONS**

The main research question pursuant to the objectives of the study is Does ethical behaviour enhance professionalism and effectiveness, and promote sound labour relations between managers and employees at the GDE?

The secondary research questions are:

- What are the causes of unethical behaviour at the GDE?
- Which measures are in place to promote ethical behaviour at the GDE?
- Do ethics enhance employees' professionalism at the GDE?
- Are sound labour relations practiced at the GDE?

## **1.6 SIGNIFICANCE OF THE STUDY**

Several studies have been conducted on professional ethics in organisations, but little attention has been paid to professional ethics in labour relations within the organisation. This research is, therefore, uniquely significant because it explores the existing measures to promote ethical behaviour, enhance professionalism and effectiveness, to ultimately promote sound labour relations between managers and employees at the GDE. The research study also creates opportunities for further research to explore measures to promote ethical behaviour, enhance professionalism and effectiveness, to ultimately promote sound labour relations between managers and employees in other organisations within both public and private sectors. The research findings will enlighten not only the GDE, but other Gauteng and provincial departments on what ethical measures to promote in enhancing professionalism and effectiveness as well as promoting sound labour relations. Furthermore, the research has the potential to contribute to the academic understanding of how professional ethics may lead to sound labour relations and enhanced professionalism.

Mokgolo and Dikotla (2023:1) are concerned that poor management of disciplinary cases in the South African public service departments is on the rise which has drawn considerable criticism from within the public sector, various media outlets, interest groups and even opposition movements. Their study shows that the public service has adopted progressive discipline prescripts to inculcate and promote a culture of professional ethics and accountability where objectivity, consistency and fairness are an important part of healthy employer–employee. However, their study focuses primarily on promoting ethical behaviour and improving service delivery through disciplinary cases and does not explore whether other areas of labour relations can promote ethical behaviour and improve service delivery (Mokgolo & Dikotla, 2023:1).

Mokgolo and Dikotla (2023:2) express that ethics in human resources management (where labour relations exist) is a bedrock of an organisation that indoctrinates and prevents causes of overt-and-covert unethical practices and ameliorate performance. In another study, Rop and Sang (2019:83) investigate the effect of unethical recruitment and selection practices on organisational sustainability. They reveal that ethical recruitment and selection practices have a role to play in creating an ethical organisational culture that encourages employees to act and behave ethically. Rop

and Sang (2019:83) further state that ethical recruitment and selection practices inculcate a sense of high ethical culture and encapsulate a set of moral principles that govern the conduct and behaviour of an individual or a group of employees in an organisation.

Rohra (2023) expresses that the human resources management department is required to uphold the code of ethics and promote ethics encompassing the moral beliefs, values, and principles guiding individuals in distinguishing right from wrong, just from unjust, and good from bad. In addition, Rohra (2023) suggests that the human resources management department is responsible for crucial ethical tasks such as selecting the right candidates for positions and overseeing employee performance. These ethical tasks are vital for organisational growth, employee satisfaction, and in limiting misconduct, unethical behaviour and grievances in the organisation.

Human resources management professionals may be regarded as professionals who represent the moral heart of the organisation and uphold strong ethical standards while striving for a fair work environment. Raper (2023) explains that labour relations professionals are often human resources management professionals with training and experience. Fermin (2023) expresses that labour relations is a crucial part of the broader field of human resources management that is specifically concerned with managing the relationship between the organisation and its employees.

The Organisation for Economic Cooperation and Development (OECD) explains that to promote ethical conduct in the public service, managers have a role to play where they are required to provide consistent leadership, serve as role models in ethics and conduct in their professional relationship with political leaders, other employees and customers (OECD, 2023:7). It may be expressed that managers are supposed to be committed to their responsibilities whilst serving as role models in ethics and ethical conduct. It may equally be suggested that employees are supposed to act ethically when they perform their duties and responsibilities and when relating to other employees and customers. The PSC (2002:8) regards the code of conduct for public servants as one of the measures that curb unethical behaviour by developing and presenting ethics training for all employees. However, there may be other measures that are utilised to curb unethical behaviour.

This research endeavours to investigate the causes of unethical behaviour and the measures that are in place to promote ethical behaviour at the GDE. This research further investigates whether ethics in the GDE enhances professionalism, improves service delivery, and promotes sound labour relations.

## **1.7 LITERATURE REVIEW**

This section focuses on the literature review by shedding light on ethics and labour relations in the public service whilst investigating whether there is professional ethics in labour relations. Lastly, this section identifies the importance of searching for global trends on ethics and the necessary measures to curb unethical behaviour as well as the perceptions on labour relations.

### **1.7.1 Public service as the largest employer in South Africa**

Ramatlhodi (2016:3) explains that, even though the public service consists of national and provincial departments and excludes the local government sphere and public enterprises, it remains the largest employer in South Africa. At the end of March 2022, 1 216 675 people were employed in the public service (DPSA, 2022:10). Gabra (2022) and Govik (2022) confirm that the public service continued to be the largest source of formal employment in South Africa. Thukwana (2023) reports South Africa's public service wage bill had topped R700 billion before the end of 2022/23 financial year. The National Treasury (2019:477) contends that the growth of the wage bill in the public service contributes to fiscal pressure such that it becomes necessary to legislate a remuneration framework for the public service.

It is observed that national and provincial departments continue to recruit public officials by advertising vacancies through vacancy circulars issued by the Department of Public Service and Administration (DPSA). The role of the DPSA in advertising vacancies is emphasised in several policies and circulars that might imply that the public service will continue to appoint employees and increase the wage bill. The DPSA's HRP circular 40 of 2019 indicates that it receives advertisement requests from time to time (DPSA, 2019:1). In 2015, the National Treasury (2015:110) reported that additional funding was made available to assist national departments improve human resources capacity and to fill vacant posts, especially at senior management levels and in critical or priority positions, that were advertised by the DPSA. It is construed

that the continued role of the DPSA in advertising public service vacancies might not assist in reducing the number of employees and the wage bill in the public service. Ultimately, it might be argued that a decision to advertise vacancies leads to filling of vacancies which in turn increases the workforce in the public service.

### **1.7.2 GDE's role in education**

Section 197(1) in the Constitution entrenches that there exists a public service in South Africa which is required to function and be structured in terms of the national legislation, and which must loyally execute the lawful policies of the government of the day (RSA, 1996:1331). According to the Department of Basic Education (DBE), there are, however, several policies and legislations that regulate basic and adult basic education in South Africa (DBE, 2014:16). The South African Schools Act (SASA) 84 of 1996 is regarded as the main legislation aimed at ensuring that all learners have access to quality education without discrimination and necessitates compulsory schooling for children aged seven to 15 (DBE, 2014:16). The preamble of the South African Schools Act 84 of 1996 intends to eradicate inequality and segregation at schools by redressing past injustices in educational provision, by providing an education of progressively high quality for all learners (RSA, 1996:1). The preamble further designates that the South African Schools Act 84 of 1996 dictates that a democratic transformation of society ought to be realised; racism and sexism and all other forms of unfair discrimination and intolerance ought to be combatted, and poverty and the economic well-being of society ought to be eradicated (RSA, 1996:1). Finally, the preamble expresses that the South African Schools Act 84 of 1996 seeks to protect and advance diverse cultures and languages, uphold the rights of all learners, parents, and educators, and promote their acceptance of responsibility for the organisation, governance, and funding of schools in partnership with the state (RSA, 1996:1-2).

Commitment by employees at the GDE may help realise a workplace that is free from unfair discrimination, upholds the rights of learners, parents, and educators, and promotes sound financial management. Commitment might be disregarded if GDE employees are unaware of what they are committing to. Employees might refer to several legislations, policies and guidelines that specify the rules, standards, and principles should they desire to commit to the vision/purpose/objectives of the GDE. The Employment of Educators Act 76 of 1998 provides for the employment of



educators by the state, for the regulation of the conditions of service, discipline, retirement, and discharge of educators and for matters connected therewith (RSA, 1998:1). The Employment of Educators Act 76 of 1998 further stipulates in sections 17 and 18 that misconduct by educators may be found guilty of misconduct that may lead to warnings, suspension, fine, demotion or even dismissal. (RSA, 1998: 15-16).

Conversely, the Public Service Act 103 of 1994 provides for the organisation and administration of the public service in South Africa and regulates the conditions of employment, terms of office, discipline, retirement, and discharge of members of the public service, and matters connected therewith (RSA, 1994:1). It is sufficient to suggest that the Employment of Educators Act 76 of 1998 and the Public Service Act 103 of 1994 are both applicable at the GDE because the GDE appoints educators and public service staff. Moreover, educators and public service staff are guided by several legislations, rules and regulations to fulfil their responsibilities. Thus, the ultimate responsibility of the GDE is to promote the right to basic education that is practical and equitable and redress the results of past racially discriminatory laws and practices as enshrined in section 29 of the Constitution (RSA, 1996:13-14). Finally, it is important that employees act ethically when promoting the right to basic education that is practical and equitable while redressing the results of past racially discriminatory laws and practices.

### **1.7.3 Ethics in the public service**

Ethics is, according to Sebola (2014:298), a point of concern in both developing and developed countries because of the impact of unethical conduct such as corruption. Sebola (2014) further indicates that the public service, in both developing and developed countries, has a permanent status of being ethically responsible whenever they deliver services to the communities. The ethical responsibility in the South African public service is required by law as determined in section 195(1) of the Constitution (RSA, 1996:108). The code of conduct for the public service (RSA, 2016:4) also imposes a direct responsibility amongst employees to promote and maintain professional ethics and guides employees on how to conduct themselves in relation to the legislature and executive, the public whom they serve and themselves as employees as well as how they perform their duties, including shunning away from private interests (RSA, 2016:3-4).

Whilst the code of conduct for the public service guides public service staff, the South African Council for Educators Act 31 of 2000 established the South African Council for Educators (SACE) that is required, among others, is to compile, maintain, and regularly review a code of professional ethics for educators that are registered or provisionally registered with SACE (RSA, 2000:4). The code of conduct is, according to Hallunovi, Osmani and Bashi (2014:214), imperative because it enforces responsibility among employees to guard against unethical actions such as abuse of public interest and corruption. Hallunovi, Osmani and Bashi (2014) explain that the code of conduct is a means of encouraging managers and employees to be objective, transparent, honest, and accountable when carrying out their responsibilities. The ethical responsibilities bestowed to employees by the code of conduct ought to be competent with the legal requirements founded in the Constitution, that stipulates in section 2, that the Constitution is a supreme law of the Republic and that there must be no law or conduct incompetent with its provisions (RSA, 1996:3). The Constitution strengthens in section 195(1)(a) that, 'a high standard of professional ethics must be promoted and maintained' (RSA, 1996:108).

Venter and Levy (2014:558) maintain that if professional ethics is promoted and maintained, a great interaction between parties in a labour relationship will be shaped. Further, professional ethics is identified as a key characteristic of good governance in South Africa. Tran (2017:11) suggests that harmonising the interpersonal relationship associated with the interests of employees, employers and customers is a requirement. Tran (2017:1) further asserts that ethical values and norms influence the relationship between employees, managers, and customers in the way they think, feel, and behave. Ethics are a crucial component in labour relations because without it, conflicts, complaints, grievances, and disputes related to the relationship between employees, managers and customers will arise.

An example of an unethical act is a reported allegation that the former minister of the DPSSA had expanded her private office with 40 employees, including family members and friends (Gerber, 2018). The significance concerning these allegations is the preference given to certain individuals – (family and friends) – who were appointed into positions without considering other suitably qualified individuals. This act of appointing certain individuals because they are family and friends may be regarded to be an act

of nepotism is unethical. Nepotism encourages discrimination based on skin, colour, political affiliation, gender, race, sexual orientation, and family relations. Furthermore, the appointment of family and friends might be regarded as a labour relations matter that might lead to increased grievances and disputes in the public service. Therefore, ethics in the public service might build sound relations between employees, employers, and customers (society) and may lead to the delivery of the right services to the right people at the right time.

#### **1.7.4 Labour relations in the public service**

The definition of labour relations is detailed in chapter 3, but it is crucial to indicate that Venter and Levy (2014:6) define labour relations as “the area of study and practice of the roles of and the interactions between the parties to the labour relationship, the various rules and regulations which govern that relationship, and the environment in which the relationship plays out”. Ntimba (2019:12) describes the traditional South African labour relationship as that of a tripartite relationship consisting of two primary role-players (the employer and employees) and one secondary role-player (the state). In addition, there are two additional role-players that influence the labour relationships, identified as customers and competitors. The South African employment relationship is, therefore, more of a pentagonal than a tripartite relationship.

According to Ehlers (2017:1), there is an individual labour relationship that typically occurs between individual subordinates and their supervisors within their unique workplace environment. As such, an individual employee may be influenced by the behaviour of their supervisors on work-related expectations, values, attitudes, perceptions, and behaviour. Supervisors are the supporting machinery of the organisation who must always guide and support subordinates on the ways of working. Moreover, supervisors who act in this manner are in a better position to promote sound relations with same subordinates. An effective way of guiding and supporting subordinates might be realised if supervisors introduce clear contracts of employment that further clarify employee roles and responsibilities.

Stopforth (2023:159) indicates that there are collective labour relations which, according to Eksteen (2023), encourage consultation or negotiations between the employees' collective or their representatives, and the employers' organisation over

working conditions, labour standards, and other employment issues. Collective labour relations include collective bargaining, collective disputes, and employee participation in management (Eksteen, 2023). Collective labour relations involve several role-players beyond just employer and employees. It is, therefore, necessary to ensure that sound individual or collective labour relations are achievable if professional ethics are promoted and maintained.

#### **1.7.5 Professional ethics in labour relations**

Syed and Mohammed (2016:291) view professional ethics as critical to the success and advancement of any organisation and its goals. This view presupposes that professional ethics is significant for the success and advancement of public service. Nxesi (2023:7) extends that the success and advancement of the public service requires ethical, capable, committed, and qualified people as part of a transformed, professional, ethical, capable, and developmental public sector which is driven by merit.

Cania (2014:382) reflects that human resources policies and practices, human resource planning, recruitment, selection, training and development, compensation, performance management and labour relations are some of the critical labour relations practices that require the promotion of professional ethics. Osman, Noordin, Daud and Othan (2016:541) suggest that the promotion of professional ethics in labour relations requires fairness and trust. It is critical to infer that professional ethics impact the existence of labour relations because practices such as grievance and dispute resolution, disciplinary proceedings, trade unionism and strikes might be best managed if ethical principles such as trust, fairness and consistency are initiated. For instance, an employee may not be victimised for lodging a grievance or dispute and an employee may not be subjected to a disciplinary process because he or she is a member of a trade union (or a shop-steward of a trade union). Further, employees may not be subjected to a disciplinary process if they are found to have participated in a lawful strike action.

The promotion and maintenance of professional ethics in the public service is further explained in the Explanatory Manual on the Code of Conduct for the Public Service (2002:27) which clearly indicates how public officials should conduct themselves. The

Explanatory Manual on the Code of Conduct for the Public Service (2002:27) alludes to an example that an employee who gives preference to a person because he or she is a friend, a member of the political party to which the employee belongs, or a member of a particular ethnic group is involved in nepotism. Even when the code of conduct is written, Vijayaratnam, Rajasekher and Naik (2015:255) assert that “ethical responsibility includes behaviour that is not necessarily codified into law and may not serve the organisation’s direct economic interest”. According to Van Zyl and Visser (2016:3), employees are supposed to practice integrity, reliability, and honesty of their own volition as they are professional beings. Perry (2022) maintains that employees are regarded as professional beings and must, therefore, be honest, reliable, account for their results and have integrity in all their professional dealings.

Ethics should be at the core of good management because an institution’s level of ethics sets the tone for the entire institution and sets the standard by which every employee and manager is judged (Sharma, 2022). Elegido (2014:126) argues that acting without ethics can lead to astute and cunning management, which is undesirable of good management. The Public Service Coordinating Bargaining Council (PSCBC), Resolution 1 of 2003, paragraph 2.3 clarifies that managers in the public services are required to instill discipline against public officials who commit misconduct (PSCBC, 2003:7). Managers in public organisations are custodians of ethics in that they are expected to not be involved in fraud, bribery, theft or falsification of official reports and documents. The milieu within which Resolution 1 of 2003 is practiced is influenced by the way managers relate to their subordinates in complying with lawful orders and instructions and in respect of the law.

Similarly, in as much as employees are shaped by their families, schools they attended and the church values they uphold, it is argued that the communities where employees come from might help promote professional ethics in the workplace. Ideally, employees are expected to bring about ethical lessons from the communities that they are coming from. Masengwe and Dube (2023:1) presuppose that, through churches and the restoration of faith and moral biblical standards, Christians can promote ethics in the public service by developing ethos and educate people on corruption control. Furthermore, the autonomy of each church has led to a lack of uniformity in how

individuals respond to corruption. However, it is a fallacy that the autonomy of churches leads to lack of uniformity in the response against corruption because corruption and the means to curb it are assumed to be common. Furthermore, in modern society, church may not be expected to instill discipline among churchgoers, on its own. But different religions and the involvement of public institutions may be necessary to bridge or close this chasm whilst instilling discipline among employees and managers, who may be churchgoers.

It is worth noting that not all employees are Christians; therefore, the church structure may be inconducive as a means to impart good morals. Notwithstanding, different avenues other than church teachings may be pursued wherein community members benefit from lessons on ethics either at basic or higher levels of education. Sports and cultural groupings may also be considered for the promotion of ethics from an early age. Arendse (2014:2) supports that schools teach learners about values, attitudes and skills about the self, the environment, and relationships, among others, especially during the subject of Life Orientation.

The South African public service can glean from global trends of best practices on ethics. These lessons are drawn from the selected countries as discussed next.

### **1.7.6 Global trends**

In determining global ethical issues and best practices in the public service, a comparison of several countries and their lessons are gathered to benefit the public service in South Africa. A critical review on professional ethics in the global arena with distinct focus on their unethical actions and the measures that might be crucial in preventing unethical actions in the public service are assessed in chapter 2. Chapter 3 assesses different labour relations perceptions or frames of reference in the global arena. The global assessments in chapters 2 and 3 focus on practices from Denmark, New Zealand, Canada, United Arab Emirates (UAE), Seychelles, Georgia, and South Africa. Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia have been specifically selected based on their performance in ethics according to Transparency International reports. Each of these countries represents the best-performing nations in their respective regions globally. Here's why they were selected:

**Denmark:** Denmark has a very low level of corruption compared to other countries globally in terms of corruption (Denmark, 2021:95). Denmark is, therefore, ranked as a top country that is most ethical and transparent to the extent that the number of people that have paid – or been asked to pay a bribe to public officials in Denmark is estimated to be very low (Denmark, 2021:95). This may be traceable to strong ethical values in government organisations, and high standards of governance that serve as benchmarks for countries worldwide.

**New Zealand:** New Zealand is renowned for its clean and transparent public sector, making it a role model for ethical governance in the Asia-Pacific region. Its strong rule of law and accountability mechanisms are a commitment to ensuring transparency and stability thus creating a safe and stable environment for everyone to conduct business at New Zealand (Bonanni, 2022).

**Canada:** Known for its strong commitment to transparency and anti-corruption measures, Canada consistently ranks high on global ethics indices. Its robust legal framework and governance structures make it a standout performer in the Americas region with a relatively low levels of corruption. However, the Transparency International reports that Canada dropped in score due to the presence of major political scandals, money laundering, poor whistle-blower protections, and outdated access to information legislation (Sauve, Woodley, Jones & Akhtari, 2023).

**UAE:** The UAE has emerged as a leader in promoting integrity and transparency, particularly within the Middle East region. Its stringent anti-corruption laws and initiatives have contributed to its reputation as a model for ethical governance in the region. The UAE has the idea that corruption is a multiform criminal phenomenon that negatively affects ethical values, politics, and social and economic aspects, and according to its wish to invigorate efforts to combat and prevent corruption (The UAE Accountability Authority, 2024).

**Seychelles:** Despite being from Africa, Seychelles has earned recognition for its efforts in combating corruption and promoting ethical practices. The Seychelles' relative success in this area, compared to other African nations, makes it an important example for countries that are striving to improve their ethical standards on the

continent to learn from its successes in the fight against corruption in their various situations (Gaswaga, 2017:5).

**Georgia:** Despite facing challenges, Georgia has made significant strides in combating corruption and enhancing transparency in recent years. Its reforms and efforts to strengthen institutions have positioned it as a leader in ethics within the Eastern European and Central Asian region. Georgia is a party to all key international anti-corruption conventions, including the UN Convention against Corruption (UNCAC) and the Council of Europe Criminal Law Convention against Corruption and the Civil Law Convention against Corruption (European Union, 2023: 27).

Considering South Africa's ongoing ethical challenges, including issues with corruption and governance, these countries offer valuable lessons and best practices that could be beneficial for South Africa to adopt and implement. By studying and potentially emulating the ethical frameworks and policies of these nations, South Africa stands to make meaningful progress in improving its own ethical standards and governance practices.

An analysis of global trends is imperative because, according to Bertucci and Alberti (2016:9), countries can broaden the range of issues which may result in an international norm setting.

## **1.8 RESEARCH METHODOLOGY**

Ngulube (2015:7) defines research methodology as a lens that provides the researcher with information to answer the research questions. To this effect, primary data for this research was collected through questionnaires. The perceptions of the GDE employees were of paramount importance in answering the research questions thus qualifying this study as empirical. The research methodology for this study is clearly described in chapter 4.

## **1.9 ETHICAL CLEARANCE**

Brynard, Hanekom and Brynard (2014: 28) point out that confidentiality and honesty are key requirements for researchers' pertaining to ethics. The University of South Africa (UNISA, 2023) demands that research ethical clearance must be obtained for



all research undertaken prior to the commencement of the research. Navalta, Stone and Lyons (2019:03) admit that to comply with sound research practices, it is integral that approval from an institutional ethics review board is acquired. In upholding ethical values and standards for this research, ethical clearance was obtained through the College of Economic Management Sciences (CEMS) Research Ethics Committee at UNISA. It is noted that this research was an empirical study and therefore, the researcher adhered to scientific research ethical considerations.

### **1.10 LIMITATIONS**

The questionnaires were not physically distributed to respondents due to the COVID-19 pandemic that affected South Africa, in early 2020. However, the questionnaires were disseminated electronically to the respondents. Distributing the questionnaires physically may have increased the number of respondents because it would have enabled the researcher to easily follow up with those who did not respond. The electronic responses are not easy to determine who responded. Electronical follow ups requests were made to all, which may have distressed those who had responded.

### **1.11 CHAPTER LAYOUT**

This study consists of six chapters which are briefly outlined below.

#### **Chapter 1: Introduction and rationale of the study**

This chapter outlined the introduction and presented the background and rationale of the study as well as the problem statement. The primary and secondary objectives and questions of the study were detailed. The research design and methodology were described to outline the sample selection, identify the respondents, describe the procedure used in designing the instrument and collecting data, and provided an analysis to the collected data, the possible limitations and delimitations to the study. The study's ethical considerations were also described. The terms and concepts used in the study were defined and the preliminary review was presented in the research.

#### **Chapter 2: Professional ethics in the Gauteng Department of Education (GDE)**

This chapter presents a critical review of professional ethics in the global arena. Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia, and the

Republic of South Africa were selected to discover the most reported ethical dilemmas and identify the available measures to promote professional ethics in public services. Analysing global trends is imperative to identify lessons that the South African public service (GDE in particular) can adopt in promoting professional ethics. The main theories of ethics – consequentialist, deontological, and utilitarian theories of ethics – are discussed to determine which is more practicable in the South African public service and the GDE.

### **Chapter 3: Labour relations in the public service**

This chapter determines the nature of labour relations by tracing it in history and theory. Before tracing the concept and practice of labour relations in history and global trends, it is imperative to define labour relations. The different theories of labour relations are discussed with distinct focus on specific perceptions or frames of reference on labour relations (economic systems, values and goals, conflicts, trade unions, strike actions, and bargaining). These theories include unitarist, pluralist, radicalism, societal corporatist and state corporatist. The global trends on labour relations practices are discussed for the few selected countries (Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia, and the Republic of South Africa). This chapter further identifies the different roleplayers in labour relations.

### **Chapter 4: Research methodology**

This chapter builds on and synthesises the literature reviewed in chapters 2 and 3 by integrating and summarising the research design and research methodology of the study. This chapter conceptualises the term ‘research’ and explains the research design and methodology. The research design is described, and the research methodology is explained by determining the population, sampling methodology, data collection procedures, the population sample, the development of the measuring instrument as well as data processing and analysis methods. The validity and reliability aspects pertaining to the questionnaire are discussed. The limitations of the study are described whilst the ethical issues are outlined in this chapter.

## **Chapter 5: Research analysis and results**

This chapter discusses the statistical results of the study and integrates the empirical findings with the literature. The results are reported in terms of descriptive and inferential analyses. Data collected through the questionnaire is entered and analysed with the aid of a computer spreadsheet, using Chart Wizard. An interpretation of the responses is provided and presented in the sequence followed in the questionnaire. This chapter also discusses the response rate, the preliminary and descriptive statistics by screening cases and variables and describes categories of data. This chapter further assesses the psychometric suitability of the scale, analyses the univariate and multivariate statistics, and tests the homogeneity of the variables. Finally, chapter 5 delivers a summary of the findings.

## **Chapter 6: Findings, recommendations, and conclusions**

This chapter outlines and summarises each chapter. The findings related to the study, focusing on each of the identified themes, are discussed. This chapter discusses the empirical and theoretical findings and the contribution to the Body of Knowledge (BoK) is highlighted. The recommendations based on the findings are proposed before proposing ideas for future research and explaining the model was developed.

### **1.12 CONCLUSION**

This chapter proposed an approach or plan to be followed in concluding the study on professional ethics in labour relations in the South African public service. The motivation of the study was steamrolled to clearly express what the study entailed. The study's motivation was aligned to the objectives and questions of the study. By aligning the motivation, objectives and questions of the study, this avoids incompatible conclusions. The next chapter covers the professional ethics at Gauteng.

## **CHAPTER 2: PROFESSIONAL ETHICS AT GAUTENG DEPARTMENT OF EDUCATION**

### **2.1 INTRODUCTION**

The previous chapter presented the introduction to the study by deliberating on the background and the rationale of the study. This chapter commences by defining ethics as a concept. The differences between public and private sector ethics are outlined and main theories of ethics – normative, metaethics, and applied ethical theories – are described to gain a better understanding of ethics.

This chapter presents a critical review on professional ethics in the global arena by exploring the most reported ethical dilemmas in Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia, and South Africa to identify what measures are available to promote professional ethics in the public services. Analysing global trends is imperative to identify lessons that the South African public service (GDE in particular) can adopt in promoting professional ethics. According to Bertucci and Alberti (2016:9), countries can broaden the range of issues which may result in an international norm setting by analysing global trends. Finally, this chapter provides a brief discussion on the measures of promoting professional ethics in the South African public service.

Promoting professional ethics is one of the important realities that public services around the world encourage. If professional ethics are maintained, employees may act in an acceptable manner and thus satisfying the needs of society. Employees actions will continually impact on the employment relationship; therefore, the act of promoting professional ethics is critical to build sound labour relations in the public service.

### **2.2 DEFINITION OF ETHICS**

Curry (2014:8) indicates that public administration does not exist in a vacuum. In addition, ethics is one of the fields of knowledge that does not exist in a vacuum. The concept of ethics, according to Mathebula and Makamu (2014:22), is regarded as “the branch of philosophy that examines right and wrong moral behaviour”. Venter and Levy (2014:558) argue that ethics is not only about examining what is right and wrong but

is also doing the right thing. Theletsane (2014:365) admits that ethics guide individuals on how to conduct themselves whilst Amakobe (2017:3) regards ethics as values associated with the motives or decisions informing the actions taken humans (whether good or bad) and the way they conduct themselves (whether right or wrong).

Weighing up these arguments discussed, it is deduced that ethics afford individuals with opportunities to make good decisions and to act appropriately guided by the values, traditions and morals that are found within society. Individuals have countless opportunities to make correct or good decisions and to act appropriately or rightly. Consequently, Amakobe (2017:5) over-emphasises that ethics involves “a person’s situation – dependent application of moral standards, which stem from the traditions, values or beliefs that have grown in societies concerning right and wrong conduct”.

Based on these definitions, it follows that ethics is concerned with individuals’ choices to do right and conduct themselves appropriately through the guidance of moral standards appropriate within a group or society. In the public service, ethics is defined as choices by employees to do right and conduct themselves good by guidance of moral standards appropriate within a government department, organisations, directorates, units, and teams. Moral standards in the public service are embedded within specific traditions, values, goals, and visions and missions that are pertinent in government departments, organisations, directorates, units, and teams.

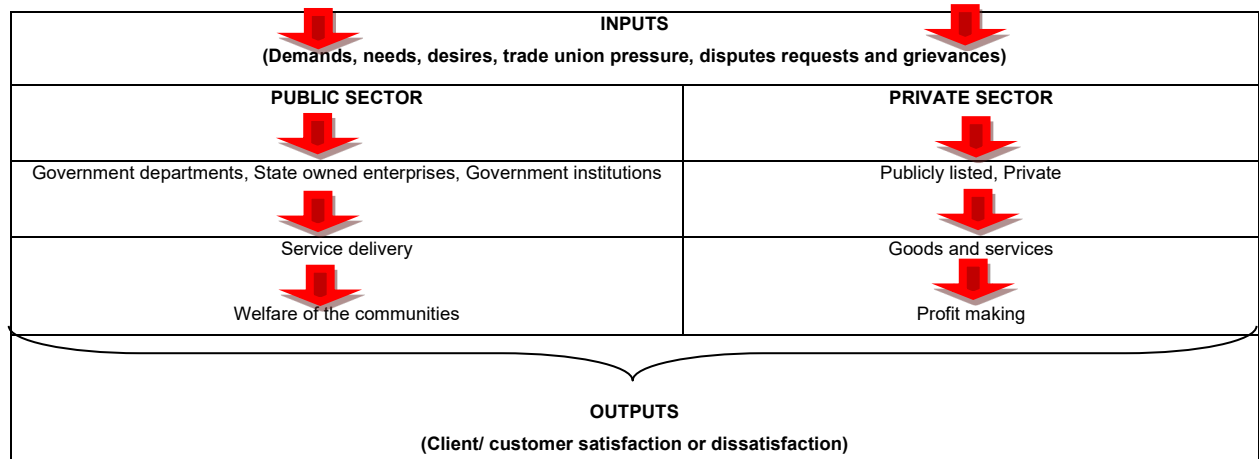
It is worth noting that there are different moral standards in different government departments, organisations, directorates, units, and teams. Moreover, moral standards in the public and private sectors are also different. To strengthen the argument that moral standards in public and private sectors are different, the differences between public and private sectors are discussed next.

### **2.3 ETHICS IN THE PUBLIC AND PRIVATE SECTORS**

First and foremost, it is important to indicate that there are fundamental differences between public and private sectors. Gasik (2016:400) indicates that there are differences between public and private sectors and other sector organisations. Furthermore, a fundamental distinction between public and private sectors lies in their scope of operation (Gowdy, 2017). Clark (2016) argues that the public and private

sectors are fundamentally alike in many respects, even though they have crucial differences. Table 2.1 below explains the difference between public and private sector environments.

**Table 2.1: Public and private sector environments**



**Source:** Adapted from video (introduction of public and private sector and rationale of public sector undertaking CI XI businesses, 2016)

Based on Table 2.1, the supply of goods and delivery of services by both public and private sectors is dependent on the inputs which are expressed as demands, needs, desires, requests, and grievances. Table 2.1 further illustrates that, whilst the public sector provides services with an intended goal of promoting the welfare of communities, the private sector supplies goods and services to increase profits. Ultimately, the recipients or customers (members of the community) are either satisfied or dissatisfied of the goods and/or services rendered.

As such, the public and private sectors operate within different boundaries, however, they are influenced by similar environments. Shava and Mozenda (2021:307) further explain that public and private organisations have rules and regulations which comprise similar ethical values. Common ethical value, according to Yusuph, Guohua and Abeid (2016:81), may be derived from the fact that there are common unethical actions in the public and private sectors. These common unethical actions revolve around administrative discretion, corruption, nepotism, pressure for conformity, administrative secrecy, information leaks, and lack of public accountability. The Venda Building Society (VBS) grand looting may be considered as one of the most reported

unethical acts in the private sector. It is reported that the large-scale looting at VBS led to its collapse (Mkhwanazi, 2019:5). It is further reported that the unethical acts that led to the looting at VBS included fraud, money laundering and theft (Madisa, 2019).

Unethical acts within communities may impact how the public sector operates. Equally, the promotion of ethics in the public sector may impact on the ethical behaviour of society. For example, if employees and managers are trained to detect and report bribery, this may deter members of public seeking to offer bribes in return of favours. Employees may even report efforts of bribery to the police. Similarly, private sector organisations that are in business or have tender agreements with the public sector may refrain from paying bribes or offering gifts because government employees are unwilling to participate in unethical acts. It may be deduced that the private sector and the society play an important role in promoting professional ethics in the public sector. The private sector and the society may also be reported to the police for unethical actions that seek to undermine the operation of the public sector.

Public and private sectors may be required to identify the theory(ies) of ethics in order to gain insight on the moral principles to follow in their intentions and plans to disengage from ethical dilemmas. Several theories of ethics are briefly discussed in the section that follows.

## **2.4 THEORIES OF ETHICS**

Employees and managers are required to act and conduct themselves in an ethical manner when they are on duty. Gxoyiya (2022:i) explains that the employees and managers are required to understand and perceive their institution's commitment to high ethical standards. Furthermore, they are required to be devoted to acting and conducting themselves in an ethical manner whilst contributing towards the realisation of a high standard of professional ethics. The employees' and managers' decisions and actions may be informed and built on traditions created through the theories of ethics.

Table 2.2 shows that there are three main theories on ethics including the normative, metaethics, and applied ethical theories. These theories are briefly discussed to better explain what ethics entail and to determine the most suitable theory for the GDE.

**Table 2.2: A brief discussion of theories of ethics**

THEORIES OF ETHICS						
Normative Theories of Ethics						
This theory provides a standard by which an individual ought to act and by which the existing practices of society, including its moral code, ought to be evaluated and improved.						
	Consequentialist	Deontological	Virtue	Utilitarian	Metaethics	Applied
<b>Origin</b>	<p>According to Elliot and June (2018:159), the British philosopher Elizabeth Anscombe recommended to her Oxford University colleagues in 1956 that the university should not confer an honorary degree to the President of the United States of America, Harry Truman following a nomination. It is reported that Elizabeth Anscombe alleged that Harry Truman was a mass murderer in that he committed a morally prohibited act in using atomic weapons on civilian populations in Hiroshima and Nagasaki in 1945 (Stanford Encyclopedia of Philosophy; 2009).</p> <p>Ogan (2018:84) explains that Elizabeth Anscombe was concerned that the good moral value of any moral actions lies within the ambit of their consequence. Elliot and June (2018:159) further indicate that the consequences of Harry Truman in ordering the atomic bombs to be dropped on the civilian populations in Hiroshima and Nagasaki in 1945 resulted in the deaths of hundreds of thousands of Japanese civilians. It is against this background that Elizabeth Anscombe coined the term, "consequentialism" which she explained as the morality of action ought to be judged by its</p>	<p>Immanuel Kant (1724-1804) is reported to be the theory's celebrated proponent after he formulated the most influential form of a secular deontological theory of ethics in 1788 (Barrow and Khandhar, 2023). Since Immanuel Kant formulated the deontological theory, it is observed that different authors such as Spahn (2020:1) and Barrow and Khandhar (2023) refer to deontological theory of ethics as Kantian deontology.</p> <p>It is stipulated that Kantian deontology is derived from Immanuel Kant's belief that humans possess the ability to reason and understand universal moral laws that they can apply in situations.</p>	<p>Aristotle (384–322BC) was a scholar in disciplines such as ethics, metaphysics, biology, and botany. Aristotle's moral philosophy is based on assessing the broad characters of human beings rather than assessing singular acts in isolation. Indeed, this is what separates Aristotelian Virtue Ethics from both Utilitarianism and Kantian Ethics.</p>	<p>The ethical theory of John Stuart Mill (1806-1873) is most extensively articulated in his classical text "Utilitarianism" in 1861 (Schefczyk, 2019).</p> <p>At the start of the 1830s, John Stuart Mill became increasingly critical of what he termed Bentham's "theory of human nature". The two articles "Remarks on Bentham's Philosophy" (1833) and "Bentham" (1838) are his first important contributions to the development of utilitarian thought. John Stuart Mill rejected Jeremy Bentham's view that humans are unrelentingly driven by narrow self-interest. He believed that a "desire of perfection" and sympathy for fellow human beings belongs to human nature. One of the central tenets of John Stuart Mill's political outlook is that, not only the rules of society, but also people themselves are capable of improvement.</p>	<p>George Edward Moore (1873–1958), Bertrand Russell (1872–1970), Ludwig Wittgenstein (1889–1951) and earlier Gottlob Frege (1848–1925) were the founders of the metaethics theory that was also referred to as analytic philosophy.</p> <p>A.J. Ayer and C.L. Stevenson (1908–1979) were defenders of emotivism, a metaethical view that held considerable sway for a time in the early parts of the 20th century.</p> <p>Richard Mervyn Hare (1919–2002) was a committed non-cognitivist and anti-realist but he was not a defender of a simple emotivist position. Instead, Hare was a metaethical prescriptivist (Stanford Encyclopedia of Philosophy; 2019).</p>	<p>Bertrand Russell (1872–1970) was one of the great British thinkers of the 20th century (Nicolaidis, 2017:1).</p> <p>Peter Unger shared his work in "Living High and Letting Die: Our Illusion of Innocence" in 1996, "All the Power in the World" in 2005, and "Philosophical Papers: Volume 1" in 2006, among others. He made a strong case that any person of reasonable means who neglects to send money to organisations that work to reduce global poverty is thereby doing something very seriously wrong. (Unger, 2019).</p> <p>The German-born philosopher Thomas Pogge shared his work in "World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms" in 2002 where he argued that affluent countries are responsible for increasing poverty in developing countries and cause millions of deaths annually.</p>



THEORIES OF ETHICS						
Normative Theories of Ethics				Metaethics	Applied	
This theory provides a standard by which an individual ought to act and by which the existing practices of society, including its moral code, ought to be evaluated and improved.						
	Consequentialist	Deontological	Virtue	Utilitarian		
	outcome (Anscombe, 1958:9). Furthermore, “the right action means the one which produces the best possible consequences (reckoning among consequences the intrinsic values ascribed to certain kinds of act by some ‘Objectivists’)”.					
<b>Focus</b>	<p>The consequentialist theory of ethics is sometimes referred to as teleological theory of ethics that was derived from the Greek word “telos” which means the result of an action is the determining factor of its morality (Baumane-Vitolina, et al, 2016: 110). Aylor (2015:1) indicates that consequentialist theory answers ethical questions about right or wrong and how we arrive at this answer towards a greater good. Rakié (2018:146) further explains that the consequentialist theory determines whether or not to do something based on the expected result of the action.</p> <p>The consequential theory is regarded as the moral view that believes that the consequences of a behaviour or action are necessary to judge whether the choice made is right, wrong, and/ or ethical (Card and Smith, 2020:2). It is acknowledged that the consequential theory involves looking at the consequences of an action or decision to determine its moral value (Rutter, 2017).</p>	<p>It is argued that “a true moral proposition must not be tied to any conditions, including the identity of the person making the decision. A moral maxim must be disconnected from the physical details surrounding its proposition and should be applicable to any rational being” (Kant, 1985). Kim and Kim (2017:3) explain that “deon” in the word deontology means duty which concludes that ethical value is based on duty and principle. Baumane-Vitolina, Cals and Sumilo (2015:111) emphasise that the duty is, in terms of deontological ethics theory, unconditional and not focusing on the context and consequence. In addition, the duty is, in terms of deontological ethics theory, not about the conditions of services or remuneration (Baumane-Vitolina, et al., 2015:110).</p> <p>Frezza and Frezza (2017:1) contend that employees belong to families and communities wherein they learn rules and principles, initially from within their family structures. In</p>	<p>The virtue ethical theory is character based and not concerned with human action. This theory takes the person’s morals, reputation, and motivation into account when rating an unusual and irregular behaviour that is considered unethical (Chonko, 2019). It is explained that virtues are only learned through practice and not on a purely intellectual level. No set of principles can replace wisdom coming from practice (Grønnum, 2015:2).</p> <p>For instance, if an employee is found with the employer’s property (a stapler, for instance), a manager who knows the employee well may favour employee due to his/her character (someone who is well behaved, friendly, and who cannot steal) and then judge him/her with leniency. But if the employee has a reputation of stealing employer’s property is more likely to be judged harshly for his/her consistent past of unethical behaviour.</p>	<p>Kim and Kim (2017:4) indicate that utilitarian ethics theory “emphasises the increase of personal and societal utility in a purpose-based life”. An emphasis is made that utilitarian ethics theory is advocating for actions that promote happiness and reject discomfort, harm, and unhappiness (Kenton, 2018). Schiaffonati (2019:13) further emphasises that utilitarian ethics theory encourages actions that brings greatest happiness for the greatest number of people.</p> <p>Kim and Kim (2017:4) concur that customer satisfaction can be realised if communication is encouraged between the public service and the supposed beneficiaries.</p> <p>It is argued that those who support the utilitarian theory of ethics are more focused on the after affects or consequences.</p>	<p>Metaethics is a branch of ethics that is concerned with the study of the nature of ethics (Mamgain, 2022). The author emphasises that metaethics theory is concerned with analysing the meaning of words such as bad, right, and wrong. Metaethics, therefore, is concerned with an employee’s action is good or bad, and right or wrong.</p> <p>It is supported that metaethics is the study of moral thought and moral language that asks questions about what morality is, rather than finding out what practices are right and wrong, and what are our obligations to other people or future generations (Wilson, 2016).</p> <p>Wilson (2016) further explains that meta-ethicists are interested in determining whether there can be knowledge of moral truths, or only moral feelings and attitudes, and asks how we understand moral discourse as compared with other forms of speech and writing.</p>	<p>Kuzior (2021:29-30) explains that the applied ethics is concerned with developing appropriate tools for shaping the desired moral attitudes and with applying ethical principles to practice. In shaping the desired moral attitudes, the particular importance is attached to the practical goals of applying this casuistic method in teaching and shaping the moral awareness.</p> <p>Applied ethics may therefore be referred to as practical ethics, that is about the application of ethics to real-world problems. Practical ethics attempts to answer the question of how people should act in specific situations. Animal rights, environmental concerns, medical ethics, media ethics, bioethics, and other controversial and moral issues are addressed by applied ethics.</p> <p>Applied ethics is also regarded as a philosophical discipline that means philosophy of action and it is a technique for determining the morally correct course of action in our lives. These moral</p>

THEORIES OF ETHICS					
Normative Theories of Ethics				Metaethics	Applied
This theory provides a standard by which an individual ought to act and by which the existing practices of society, including its moral code, ought to be evaluated and improved.					
Consequentialist	Deontological	Virtue	Utilitarian		
	<p>addition, religion has influence on how people act. Masengwe and Dube (2023:1) support that through the churches, spiritual teachers and the biblical moral standards, many Christians can promote ethics in the public service by developing ethos and educate people on corruption control.</p>			<p>There are three theories of metaethics including naturalist and non-naturalists, emotivism, and prescriptivism.</p> <p>Suikkanen (2017:1) explains that naturalists consider themselves as ordinary natural properties (those who studied natural sciences) and who are casually a <i>posteriori</i> knowable, and usable in the best explanations of natural and social sciences. A <i>posteriori</i> comes from Latin and literally translates as “from the latter” or “from the one behind”, indicating that ethical action is reasoned backwards from an effect to its causes.</p> <p>Suikkanen (2017:1) further explains non-naturalists as <i>sui generis</i>: causally inert, a priori knowable, not a part of the subject matter of sciences and yet a “part of the fundamental nature of the universe”. It is argued that non-naturalists are concerned with any action that is independent (not a cause of anything) and does not have any experience/ background (not caused by anything).</p> <p>Emotivism is a theory that claims that moral language or judgments are neither true nor false; express our emotions; and try to influence others to agree with us. Emotivists believe that the morals are expressed</p>	<p>principles are used to solve moral issues in everyday life. As a result, applied ethics refers to the application of ethical principles in our daily lives.</p>

THEORIES OF ETHICS						
Normative Theories of Ethics				Metaethics	Applied	
This theory provides a standard by which an individual ought to act and by which the existing practices of society, including its moral code, ought to be evaluated and improved.						
	Consequentialist	Deontological	Virtue	Utilitarian		
					<p>through emotions to influence others (Messerly, 2016).</p> <p>Bahník, Efendic and Vranka (2021:108-109) explain that prescriptivism is the view that moral and other value judgments are prescriptive in nature. Prescriptive judgements are there to prescribe action related to what people should do. On the other hand, when making a prescriptive judgement, people should be more likely to take their self-interest into account and thus exhibit a self-serving bias</p>	
<b>Criticism</b>	<p>Consequentialism may be criticised for its exposed assumption that consequences ought to be identified before acting because it is sometimes difficult or even impossible to identify consequences before acting. A consequence may not be an immediate consequence following an action. Further criticism arises when decisions to act are based on consequences that are doubtfully good. It is not known when a national disaster may take place. However, government may allocate a budget for disaster relieve. The decision to allocate a budget for a national disaster may be a good decision because there may be no money when the disaster happens. The disaster may, however, happen. Finally, consequentialism may be criticised because every action and every consequence have its own</p>	<p>It is important to argue that Christianity is not the only religion; so, the church structure may not be enough to impart good morals to all. It is, again, an exciting argument to note that the public service embraces different religions thus prohibiting unfair discrimination on the ground of religion as entrenched in Section 6 of the Employment Equity Act 55 of 1998 (RSA, 1998:15).</p> <p>Deontological ethics theory may be criticised because of its regulatory character that almost makes it impossible for employees to bring in new initiatives. Kim and Kim (2017:4) argue that the deontological ethical theory brings about excessive regulation and application of legislative restrictions. In this regard, it will be difficult to promote initiative</p>	<p>“Virtue Ethics, you may find cold comfort from suggestions that you act generously, patiently, and modestly whilst avoiding self-serving flattery and envy. Rather than knowing how to live in general, you may seek knowledge of what to do in this case. Virtue Ethics may therefore be accused of being a theory, not of helpful moral guidance, but of unhelpful and non- specific moral platitudes” (Fisher and Dimmock, 2021).</p> <p>The authors further argue that the virtue ethicist approve that the employee must learn how to act by considering how virtuous employees act. It is not easy to identify a virtuous employee, all human beings are with flaws.</p>	<p>Utilitarian ethics theory is not clear on how the majority is decided and who are the majority.</p> <p>The minorities are also in need of the greatest happiness. Utilitarian ethics theory lacks consideration of minority group’s goals because it is not just about the greatest happiness but the greatest happiness of the majority.</p> <p>It does not matter whether the minorities are correct, their pursuit for happiness may be infringed.</p> <p>There is a possibility of collectivism and racism in a multi-cultural society from the cultures that have strength and monetary power. It is argued that there are employers who rally to</p>	<p>It is not certain if intuition can recognise the presence of goodness, but it obvious that the presence of human happiness is the only criterion of moral value needed for the purposes of making our judgment.</p> <p>We require a sense is required to perceive goodness because it is indefinable and foundational. What sense do we need to perceive goodness?</p> <p>Why do people have to argue about morality, or about what is good or bad. If we can already intuit the Good, why do they argue, what is there to argue about?</p>	<p>A morally loaded communication can lead to ethically unwanted consequences that shapes many people’s perception of themselves and their surroundings. The motivational principle of valuing “me and mine” means that we are motivated to see ourselves and anything or anyone connected to us, such as our families, teams, nations, or even possessions, in a positive light, and not concerned about the next person, especially ones we do not have relations with. The principle of “me and mine” lead to people evaluating themselves, their in-group, as well as information about themselves and their in-group in a highly biased manner. It may be argued that when people start to evaluate themselves, information about us and the in-groups, we</p>

THEORIES OF ETHICS					
Normative Theories of Ethics				Metaethics	Applied
This theory provides a standard by which an individual ought to act and by which the existing practices of society, including its moral code, ought to be evaluated and improved.					
Consequentialist	Deontological	Virtue	Utilitarian		
<p>recourse. In this regard, it may not be declared that the consequence will be good without considering that the bad element also exists. Gluchman (2017:58) argues that there is no restricted approach to consider the correctness of the action which brings about the best possible consequence.</p>	<p>among employees because most fear that they may be disciplined for not adhering to the rules or legislative prescriptions.</p> <p>Initiative under deontology may acquire authorisation for deviation from the Head of Department/Director General or the Executive Authority which happens in a cumbersome bureaucratic process. Some actions require immediate decisions without seeking authorisation. For instance, an immediate decision may be taken to place an employee on precautionary suspension without authorisation of the Head of Department because of serious allegations of corruption that have attracted community protests and threats. Such a decision may assist the department to investigate the allegations and even initiate disciplinary action with the employee placed on precautionary suspension.</p> <p>Another visible aspect that immediately confers criticism is the conflict that often appears between the public needs and the principle. An example of an approved budget as opposed to the community's demand that is not included in the budget may be given. When an emergent need to erect a school nearer to a community where learners</p>		<p>suppress employees demands for increased salaries, for their increased profits.</p> <p>It is argued that the minorities run to courts to fight employers' unfairness and to gain happiness.</p> <p>It is also argued that certain decisions and actions are morally acceptable even if they do not create pleasure for many and some actions that maximize pleasure are morally unacceptable.</p>		<p>are beginning to create groupings or classes based on conclusions about ourselves.</p> <p>Applied ethics theory is morally problematic because it rarely questions only singular normative convictions of people therefore problematises people's identities and worldviews. Applied ethics theory problematises people's identities such as habits, feelings of belonging, cultures, and beliefs.</p>

THEORIES OF ETHICS					
Normative Theories of Ethics This theory provides a standard by which an individual ought to act and by which the existing practices of society, including its moral code, ought to be evaluated and improved.				Metaethics	Applied
Consequentialist	Deontological	Virtue	Utilitarian		
		come becomes evident due to a sudden increase of traffic and loss of life due to car accident involving learners, a school may not be built because it is budgeted for.			

Source: Singer (2023)

Therefore, the consequential theory encourages employees to think rationally and to consider possible consequences prior to acting. Furthermore, imagination forms part of consequential ethics because imaginary conclusions are reached while contemplating the consequences. Employees may consider the consequences by imagining the outcomes should the money budgeted for bursaries be used for disaster management due to heavy rains and storms. Possibly, some imaginations may consider paying bursaries later in the year or that disaster requires urgent attention for relief. In simple terms, the performance of employees is determined by the consequences of their actions.

The deontological ethics theory, however, requires employees to do the work regardless of their physique or their conditions of work. Contrary to the consequentialist ethics theory, deontological ethics seeks to realise the good during the cause of action instead of focusing on the result of the action or consequence. It is material that the employee must have the public's interest while performing the duty to realise righteousness. For example, an employee who is appointed as a supply chain manager is duty bound to appoint service providers on merit instead of other reasons such as favouritism, nepotism, or self-dealing. Therefore, in the performance of duties, employees are guided by principles such as fairness and equality and the policies, legislations and guidelines that encourage fair and meritorious appointments of service providers. Section 217(1) of the Constitution states that "when an organ of state in the national, provincial or local sphere of government, or any other institution identified in national legislation, contracts for goods or services, it must do so in accordance with a system which is fair, equitable, transparent, competitive and cost effective" (RSA, 1996:112).

Virtue ethical theory is not concerned with the actions of employees but considers morals, reputation, and motivation as important elements to determine whether the employee is ethical or unethical. Virtue theory further requires employees to be men and women of virtue or to take heed on how a virtuous employee conducts or behaves. However, it is difficult to determine what makes a virtuous employee. It is settled that virtue is learned from practice; it is not written anywhere. In the public service where there are different cultures, religions, races, and beliefs virtue may be construed differently by employees coming from different backgrounds.

Section 195(1)(e) of the Constitution may be regarded as a cornerstone for utilitarian practice because it strengthens public participation. Section 195(1)(e) indicates that “people’s needs must be responded to, and the public must be encouraged to participate in policy making” (RSA, 1996:99). Public participation in democratic countries such as South Africa is about consolidating ideas in favour of the greatest number of people or of the majority. Sebola (2017:25) contends that public participation is a buzz word for democracy.

Public participation may take the form of customer surveys or policy inputs or public hearings. A community member may take part in customer surveys by asserting appreciation or by showing dissatisfaction towards a service received at a public school. Customer surveys may take the form of public hearings where community members may be allowed to comment or through their representatives. An example is the recent public hearing related to the transfer of mentally ill patients from Life Esidimeni to some non-governmental organisations (NGO). McQuoid-Mason (2018:6) asserts that the Life Esidimeni hearing learnt that it was unethical that the patients were transferred to NGOs by untrained, unlicensed staff with an under-developed culture of primary mental healthcare.

Employees following the utilitarian ethical theory ought to promote happiness. The process of public service delivery may not be to everyone’s satisfaction. Therefore, utilitarianism is not concerned with pleasing everyone but to meet the needs of the majority. Public participation and communication are arguably important elements that may encourage the full involvement of the community in determining their fate. Utilitarianism is, by observation, a consequential theory of ethics that is not satisfied with discomfort, harm, and unhappiness.

Metaethics is analytical in nature because as indicated in Table 2.2, it constantly analyses what morality is. In addition, metaethics is historical in nature because it studies the nature of ethics rather than establishing which practices are right and wrong and our obligations to others or future generations. Arguably, since the world changes overtime, what was perceived as morality in the past may not hold true in the present day. Metaethics is, thus, static with no consideration for development. On the other hand, applied ethical theory considers development only in the sense that it

directs appropriate tools for shaping the desired moral attitudes and to apply ethical principles to practice. Therefore, applied ethical theory is concerned with sensitising people to moral attitudes that are aimed at realising goals.

## **2.5 SIGNIFICANCE OF THEORY IN PROFESSIONAL ETHICS**

Stephens (2013:98) presupposes that a theory is sets of ideas that guide people in understanding a phenomenon. It is reasoned that a theory has become a popular point of departure to adopt approaches to lead institutions and to identify suitable strategies for employees and managers (Birt, 2023). Najeeb (2014:25) accedes that theory is a useful tool to analyse organisational behaviour.

It is important to discuss the following salient features about professional ethics that arise from the theoretical background:

- (a) **Professional ethics has a historical base:** Ethics in the life of an employee is not a thing of today. Metcalf (2014:7) confirms that ethics adopts a universal and detached mode written in response to moments of historical specificity. Because ethics is not a new concept in professional life, one may search history to realise its best results. Snowdown (2015:4) further indicates that ethical theory has a historical background. Therefore, to promote high standards for professional ethics in the public service, employees and managers may look back at past actions and behaviours that are considered ethically sound.
  
- (b) **Professional ethics is a legislative subject:** Section 2 in the Constitution entrenches that the Constitution is the supreme law of the country (RSA, 1996:3). As such, the Constitution is the highest law that promotes and maintains professional ethics in the public service. Furthermore, section 195(1)(a) of the Constitution (RSA, 1996:108) reiterates that “a high standard of professional ethics must be promoted and maintained”. There are, however, many other laws and guidelines that are used in the public service to promote professional ethics. Other laws that promote and maintain professional ethics include the Public Service Regulations of 2001, the Code of Conduct for the Public Servants, and policy frameworks on performance management, procurement, and recruitment. Even though these laws and guidelines are important, the Code of Conduct for



the Public Servants may be regarded as the first point of reference on how employees and managers are to conduct themselves to promote professional ethics. According to the PSC and the Code of Conduct for Public Servants (2002:8-9), all employees from most junior to most senior levels in the public service have the responsibility to comply with the relevant laws to promote professional ethics. The DPSA explains that employees at senior management level are guided by the Senior Management Services (SMS) handbook to contribute to the development of high ethical standards in the public service (DPSA, 2003:183).

- (c) **Societal arrangements are a force on professional ethics:** Netshitenzhe (2014:4) is concerned that South Africans remain afflicted with crisis levels of unemployment, inequality, and poverty. According to Brown (2016:232), “morality is learned in the process of growing up in human society and the exercise of moral judgment requires skills learned in the social interactions that define human experience from birth onward”.

Consequently, the societal arrangements related to unemployment, inequality and poverty may influence employees. Employees may adopt generosity, kindness, love for others, fairness, justice, and care through societal teachings (Amir-ud-Din and Zaman, 2015:16). Further, the societal arrangements might drive employees, especially those from poor backgrounds or from communities that lack role models, to be corrupt. However, social institutions (such as churches, schools, universities, and sports clubs) may be considered to close the chasm between bad and good moral behaviours and may influence employees to act and behave ethically. Finally, it is reasoned that an institution that requires best results may initiate social activities such as fellowship, book clubs and sports clubs that will encourage teamwork, communication, and fair competition.

- (d) **Behaviour and attitude impact on professional ethics:** The behaviour and attitude of all role players in labour relations impacts professional ethics. Mirkamandar and Beheshtifar (2015:84) emphasises that a manager must be committed to ethical principles which are reflected in their behaviour. Non-managerial employees, according to the PSC (2002:8), are required to exercise

minimum acceptable behaviour for ethical practices. Evidently, employees and managers exhibiting unacceptable behaviour negatively impact the ethical standing of their institutions. Conversely, employees and managers with good behaviour may be perceived as promoting ethical behaviour in their institutions.

Whilst Frezza and Frezza (2017:1) emphasise that employees learn ethical rules and principles from their families and communities (churches, spiritual teachers, and the biblical moral standards), Brown (2016:232) explains that morality is learned in the process of growing up in human society through social interactions. Notwithstanding unethical actions such as bribes, backroom deals and theft are alarmingly prevalent throughout the world (Transparency International, 2015:1).

Ethics as a historical component may not only relate to ways and means that public services are followed to curb unethical behaviour. Ethics as a historical component may also relate to unethical actions too. For example, nepotism and unfair patronage not only happened in the past but continues to happen. Similarly, ethical practices are also influenced in the political landscape where behaviours like cadre deployment are embraced. Further, it may be difficult to express political ideas without reasoning that social arrangements where communities, families or individuals exist influence the political landscape where ethics is a topical issue. For example, it may be because of poor family background that employees may be influenced by political office bearers to implement unethical actions within the GDE. Equally, societal arrangements may be influenced by political arrangements within communities. For example, favouritism initiated by politician may be the cause some families remain poor due to service delivery or even employment opportunities. However, employees are duty bound to promote professional ethics and to satisfy the demands, needs, and desires of the public as guided by the law. Employees are, therefore, required to comply with the law to promote and maintain professional ethics. Based on the above, the applicable ethical theory in the South African public service is deontological ethical theory.

## **2.6 ETHICS IN THE GLOBAL ARENA**

Dabla-Norris, Kochhar, Ricka, Suphaphiphat, Tsounta, Sharma and Salins (2015:8-9) suggest that ethical dilemmas in most public services in the world are associated to wealth inequality, widespread poverty, economic inefficiency, and widespread service

delivery issues. It may be resolved that ethical dilemmas around the world are the same with exceptional trends in different countries. It is, therefore, assumed that the means or ways of curbing unethical actions in the public service will also differ from one country to another.

In determining global trends, the most reported unethical acts and the measures that promote professional ethics in the public services are examined. The countries reviewed were selected from different regions representing Western Europe and European Union (EU), Asia and the Pacific, the Americas, the Middle East and Northern Africa, and the Sub-Saharan Africa regions. The Transparency International Report listed Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia and South Africa as the leading countries in their regions on the 2018-2021 corruption perception index (as the benchmark). Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, and Georgia are regarded as the most improved countries in their regions that fared better in promoting and maintaining ethics. These countries are indicated in Table 2.3 below:

**Table 2.3: Corruption perception index**

Country	Regions	2018 Score	Rank	2019 Score	Rank	2020 Score	Rank	2021 Score	Rank
Denmark	Western Europe and EU	88	1	87	1	88	1	88	1
New Zealand	Asia and Pacific	87	2	87	1	88	1	88	1
Canada	Americas	81	9	77	12	77	11	74	13
United Arab Emirates	Middle East and Northern Africa	70	23	71	21	71	21	69	24
Seychelles	Sub-Saharan Africa	66	28	66	27	66	27	70	23
Georgia	Eastern Europe and Central Asia	58	41	56	44	56	45	55	45
South Africa	Sub-Saharan Africa	43	73	44	70	44	69	44	70

**Source:** Adapted from Transparency International: Corruption Perception Index (2018; 2019; 2020; 2021)

According to the Transparency International reports (2016:3), “index’s lower-scoring countries, people frequently face situations of bribery and extortion, rely on basic services that have been undermined by the misappropriation of funds, and confront official indifference when seeking redress from authorities that are on the take. In

higher-scoring countries the situation may seem less obvious in the daily lives of citizens, but closed-door deals, illicit finance, and patchy law enforcement exacerbate many forms of corruption at home and abroad”.

Table 2.3 lists South Africa as the most unethical country among all selected countries. This study, therefore, aims to identify unethical acts and to provide deterrent examples of measures employed in the selected countries. South Africa might glean best practices from the top-ranked countries which may be viewed as a point of reference from which other countries may benchmark against in promoting and maintaining professional ethics in the public service.

The following are, therefore, reported unethical issues that are common, and the means or measures utilised to reduce unethical behaviour in these selected countries:

### **2.6.1 Denmark**

The sections that follow detail the ethical issues reported in Denmark.

#### *2.6.1.1 Reported unethical behaviours in Denmark*

Denmark is ranked number one in the world but like any other Western European and European Union countries, there remains vast opportunities to effectively tackle unethical behaviour (Transparency International, 2018:11-12). Despite being declared the world's least corrupt country, there remains numerous unethical actions that go unreported in Denmark (Okwuagbala, 2020). Transparency International (2019:22) indicates that even though the conflict of interest, insufficient disclosure of political party and campaign financing and a lack of media independence are prevalent, abuse of state resources for electoral purposes is mostly reported in Denmark.

The International Foundation for Electoral Systems (2018:2) asserts that the abuse of state resources is a major corruptive force in the electoral process, introducing or exacerbating power inequalities and giving unfair electoral advantage to incumbents. Peters, Honeycutt, De Block and Jussim (2020:512) explain that bias and hostility against ideological opponents may be considered as abuse of state resources in favour of others. Furthermore, they explain that abuse of state resources against political ideological opponents is common in the public service than those directed at

gender, race, religious, and language. Safina (2015:633) suggests that managers are required to make decisions on appointments for contracts and closed a transaction in favour of those who come from the ruling political party. The misuse of state resources for political purposes is considered as manipulation and control by those who want to possess and attain power (Khan, 2020). Misusing state resources for political battles and dominance might be achieved by using state organisations to get rid of political rivals, even within same political party.

#### *2.6.1.2 Means to reduce unethical behaviour in Denmark*

In chapter 3 of this study, it is identified that society is the most important role player in labour relations. Pratt (2016:54) explains that members of society entrust to Christianity the enhancement of integrity, reliability, and trustworthiness to act ethically. Further, churches in any society not only transplant religion but also set principles, tenets and values that are adopted into the functioning of the public service. It is further acknowledged that the role of the church and Christianity greatly shaped the Danish public organisation and culture (Sriram; 2015).

In further considering the important role played by society in the public service, the government of Denmark introduced a political course (Denmark, 2010:6). Figenschou, Fredriksson, Pallas and Salomonsen (2020:85) indicate that the role played by politicians and administrators in the Danish public service leads to an increased need for professionalism. Tahmasebi and Musav (2011:139) reflect that the roles played by politicians and administrators are complimentary towards a common pursuit of sound governance. In addition, politicians and administrators are required to comply and respect the political control by shaping and implementing laws in ways that promote the public interest and to adhere to such laws. Cloete (2019:10) emphasises that best practice where service delivery is concerned is based on evidence and ideas as opposed to political ideology and emotion. The European Public Administration Network (2019:19) asserts that the people of Denmark are involved in enhancing the institutions' ability to innovate and increase quality by participating in determining what public services they need. It is, therefore, well thought out that the Danish public service ought, through its human resources management, to encourage employees to be politically neutral rather than favour individuals affiliated to a particular political

party(ies). Political neutrality may be viewed as the foundation for promoting and maintaining ethical standards because all services are provided for the satisfaction of all.

In Denmark, the promotion and maintenance of ethical standards is regarded as a precondition for maintaining the high level of confidence and trust (Vejlø, 2019). Furthermore, the people of Denmark ought to promote and maintain ethics within the society and workplace.

## **2.6.2 New Zealand**

The following ethical issues were reported in New Zealand:

### *2.6.2.1 Reported unethical behaviours in New Zealand*

In terms of Table 2.3, New Zealand, found in the region of Asia and the Pacific, is ranked second in terms of the 2018 corruption perceptions. Purcell (2016:102) reports that, in the Australian and New Zealand Biennial Bribery and Corruption Survey for 2013, KPMG concluded that it is difficult to quantify the total cost of corruption because of undetected or unreported frauds. The author further signals that most public sector fraud occurs in New Zealand relates to the tendering process, and that corruption represents approximately 30% by value of all reported public sector incidents.

Mantzaris (2014:68) identifies other forms of bid rigging and indicates that it includes collusive bidding (in such cases, the bidders agree beforehand who should win the tender, there are secret agreements regarding compensation, inflated profit taking or taking turns to win tenders) and improperly awarded tenders (including possibilities for corruption during the tender evaluation and decision-making phases). Those who present the information from the evaluators to the decision makers are often in a unique and strong position to influence decisions.

### *2.6.2.2 Means to reduce unethical behaviour in New Zealand*

According to the Public Service Commission of New Zealand, any suspected serious wrongdoing in the public service may be reported in accordance with the Protected Disclosures Act (the Public Service Commission of the New Zealand, 2021). The

Organisation for Economic Co-operation and Development (OECD) (2016:43) reports that there are comprehensive dedicated laws in effect in New Zealand's public service that protect whistleblowers. Any person (whether an employee, contractor or supplier) who is aware of illegal activities happening within an organisation or in a specific department and comes forward to share knowledge of such illegal activities is a whistleblower (The Economic Times, 2021). Therefore, a whistleblower discloses information concerning wrongdoing in the interest of the public (The United Kingdom, 2015:3).

### **2.6.3 Canada**

The following ethical issues were reported in Canada:

#### *2.6.3.1 Reported unethical behaviours in Canada*

According to Tanyaovalaksna (2016:ii), many working Canadians seemingly compromise their personal ethics by remaining silent about unethical acts to keep their job. While remaining silent about unethical actions is referred to as "quietism" in South Africa (Schmitz, 2015:2), Canadians refer to it as "employee silence" (Tanyaovalaksna, 2016:ii). Monzani, Braun and van Dick (2016:246) argue that "employee silence" creates an environment where employees refrain from voicing problematic issues at work. In addition, "employee silence" creates an ethical dilemma between the interests of the wrongdoer (normally executives or political leaders) who might perceive voicing problems as being disloyal and those of the institution that might suffer severe cost. However, Liu, Chen, Bell and Tan (2020:746) explain that Canadian employees are more involved in unethical actions that include the misuse of authority and resources for personal or organisational gain. Furthermore, such unethical actions are self-serving as they do not account for other group members or institutions whilst employees continue to harm each other and violate societal norms.

#### *2.6.3.2 Means to reduce unethical behaviour in Canada*

Byars and Stanberry (2018:144) explain that unethical behaviour may be curbed if employees and managers adapt to cultural expectations in the public service beyond merely reflecting the social norms and culture in which they operate. In addition, an effective organisational culture may be achieved if local customs and culture are

considered because local customs and culture influence the organisational culture and ethical conduct in the public service. For example, an employee may be discouraged to steal from the workplace if the local customary practice asserts that theft is met with amputation.

Boisvert, Dent and Quraishi (2014:28) explain that the International Anti-Corruption Unit was established in 2008, within the Royal Canadian Mounted Police's Commercial Crime Branch to investigate allegations of bribery involving employees in the public service. They assert that the International Anti-Corruption Unit investigates allegations of bribery, whether tacit, implicit, or explicit, of a foreign public official or a foreign person bribing a Canadian public official that may have international repercussions. The International Anti-Corruption Unit may also investigate allegations of money laundered in, or through, Canada.

#### **2.6.4 United Arab Emirates (UAE)**

The following ethical issues were reported in the UAE:

##### *2.6.4.1 Reported unethical behaviours in the UAE*

According to the survey conducted by the Transparency International in 2022, the UAE has many cases of bribery and kickbacks from the foreign nationals within their borders (Transparency International, 2022). It is further observed that there are cases of government interference with privacy rights, undue restrictions on free expression by employees, internet site blocking, substantial interference with the rights of peaceful assembly and freedoms of expression and association, and the inability of citizens to choose their government in free and fair elections, happening in the UAE (United States Department of State, 2020).

##### *2.6.4.2 Means to reduce unethical behaviour in the UAE*

According to the UAE government (2018:8), ethical public service can be realised if happiness is treated as a fundamental human goal and aspiration for all people of the UAE. The UAE government further reasons that happiness represents a holistic approach to development, wellbeing, and prosperity, and it is the path towards a better world. The UAE government's reasoning presupposes that when people are happy,



there is no need for them to partake in unethical actions that weaken public service delivery. Furthermore, when the public service delivery is not weakened, the people of the UAE are likely to prosper and be happy.

Workplace policies are the necessary rules and regulations that guide employees on how to conduct themselves while on duty, including how they interact with each other, their customers, and clients (UAE, 2018:24). The UAE public service considers workplace policies as the cornerstone of any push towards building happiness and wellbeing in the workplace, and as the foundation upon which an institution builds programmes and practices to support its vision, especially when they receive support from the highest ranks (UAE, 2018:24).

According to the UAE government (2018:25), when workplace policies are abstract, complementary programmes are required to support implementation thereof. These programmes range from small, short-term activities to comprehensive, long-term, or enduring initiatives (UAE, 2018:25). The UAE implemented informational lectures, written communications and orientations, interactive workshops, training programmes, social activities, and employee feedback to ensure that the programmes were relevant and engaging (UAE, 2018:25). The UAE further encouraged employees to comply with their anti-money laundering laws that provide guidance in combating bribery and kickbacks. Currently, the UAE offers a business-friendly environment with an effective and efficient public administration that criminalises active and passive bribery, embezzlement, abuse of functions, and facilitation payments by enforcing its legislation and continuing to work with international partners to combat bribery and corruption.

## **2.6.5 Seychelles**

The following ethical issues were reported in Seychelles:

### *2.6.5.1 Reported unethical behaviours in Seychelles*

The public service in Seychelles accounts for approximately 40% of employment; because it does not have a fully established formal labour market, the country is quite inefficient riddled with the exploitation of foreign workers (USA, 2021:4). Seychelles is regarded as a transit country for human trafficking victims and recruitment agencies

often play a role in transnational human trafficking operations by recruiting workers (USA, 2021:2). Furthermore, public office employees tend to abuse their positions misappropriate public funds for personal benefit (Dine, 2023). Dine (2023) contends that a substantial number of corrupt officials do not face any consequences due to the excessive red tape and low level of legal protection for those who report corruption in the Seychelles public service.

#### *2.6.5.2 Means to reduce unethical behaviour in Seychelles*

According to the United Nations (2008:1), any exploitation of men, women and children is unacceptable. The prevention of human trafficking by bringing traffickers to justice has had a small impact on the global phenomenon (United Nations, 2008:1). Seychelles has shown very little improvement in protecting men and women and preventing human trafficking.

The Code of Ethics and Conduct was approved to promote the ethical conduct of employees in the public service (Seychelles, 2003:2). The Code of Ethics and Conduct, therefore, covers the basic rules of conduct which necessitates that all public service employees are expected to abide by following the various guiding principles. Of these guiding principles is the appropriate disclosure of official information which is subject to the requirements of the State Security Act, 1977 and the Official Secrets Declaration, signed upon appointment by all employees in the public service (Seychelles, 2003:2). The provisions contained in the Official Secrets Declaration are applicable during the period of employment and upon resignation from public services.

A key tenet in formalising the public service in Seychelles is about appointing employees on merit (Dine, 2023). Meritorious appointments quell the abuse of power by entrusting those with authority to appoint employees because they all requirements to assume responsibility. The appointment of unqualified employees should be met with drastic consequences taken against those who are involved, as this action may be encouraging corruption.

#### **2.6.6 Georgia**

The following ethical issues are reported in Georgia:

#### *2.6.6.1 Reported unethical behaviours in Georgia*

It is reported that bribery, extortion, influence peddling, nepotism, fraud and opportunism are common forms of unethical behaviour in the Georgian public service (HRC, 2020:1). These unethical acts by employees include petty bureaucratic corruption at the lower administrative level with employees partaking in activities that are intended for their own benefit. It is also reported that an important government organisation has been captured by those who have interests that undermine the effective enforcement of the laws in Georgia (Transparency International, 2015).

#### *2.6.6.2 Means to reduce unethical behaviour in Georgia*

The National Democratic Institute (NDI) specifies that a strong political will is required to improve the declining public confidence within the Georgian public service (NDI, 2020). Further, Georgia has since adopted the “Georgia without Shevardnadze” slogan which means “Georgia without corruption” following Shevardnadze’s government that was reported to be synonymous with economic malaise and endemic corruption (Sartania, 2021). Political will and support may be viewed as building blocks that encourage employees to act ethically and to report unethical acts by their colleagues. Political will and support may be essential in creating a capable public service that will be inspired and dissuaded from unethical acts.

### **2.6.7 Ethics in South Africa**

The following ethical issues were reported in South Africa:

#### *2.6.7.1 Unethical behaviours in the South African public service*

The following reported unethical actions are common in the South African public service.

##### *a Failure to meet targets*

It is a known fact that the activities of government departments are founded in legislative mandates for which they are directly responsible for implementing, managing, or overseeing. The National Treasury empowers all government departments to develop their own strategic plans which should reflect the broad strategic outcomes of government. Notwithstanding, Netshitenzhe (2014:4) is concerned that South Africans remain afflicted with crisis levels of unemployment,

inequality, and poverty. In addition, he argues that this “triple crisis” emerges because of the government’s failure to meet targets, poor service delivery, neglected infrastructure, and actions which manifest in corruption by public servants (Netshitenzhe, 2014:6).

*b. Remunerative work outside public service*

A 2013 Auditor General report revealed that government employees benefited from tenders within the South African public service that employs them (Whittles, 2017). The PSC (2016:75), in its 2015/16 annual report, highlights that remunerative work outside public service continues to take place which resulted in members of Senior Management Services (SMS) being instructed to disclose their financials.

This report further states that employees are required to request permission from the delegated authority before they perform remunerative work outside the public service. Employees serving on different committees responsible for supply chain management are required to sign and declare their interests during their committee meetings. The report asserts that employees found doing business with government will be found guilty of misconduct.

*c. Self-dealing*

Mathebula and Makamu (2014:23) state that “self-dealing refers to a situation where one takes action in official capacity thereby conferring benefits to oneself; and this motion extends to family, spouse and children”. Cowan (2017) reported that a certain minister of the Department of Public Service and Administration had appointed family and friends from her home province.

*d. Politics – administration dichotomy*

Adarkwa and Ohemeng (2015:1) declare that the relationship between politicians and bureaucrats is mostly on policymaking. Elected politicians are entrusted with the responsibility of making policies while the employees are expected to implement policies. In conclusion, it is common knowledge that political elites usually would appoint loyalists in the public service to intensify obedience even when wrong political decisions are made.

*e. Cadre deployment*

According to Cilliers and Aucoin (2016:5-6), cadre deployment includes the organised appointment of party loyalists into strategic positions of power or personal loyalists with a legal mandate to make senior appointments. It is not only about appointing loyalists within the political party but those who know and in a proximity to those with authority to deploy. Cadre deployment is reinforced by political interference which is likely to heighten corruption and patronage in the public service. The foundation of cadre deployment may arguably be referred to as nepotism of a special kind. It is discriminatory even among party loyalists because appointments are given to those whose credentials are known by key decision makers.

In *Mlokoti vs Amathole District Municipality and another* 2009 (6) SA 354 (ECD), it was confirmed that there is a legal foundation for exercising public power as entrenched in the Constitution and its enabling legislation, and not in party political policy, such as the ongoing practice of cadre deployment. Swanepoel (2021:441) explains that cadre deployment, as demonstrated in ANC policies, particularly judging by its stated purpose, is incompatible with a constitutional state and instead enables the rise of a shadow state. According to Cheeseman, Wakenge, Rolls, Sishuwa and Zimchiya (2021:7-8), a shadow state focuses attention on the interaction and creation of networks between state and non-state actors both inside and outside of formal state organisations with the intention of channelling government's scarce resources to sustain party political activities. The shadow state is a barrier to democracy as it weakens organisations that promote democracy by not only eliminating checks and balances in institutions, but also intimidating opponents and censoring the press.

*f. Political interference*

Fourie (2022:1) reasons that political interference endorses the realities of neo-liberalism in South Africa as the economic arrangements within are intended to benefit capitalists and deepen economic inequality. Neo-liberalism has succeeded in capturing South African public service employees and their political heads through neo-liberal economic policies such as the financialisation and redistribution strategy to limit government intervention. Southall (2014:82) states that neo-liberalists provoked two conflicting layers of bourgeois nationalists and the liberal constitutionalists that contest for the public service. Liberal constitutionalism is, according to Vanberg

(2017:6), a socio-political system that is envisaged in the Constitution to individual freedom and to secure individual liberty. Liberal constitutionalism presents the Constitution as the main blueprint for which democracy and professional ethics in the public service may be promoted (Vanberg, 2017).

Van der Waldt (2015:42) exposed a new layer of “bourgeois nationalists” that emerged from the ruling party. This layer primarily represents the interests of the few emergent black capitalists that have access to state resources. Netshitenzhe (2014:8) mentions that the “bourgeois nationalists” often hide behind policies, discouraging corruption, whilst they use aspirant black capitalists, usually with political connections. Political connectedness or interference may be related to unethical action such as the appointment of inexperienced and unqualified officials and contractors and non-compliance of the relevant laws.

The consequences of political interference include illegal accumulation of income through funding or resourcing subordinates for tender kickbacks. Further observation stemming from the former is that the senior managers need to accumulate enough income before the end of their employment contracts as they are never certain of securing extended employment contracts.

*g. Quietism*

Schmitz (2015:2) explains quietism as a dangerous political process which gives space for politicians to do wrong knowing that they will not be reported. Senior managers are offered contracts of employment ranging up to five years which may be renewed if they remain silent about the wrongdoings of their political heads. They also do not report their peers for unethical acts which results in instability and the systematic breakdown of the ethical environment and internal controls of institutions (Muthambi, 2020).

**2.6.7.2 Means to reduce unethical behaviour in the South African public service**

According to the Brown University (2023), ethics and law are two aspects that determine what is good and right in human relations. In addition, the law is an instrument used to promote fairness and equity in the workplace.

The Constitution, as the supreme law of the country, provides in section 195(1)(a) that the public administration ought to promote and maintain professional ethics. As the supreme law, the Constitution presupposes that all government departments and the rest of public administration must promote and maintain professional ethics. This implies that those employed in the public service and rest of public administration are encouraged to act and behave in a professional and ethical manner.

The Constitution establishes institutions which enforce and administer professional ethics. It is evident that the Constitution completes its supremacy by establishing institutions to enforce its principles and objectives. Moreover, the Constitution establishes further laws some of which are intended at promoting and maintaining professional ethics.

Section 76(4)(c) of the Public Finance Management Act 1 of 1999 (PFMA) (RSA, 1999:74) mandates the National Treasury to develop a framework for an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive, and cost effective. In accordance with section 5(2) of the Preferential Procurement Policy Framework Act 5 of 2000, the Preferential Procurement Regulations (RSA, 2022:3) were promulgated. Reyburn, van Leeve and Sibeko (2022) assert that new Preferential Procurement Regulations, 2022 took effect from 16 January 2023. These new Preferential Procurement Regulations, 2022 expand the aims of preferential procurement and reinforce the discretion of organs of state to implement their own procurement policies. It is expected that the new Preferential Procurement Regulations, 2022 may guide government organisations to fight against corruption, bribery, kickbacks, and self-dealing related to the procurements of goods and services.

The PFMA (RSA, 1999:44) entrenches, in section 38(1)(a)(i), that accounting officers must maintain effective, efficient, and transparent systems of financial and risk management. The PFMA further recommends internal controls, a system of internal audit, and an appropriate procurement and provisioning system that promote effective, efficient, and transparency that must be implemented and enforced during the management of public finances. The accounting officer may, therefore, choose among effective and appropriate steps to prevent unauthorised, irregular (including

corruption), fruitless and wasteful expenditure and losses resulting from criminal conduct.

Thornhill, Van Dijk and Ile (2014:272), on the other hand, argue that there is an increasing need to align the needs of society with public finances, which are regarded as a limited resource. Those entrusted with public finances should practice sound public financial management including managing expenditure and raising revenue.

Failure to properly manage public finances results in financial misconduct which the Parliamentary Monitoring Group (2015:5) highlights ought to be reported. The reported cases on financial misconduct must assist the executing authority, the PSC and DPSA to determine whether departments adhere to applicable prescripts and whether employees are held accountable for their actions.

The regulations in terms of the PFMA (1999:166) require these reports to declare trends on financial misconduct and justify whether they warrant disciplinary processes prompted by the relevant disciplinary code and procedures. Financial misconduct in terms of section 81 (1999:77) arises when accounting officers and other officials fail to comply with the PFMA and when they make or permit unauthorised, irregular, or fruitless and wasteful expenditure.

Moeti (2014), cited in Munzhedzi (2016:4), states that the Preferential Procurement Policy Framework Act 5 of 2000 provides a framework related to the implementation of preferential procurement policy. In brief, the Preferential Procurement Policy Framework Act 5 of 2000 encourages and emphasises procurement preferences to the previously disadvantaged, including black, mixed race and Indian people. The procurement process is not supposed to be corrupted by corrupt employees and equally corrupt contractors. Any collusion between an employee and supplier to ensure the awarding of a contract to the supplier, amounts to an offence under Prevention and Combating of Corrupt Activities Act 14 of 2004.

Munzhedzi (2016:4) presents the Prevention and Combating of Corrupt Activities Act 14 of 2004 as the law that:

- makes corruption and related activities an offence.



- establishes a register to place certain restrictions on persons and enterprises convicted of corrupt activities relating to tenders and contracts; and
- places a duty on certain persons holding a position of authority to report certain corrupt transactions.

Munzhedzi (2016:4) further states that Chapter 5 of the Prevention and Combating of Corrupt Activities Act 12 of 2004 lists penalties relating to corrupt offences and establishes a register for defaulting persons or enterprises. “Penalties range from imprisonment for a period not exceeding three years to imprisonment for life depending on whether the conviction is imposed by a magistrate, regional or high court, including the option to impose a fine” (Munzhedzi, 2016:4). Furthermore, section 28 of the Prevention and Combating of Corrupt Activities Act 12 of 2004 (RSA, 2004:29) empowers the court to order that the particulars of a convicted person or contractor be recorded in the register as a tender defaulter. The important provision in section 28 (RSA, 2004:29) prohibits government from entering into any agreement with these convicts or tender defaulters.

Section 11 of the Public Service Act 103 of 1994 (1994:33) promotes equality and transparency, ensures a broadly represented workforce and maintains impartiality, fairness, equitability and without bias when appointments and filling of posts are made. The Code of Conduct for the Public Service (2002:14) is regarded as a tool that promotes equality and fairness because, among others, it entrenches that “an employee must refrain from favouring relatives and friends in work-related activities and never abuses her or his authority or influences another employee, nor is influenced to abuse her or his authority”.

The Code of Conduct for the Public Service is embedded in Chapter 2 of the Public Service Regulations, 2001 (2001:133) with the purpose of guiding employees on what is expected of them from an ethical point of view. This is supported in the Public Service Act 103 of 1994 (1994:133) that maintains “compliance with the code can be expected to enhance professionalism and help to ensure confidence in the Public service”. Members of the SMS are also required to display the highest possible

standards of ethical conduct by putting the public interest first in the performance of their functions.

The Public Service Regulations, 2001 (2001:146) also regulate the performance management and development function which is seen as a tool that encourages communication and outstanding performance by employees. Employees strive to attain recognition and reward (which are said to be incentives) that are linked to the performance management and development system in the public service (RSA, 2001:146). For the members of the SMS, these incentives also aim to ensure equal pay for work of equal value in line with job evaluation and grading (RSA, 2001:146).

The Public Service Act, 103 of 1994 and its regulations (1994:91) apply:

- a) "to all persons employed, and to institutions governed, in terms of the Act, and
- b) subject to the provisions of the Act, to persons employed in the Services, the Agency or state educational institutions, only so far as they are not contrary to the laws governing their employment".

The Employment of Educators Act 76 of 1998 (1998:3) applies in respect of the employment of educators at public schools and departmental offices. This act also provides processes related to, among others, appointments, salaries and conditions of service, retirement, discipline, discharge, and resignations of educators. Section 17(1)(a) to (f) of the Employment of Educators Act 76 of 1998 (1998:13) is very direct and states that an educator must be dismissed if found guilty of misconduct involving theft, bribery, fraud, or an act of corruption regarding examinations or promotional reports. It may be deduced that this direct account of dismissal may easily improve ethics because actions taken against dishonest and unethical teachers may easily send firm messages of the consequences for wrongdoing to other actors. These actors include learners and students who may be involved in this ethical phenomenon that occurs through social interaction.

Unethical actions such as fraud, nepotism, cadre deployment, quietism, bribery, and theft are common in the public services around the world. Therefore, countries of the world may learn from each other on how to reduce unethical acts in their public service. Equally, public services may learn from the private sector on how to reduce unethical

acts in public service organisations. One of the important lessons that countries may learn from each other include the commitment of political office bearers to reduce unethical actions.

Political will and commitment by political office bearers is required because without them, employees may not realise the goal of reducing unethical actions in the public service. Therefore, reducing unethical actions in the public service requires horizontal relationships where all employees in the public service agree to adopt a zero tolerance to unethical actions and vertical relationships where the members of the public – the supposed beneficiaries, taxpayers, and the political office bearers – are ready and prepared to support the zero tolerance to unethical actions move by employees.

Finally, it may be expressed that the zero tolerance of unethical action does not imply that there will be zero unethical actions. It is further expressed that the reduction of unethical actions may be used to replace zero unethical actions. The reduction of unethical actions may be preferred because even when the intention is to have a generally ethical public service, there will always be some employees who still act unethically.

#### *2.6.7.3 Lessons learned from international selected countries*

Unethical actions in the selected countries are common to South Africa including corruption, nepotism, bribery, self-dealing and quietism. This is an indication that unethical actions confront and have the same consequences in all countries. However, these countries apply different tactics in curbing unethical behaviour. The main lessons that South Africa may glean from these countries in curbing unethical behaviour include:

- In Denmark, the church and Christianity enhance integrity, reliability, and trustworthiness as principles, tenants and values that greatly shape the Danish public organisations and culture.
- Whistleblowing and the protection of whistleblowers is taken serious in New Zealand, which encourage those with information to report unethical conduct without fearing victimisation, threats or even murder.

- Canada expresses their local customary practices which asserts, for example, that the hand that steals must be amputated or the appointment in the public service of those who went to initiation schools because they were taught great life lessons on communication, interaction, respect for the other, and honesty.
- The UAE promotes ethical public service by ensuring that the people of the UAE are happy whilst encouraging development, wellbeing, and prosperity of its people.
- Apart from the code of ethics and conduct, Seychelles further appoints employees on merit to depress the abuse of power.
- Political will, support, and slogans create a capable public service that inspires and dissuades employees from unethical acts in Georgia.

## **2.7 CONCLUSION**

This chapter started with a definition of ethics and the elements of which are clearly expressed throughout. Different theories of ethics were discussed, and it was determined that the deontological theory of ethics is the most applicable to the South African public service. Deductions related to the different theories of ethics were deliberated and the significances of the theories of ethics were resolved. The theories of ethics were divided into three, including normative, metaethics, and applied, where the normative ethics theory was subdivided into consequential, deontological, virtue, and utilitarian theories of ethics.

Ethics in the global arena was discussed based on unethical behaviours or actions and the means through which unethical behaviour or actions can be reduced in the public services of a few selected countries. These countries include Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia, and South Africa. From these selected countries, it is evident that there are common unethical behaviour or actions and tactics to reduce this unethical behaviour or actions in public services of the world.

While this chapter was focused on ethics in public service, the next chapter explores labour relations in the public service.

## **CHAPTER 3: LABOUR RELATIONS IN THE GAUTENG DEPARTMENT OF EDUCATION**

### **3.1 INTRODUCTION**

The previous chapter explained the concept of ethics, emphasising the importance of law, history, and globalisation in the study of ethics in the public service. In explaining the concept of ethics, different legal frameworks were identified and discussed. Different theories of ethics were discussed to explain ethics in the public service. The previous chapter undertook a differentiated study on ethical conduct in public services from selected countries to explain ethics within different contexts and cultures.

This chapter commences with a definition of labour relations and a discussion on the different role players in labour relations. The nature of labour relations is traced throughout history and the theoretical background is discussed. The perceptions of labour relations, specific to public service, within the selected countries are explicated to offer varying views or the frames of reference underpinning each country. Analysing global trends is imperative to identify lessons that the South African public service, particularly the GDE, can glean from in promoting sound labour relations.

### **3.2 DEFINITION OF LABOUR RELATIONS**

Labour relations are, according to Venter and Levy (2014:4), “an all-encompassing term used to describe the dynamic complexities of the various relationships between parties to the employment relationship”. Crail and Watts (2023) express that labour relations pertain to relationships between or among an employer and its employees.

It may be assumed that, through a contract of employment, employers and employees might find direction on how to interact. Robertson (2019:131) assents that a contract of employment details the rights and benefits of the employee that are subject to the discretion of the employer and law. The contractual obligations set out in the contract of employment, by implication, reflect that there are interacting relations between two individual parties (an employee and an employer). Where the employer does not adhere to contractual obligations, O’Sullivan, Turner, Kennedy and Wallace

(2015:223) suggest that employees apply their statutory rights and make use of legal enforcement procedures against their employers.

O'Sullivan et al. (2015:223) state that an employer who is in breach of the contractual obligations prompts an employee to seek representation from their trade union. Equally, paragraph 4(1) schedule 8 of the Labour Relations Act 66 of 1995 (1995:322) provides that an employee may seek representation from a fellow employee. Although paragraph 4(1), Schedule 8 of the Labour Relations Act 66 of 1995 does not make provision for the legal representation of employees, there are instances of disciplinary and arbitration cases where employees have opted for legal representation. The South African public service permits legal representation during disciplinary hearings, in terms of paragraph 7.3(f) in the Disciplinary Code and Procedures for the Public Service (the Public Service Coordinating Sectoral Bargaining Council (PSCBC) Resolution 1 of 2003) (PSCBC, 2003:8).

The Disciplinary Code and Procedures for the Public Service (PSCBC, 2003:8) in paragraph 7.3(f) further explains that an employee may be represented by a legal practitioner if the employer's representative is a legal practitioner and a direct supervisor of the employee charged with misconduct. In addition, legal representation may be permitted if a disciplinary hearing is presided by a commissioner of the relevant council in the public service. The frequent representation of employees in South Africa by fellow colleagues or legal practitioners might be a reflection that employees are dissatisfied with trade union representation during disciplinary hearings. However, in terms of section 14(5)(b) of the Labour Relations Act 66 of 1995 (RSA,1995:31), trade union representatives are expected to represent employees in a satisfactory manner because they receive regular training away from work on matters relevant to their functional performance.

Based on the above explanation, the following formula may be accepted to define labour relations:

**Labour relations = [(relations + interactions) + (employers (employer organisation) + employees (individual employee + trade unions)) + workplace]**

This adopted formula informs that labour relations pertain to interactions and relations. Interactions and relations take place between the employee and employer in the workplace. Thus, it may be deduced that labour relations are also a relationship in which individual employees – including collectives such as trade unions – and employer organisations interact and relate. Individual labour relationship in the workplace may well be exercised by concluding an employment contract between the employer and an employee. Collective labour relations may also take place in the workplace where collective agreements are concluded between trade unions representing employees and the employer organisation representing the employer. The process of concluding collective agreements is realised through bargaining and negotiations.

The labour relations definition presupposes that a sound relationship between employer and employee is crucial and that any unfair actions might imply that the employer and employees share different goals and values. Different goals and values may lead to conflicts and disputes between the employer and employees. The definition provides an inference that there is a need for the employer and employee to interrelate and interact in the workplace in what may be termed as individual labour relationship.

### **3.3 THEORIES ON LABOUR RELATIONS**

A theory is a set of coherent concepts and definitions that are put forth to explain a phenomenon (Sreekumar, 2023). Cornelissen, Höllerer and Seidl (2021:3) explain that a theory in the academic realm refers to the scholarly work that researchers do in pursuit of making informed knowledge. Reinholz and Andrews (2020:5) emphasise that institutions and their initiatives are informed by existing theory and research related to desired outcomes. Najeeb (2014:25) concurs that theory is a useful tool to analyse organisational behaviour. Gathered from the definitions, it may be settled that theory guides institutions to arrive at informed decisions. Theory may assist institutions to apply sound labour relations.

The origins of labour relations are discussed next, followed by a comparison between industrial relations and labour relations. Furthermore, three main theories on labour

relations are addressed, namely pluralist, unitarist and radical theories on labour relations.

### **3.3.1 Origins of labour relations**

Venter and Levy (2014:6) argue that the concept of labour relations has its origins in the historical period known as the industrial revolution. Nikoloski, Dimitrova, Koleva and Kacarski (2014:118) maintain that labour relations came into existence during the industrial revolution. As such, labour relations came as an important tool to understand the complex relationship between employers and employees. Venter and Levy (2014:6) refer to this concept as labour relations whilst Nikoloski *et al.* (2014:118) refers to it as industrial relations. To postulate whether the concept of labour relations is different from industrial relations or whether these concepts can be used interchangeably, the period of industrial revolution is discussed.

According to Harley (2016:16), the industrial revolution emerged from Britain because of increased factories and industrialisation related to inventions in textile and steam power in the late 1800s. Inventions in textile and steam power created an explosion of urban factory-based industries. Venter and Levy (2014:6) propose that the emergence of the industrial revolution brought about developments in communities around the world. On the other hand, industrial revolutions also brought about drawbacks. Smith (1976), in Venter and Levy, 2014:7, argues that the division of labour was a drawback that came with the industrial revolution because tasks were mundane, repetitive, and resulted in the dehumanisation of employees. Marx (1906:369) argues that industrial revolution brought about capitalism which unlocked developments, but it was also unkind to humankind. Capitalism is regarded as an economic system that benefits the interests of owners of businesses or capitalists (Jahan and Mahmud, 2015). Jahan and Mahmud (2015) are of the opinion that 'the essential feature of capitalism is the motive to make a profit'.

The industrial revolution subsequently led to grievances, industrial actions and protests by working class called the proletariat against the ravages of capitalism (Venter and Levy, 2014:8). Accordingly, industrial relations were introduced during the time of protests and industrial actions by the proletariat. Nikoloski *et al.* (2014:118) argue that industrial relations were introduced to manage relations between employers



and employees. Mohajan (2019:381) also adds that industrial relations were introduced in British universities during the late 1800s and early 1900s. It is only imagined that professors and scholars from British universities were tasked with the responsibility of expanding the field of industrial relations from its traditional meaning to incorporate wider aspects on the relationship of employer and employee.

The concept of industrial relations might have been accepted to reflect that there existed employer-employee relations during a period where many firm-based industries prevailed. The use of the term “industrial” is connected with the industry or a specific group of similar types of companies (Langager, 2023). Industrial relations may have been the right concept to use as it was propagated in the beginning of the industrial revolution. Moreover, industrial relations were about the relationship between employers (who were mainly capitalists), employees and trade unions. Pentagonal labour relationships assert that industrial relations may be inappropriate in the 20th century. In the 20th century, labour relations are commonly used and comprise employers (who may not be capitalists), employees (who may not be members of trade unions), the state, customers and competitors. This study refers to the concept of labour relations as opposed to industrial relations.

The evolution of industrial relations to labour relations is undoubtedly a historical journey and is, therefore, a multidisciplinary field of study that is associated with history as a field of study. Snowden (2015:4) proceeds that history is filled with theories; it is important to highlight the main three theories on labour relations: unitarist, pluralist and radical theories of labour relations. These theories are presented in the next section.

### **3.3.2 Main theories on labour relations**

Tirintetaake (2017:1) indicates that the theories of labour relations guide institutions on the relationship between management and employees as well as how they interact and on how conflict in the workplace can be regulated. Different institutions have varying characteristics on labour relationships that are explained through any of the three main theories of labour relations. While there may be other labour relations theories, this study focuses on the three main theories of labour relations. The unitary, pluralist and radical theories of labour relations are discussed below:

### 3.3.2.1 Unitarist theory

Kaufman, Barry, Wilkinson, Lomas and Gomeza (2021:212) presume that the unitarist theory can be referred to as a team or a one big happy family approach. Kaufman *et al.* (2021:213) express that a unitarist theory is the employer's ideology or an instrument used by employer for asserting common purpose and shared prosperity but practicing control whilst engage other social classes in the institution such as individuals and groups to evoke loyalty and commitment. Mzangwa (2015:186) remarks that a unitarist theory on labour relations is about common organisational interests, objectives and values which establish harmony and integration among employers and employees. It appears that, in a unitarist institution, managers are there to manage, and employees are there to execute duties.

Donelan and Kear (2023:19) signal that any social interaction of diverse groups may jeopardise cohesion and result in poor intergroup relationships, stress and conflict in an institution. Conflicts may also arise due to clashes and disagreements that can jeopardise group relationships and performance of institutions. Moreover, conflict can result in ideological differences between the employer and employee. To avoid conflict and poor relations, it is suggested that organisations adopt unitarist approaches to realise a common ground and harmony. Bingham (2016:36) reiterates that, in a unitarist organisation, there is harmony and unity without a need for outside interference. As such, there is no need for trade union involvement or inclusion as that may cause intrusion leading to confusion or obstruction of harmony.

Unitarism is about promoting peace, unity, harmony and togetherness among employers and employees (Kaufman *et al.*, 2021:214). It is also absurd to realise peace, unity, harmony, and togetherness in any organisation because, as Kaufman *et al.* (2021:211) suggest, conflict is inherent in any interaction and relationship. Nkoane (2018:54) seemingly suggests that trade unions are opposition groups or factions in an organisation and are always determined to make reasonable or unreasonable demands and to declare strike actions to force management to accede to their demands. From these observations, the inclusion of trade unions is incongruent with the requirements of unitarism because unity and harmony cannot be promoted.

Evidently, unitarism is not in force in the South African public service. The South African public service has a long history of disputes hence collective labour relations conclude collective agreements through bargaining process. Employer and employees' interests are diverse because their collective agreements reflect resolutions on disputes of interests rather than disputes of rights. Peace and harmony are not enduring in the South African public service because strike action is regularly witnessed, especially when employers and employees deadlock during bargaining processes. Since unitarism is not located in the South African public service, it remains necessary to determine pluralism is in force in the South African public service. A discussion related to a pluralist theory on labour relations in the South African public service follows next.

### 3.3.2.2 *Pluralist theory*

According to Heery (2015:1-2), pluralism evolved in the UK due to collective bargaining that remained a major pillar of collective dispute resolution in workplace arrangements. Pluralism was later extended to many other countries globally (Heery, 2015). Bingham (2016:37) states that a pluralist theory assumes that institutions consist of groups with differing sets of values, needs, beliefs and loyalties. An organisation that follows pluralist beliefs is unlikely to achieve homogeneity; as a result, there will be differing expectations and allegiances. However, it cannot be contested that the lack of homogeneity may result in a conflict. Kaufman *et al.* (2021:214) emphasise that the pluralist theory provides that conflict between the interests and objectives of employers and employees is not always unavoidable.

Conflict must be resolved and Bingham (2016:37) suggests that an organisation should accommodate different viewpoints and manage potential disagreements by consultation, negotiation or shared decision making. In resolving a conflict, different role players ought to reach an agreement or consensus by means of processes such as negotiations. Collective bargaining is, according to Arnold-Peter and Weiss (2017:53), another way of negotiating the needs and wants of role players and assessing what can be relinquished to arrive at an agreement. Liukkunen (2021:33) adds that collective bargaining must take place in a regulated and institutionalised environment.

Mzangwa (2015:169) remarks that individual employees may participate in decision making, especially on issues that affect them in the workplace. Furthermore, employees can voice out any work-related matters affecting them in the workplace. However, Lütke (2021:4) cautions that employees should respect the employer's independence whose main concern is to develop business and strategic plans. It is, however, advisable that managers should create an environment that encourages consultation and clarify the process to encourage regular consultation between managers and employees. Equally, it is advisable for managers to be patient with employees and to value their inputs or opinions. Valuing employee inputs or opinions might encourage them to make positive submissions that may resolve tough challenges.

Consultation is also listed as one of the Batho Pele principles that encourage employees and managers to consult users of public services (DPSA, 2014:3). The DPSA insists that consulting users of public services should focus on the nature, quality and quantity of the services offered. To encourage participation in decision-making by the members of the public, the GDE may make use of suggestion boxes that can be placed at easily accessible areas within institutions accessed by the public. It is through these suggestion boxes that members of the public can report wrongdoing, make suggestions of actions that can be initiated to improve public service delivery and indicate appreciation for employees who treat them (customers) well. This supports the perception that customers, who are members of the public, are regarded as partners in labour relations system.

It appears that the pluralists do not resist the encroachment of trade unions in the workplace. It further appears that both tripartite and pentagonal labour relations systems fully embrace the functioning of the pluralist ideology in South Africa. Pluralism is clearly embraced in South Africa because the role players include partners or affiliates such as trade unions and trade union federations as well as employer organisations. Women as well as civic, young and disabled people alongside business organisations are also regarded as important role players in the labour relations system of South Africa.

Kaufman *et al.* (2021:213) establish that pluralists encourage the resolution of conflict through collective arrangements where employers and trade unions have bargaining relationships. It is, therefore, assumed that pluralism may empower employees through the decisions and agreements concluded in bargaining arrangements. There are several collective bargaining councils that are associated with the public service in South Africa. Collective bargaining related to the GDE may take place in the GPSSBC and the ELRC. Collective bargaining in the PSCBC may include all public service institutions.

Comparing pluralism to other theories of labour relations is significant as it will guide in determining which theory is applicable in the South African public service. The radical theory on labour relations is, therefore, discussed below.

### 3.3.2.3 *Radical theory*

The radical theory on labour relations is also referred to as the Marxist theory on labour relations or Marxism (Mzangwa, 2015:5). The Marxist theory, according to McGlinchey, Walters and Scheinpflug (2017:42), is the only theory that is named after a person – Karl Marx. Tunderman (2021:140) articulates that Marxism is a general theory of labour relations within capitalist societies or institutions. An important debate by Jahan and Mahmud (2015:44) is that the essential feature in capitalist societies or institutions is the motive to make and increase profits. Chidi and Øversveen (2022:) further assert that capitalism is concerned with exploitation and alienation by connecting the loss of freedom to the exploitation of labour.

It is important to mention that conflict is bound to appear because of exploitations and inequalities. Even though capitalism may result in the inequitable distribution of power and wealth in wider society, Bingham (2016:30) suggests that capitalism may also be dangerous in an organisation. The author further submits that, realising goals in organisations, work must be organised. Organising work may result in the division of accountability, responsibility and labour. Divisions within an organisation inherently lead to conflict because those who own the means of production have power over those who sell their labour. Mzangwa (2016:58) argues that trade unions are expected to represent employees and to promote a better life for citizens. Trade unions

represent employees by entering bargaining processes with the goal of improving working conditions and influencing decisions in organisations (2016:61). The Congress of South African Trade Unions (COSATU) (2023:8) emphasises that trade unions exist to suppress class conflict in institutions and to enhance the power of the working class.

Jahan and Mahmud (2015:44) suggest that capitalism may be regarded as an economic system that favours individuals or groups within a society to own and control the means of production and increase profit. Given the above observation as to what capitalism is, the South African public service operates within a democratic continuum and is, thus, not regarded as capitalistic. Capitalism and democracy operate differently. Capitalism is profit oriented whilst democracy is inclusive and development oriented.

Table 3.2 provides a summary which distinguishes between the different theories of labour relations. This will aid in determining which theory of labour relations is relevant to the South African public service and GDE.

#### *3.3.2.4 Differentiating theories on labour relations*

The foundation for the three main theories on labour relations (unitarism, pluralism and radicalism theories) were discussed. In addition, societal corporatism and state corporatism are, according to Kronsell, Khan and Hildingsson (2019:400), common ideas that fall within corporatism as encompassed in Table 3.2. Hasmath (2020:1-2) admits that corporatism is a model for organising societal interests and the state's regulatory function in partnership with labour.

The labour relationship in a corporatist state follows a pentagonal system. In South Africa, societal corporatism might be inspired by section 195(1)(e) of the Constitution that presumes that the "people's needs must be responded to, and the public must be encouraged to participate in policy making" (RSA, 1996:108). The South African Schools Act, 84 of 1996, section 16(1) entrenches that the governance of every public school is vested in its school governing body (RSA, 1996:26), and whose interests might be derived from parents of learners of the school. State corporatism in South

Africa might be a result of the state's interest in regulating labour relations. The involvement of the state in labour relations might be because the state is, also, an employer.

**Table 3.1: Summary of theories on labour relations systems**

<b>EMPLOYERS AND EMPLOYEES ARE CONSTANTLY INVOLVED IN INEVITABLE AND IRRECONCILABLE CONFLICTS OF INTEREST</b>					
<b>Main Elements</b>	<b>Unitarism</b>	<b>Pluralism</b>	<b>Radicalism</b>	<b>Societal corporatism</b>	<b>State corporatism</b>
<b>Economic System</b>	Capitalist market with the increased intentions to maximise profits.	Market-driven economy with the state aspiring to balance power between unions and employers when the state is under pressure.	The relationship between capital and labour is based on class conflict. There is an unequal distribution of income and wealth in a capitalistic society.	Social market economy with state involvement in the economy and provision for support of welfare-oriented state.	Strong state intervention in economy to protect its own interests in government.
<b>Goals and values of employers and employees</b>	Employer and employees agree on a common goal common interests, objectives and values, that are harmonious and integrated in the organisation. Frequently this perspective has been characterised as the 'team' or 'one big happy family' approach.	Employers and employees have conflicting goals and values but acknowledge their interdependence.	Employers and employees have conflicting goals and values but acknowledge their interdependence.	Employers and employees share a common interest in maintaining a more egalitarian society.	State as main source of employment or employers are dependent on patronage of state, thus employees are expected to subordinate their interests to common good.
<b>Perspective on conflict</b>	Conflict between labour and management is viewed as unnecessary and avoidable and only occurs because it is inherent to the capitalist system or even because groups have legitimate differences between their aspirations and interests. It occurs due to poor communication, the role players to the relationship lack understanding of the extent to which their	Conflict is natural and functional but must be managed by structures and procedures	Employers and employees are constantly involved in inevitable and irreconcilable conflicts of interest. Conflict is rooted at the macro level and is socio-political and economic in nature.	Conflict could be expected but should be prevented as it is too disruptive to the economy.	Conflict is unnatural and not tolerated in what is usually a one-party state system.



<b>EMPLOYERS AND EMPLOYEES ARE CONSTANTLY INVOLVED IN INEVITABLE AND IRRECONCILABLE CONFLICTS OF INTEREST</b>					
<b>Main Elements</b>	<b>Unitarism</b>	<b>Pluralism</b>	<b>Radicalism</b>	<b>Societal corporatism</b>	<b>State corporatism</b>
	interests are coincident, conflict has been deliberately created by saboteurs or individual personalities clash.				
<b>Trade unions</b>	Trade unions are regarded as unnecessary intrusions into a 'happy family'. Management often tries to persuade employees that they do not need a trade union to represent them and that management will look after them; managements often tries to create circumstances that tend to reinforce this message at work.	Trade unions are necessary to channel conflict and represent employees' interests at workplace level	Trade unions are there to challenge the control of management and the distribution of the national product. Trade unions are viewed as an unavoidable response to capitalism and enhance the power of the working class.	Trade unions are important stakeholders in society and should represent employees at all levels.	Trade union structures are determined by the state and their power is limited to serving the national interest. Trade unions that do not conform are oppressed.
<b>Collective bargaining and strikes</b>	Conflict is irrational and pathological and that it should not occur. If, and when, it does, management has the legitimate right to manage, control and, where necessary, to subordinate labour; employees owe loyalty and thus conflict resolution ought not to be an issue.	Collective bargaining is a voluntary and usually a decentralised process. strikes are a legitimate form of power testing between the role players and should be exercised within a framework of rules	Strikes are aimed at highlighting the divisions between capital and labour and the need for radical transformation. There are structures for promoting collective bargaining.	Collective bargaining is a formalised, centralised process between strong employer and trade union organisations and may include the state. Strikes should seldom be resorted to and the state may play an intervening role to mediate such strikes.	Government legislates and collective bargaining is either limited or not promoted while strikes are generally not tolerated.

**Source:** Mzangwa (2015:186-187)

Table 3.1 provides a synopsis of each theory, including its characteristics and relevance to the South African public service. One of the similar characteristics in all these theories is that collective bargaining is encouraged to handle conflict and disputes. Collective bargaining is known to be one important feature that validates the resolution of disputes through a collective process for employers and employees. While all theories make provision for the existence of trade unions, it should be questioned whether trade unions are necessary in a unitarist state. It might not make sense to establish a trade union whose existence will not be considered in a workplace where decisions on the conditions of employment are the sole responsibility of management.

An inference is also made that not all theories of labour relations are applicable to the South African public service because certain characteristics are inappropriate in a milieu of the South African public service. It might not be appropriate, for example, to declare that there are capitalists in the South African public service. Further, it might not be appropriate to conclude that the GDE exists to make a profit. Finally, it also cannot be evident that conflict in the GDE is unnatural and not tolerated because an emphasis has been made that conflict is inherent in any relationship.

Presumably, pluralism is the dominant theory on labour relations held by the GDE. This assumption is augmented by the state's contribution in promulgating law that is intended at balancing the power between the employer and employee. This assumption completes a debate that the state, its employers and employees are regarded as tripartite partners in labour relations. Promulgation of law may also be associated with connotations made to explain an overview of the policy systems approach. Law may not only refer to acts of parliament but may include collective agreements that, in terms of pluralists, are concluded in a decentralised process. The decentralised process of collective bargaining in the public service takes place in four different sectoral councils of which two operate within the education sector where the GDE is party. The GDE is a party at national councils and provincial chambers of the GPSSBC and ELRC.

For the sake of this study, pluralism will be regarded as the relevant dominant theory at the GDE. A comparative study of selected countries is made to determine whether pluralism exists in their public service environment.

### **3.4 ROLE PLAYERS IN LABOUR RELATIONS**

The definition of labour relations is supported in the judgement of the Constitutional court case between the Association of Mineworkers and Construction Union (AMCU) and Others versus Chamber of Mines of South Africa and Others (2017) where it was decided that employers and employees are found in the workplace. The workplace is, therefore, regarded as a place where employees work is done on behalf of an employer (Heathfield, 2017). Similarly, section 213 in the Labour Relations Act 66 of 1995 (RSA, 1995:255) defines the workplace as “a place or places where the employees of an employer works”. The Basic Conditions of Employment Act 75 of 1997, section 1 acknowledges that a workplace is “any place where employees work”. Based on these definitions, employees and employers are the main role players in the workplace where labour relations are practiced.

In determining whether the employees and employers are the only role players in labour relations, Grogan (2014:389) explains that trade unions and employer organisations are also regarded as role players in labour relations. The Labour Relations Act 66 of 1995, section 107 (RSA, 1995:141) provides for the establishment of the federations of trade unions and federations of employers’ organisations. The roles played by the trade unions and employer organisations is supported in sections 23(2)(a) and section 23(3)(a) of the Constitution (RSA, 1996:9) which provides that employees may form or join trade unions whilst employers may form or join employers’ organisations. It is further provided, in sections 4 and 6 in the Labour Relations Act 66 of 1995 (RSA, 1995:22-25), that employees and employers have the right to freedom of association and that they can join trade unions and employer organisations of their choices.

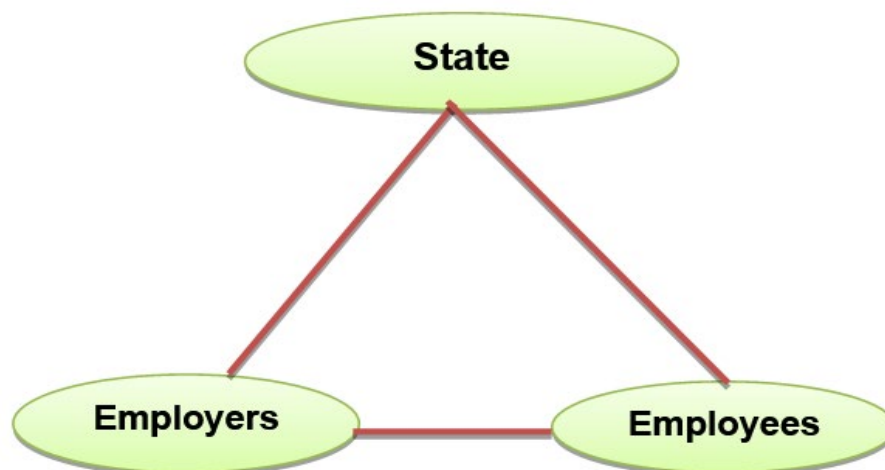
It is observed that the state is responsible for making laws, and Singh and Bhero (2016:6) explain that the state through parliament has the right to make the law. In South Africa, the legislative authority, in terms of section 43 of the Constitution (RSA, 1995:25), is entrenched in the parliament, provincial legislatures and municipal

councils. The legislative power should be separated from the executive power to avoid the fusion of the two into a single power that may likely result in tyranny (Iyer, 2018:2508).

Adenugba and Omolawal (2014:704) indicate that the employer, employee and state are role players in the tripartite whilst Ntimba (2019:12) augments that customers and competitors are included to form what is referred to as the pentagonal labour relationship system. The role players in both tripartite and pentagonal labour relationship systems are identified and described below. Figures 3.1 and 3.4 classify role players in tripartite and pentagonal labour relations systems, respectively.

### 3.4.1 Tripartite labour relationship system

Adenugba and Omolawal (2014:704) argue that the tripartite labour relations system is necessary in building and ensuring harmonious relations in the workplace and government. Furthermore, there are social partners who are found in the workplace in the tripartite labour relations system. Adenugba and Omolawal (2014:704) indicate that the tripartite labour relations system includes the state, employees, and employers as equal and independent partners who seek solutions to issues of common concern. The roles played by the state, employees and employers in the tripartite labour relations system is illustrated in Figure 3.1:



**Figure 3.1:** Tripartite labour relationship system

**Source:** Ntimba (2019:12)

Figure 3.1 is explained as the tripartite labour relationship system consisting of two primary role players (the employer and employees) and one secondary role player. These role players are described next.

#### *3.4.1.1 State as a secondary role player*

It is observed that the National Economic Development and Labour Council (NEDLAC) and the Commission for Conciliation, Mediation and Arbitration (CCMA) are established by the state to regulate labour relations in South Africa. The NEDLAC, in its founding documents and protocols (NEDLAC, 1995:7), is constituted by organised business, organised labour and government who must develop effective policies to promote economic growth and increase public participation in economic decision-making and social equity in South Africa. NEDLAC (1995:8) brings role players together in consultative forums for considerations, debates, consensus, and determinations of a new or updating of legislation. It may then be asserted that the inception of NEDLAC was to fulfil the state's role of making laws.

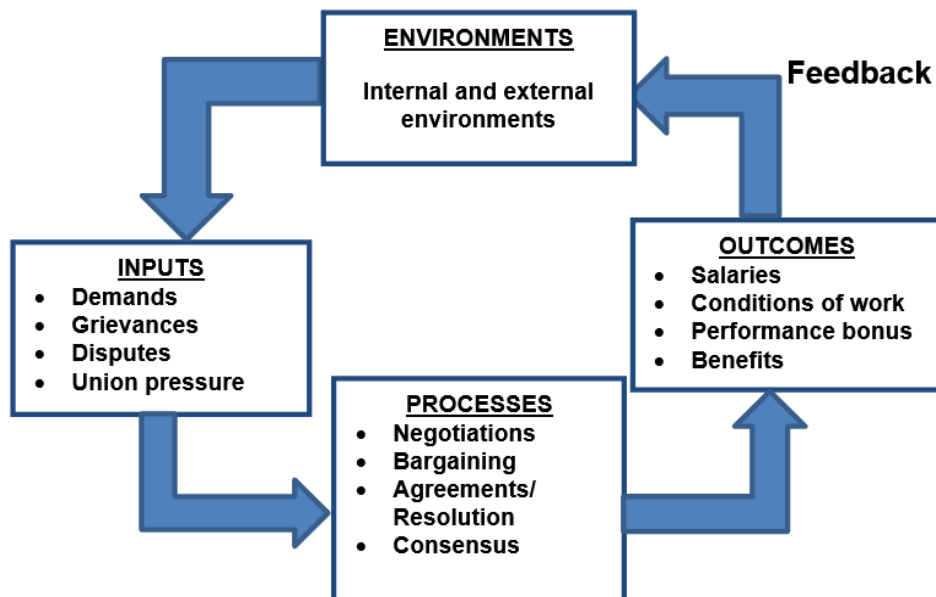
To this end, the state is considered an important role player in the promotion of professional ethics because through its promulgated legislation, employees are mandated to be professional and ethical. It was explained in chapter 2 that the promotion of professional ethics is a requirement in terms of the law. There are several laws that promote professional ethics in the public service; the Public Service Act, 103 of 1994 is one which entrenches the code of conduct for the public servants that should always be adhered to (RSA,1994:133). Compliance to the code of conduct for public servants is bound to enhance professionalism and ensure confidence in the public service (RSA,1994:133).

However, the code of conduct for public servants and any other law that is promulgated ought to comply with section 2 of the Constitution (RSA, 1996:3) which entrenches that "this constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled". Arguably, section 2 of the Constitution determines that employees and managers should act within the powers conferred upon them by the legislature. Nandedkar (2023:980) presumes that acting within the powers conferred by the legislature is considered as the foundation of administrative law and is seen to be "intra vires". Nandedkar (2023:978) reflects that

acting beyond powers or without powers is regarded as acting “ultra vires”. In South Africa, to act “ultra vires” may be regarded as an inconsistent application of the Constitution and/ or any other legislation of the South Africa.

The South African law is decisive and compliance to it may lead to the development and benefits of communities. Communities’ members are, therefore, expected to participate in the process of making laws and to comply with such laws in their everyday activities. During the process of promulgating legislation, the state may be required to consider encouraging citizens to participate. Section 195(1)(e) of the Constitution necessitates that citizens of South Africa should participate in law making (RSA, 1996:108).

Nguyen, Kumar, Jiang and Zimmermann (2023:16) extend that the promulgation of legislation by the state takes place within a systems approach. Chikere and Nwoka (2015:2) further explain that the systems approach is determined from external environments whereas it is precluded in section 195(1)(e) of the Constitution that the public service ought to respond to the needs of the people (RSA, 1996:99). The exercise of acquiring and responding to the needs of the people is depicted in the Figure 3.2.



**Figure 3.2:** Overview of the policy systems approach

**Source:** Adeniran, Muraina, Ilugbami and Adeniran (2023:83).

Figure 3.2 details the process of policymaking in the public service. Through observations, it may be assumed that policies are made through processes of negotiations, bargaining, agreement, resolution or consensus in a transparent manner.

Nawafleh (2018:183) explains that the internal environment comprises different components such as organisational structure and culture, fiscal resources, human resources, and management information systems. Internal environments are influenced by the processes, procedures, guidelines, compliance, and the involvement of staff. Further, the arrangements within the internal environments may influence ethical decision-making and implementation in the workplace. Therefore, arrangements that are characterised by ethical standards such as fairness, consistency, equality, honesty, and equity may lead to appropriate decisions taken and/ or policies made.

Internal environments in the public service, according to Gigaba (2017:4), are required to adopt strategic plans with which they will build government capacity to deliver services. Public institutions require strategic plans to promote transparency in the effective management of revenue, expenditure, assets, and liabilities. Kabeyi (2019:27) expresses that strategic plans are important because institutions determine their competitive advantage by making necessary predictions about how to attract customers, and about creating distinctive value to customers. Nielsen, Marinkovic and Nikolic (2019:119) support that strategic plans should be regularly implemented to improve quality of services.

It may be difficult to improve the quality of services with strategic plans that are not clearly specified. Moreover, it may also be challenging to improve the quality of services if well-articulated strategic plans are not made known to the role players. The role players benefit from clear strategic plans as they are aware of their expectations whilst on duty. Equally, the role players may benefit from performance plans with clear performance standards which, according to the Society for Human Resource Management (SHRM) (2017:3), should be aligned to the strategic plan.

It is important to advocate that a strategic plan is developed from a series of decisions and through the systems approach. Internal environments are rationalised from external environments. Kraja and Osmani (2015:128) explain that external environments extremely influence decision-making in institutions. For example, consumer preferences are regarded as external arrangements that may shape internal arrangements such as appointing the right staff or developing the marketing policy. Makgopa and Theron (2017:83) augment that organisations' failure to consider and analyse external environmental factors could render plans, strategies, and campaigns ineffective.

Technological arrangements, as one of the external environments, are crucial in recreating the internal arrangements in the public service. Makgopa and Theron (2017:83) reiterate that technology is one of the arrangements embedded in the external environments, ranging from simple diverse communication tools such as email to sophisticated yet complex social media technology. Linder (2018) elucidates that, considering the challenges confronting parents, the GDE introduced the online learner admission system for grades 1 and 8 through which parents (who are the members of the community) can secure admission for their children at Gauteng schools. Venketsamy and Miller (2021:2) agree that parents are consumers of education because they shop around for schools that best suit their needs and those of their children. When parents shop around for schools, they prefer schools with a sound reputation, good management and firm discipline, combined with dedicated teachers (Venketsamy & Miller, 2021:3). Due to numerous valid reasons, communities (who are consumers of public services) may require public institutions with sound reputation, good management, firm discipline, and dedication to service them.

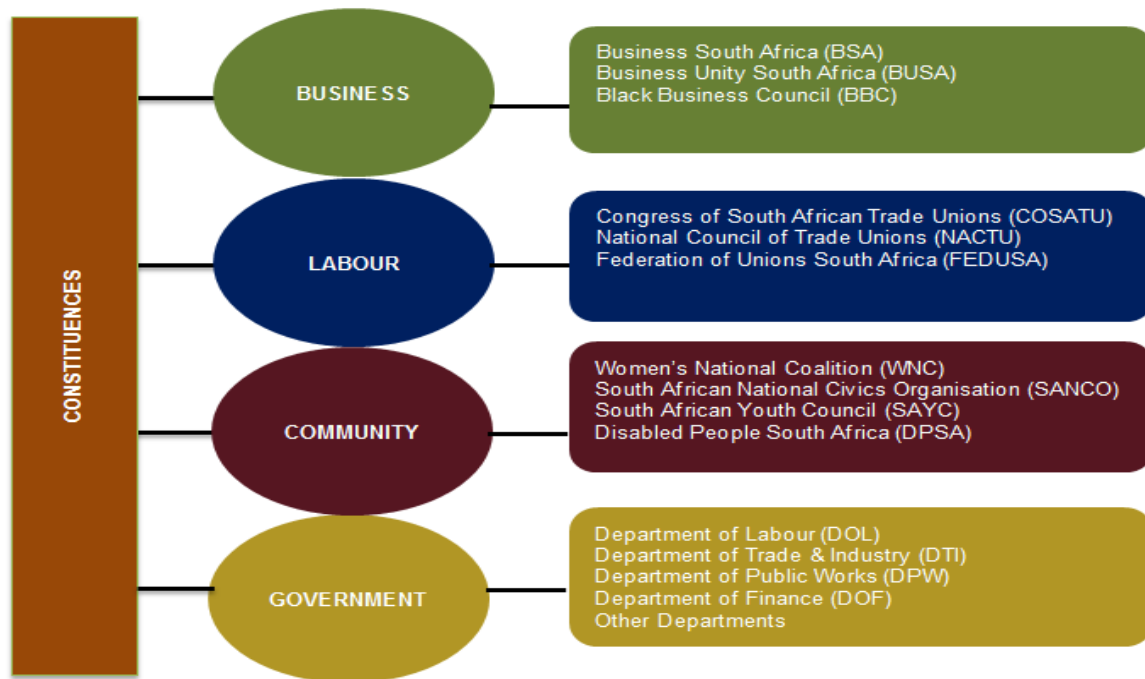
Similarly, the online learner admission system should be user friendly, time saving, and convenient for consumers to apply for school admission to avoid staying in long queues. Even though, the GDE online application for admission is convenient and time saving, it is not without criticism from most parents (Jordaan, 2019) because the system crashes from regularly resulting in many parents being unable to apply on time while others fail to apply because they computer illiterate (Ndlazi, 2016). Notwithstanding the challenges faced by parents during online admission applications, they must still comply. Therefore, the government should have a clear policy that



encourages compliance pursued by training parents to utilise the online learner admission system effectively.

The policymaking process may take place at different levels. At the NEDLAC, business, community, labour and the state are represented (Menon, 2017). Figure 3.3 indicates that business is represented by Business Unity SA (BUSA), a federation of employer and business organisations, while the Congress of South African Trade Unions (COSATU), National Council of Trade Unions (NACTU), and Federation of Union South Africa (FEDUSA) represent labour. Other constituencies include the community which is represented by the Woman's National Coalition (WNC), South African National Civic Organisations (SANCO), South African Youth Council (SAYC) and the Disabled People of South Africa (DPoSA) and the government represented by departments including the Departments of Labour, Finance, Trade and Industry and Public Works.

It is, however, evident that there is a gap in the manner in which NEDLAC is constituted and operates. It is observed that there are significant parties that are not included in the policymaking process at NEDLAC. It is observed, further, that the South African Federation of Trade Unions (SAFTU) is one of the parties that are not included in policymaking process at NEDLAC. It is reported that "the application by the country's youngest labour federation, SAFTU to join the NEDLAC is being considered by the institution's labour constituents" (Mahlakoana, 2018). Seemingly, business constituencies are also not fairly represented because small businesses are not represented. The voice of business in NEDLAC may be limited without the voice of small businesses which requires protection against bigger businesses. It is further observed that community institutions such as South African Disability Alliance (SADA) and the National Council for People with Disabilities (NCPD) are excluded from NEDLAC. Figure 3.3 indicates the role players (constituencies) that are included in policymaking at NEDLAC.



**Figure 3.3:** NEDLAC Constituencies

**Source:** Adapted from Dentlinger (2017:44-45)

Kola (2016:2) remarks that sectoral bargaining councils are established to conclude collective agreements which in nature bind employers and employees within the scope they operate. Deas (2016:14) further articulates that the state as a secondary role player has established the CCMA as an independent dispute resolution body to resolve labour disputes and to grant accreditation to sectoral bargaining councils in terms of section 52 of the Labour Relations Amendment Act, 6 of 2014. Labour Research Service (2020) echoes that sectoral bargaining institutions are established to aid employers and trade unions with collective bargaining processes. The Department of Employment and Labour (DoEL) submits that Public Health and Social Development Sectoral Bargaining Council (PHSDSBC), Safety and Security Sectoral Bargaining Council (SSSBC), General Public Service Sectoral Bargaining Council (GPSSBC) and Educators Labour Relations Council (ELRC) are sectoral bargaining councils in government (DoEL, 2014:6-7). The Department of Labour was renamed as the Department of Employment and Labour (DoEL) in 2019 (Smit, 2019).

Geldenhuis (2016:5) explains that the labour court was established to adjudicate cases referred to it. Section 145(2) of the Labour Relations Amendment Act, 6 of 2014 extends that the labour court exists, among others, to set aside awards where

commissioners commit misconduct in relation to their duties or commit gross irregularity in their conduct or exceed their powers (RSA, 2014:176-177). Section 145(2) of the Labour Relations Amendment Act, 6 of 2014 encourages the commitment of commissioners to be professional and in good faith while on duty. The CCMA, sectoral bargaining councils and the labour court have a role to play in promoting professional ethics by resolving disputes through bargaining and negotiations, conciliation, arbitration, and mediation processes.

The state as a secondary role player in labour relations has also established offices such as the Public Protector to promote democracy and ethical conduct, among other institutions that are mentioned in Chapter 9 of the Constitution. Section 182(1)(a) of the Constitution provides that the Public Protector has the power, as regulated by national legislation, to investigate any conduct in state affairs or in public administration in the sphere of government that is alleged or suspected to be improper or to result in any impropriety or prejudice (RSA, 2006:102). When investigations are concluded, the Public Protector publishes an investigation report that recommends remedial actions that may comprise disciplinary action against the person who is alleged to have acted improperly.

In the Public Protector's report on allegations of maladministration against the Mogalakwena Local Municipality regarding the appointment of the Deputy Manager: Corporate Service (Report 1 of 2020/2021), it was alleged that the Acting Municipal Manager proceeded to appoint the Deputy Manager: Corporate Services despite lacking the inherent qualifications to be considered for the position (Public Protector, 2021:22). The Public Protector recommended that the Executive Mayor of the Mogalakwena Local Municipality take appropriate steps to initiate disciplinary action against the Acting Municipal Mayor (Public Protector, 2021:34).

In recommending disciplinary action against the Acting Municipal Manager of the Mogalakwena Local Municipality, the Public Protector also endorsed employees acting and behaving ethically. Mogoeng (2016:3) illuminates that the Public Protector is responsible for promoting good governance and providing assurance that corruption and maladministration in the public service and its entities is uncovered and dealt with appropriately. Therefore, the state as a secondary role player, through the Public

Protector and some of the Chapter 9 institutions, promotes professional ethics. It is vital to explain the importance of state as an employer in labour relations, which follows next.

#### 3.4.1.2 *State as a primary role player (employer)*

The state is undoubtedly an employer in the public service. As stated in chapter 1, the state is the largest employer in South Africa. The main role played by employers is, according to Kashyap, Joseph and Deshmukh (2016:12), to approve and create a good working environment that is desirable for employees. Van Antwerpen and Ferreira (2016:84) remark that, since employees spend most of their day at work, they ought to feel happy in their work environment. When employees feel happy in their working environment, Kashyap *et al.* (2016:12) suggest that they are likely to generate higher productivity and a greater sense of commitment. Additionally, happy employees are satisfied with their lives because they are able to use what they learn at work to relate with others even outside workplaces. The state as an employer, thus, has a significant role to play in ensuring that employees are always kept happy and that they are ready to establish better communities.

The state as employer in the public service is mainly represented by the political heads attached to the departments at national and provincial government spheres. According to the South African government (2023), members of the national executive are required to enter into performance agreements with the president on specific standards related to their departments. The Minister of Basic Education, the Deputy Minister of Basic Education and the nine provincial members of the executive committees (MECs) of education also enter into performance contracts with the president or respective premiers (Motshekga, 2020:18). This implies that the GDE MEC must also have a performance contract with the Premier of Gauteng and agree on certain standards that must be realised. It may follow that, in realising the agreed standards, ethical standards should be enforced.

The Civilian Secretariat for Police (2016:39) explain that the forum of Ministers and Members of the Executive Committee (MINMEC) also plays a pivotal role in ensuring policy compliance through regular monitoring and reporting on progress regarding the implementation of the delivery agreement. A perception has been created that

ensuring policy compliance is about identifying potential blockages and instituting corrective measures that result in interventions to improve implementation and ethics. The MINMEC may benefit the government to educate political heads of departments and politicians in general to identify ethical dilemmas and to make ethical decisions.. The cabinet *lekgotla* may extend its dealings by involving ministers, MECs and political elites to address ethical dilemmas initiated by political heads.

The National Department of Education (2023) indicates that the cabinet *lekgotla* plays a vital role in the government's planning cycle in that cabinet members would meet to review progress made on strategic priorities as outlined in the programme of action. The cabinet *lekgotla* meets to reprioritise government's strategic priorities if necessary and to prepare for the new planning cycle starting in September as well as make budget adjustment estimates in October of each year. The cabinet *lekgotla* meets twice in a year in January and August (RSA, 2018:20). In January, the cabinet *lekgotla* takes place to identify and discuss the issues that the president's may include in the state of the nation address (SONA) and to plan for the next medium term expenditure framework (MTEF) period. The cabinet *lekgotla* of August is meant to review strategic priorities, and approve the medium-term strategic framework (RSA, 2018:20).

The heads of departments (known as directors general) may also be regarded as employers because their responsibilities are delegated directly from political heads of their departments. It is underscored that the public service encourages political heads, heads of department and other senior public servants to promote efficient and effective delegations and a more stable political administrative interface (Ramathodi, 2016). Directors general are further delegated in terms of the Public Service Regulations of 2016, paragraph 57 to institute administrative processes and then make proper appointments (RSA, 2016:62).

It is common knowledge that where there is an employer (whether in public or private sector) there is one or more employees. The importance of an employee as a role player in labour relations is explained in the subsequent section.

### 3.4.1.3 *Employee as a role player*

An employee is defined in section 1 of the Basic Conditions of Employment Act 75 of 1997 (RSA, 1997:8) as:

- (a) “any person, excluding an independent contractor, who works for another person or for the State and who receives, or is entitled to receive any remuneration, and
- (b) any other person who in any manner assists in carrying on or conducting the business of an employer”.

This definition is also captured in section 213 of the Labour Relations Amendment Act, 6 of 2014, verbatim. A person who works for or renders services to any other person is presumed to be an employee in terms of Section 200A of the Labour Relations Act, 66 of 1995 (RSA, 1995:242). In presuming who is an employee, the same section 200A provides that one or more factors are present:

- (a) “the manner in which the person works is subject to the control or direction of another person,
- (b) the person’s hours of work are subject to the control or direction of another person,
- (c) in the case of a person who works for an organisation, the person forms part of that organisation,
- (d) the person has worked for that other person for an average of at least 40 hours per month over the last three months,
- (e) the person is economically dependent on the other person for whom he or she works or renders services,
- (f) the person is provided with tools of trade or work equipment by the other person, or
- (g) the person only works for or renders services to one person”.

These factors, according to Grogan (2014:22), were created to be tested when adjudicating cases or disputes that have to do with determining whether the employee party is indeed an employee. In the landmark case of LAC, in the Kylie versus CCMA and others (2010) 29 ILJ 1600 (LAC), it was ruled that a contract for the performance of work is prohibited by the Sexual Offences Act 23 of 1957 that was initially invalid

would be accepted within the statutory meaning of employer because Kylie was economically dependent on her employer as she was paid a salary.

Different from the stipulations of the Labour Relations Amendment Act, 6 of 2014 and Basic Conditions of Employment Amendment Act (BCEA) 20 of 2013, the Unemployment Insurance Act 63 of 2001 (2001:2) defines an employee as “any person who receives remuneration or to whom remuneration accrues in respect of services rendered or to be rendered by that person but excludes any independent contractor”. Compensation for Occupational Injuries and Diseases Act (COIDA) 61 of 1997 (1997:5) further provides a long definition that “employee means a person who has entered into or works under a contract of service or of apprenticeship or learnership, with an employer, whether the contract is express or implied, oral or in writing, and whether the remuneration is calculated by time or by work done, or is in cash or in kind, and includes:

- (a) a casual employee employed for the purpose of the employer's business,
- (b) a director or member of a body corporate who has entered a contract of service or of apprenticeship or learnership with the body corporate, in so far as he acts within the scope of his employment in terms of such contract,
- (c) a person provided by a labour broker against payment to a client for the rendering of a service or the performance of work, and for which service or work such person is paid by the labour broker,
- (d) in the case of a deceased employee, his dependents, and in the case of an employee who is a person under disability, a curator acting on behalf of that employee; but does not include,
  - (i) a person, including a person in the employ of the state, performing military service, or undergoing training referred to in the Defense Act, 44 of 1957, and who is not a member of the permanent force of the South African Defense Force (SADF),
  - (ii) a member of the permanent force of the SADF who are on service in defense of the Republic as defined in section 1 of the Defense Act, 1957,
  - (iii) a member of the South African Police Force while employed in terms of section 7 of the Police Act, 1958 (Act No. 7 of 1958), on "service in defense of the Republic" as defined in section 1 of the Defense Act, 1957,

- (iv) a person who contracts for the carrying out of work and himself engages other persons to perform such work, and
- (v) a domestic employee employed as such in a private household”.

Based on the definitions above, Table 3.2 differentiates between an employee and independent contractor. Differentiating between the two concepts is necessary to best define an employee.

**Table 3.2: Difference between employee and independent contractor**

<b>EMPLOYEE</b>	<b>INDEPENDENT CONTRACTOR</b>
<b>Enters into an employment contract, usually with one employer</b>	Enters into contract and may work for more than one employer
<b>The other party with whom a contract is entered is called an employer</b>	The other party is referred to as the client
<b>The object of the employment contract is to bring employee and employer into an employment relationship</b>	Relationship between independent contractor and client is business related
<b>Employee is obliged to comply with lawful commands and instructions of employer</b>	Independent contractor is subservient to the contract, not under supervision or control of employer
<b>Employment contract terminates on resignation or death or expiry of period of service or dismissal of the employee</b>	Contract terminates on completion of work or production of specified result or on breach of contract
<b>Employee earns salary and benefits agreed upon with the employer</b>	Independent contractor receives income payment for the work done as agreed with the client

**Source:** Adapted from video (independent contractor versus employee: what’s the difference, 2017)

In describing the role players in a tripartite labour relations system, it may be confirmed that the GDE forms part of the state because it is a provincial department in Gauteng Province. Ramatlhodi (2016:3) explicates that public service consists of national and provincial institutions, and government components. Franks (2014:48) explains further that the provincial institutions are regarded as administration system in the provincial sphere of government in South Africa.



According to the PERSAL headcount as of 8 June 2020 (GDE, 2020), the GDE employs 1 677 public servants (on permanent, temporary and probation terms) at the head office. However, it is presumed that the GDE additionally employs public servants at districts offices and schools. Labour relations at the GDE appears to be embedded in the roles and responsibilities of the role players to tripartite labour relationship. The tripartite labour relationship system may not be adequate to describe the policy systems' approach which suggests that, in the milieu of external environment, there are other role players that may be included in labour relations practices.

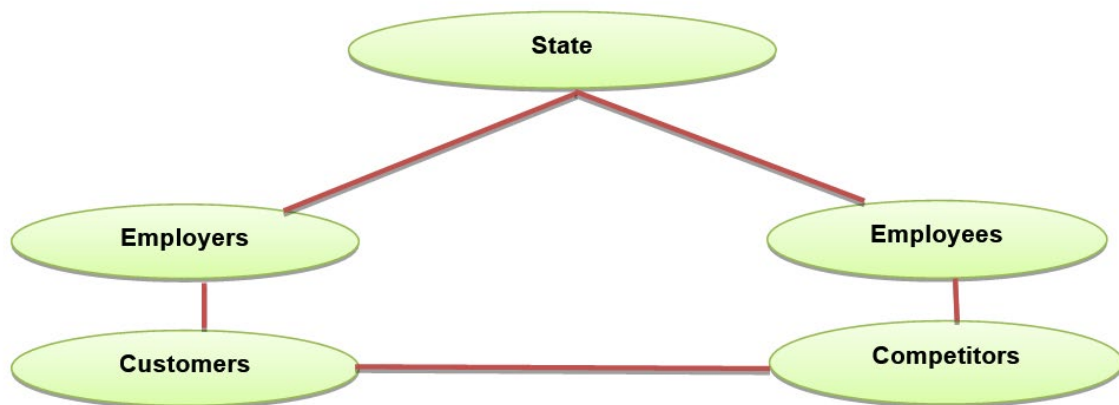
The tripartite role players are the main role players in labour relations, but they draw their existence from the customers they serve and the businesses or organisations that they compete with. Further, the role played by the state may be articulated as that of encouraging community participation and responding to the people's needs. Section 195(1)(e) in the Constitution (RSA; 1996:108) supports that public administration should respond to the needs of the people and encourage the public to participate in policy making.

Arguably, the inclusion of the state in labour relations might be rationalised as a regulator of the relationship and interactions of employers and employees. It is also known that the state is an employer whose public service is the largest employer in South Africa. A debate might evolve on how fair and independent the state is as a regulator in an environment where the state is an employer.

The role and responsibilities of customers and competitors are described below under the pentagonal labour relationship system.

### **3.4.2 Pentagonal labour relationship system**

Figure 3.4 depicts the roles played by the state, employer, employee, customer, and competitor in the pentagonal labour relations system. This figure explores the wider relationship based on issues in, and beyond, the workplace and these role players are explained below.



**Figure 3.4: Pentagonal labour relationship system**

**Source:** Ntimba (2019:12)

The role players in pentagonal labour relations systems are discussed below.

#### 3.4.2.1 *Employers and employees as role players*

The roles, duties and responsibilities of the state, employers and employees were discussed in the tripartite labour relationship. However, the state, employers and employees continue to be role players in the pentagonal labour relationship system. It is, therefore, essential to single out the role played by customers and competitors who are additions to the tripartite role players. A debate on the role played by customers and competitors in labour relations within the GDE is uncovered in the section that follows.

#### 3.4.2.2 *Customers*

It is assumed that the GDE, just as the entire public service, exists for the sole purpose of satisfying the needs of the public who may be regarded as customers. To satisfy the needs of the public, sections 195(1)(e) of the Constitution (RSA, 1996:99) requires the GDE to respond to the needs of the people and to encourage them to participate in policymaking. Section 195(1)(d) of the Constitution further requires the GDE to be development oriented. The GDE is also mandated by section 195(1)(c) of the Constitution to be impartial, fair, equitable and without bias. Sections 195(1)(c), (d) and (e) explicitly encourage the public to make their needs known with the hope that their needs will be addressed by the GDE in a fair, equitable and impartial manner.

The requirement to put customers first is also supported by Waters (2023), who acknowledges that to put customers first is to improve the quality of services while lowering the cost of sourcing such services.

The Cambridge Online Dictionary (2023) emphasises that to respond is “to say or do something as a reaction to something that has been said or done”. It is crucial to be cognisant of customer needs in the public service in order to deliver the correct quality and quantity of goods and services required by the customers at the correct time. To respond to the needs of the public, the GDE is required to be transparent in terms of section 195(1)(g) of the Constitution (RSA, 1996:99). The importance of transparency is emphasised by the African National Congress (ANC) (2019:56) that endeavours to build a transparent and open service delivery system as a mitigation against fraud, bribery and corruption.

Transparency may not be realised without involving the public. Public participation may be regarded as a necessary tool that fosters and promotes a democratic and responsive public service delivery. Public participation must be encouraged in the GDE because, according to the Department of Provincial and Local Government (DPLG) (RSA, 2007:9), public participation is crucial at four levels, namely:

- (a) Customers as voters: voters ensure maximum democratic accountability of the elected political leadership for the policies that they are empowered to promote.
- (b) Customers as citizens: citizens express, via different stakeholder associations, their views before, during and after the policy development process to ensure that policies reflect community preferences as far as possible. At the GDE, one meaningful structure that may promote public participation is the School Governing Body (SGB). The SGB is a statutory body that is established to perform functions conveyed to them by the South African Schools’ Act, 84 of 1996 (SASA) in section 20. Parents, educators, non-teaching staff and learners (from grade 8 or higher) may be part of the SGB to promote the well-being and effectiveness of the school community and thereby enhance learning and teaching.
- (c) Customers as consumers and end-users: parents and their children are the supposed beneficiaries of the services of the GDE. Parents and children at

schools expect value-for-money, affordable services, and courteous and responsive service from the GDE.

- (d) Customers as organised partners: Parents, sponsors, businesses, non-governmental organisations, and churches may be regarded as organised partners.

Customers are at the receiving end, acquiring services from the GDE. The GDE exists to provide basic education to children and adults, as contemplated in section 29 of the Constitution (RSA, 1996:13). It is arguably important to conclude that the relationship between public servants and customers may lead to ethical dilemmas. It may be during these interactions that the unfair registration of learners may be granted to children based on colour, language, sexual orientation or financial background. It is possible that members of the community may be appointed at GDE schools because they are family and friends of public servants or belonging to a particular political party. Customers are required to be ethical in their relationship with the GDE.

Basic education remains a core business of the GDE, but there are important fundamentals that are bound to create a situation where the GDE is distinguished against other provincial departments of education and private schools. These fundamentals include parental care of children, children's protection from maltreatment, protection from exploitation, basic nutrition, and best results. If learners are not cared for or protected against maltreatment and exploitation, parents may register their children in private sector educational schools. It is, therefore, important to realise these fundamentals because competitors are always on the watch waiting to entice children and attracting best performing employees from the GDE. It is, therefore, important to discuss who these competitors are and their roles and responsibilities.

#### *3.4.2.3 Competitors*

The GDE might be influenced by its competitors' actions. Giachetti and Dagnino (2021) acknowledge that competitors' actions influence an institution. Competitors are rivals and they compete over the same services or the same customers. Competitors may also compete for the same employees who perform best in their day-to-day duties

and responsibilities. The parents might pursue the option of enrolling their children at private schools if the GDE fails to provide services. The GDE must outperform its competitors to guarantee that it continues to provide quality education to learners. Outperforming competitors is regarded as the key to success (Nalamolu, 2017).

The Collins Online Dictionary (2023) defines a competitor as “a person who takes part in a competition”. Furthermore, competition is defined as “a situation in which people or organisations compete for something that not everyone can have” (Collins Online Dictionary, 2023). On the other hand, competitors are defined as institutions that compete for the same goods and services as well as patronage of the same customers (Openstax, 2023).

Hosseini, Soltani and Mehdizadeh (2018:1) mention that an organisation realises competitive advantage when its profit rate is higher than rivals' profits. In addition, an organisation may realise sustained competitive advantage when it retains the high profit rate for several years. It may follow that the GDE can realise its competitive advantage by producing good results in comparison to other provincial departments of education including private schools.

Competitors may present technology devices that assist learners in their schoolwork. It is positive to note that GDE has started to issue tablets for learners to access notes and textbooks (Patel, 2018). Patel (2018) explains that lessons take place through smart digital boards. Competitors in the pentagonal labour relationship are pressured to train and develop employees on these digital innovations. Rivals may also motivate their employees through financial rewards and better salary even though Ganta (2014:223) argues that salary is no longer a motivator. Maslow (1943) suggests, in his hierarchy of needs theory, that salary is part of the deficiency needs and it provides security to employees (Tanner, 2023). Maslow (1943) further argues that financial rewards fulfil the need of esteem especially if they are awarded in an atmosphere of praise.

The tripartite and pentagonal labour relations systems are both applicable in public and private institutions. It may be reasoned that the tripartite labour relations system is traditional and is concerned with issues on the labour relationship within the

workplace. The inclusion of customers and competitors in the modern labour relations environment is embraced by the need to build responsive and ethical institutions. Most public services may even include role players beyond the customers and competitors because of their obligations to provide services to the public.

### **3.4.3 Pentagonal labour relationship system at the GDE**

The GDE operates within the pentagonal labour relationship system. Conclusively, the South African labour relationship system already exists within the traditional system where the employer, employee and state are in a relationship.

Parker, Farrell and Slabbert (2015:1) explain that labour relations in South Africa is an overall integrative concept that sets the parameters in support of the National Development Plan (NDP). Furthermore, labour relations in South Africa encompasses all aspects of the employment relationship, including individual and collective, formal and informal, union and non-union workplaces, industry and non-industrial community. In addition, labour relations in South Africa recognises the important roles played by customer and suppliers, who are party to a pentagonal employment relationship. Ntimba (2019:12) expresses that customers and competitors are two additional stakeholders that are influential in the South African labour relationship system. Thus the labour relationship system in South Africa is pentagonal instead of a tripartite relationship.

Since the labour relationship system in South Africa is pentagonal, it is deduced that customers and competitors are added to the traditional tripartite system in GDE. GDE employees are, therefore, expected to be mindful of their customers' demands and to act in good faith with their competitors. To be aware of their customers' demands, the GDE may be required to adopt a culture of consultation with their customers. Ultimately, the performance of the GDE may be expressed through its results as opposed to the results of their competitors.

### **3.5 LABOUR RELATIONS IN THE GLOBAL ARENA**

In determining global trends, the perceptions on labour relations in Denmark, New Zealand, Canada, UAE, Seychelles, Georgia, and South Africa are examined. These countries are indicated in Table 2.3 in chapter 2.

The theories on labour relations are explained in Table 3.2. In ascertaining which theories on labour relations are held by the selected countries, it is essential to examine whether their perceptions on the economic system, goals and values of employers and employees, conflict, trade unions, and collective bargaining and protest action can shed light to the GDE in curbing ethical dilemmas. It is, therefore, inevitable that the trends related to theory perceptions on labour relations in Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia are used to guide South Africa. The selected countries represent the global arena in the measures used to curb unethical acts on different perspectives on labour relations. The selected countries represent different regions of the world. They are ranked higher in the world corruption perception index as compared to other countries that fall within their regions.

It is finally vital to deliver a description on why there are increased reports on unethical acts that leads to frequent disciplinary, grievance and dispute cases at the GDE whilst professional ethics is promoted and maintained. It is also necessary to explain the perceptions on labour relations that are held by the selected countries. Eventually this study ought to establish the most reported unethical acts at the GDE and what ought to be done to eliminate or curb such acts.

Brown (2016:232) suggests that morality is a process that requires skills to be learned through social interactions whilst defining human experience.

#### **3.5.1 Denmark**

This section is dedicated to the theoretical perspectives on labour relations in Denmark.

### *3.5.1.1 Economic system*

A report by the Danish Ministry for Economic Affairs and the Interior (2019:7) postulates that Denmark has always been solid in Gross Domestic Product (GDP) growth and employment growth. The report further declares that the improved conditions on the labour market have led to a considerable increase in per capita income which has led to an upswing driven by private consumption and investments. On the other hand, the 2018 economic surveys completed by OECD revealed that Denmark is recognised for traditionally delivering high standards of living to their citizens (OECD, 2019:11). The OECD 2019 economic surveys recommend that the high and equally distributed incomes are easily translated into strong feelings of wellbeing of the citizens of Denmark (OECD, 2019:11).

Thus, the public service in Denmark is highly interested in promoting the wellbeing of its citizens. It is detected that Denmark practices equality across generations in terms of income, education and health. The OECD is resolute that several pension and benefit reforms have strengthened the public finances and lifted more people into the labour market (OECD, 2019:11). Denmark's public service exists to accommodate the wellbeing of its citizens. A significant impact of accommodating the citizens' wellbeing looks optimistic if Denmark continues to gratify the wellbeing of its public servants. Caring for the wellbeing of public servants might benefit the acceleration of public service delivery. Denmark fits well within societal corporatism because there is strong state intervention in the economy to protect interests and welfare of its citizens.

### *3.5.1.2 Goals and values of employers and employees*

Laursen, Andersen and Jahn (2018:4) report that the public service in Denmark exists to improve government efficiency and productivity. The challenges brought about by inequalities in the public service almost make it impossible for effective and efficient service delivery to take place in Denmark. Furthermore, gender-based discrimination is one of the serious challenges in the public service that relates to disparities in salaries as well as hiring and career options.

The Danish Ministry of Foreign Affairs (2014:4) accepts that the promotion of gender equality is one of the key policy priority areas for the Danish government. The Ministry



further accepts that the rights of the most vulnerable must be protected in pursuit of a peaceful, prosperous and just society. The government admits that sustainable peace will not be restored without the full and equal participation of women. It is deduced that Denmark is an egalitarian country as it advocates for equality for all its citizens and equality in public institutions. One of the fundamental rights that are shared by most public services in the world is the right not to be unfairly discriminated.

### *3.5.1.3 Perspective on conflict*

Lind and Knudsen (2017:581) explain that there is relatively a cooperative spirit and harmonious relations between role players to labour relations in Denmark. They also assert that there are sparse regulations promulgated by the Danish government. However, Liukkunen (2021:33) directs that collective agreements are the main mechanism by which conflicts in institutions are regulated. Lind and Knudsen (2017:582) further explain that the Danish government introduced the flexicurity model to embrace a combination of elements from collective bargaining to employment and welfare policies. It is observed that the flexicurity model became the strength of the public service to avoid conflicts. Welfare programmes were introduced to end dissatisfactions or grievances in societal corporatist countries like Denmark and conflict should be suppressed because it is destructive to the economy.

### *3.5.1.4 Trade unions*

As mentioned, trade unions are important role players to labour relations. The Constitution of Denmark, section 78(1) entrenches that “the citizens shall be entitled without previous permission to form association for any lawful purpose” (Denmark, 1953:13). This provision may be understood to declare that there is no need to register a trade union and that there are no pre-qualifying arrangements for establishing a trade union in Denmark. Ibsen, Ellersgaard and Larsen (2021:44) specify that trade unions largely decide the terms and conditions of employment through collective bargaining. Ibsen *et al.* (2021:44) assert that trade unions in Denmark are included into policymaking across multiple policy areas, and social partners.

### *3.5.1.5 Collective bargaining and strikes*

Pillinger (2017:4) indicates that all public servants in Denmark are covered by collective bargaining. There is a national level bargaining that is meant for collective bargaining where pay and conditions are negotiated between trade unions and the employers at industry level. However, Andersen, Kaine and Lansbury (2017:4) explain that there is no bargaining autonomy in Denmark because the bargaining process is decentralised. Buckham (2014:15) states that decentralised collective bargaining may lead to inequality and a failure in the application of uniform policies.

Ultimately, collective bargaining is a limited process in Denmark and it has a potential to escalate conflicts, grievances and disputes into a protest action. Furthermore, collective bargaining is limited because most collective agreements are decided at decentralised sectors and workstations where disparities in the workforce are reported. On the other hand, protesting is allowed but in terms of the Constitution of Denmark (Denmark, 1953:14) but it will be disallowed if there is a fear that it may constitute a danger to the public peace. The regulation on protesting may be perceived to be social corporatist in nature because the state is involved by regulating how it should take place.

## **3.5.2 New Zealand**

The theoretical perspectives on labour relations in New Zealand are explained below:

### *3.5.2.1 Economic system*

The OECD (2019:2) June 2019 economic survey reports that New Zealand is a welfare-oriented state that is committed to a green and inclusive economy and to improving better housing. The Treasury detailed five wellbeing priorities in the 2019 national budget include financial, natural resources, people, and communities' health (OECD, 2019:2). New Zealand's commitment to social wellbeing may be welcomed as being heading towards the happiness of the people of New Zealand. Lumontod (2018:86) explains that "happiness is a significant factor in human behaviour and performance". Those who are well behaved might realise good results at schools and good results mean good marks which might lead to an offer of a bursary. With the above said, it may be presumed that New Zealand is a societal corporatist state.

### *3.5.2.2 Goals and values of employers and employees*

The Treasury of New Zealand (2016:6) explains that employers and employees share the same goal of improving the social welfare and promoting the quality of primary and secondary education as well as providing subsidy for access to health services for all residents. To improve social welfare, the Treasury of New Zealand (2016:6) explains that New Zealand continues to influence international partners through its interests and values and contributes to a stable, peaceful and prosperous world. Whilst influencing international communities, it is expected that New Zealand will also benefit from the countries that it trades with.

Christianity may be regarded as a core value that cultivates peace, harmony, prosperity and morality among groups or relations. An employer-employee relationship may require peace, harmony and moral latitude to prosper and realise their shared goals and values. Proios and Proios (2015:13) ascertain that through Jesus who is regarded as “the way, the truth and the life”, Christian employees can live by truth with love and be free from unethical behaviour. Van Zyl and Nortjé-Meyer (2018:9) further explains that the Bible in Ephesians 6 verses 5 to 7 guides Christian employees to obey their employers and strive to realise Godly goals. Therefore, according to Pratt (2016:54), Christians in New Zealand are entrusted with integrity, reliability and trustworthiness to act ethically. Pratt (2016) further explains that there are many churches in New Zealand that not only transplant religion but also set principles, tenets and values that are adopted into the functioning of the public service. Koffeman (2014:217) comprehends that values and ethical behaviours adapted from church ought to be practiced at workplaces and within communities beyond reproach. It is a reality that not all people in New Zealand are Christians. It may further be argued that public servants who are Christians may promote professional ethics in the public service. However, a varied argument may be observed that Christians are human too who may sin and participate in unethical activities in the public service.

### *3.5.2.3 Perspective on conflict*

Perspectives on goals and values between employers and employees create an assumption that New Zealand has resolved to alleviating conflict. An inference may also be made that, even though conflict is inherent in any relationship, there are

valuable means to prevent it because it is regarded to be disruptive to the economy. Greenwood and Rasmussen (2017:2) explain that dispute resolution legislation are promulgation to regulate the tripartite relationship between the state, employees and trade unions, and to prevent conflict. New Zealand has a highly regulated system of labour relations that prevents conflict between the state, employees, trade unions and employers. Conflict prevention between role players in labour relations in New Zealand is articulated in sections 4 and 4A in the Employment Relations Act, 2000 that requires role players in labour relations to act in good faith with each other (New Zealand, 2000:17-20).

According to Ehlers (2017:3), good faith, trust, justice, fairness are universally desirable social conditions in labour relations from when parties contract until the relationship comes to an end. Good faith is about the observance of applicable laws, agreements, contracts, policies, codes and procedures. Conversely, Brudney (2010:773) recommends that good faith should be considered in contracts with the principle of fair dealing that is fragmented in any contractual relations.

#### *3.5.2.4 Trade unions*

The Employment Relations Act, 2000 of New Zealand entrenches in section 7(a) that:

- (a) “employees have the freedom to choose whether or not to form a union or be members of a union for the purpose of advancing their collective employment interests; and
- (b) no person may, in relation to employment issues, confer any preference or apply any undue influence, directly or indirectly, on another person because the other person is or is not a member of a union” (New Zealand, 2000:27).

#### *3.5.2.5 Collective bargaining and strikes*

Section 14 in the Employment Relations Amendment Act, 2018 requires a trade union and an employer to promote the duty of good faith when bargaining for collective agreement unless there is a genuine reason based on reasonable grounds not to do so (New Zealand, 2018:9). Section 14 in the Employment Relations Amendment Act, 2018 further holds that genuine reason does not include:

- (a) 'opposition or objection in principle to:
  - (i) bargaining for, or being a party to, a collective agreement; or
  - (ii) including rates of wages or salary in a collective agreement.
- (b) disagreement about including a bargaining fee clause under Part 6B in a collective agreement' (New Zealand, 2018:9).

The duty of good faith in collective bargaining greatly advances fairness in the process of concluding collective agreements. Employers may not just decide to stay away from the bargaining process unless there are valid reasons advanced in good faith. Employers may also not withdraw from collective bargaining because salary rates are negotiated. However, section 14(3) qualifies the employer to withdraw from multi-employer collective agreement if valid reasons are advanced. A valid reason that an employer may advance includes financial loss (lack of income growth) which may continue hindering an organisation if the multi-employer collective agreement decides on high salary increment. Employers may opt to conclude collective agreement on salary rate within the organisation based on current financial realities. Finally, collective bargaining in New Zealand is centralised in multi-employer collective agreements but collective bargaining may be decentralised on reasonable grounds.

While employees in New Zealand have the right partake in a strike action in terms of Section 87 of the Employment Relations Act, 2000, the employer may suspend those employees (New Zealand, 2000:124). Section 87 of the Employment Relations Act, 2000 further proclaims that all suspended strike employees are not entitled to any remuneration by way of salary, wages, allowances, or other emoluments in respect of the period of the suspension. The suspension and the ultimate non-payment of salary and allowances may be observed as an intervention by the state through its law-making responsibility to limit strikes.

Section 88(1) of the Employment Relations Act, 2000 pronounces that non-striking employees may be suspended if employer is unable to provide for them. Section 88(2) details that suspended non-striking employees will not be entitled to any remuneration by way of salary, wages, allowances or other emoluments in respect of the period of the suspension (New Zealand, 2000:125). Section 88(2) may seem harsh

to non-striking employees, but this is regarded as the state's intervention to distract employees' intentions to participate in strikes.

Therefore, employees are free to form or join trade unions of their own choice without fear of victimisation by the employer or another trade union. It is not expected that employees with merit will be denied an opportunity to contest for promotion due to their affiliation to a trade union. Trade unions in New Zealand are regarded as important stakeholders in society and should represent employees even in the public service. The importance of trade unions in New Zealand is further entrenched in section 13(1) of the Employment Relations Act, 2000 in declaring that a society may also register a trade union (New Zealand, 2014:31).

### **3.5.3 Canada**

The theoretical perspectives on labour relations in Canada are provided.

#### *3.5.3.1 Economic system*

Rabbior (2014:3) explains that the Canadian economic system is regarded as a capitalist system because private ownership of capital is encouraged. The Canadian economic system is also referred to as a mixed economy because both the private and public share ownership of capital and resources in producing goods and services. Tsoklinova (2015:1) explains a mixed economy as a modern capitalist economy where government plays the role of maintaining the conditions of the market for ensuring macro-economic stability. It may be argued that Canada is a state corporatist that intervenes with the economic activities to protect its interests.

#### *3.5.3.2 Goals and values of employers and employees*

Public servants, according to Wernick (2019:16), are committed to working hard guided by professionalism and non-partisanship to deliver the government's ambitious agenda. Trudeau (2018:2) explains this ambitious agenda as the 2030 Agenda for Sustainable Development which intends to reduce poverty, advance gender equality and the empowerment of women and girls. Furthermore, the 2030 Agenda for Sustainable Development is intended to narrow the socioeconomic gaps that exist between different groups, foster inclusion and celebrate diversity, and improve equality of opportunity for all. Generally, the goals and values are divergent in workplaces

where diversity is immense. However, the commitment by public servants to realise the 2030 Agenda for Sustainable Development may not be accomplished if the state, in its role as law maker and/or employer, is unsupportive.

### 3.5.3.3 *Perspective on conflict*

Lukiwiski (2019:5) notes that the federal public service had a total of 273 571 people, accounting for 84% public servants as of 31 March 2018. Moreover, the public service is the most diverse employer in Canada (Lukiwiski, 2019:7). Westlake (2017:1) supports that diversity in the Canadian public service is due to the country's diverse cultures, languages and large immigrant population. However, Wernick (2018:6) reveals that the Canadian state has identified the following target actions to strengthen the public service:

- (a) **“Support for employees:** Provide advice, tools and resources to help all employees to prevent and resolve conflicts, to feel safe to bring forward issues and complaints, and to navigate what can be a complex process;
- (b) **Leadership:** Leaders at all levels to demonstrate commitment to a workplace that is free from harassment, reinforce a respectful organisational culture, and take action when inappropriate behaviour occurs;
- (c) **Improving response capacity:** Make it easier to identify and engage expertise to support public servants;
- (d) **Skills development and best practices:** Provide employees and managers with training and support to better understand what the spectrum of harassment looks like, and the roles public servants play in creating civil and respectful workplaces; and
- (e) **Making use of our data:** Improve our line of sight into what is happening in our organisations to inform action”.

### 3.5.3.4 *Trade unions*

Schmidt, Müller, Ramos-Vielba, Thörnqvist and Thörnqvist (2018:4) suggest that Canada's public sector trade unions are faced with a hostile situation of austerity, privatisation, marketisation, public-private partnerships and restrictions on trade union rights and freedoms. Patel and Rietveld (2023:3) emphasise that the neoliberal agenda in Canada set out on a deliberate strategy to weaken trade unions. However,

the Canadian government is weakening trade unions by restricting them in collective bargaining processes and by exhausting corporate media which has been more than willing to negatively portray and denigrate trade unions.

#### *3.5.3.5 Collective bargaining and strikes*

The Speaker of House of Commons reports that the House of Commons and the Canadians are committed to meeting the needs of a modern parliamentary democracy (House of Commons, 2019:3). Section 17 in the Constitution of Canada proclaims that the legislative powers vested in the parliament consist of the Queen, an Upper House styled the Senate, and the House of Commons (2011:16). One of the duties of the parliament is to extend its support to regulate labour relations through constructive collective bargaining practices (Canada, 1985:2). However, the Treasury Board of Canada Secretariat (TBCS) is responsible for negotiating collective agreements with bargaining units in the core public administration (Treasury Board, 2017:26). It is imperative to reiterate that the government of Canada is involved in collective bargaining in the public service which represents state corporatism.

Employees are also granted the right to participate in a strike action and Dumontier (2016:6) highlights that the right to strike is embedded in the freedoms of expression and peaceful assembly as asserted in the Canadian Charter of Human Rights. The freedom of expression includes the right to express ideas and opinions openly and to choose in the arts, in writing, in speech, and by picketing when on strike. In addition, the right to freedom of peaceful assembly extends the right to a peaceful demonstration or gathering. It is obvious that the right to peaceful demonstration or gathering limits the right of employees to strike. Certainly, a violent strike in Canada is unlawful.

Therefore, conflict is bound to appear where cultures, languages and nationalities are diverse. Evidently, there are reasonable support systems that are accustomed to managing diversity in the public service at Canada. The right to expression, right to peaceful demonstration, and right to peaceful assembly are simultaneously linked to creating a character of value driven in public servants. The public service is dependent on the patronage of state and the public service subordinates and their interests for



the common good. It is evident that conflict is likely to appear, but the state is committed to embracing diversity and supporting public servants and lowering instances for conflict to occur.

### **3.5.4 United Arab Emirates**

The theoretical perspectives on labour relations in the United Arab Emirates (UAE) are explained in the sections that follow:

#### *3.5.4.1 Economic system*

While Martin (2014:114) indicates that the UAE is a welfare state, Mansour (2017:120) reveals that the privatisation of assets is disruptive to the economy, especially the oil industry which finances the welfare requirements. Oliveira (2019:9) states that there were substantial investments in fixed assets that led to the remarkable transformation of the UAE economy. Further, these investments entailed erecting infrastructure to develop the UAE as one of the most attractive countries to live, work and invest. The UAE, its society and corporations are willing to work together towards transforming the economy (Oliveira, 2019:11). It may then be resolved that the UAE is a social market economy within which the state guides and provides support to social and economic partners to realise the welfare of the society. The amendments to the Constitution of the United Arab Emirates (2009:4) extend that the national economy of the UAE is grounded on social justice that is dependent on public-private cooperation that is aimed at realising economic development and caring for the citizens.

#### *3.5.4.2 Goals and values of employers and employees*

According to the amendments on Constitution of the United Arab Emirates (2009:4) in Article 14, equality, social justice, safety, security to all are prescribed to be the pillars on which citizens including employers and employees are grounded. Article 25 of the same Constitution entrenches that all persons are equal in law and that discrimination among the citizens of the UAE based on race, nationality, faith or social status is prohibited (UAE, 2009:7). An inference may be drawn that employers and employees within the public service in the UAE are also expected to maintain labour relations by complying with the basic social and economics requirements as contained in the Constitution of the United Arab Emirates. Employers and employees in the UAE share a common interest in maintaining a more egalitarian society.

#### *3.5.4.3 Perspective on conflict*

Al-Jenaiba (2014:164) articulates that the UAE has the largest migration rate in the world with its major workforce originating from countries like India, Pakistan, the Philippines, Australia, and the United States of America. Conflict is naturally inherent in any relationship, but it may rise in institutions that employ immigrants from different countries. Different reasons may be expressed on why conflict rises in organisations that employ immigrants from different countries. Diversity related to languages and cultural backgrounds may overwhelmingly result in conflict in organisations employing immigrants.

#### *3.5.4.4 Trade unions, collective bargaining and strikes*

In terms of Article 13 of the amendments on Constitution of the United Arab Emirates (2009:8), the freedom of assembly and establishing associations is guaranteed as provided in the law. The ILO (2017:7) describes the freedom of association as a right that is critical and fundamental because employees and employers can voice their interests in the workplace and society. Even though freedom of association is a right in terms of the Constitution of the United Arab Emirates, Laubach and Ayad (2011:207) argue that there are no labour unions or works councils in the UAE. They assert that the Federal Ministry of Labour is responsible for the protection of the rights of employers and employees, and that there is also no collective bargaining in the UAE in practice. However, it is unfounded that there is no collective bargaining in the public service meanwhile Chapter IX of the United Arab Emirates Labour Law explains how disputes of interests between employers and employees are resolved (UAE, 2007:34).

It is, however, important to indicate that employees participating in a strike action shall be sentenced to detention if they violate the right of public servants to work through use of force, threat or any illicit means (UAE, 1987:119). The lack of freedom of association is, according to Mishel, Rhinehart, and Windham (2020), an employer's resistant efforts against employees forming trade unions. The lack of freedom of association may be interpreted as a strategy by the employer to persuade employees not to join trade union of choice.

Because UAE prohibits unfair discriminatory action in the public service, a deduction may be made that appointments to positions, promotions and payment of benefits are expected to be fairly concluded. Further deduction may be made that no one is denied affiliation to a trade union of their own choice based on gender, sexual orientation, educational background or even religious beliefs. Unfair discrimination based on race and nationality is equally prohibited to an extent that foreign internationals enjoy the protection of equal rights similar to the locals.

### **3.5.5 Seychelles**

The theoretical perspectives on labour relations in Seychelles are discussed.

#### *3.5.5.1 Economic system*

The economy of the Seychelles is services centred and its private sector is predominantly the largest employer and main contributor to GDP (ILO, 2018:16). The African Development Bank Group (2014:1) asserts that the economic structure of Seychelles is dominated by the public service. Temesgen (2018:1) explains that the public service consists mainly of the tourism and hotel industry, finance, real estate, and business services. Growth in the services sector in Seychelles is supported by the state that increases activities in the financial services, fisheries and tourism sectors (Temesgen, 2018:6). These growth strategies must be sustained and inflation kept under control whilst the exchange rate remains stable. State intervention to control inflation and the exchange rates is aimed at protecting its interests in the public service.

#### *3.5.5.2 Goals and values of employers and employees*

The service sector is the main employer in tourism, hotel, finance, real estate and business services; as such, Temesgen (2018:1) asserts that these services should remain the main drivers of growth in the Seychelles. Macroeconomic stability must be consolidated and inflation kept below 3.0% through prudent fiscal and monetary policies. As mentioned, the state is the main source of employment in the services sector. Therefore, the requirement to keep inflation below 3.0% may be regarded as the state's patronage to compel employees to subordinate their interests towards the common good because both employer and employees stand to benefit. This goal may

require employers and employees to be principled and to promote transparency, accountability, and good governance.

#### *3.5.5.3 Trade unions*

The World Bank Group (2017:129) reports that most employees in Seychelles do not belong to trade unions with only 2% of employees indicating that they belonged to a trade union. It is alarming to learn that only 2% of the employees in Seychelles have joined trade unions because the section 23(1) of the Constitution of the Republic of Seychelles recognises the right to every person to form or to belong to trade unions (Seychelles, 1993:27). Section 23(1) of the Constitution of the Republic of Seychelles creates the impression employees are seemingly restricted to form or join trade unions. In terms of section 35(g) of the Constitution of the Republic of Seychelles, the state may restrict the rights and freedoms of employees to form or join trade unions if the rights and freedoms of others regarding the public order and the protection of health or morals are not respected (Seychelles, 1993:27). In conclusion, Seychelles is a state corporatist because the right to form or join trade unions is comprised but limited to state's regulation.

#### *3.5.5.4 Collective bargaining and strikes, and conflict*

Section 46A(1) in the Employment Act 1995 of the Republic of Seychelles makes provision that any employment decision made by the employer discriminates an employee on grounds including age, gender, religion, disability, sexual orientation, political or trade union membership is prohibited (Seychelles, 1995:27). On the other hand, section 40(1) in the Employment Act 1995 of the Republic of Seychelles entrenches that the Minister of Employment, Immigration and Civil Status may determine regulations on wages and/or conditions of employment after consultation with representatives of employers and employees (Seychelles, 1995:27).

It is evident that labour relations are regulated by the state in Seychelles. Even though consultation may be made with the employer and employee representatives, the state ultimately regulates labour relations in Seychelles. Therefore, the Seychelles is a state corporatist because collective bargaining is limited and at times not even considered.

Conflicts or disputes are unnatural and not tolerated hence collective bargaining is limited or at times not considered.

### **3.5.6 Georgia**

The theoretical perspectives on labour relations in Georgia are outlined below:

#### *3.5.6.1 Economic system*

The Georgian economy is, according to Papava (2014:87), oriented more towards consumption than production. Rafiy, Adam, Bachmid and Saenong (2017:754) explain that the GDP influences the consumption and economic growth of a country as it constitutes the ultimate value of goods and services produced within period of one year. Kim (2017:1) explains that consumption-oriented economies are macroeconomic and support economic growth by investing in capital and by lowering barriers on the production of goods and services. In addition, consumption-oriented economies may easily increase investment and expand businesses, and then increase the demand for employees through job creation. Citizens in countries that are consumption-oriented economies are likely to benefit from a greater supply of goods and services at lower prices or because they can afford (Kim, 2017:1). The World Economic Forum (WEF) explains that India is a consumption-oriented economy that is fast growing with an annual GDP growth of 7.5% that will momentarily be sustained over the next decade (WEF, 2019:6). The World Economic Forum (WEF) further reports that India's consumption growth is likely to benefit just above 1.4 billion of the population because of prices of goods and services are estimated to remain lower (WEF, 2019:6).

A determination may be arrived at that Georgia is a market-driven economy with the intention to increase the consumption rate of the citizens. Increasing the consumption rate of citizens may be a conscientious move of balancing power between unions and employers. The buying power of the citizens is likely to increase when they are employed and paid better salary.

### *3.5.6.2 Goals and values of employers and employees, and conflict*

According to the diagnosis report by World Bank Group on Georgia (2018:i), employers and employees in Georgia have common goals and values of working interdependently against extreme poverty. The report indicates that the goal is aimed at boosting household incomes, specifically for those at the bottom of the income distribution, to create shared prosperity. The collective involvement of employers and employees lays out the elements of a strategic vision to overcome obstacles and leverage opportunities in sustaining high growth, improving equity and creating a sustainable future (World Bank Group, 2018:i).

It remains imperative that employers and employees in an employment relationship will always have conflicting goals and values but there may be goals and values that are common to them. In realising the common goals and values, employers and employees may require working together because to acknowledge them is beneficial to both stakeholders and citizens at large. The interdependence of employers and employees in Georgia illustrates pluralism within which the economic power is shared or balanced.

### *3.5.6.3 Trade unions*

According to Article 1(1) of the Law of Georgia on Trade Unions (1997:1), the rights and activities of trade unions are guaranteed. Articles 5(1) and 5(2) make provision that trade unions and their federations are independent and cannot be controlled by the state, local self-governing bodies, employers, employers' confederations or political parties. A trade union is further prohibited from forming or belonging to a political party or forming alliance with a political party. Aleksanyan (2019:2) explains that, even though trade unions in Georgia are not associated with any political party, they influence the social, economic and political systems. The guaranteed rights and activities of trade unions in Georgia may be regarded as critical arrangements where trade unions independently represent the interests of employees. The absolute independence of trade unions may assist in drawing away from ethical dilemmas such as political patronage and grandstanding. It may still be possible that politicians may bribe trade union representatives into accepting positions than to represent the interests of the employees. Corrupt trade union representatives may, however, prompt

members to leave trade unions for other trade unions. Ultimately, it may be accepted that the members of a trade union are powerful that they may make or weaken a trade union by just leaving the trade union.

#### *3.5.6.4 Collective bargaining and strikes*

According to Article 41(1) of the Organic Law of Georgia (2013:12), one or more employers or employer associations and one or more employee associations may collectively bargain and conclude a collective agreement. A collective agreement in terms Article 41(2) of the Organic Law of Georgia is concluded to establish working conditions and to regulate relations among parties in labour relations. Article 41(4) of the Organic Law of Georgia entrenches that parties are obliged to bargain collectively in a good faith. Parties are further required to exchange information on the issues of the bargain unless such information is confidential (Georgia, 2013:13). Article 42(4) stipulates that a representative shall act in the best interest of employees who granted him/ her the right to representation into collective bargaining (Georgia, 2013:13).

On the other hand, Article 49(1) make provision that “strike shall be an employee's temporary and voluntary refusal, in the case of a dispute, to fulfil, wholly or partially, the obligations under a labour agreement” (Georgia, 2013:15). Article 49(3) enlightens that the right to strike shall arise upon the expiration of 21 calendar days after notifying the Minister in writing of the dispute or after appointing a mediator to finalise the dispute. During a strike, an employer is not obliged to pay a salary to employees who are on strike.

Collective bargaining in Georgia is decentralised because employees may only be represented by representatives who they granted the right to representation. The reasoning may be backed by the fact that different representatives are granted the right to representation in different sectors. An observation is made that employees have the right to strike if their right to collectively bargain is not met. There are rules that might be attached to the right to strike including the no work no pay rule which indicates that the employer has no obligation to pay salary to employees who are striking. However, the no work no pay rule is not only applicable during a strike action but may be also implemented where an employee refuses to work due to absence,

dispute with employer or other situations such as lack of work (Ekpo, 2016). Even though employers may apply no work no pay rule during strike actions, the rule might also be implemented when the employer has no obligation, unless specifically bound by an employment contract, to provide compensation.

The perceptions on labour relations in Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, and Georgia provided a foundation to explore labour relations system in South Africa.

### **3.5.7 Perspectives of labour relations in South Africa**

The envisioned labour relations system in South Africa ought to accept that ethics is a pre-condition for a sound employer-employee relationship. It is important to first discuss the perceptions on labour relations in South Africa and then detail ethical dilemmas associated with the indicated perceptions.

#### *3.5.7.1 Economic system*

Celliers and Aucoin (2016:2) argue that despite widespread debate on poverty levels in South Africa, as of June 2016, the income level of R15 per person per day (approximately R450 per person per month) is classified as living in extreme poverty. In 2019, Statistics South Africa (2019:3) indicated that R561 per person per month was classified as living in extreme poverty. Netshitenzhe (2014:4) was also concerned that South Africans remain afflicted with crisis levels of unemployment, inequality and poverty. Statistics South Africa (2018:99) argues, however, that if people can be provided with good jobs, poverty and inequality may be reduced. It may be difficult to have a universal understanding of what good jobs entail because it is apparent that every workplace faces its own challenges that affect jobs. It may also be debated that a good job to one is not a good job to another.

Zuma (2014:22) emphasised that South Africa consists of the national, provincial, and local spheres of government which are not only distinctive, interdependent and interrelated, but are also required to work together in the spirit of cooperative governance. Interdependency and interrelation may be regarded as two concepts that create the desire for spheres of government to depend on effective cooperation in delivering services. Zuma (2014:26) furthermore argues that “South Africa has made



great strides in creating mechanisms for citizens to participate on an ongoing basis and not just during elections”. Inviting citizens of the country to submit inputs towards decision-making process may be one of the mechanics that encourage citizens to participate in the legislative process. Inviting citizens to participate in decision-making processes, however, might trigger a further study to determine whether the current methods of inviting and providing citizens with the opportunity to submit inputs for consideration in decision-making process are effective. A further study may be triggered to reflect what characterises effective methods of inviting and providing citizens with the opportunity to submit inputs for consideration in decision-making process.

Umraw (2018) indicates that in 2018 parliament invited South African citizens to partake in the legislative process related to the amendment of section 25 of the Constitution, 1996 that resulted in approximately about 1.1 million inputs submitted in written and oral. Inviting citizens to partake in a legislative process is supported by sections 195(1)(c) and (e) of the Constitution that make provisions that the government ought to encourage the public to participate in policymaking and to respond and develop the public (RSA, 1996:108). Sections 42(3) and (4) of the Constitution further supports that the National Assembly, as a national forum, considers public issues when passing legislation whilst the National Council of Provinces represents the interests of provinces at the national sphere of government (RSA, 1996:24-25).

Arguably, if government decisions and legislations do not take into consideration the needs, desires and demands of citizens, the challenges of unemployment, inequality and poverty will result to the following ethical dilemmas for South African public institutions:

- (a) **Gifts:** Mzini (2014:211) defines gift as “a token which is bestowed voluntarily without expectation of tangible compensation, and for which no direct or indirect contractual obligations are imposed”. Graycar and Jancsics (2016:17), however, claim that “giving and accepting gifts and hospitality has an essential role of facilitating long-term business relationships”. Those who give gifts may also be favoured with employment opportunities even without inherent requirements for the positions. But it is not always that gifts are used to solicit favour.

- (b) **Sexual abuse and abuse of power:** Towell (2016) provides an example that sleazy male supervisors are often perpetrators of sexual harassment against their powerless female subordinates. Verily, according to Hersch (2015:4), most victims of sexual harassment in the workplace are young women in lower rank positions who are supervised by men or who work in male-dominated occupations.
- (c) **Theft:** Yekini, Ohalehi and Abiola (2018:980) suggest that public servants may indulge in theft due to disparities in salaries, unjust treatment, and weak internal control systems. Presumably, most public servants indulge in theft to supplement their salaries. Importantly, theft is intended to deprive the state of its resources or assets.
- (d) **Cadre deployment:** Cadre deployment, according to Musitha and Nkuna (2014:241), undermines academic and professional qualifications in favour of political connectedness with powerful politicians. The deployment strategy of the ruling political party (ANC) places loyalty ahead of merit and even of competence; it is, therefore, an obstacle to efficient public service (Kotze, 2023). Even though Nicolson (2018) reports that the South African president had promised to create 275 000 jobs a year, it remains to be seen whether the jobs are created to benefit those with merit and not ANC members or supporters.

### 3.5.7.2 *Goals and values of employers and employees*

Section 23(1) of the Constitution (RSA, 1996:9) provides that everyone has the right to fair labour practices. Apart from section 23 of the Constitution, other rights and freedoms are entrenched in Chapter 2, referred to as the Bill of Rights. In addition, section 3(2) provides that all citizens are equally entitled to the rights, privileges and benefits of the citizenship and are equally subject to the duties and responsibilities of citizenship (RSA, 1996:3). Finally, section 7(2) provides that “the state must respect, protect, promote, and fulfil the rights in the Bills of Rights”.

Because the Constitution is the supreme law of the Republic, the rights and freedoms in the Bill of Rights must be observed (RSA, 1996:3). In ensuring that these rights and freedoms in the Bill of Rights are observed, the Constitution establishes several state institutions that support constitutional democracy. One of these institutions is the Office of the Public Protector.

The 2017/18 Annual Performance Plan for the Public Protector (2017:16) indicates that the Public Protector has a mission to strengthen and support constitutional democracy through investigating, reporting on, and remedying alleged or suspected improper conduct in state affairs. One of the cases investigated by the Public Protector is now commonly known as the state capture report. It appears that there were indicators that certain departments and political office bearers were involved in an unethical relationship with the Gupta family. The Public Protector (2016:4) reports that the state of capture relates to an investigation of alleged improper and unethical conduct by the former president and other state functionaries in alleged improper relationships and involvement of the Gupta family. The investigation further indicated the removal and appointment of ministers and directors of state-owned entities (SOEs) resulting in improper and possibly corrupt endowment of state contracts and benefits to the Gupta family's businesses.

South Africans learned of the Gupta family (commonly referred to as the Guptas) when they were allowed to land their private aircraft at the Waterkloof Military base with their wedding guests in 2013 (Head, 2019). Moreover, the Guptas have solid network with some ANC members and influence decisions within the ANC and government (Shivambu, 2015). Together with the Guptas, certain senior ANC politicians made decisions that financially benefited their business interests and close allies.

However, while employers and employees have conflicting goals and values, they do acknowledge that they are interdependent. The state is seemingly concerned with creating a market economy and balancing the power between employers and employees. The state balances the power between employers and employees by strengthening legitimate processes that support constitutional democracy within organisations. Further inference may be made that the public service boosts itself with firm disciplinary procedures that must also be promptly followed to avoid inconsistencies and unfairness. Schedule 8 paragraph 4(4) supported by Section 188A in the Labour Relations Act 66 of 1995 (RSA, 1995:287) indicates that there may be a concerted arrangement to dispense disciplinary process through pre-dismissal process, otherwise currently known as an enquiry by arbitrator.

Common labour relations challenges that may relate to goals and values include, among others, the following:

- (a) **Noncompliance of legislation:** The explanatory manual on the code of conduct for the public service (PSC, 2002:58) provides in paragraph C.1.3 that public servants are required to comply with the policies of the government of the day when they perform their official duties as contained in all statutory and other prescripts. It is believed that, by intention or negligently, public servants tend to contravene and not comply with government statutes and other prescripts. The PSCBC (2003:9) lists in its disciplinary code and procedures, Annexure A, several acts of misconduct which the employee will be guilty of and one of them regards when a public official fails to comply or contravenes an Act, regulation, or legal obligation. It may be held that all those (irrespective of their levels of employment) who conduct themselves in an unethical manner shall be subjected to a disciplinary hearing.
- (b) **Sabotage:** According to the Merriam-Webster Online Dictionary (2023), sabotage is defined as “the destruction of an employer's property (such as tools or materials) or the hindering of manufacturing by discontented workers”. An example of sabotage in the public service may relate to a situation where supervisor requires subordinate to submit quality work out of loads of work afforded to him or her. The aim would be to have the subordinate to fail in his or her work. It may be concluded that such an act is eventually distort the relationship between primary partners and the goals and interest will forever be diverse.
- (c) **Unclear strategic goals:** Durmaz and Düşün (2016:38) indicate that institutions are today encouraged through customer expectations and competition to think and plan strategically, and to realise strategic goals. Institutions without strategy and with unclear aims and goals cannot be sure of their future because their future is not pre-planned and stays unclear (2016:40 and 43). It is explained that any institution that needs to realise its strategic goals ought to apply the principles of SMART goal setting (Zahorsky, 2020). SMART is an acronym for Specific, Measurable, Attainable, Relevant and Time Based. It is presumed that strategic goals will be clear if they are set in such a way that they clarify what specific goals are to be realised, the measurable outcomes of the strategic goals, how often (with timeframes) are the strategic goals supposed to be attained, and why it is relevant

to attain the strategic goals. It may also be reasoned that the SMART goal setting might be assumed to be the best way of selling the goals that are easier to be interpreted by staff.

Teo and Low (2016:83) explain that well-articulated strategic goals improve employee effectiveness and enhance employee performance at every level. Gutterman (2023:9) presupposes that institutions that effectively embrace strategic planning are likely to record better performance as compared to those that have not. It may be resolved that institutions without strategic goals and those with unclear strategic goals will likely fail to meet customers' expectations. It must also be expected that, because an institution comprises all staff, strategic goals must be made known to and made clear for all staff in the institution. Wairimu and Theuri (2014:27) ascertain that public servants in low-ranking positions have less exposure to the process of strategic goal setting which discourages them from making positive contribution towards the attainment of institutions' goals. Strategic goal setting must be a seamless process where all public servants in institutions might see the need to perform their duties in a coordinated manner with the main intention of satisfying the customers.

- (d) **Performance management:** Woyessa (2015:iii) explains performance management as a practice in the field of human resource management which continuously identifies, measures and develops the performance of individuals and aligns performance with the organisation's strategic goals. According to the Eden District Municipality (2015:2), performance management is regarded as an approach that managers, workers and stakeholders at different levels follow to regularly plan, monitor, periodically measure and evaluate performance of the institution based on measures (indicators) and targets for efficiency, effectiveness and impact. Performance management is a crucial aspect that improves and enhances employee effectiveness and performance at every level. It may also be reasoned that, whilst performance management is about the development of individual employees, it is also concerned with the development of the institution.

The development of individual employees might require meaningful training. Further, an institution might realise its objectives from well-trained employees. It

is assumed that training of employees is a benefit for employer and employees alike, reduces employee turnover, increases productivity, and makes it easier to attract talented new hires (Sherman, 2018). Ethics training should be regarded as an important factor to compel employees to act in compliance with the legal frameworks. One of the unfair labour practices that the Labour Relations Amendment Act, 6 of 2014 entrenches in Section 186 (b) (a) relates to unfair act or omission that arises between an employer and employee involving unfair conduct by the employer relating to training of employees (RSA, 2014:200). It is assumed that performance management illustrates the pathway to success for institutions, allows for the measuring of performance coupled with feedback, and offers training and development opportunities for managers and employees (Andreev, 2023).

Van Dijk and Schodl (2015:716) explain that performance appraisals are important features in the process of performance management. They describe performance appraisals as methods and processes used by institutions to assess the level of performance of their employees and to provide them with feedback. Idowu (2017:16) indicates that performance appraisals evaluate employees' work with the main aim of arriving at objective personnel decisions including the relative worth of employees to the institution. It is crucial to have fair performance appraisals that are not punitive or victimising. Unfair performance appraisals lead to unfair labour practice resulting in unfair ratings to avoid paying performance rewards related to benefits. Additionally, unfair dismissals are often a result of supervisors who use performance appraisals to settle undue battles and as a way of victimising subordinates.

### *3.5.7.3 Perspective on conflict*

Conflict in the public service may be expected but Mária and Goodman (2022:672) direct that conflicts can be resolved through interest negotiations. The adoption of consensus interaction may support the prevention of further conflicts by employees and managers within institutions. Maimela (2014:295) enlightens that the separation of powers between politicians and employees sometimes results in conflicts. It may be expressed that there are several reasons that cause conflict in the public service.

Common labour relations challenges related to conflict include, among others,

- (a) **Organisational culture.** Individual cultural differences in institutions result in conflicts that can only be minimised by considering organisational culture (Alkaya and YIRIK, 2014:48). Veerankutty and Rehna (2020:6) explain that different goals, intentions for autonomy (wanting to be independent), and competition for scarce resources are causes of latent conflict in the institution. Organisational culture plays a significant role in reducing/ resolving conflict creates a sense of identity and uniqueness within each institution. Alkaya and YIRIK (2014:48) assert that organisational culture results in common beliefs, life and expectation patterns in the institution that determine norms that shape individual and group behaviours. According to Sinnaiah, Adam and Mahadi. (2023:1028), conflict is an inevitable part of the organisation since the goals of managers and employees are often incompatible and thus impact the performance of the institution.
- (b) **Grievances:** A grievance is regarded as a feeling of discontent, unfairness or injustice which an employee may have in respect of his work conditions, against his manager or supervisor, including a fellow worker and which is brought to the attention of management (Phala, 2020). The Public Service Coordinating Bargaining Council (2002:4) refers to a grievance as a dissatisfaction related to an official act or omission by the employer which adversely affects an employee in the employment relationship excluding an alleged unfair dismissal. The Public Service Coordinating Bargaining Council (2002:4) reflects that an employee may not be victimised or prejudiced, directly or indirectly, as a result of lodging a grievance and that all grievances must be resolved in a fair, impartial and unbiased manner following the rules of natural justice. It is unethical to victimise or prejudice employees for lodging grievances and for resolving lodged grievances in an unfair, partial and biased manner. Grievances that are unresolved or unfairly resolved might lead to increased disputes that may require dispute resolution bodies for intervention. On the other hand, dispute resolution might be regarded as a measure to resort to when dealing with unethical actions related to unfair labour practices that may have started as grievances.

#### 3.5.7.4 Trade union

Section 23(2)(a) and (b) of the Constitution (RSA, 1996:9) provides that every employee has the right to form a trade union and to participate in the activities and programmes of a trade union. This section is qualified by the right to freedom of association that is entrenched in section 18 of the Constitution. However, the Labour Relations Act 66 of 1995 (RSA,1995:112) provides that trade unions must be registered with the Registrar before assuming their duties.

Trade unions in South Africa are presumably established and registered to serve and protect the interests of their members through bargaining with employer representatives (Unison, 2023). One of the responsibilities of trade unions is to ensure that the rules of natural justice are adhered to while representing employees in disciplinary hearings and grievances. It is important that employees are made aware of existing rules because the GDE may charge them with misconduct if they are non-compliant with the rules. Trade unions in South Africa are important stakeholders in society and represent employees at workplaces. It should also be added that, in terms of section 13 of the Labour Relations Act 66 of 1995 (1995:27), members of trade unions should authorise employers (not only in the public service) the deduction of subscriptions or levies payable to trade union from their salary.

Common labour relations challenges related to trade unions include, among others, the following:

- (a) **Favouritism:** Asorwoe and Klutse (2016:505) explain favouritism is a corrupt act where public resources are distributed by public servants without considering public interest. Favouritism is concerned with offering favours to family members, friends and to those who belong to the same political. It may be argued that the ANC, in alliance with COSATU, may have its ministers and members of executive committee (MECs) favouring activities and negotiations with COSATU-affiliated unions in the public service.
- (b) **Prevent other employees to join trade unions of own choice:** In terms of the Employment of Educators Act 76 of 1998, section 18(1)(v) (RSA,1998:323), an educator commits misconduct if he/she prevents other employees from exercising their rights to freely associate with trade unions in terms of any labour legislation.



The PSCBC (2003:9) also provides that any public servant who prevents other public servants from belonging to a trade union is guilty of misconduct. It remains necessary to ascertain how public servants may prevent others from associating with a trade union of own choice. However, it may be concluded that any action by public servants that may be viewed as a hindrance to others from belonging to trade unions may be regarded to be unethical.

- (c) **Refusing leave for union activities:** The Labour Relations Act 66 of 1995 declares in section 15 that an employee who is an office-bearer of a trade union is entitled to leave during working hours to perform trade union functions (RSA, 1995:29). Refusing an employee who is an office-bearer to take leave during working hours to perform trade union functions without valid reasons might be regarded as being unfair.

#### *3.5.7.5 Collective bargaining and Strike action*

Deas (2015:160-161) explains that the collective dimension in the labour relationship is based on a collective agreement that is the result of collective bargaining between parties representing a group interest. The collective dimension in labour relations creates a bargaining relationship and bargaining process commences thereafter. South Africa has different bargaining structures, including different bargaining councils, statutory councils and the NEDLAC.

The powers and functions of the bargaining council are, in terms of section 28 of the Labour Relations Act 66 of 1995 (1995:43-44), among others, to:

- (a) conclude collective agreements;
- (b) enforce collective agreements that they have concluded;
- (c) prevent and resolve labour disputes;
- (d) determine by collective agreement the matters which may not be an issue in dispute for the purposes of strike or a lock out at the workplace; and
- (e) develop proposals for submission to NEDLAC or any other appropriate forum on policy and legislation that may affect the sector and area.

Collective bargaining and dispute resolution in the South African public service are formalised processes that resolve disputes between the employer and trade union organisations. According to the PHSDSBC (2023:2), the PHSDSBC, SSSBC,

GPSSBC, ELRC and the PSCBC have been established to perform dispute resolution functions through conciliation, arbitration and bargaining in the public service. Kola (2016:31-32) declares that the PSCBC and the Sector Councils designated by the PSCBC (such as SSSBC, ELRC, PHSDSBC, and GPSSBC) are independent forums which are not government structures.

In terms of section 64 (1) of the Labour Relations Act 66 of 1995 (1995:83), every public servant has the right to take part in a strike action on the provision of certain requirements being met. For instance, it is required that a certificate that the dispute remains unresolved should be served to the employer seven days prior to the actual strike. Further, section 65 permits public servants to take part in strike actions unless the person is bound by the collective agreement that prohibits striking in respect of the issue in dispute. Other prohibitions include being bound by an agreement that requires the issue in dispute to be referred to arbitration or labour court. A person who is engaged in essential services and/or maintenance services is prohibited from partaking in strike action. South African public service employees seldom resort to strike actions whilst the state intervenes by making laws to prohibit employees to participate in strike action.

Common ethical challenges related to this perspective include, among others, the following:

- (a) **Unprotected strike action:** To understand what unprotected strike entails, it is important to establish what is protected strike is. It was found in the case of *Equity Aviation versus SATAWU (478/09) [2011] ZASCA 232* that a strike is protected if it complies with section 64 of the Relations Act (2011:3). It was further accepted in the case of the *City of Johannesburg Metropolitan Municipality versus SAMWU (J1935/09) [2009] ZALC 103* that before a protected strike a dispute of interest must have remained unresolved (RSA, 2009:18). Section 64(1)(a) of the Labour Relations Act 66 of 1995 directs that there must be a certificate that a dispute must have been referred to the bargaining council or CCMA and remained unresolved (RSA, 1995:89). Section 64(1)(a) also indicates that a dispute may also remain unresolved after the lapse of 30 days or any extension of that period. A firm position may be taken by public

servants to serve the employer with a notice of intention to strike seven days prior the actual strike and then may partake in a strike action (RSA, 1995:89).

- (b) **Violence during strike action:** Lancaster (2018:29) explains that strikes continue to be disruptive and violent in South Africa. Disruptive and violent strikes yield more successful results than peaceful protest action. But violent strike actions are unethical because, according to De Wet (2014), they involve assaults and intimidation. Section 12(1)(c) of the Constitution provides that everyone has the right and freedom from all forms of violence from either public or private sources (RSA, 1996:6).

The following were observed with reference to South African perspectives on labour relations:

- To strike is a right formalised in terms of the law;
- There are structures in different sectors (decentralised) within the public service that are established for collective bargaining purposes;
- There are many trade unions with rights conferred to them to practice in the public organisations; and
- Conflict is natural as there are separated powers among parties to labour relations in the public service.

### **3.5.8 Differentiating the perspectives on labour relations in the global arena**

The varying perspectives on labour relations in the global arena is reflected in Table 3.3 with a brief analytical discussion that depicts labour relations on the selected countries (Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia, and South Africa).

**Table 3.3: Comparison perspectives on labour relations**

2018 Ranks	Country	Regions	Perceptions on labour relations in brief
1	Denmark	Western Europe and EU	<p>The government's intention is to engender a society of equal opportunities on income distribution, education and health. The government's goals and values are to improve efficiency and productivity through collective performance towards realising the wellbeing of the society. Public servants have the right to form or join trade unions and to participate in trade union's activities. However, trade unions are somehow marginalised. There is no autonomy in bargaining processes and collective agreements because bargaining and negotiations are decentralised.</p> <p>Denmark may be regarded as a societal corporatist state.</p>
2	New Zealand	Asia and Pacific	<p>The government focuses on the wellbeing of the society. Their national budget is also called a wellbeing budget and it singles out the five wellbeing priorities. They are:</p> <ul style="list-style-type: none"> <li>(i) creating sustainability for small businesses and low emission economy;</li> <li>(ii) supporting its people through innovation, social and economic opportunities;</li> <li>(iii) increase incomes and skills levels;</li> <li>(iv) reduce child poverty and prohibit family violence; and</li> <li>(v) support mental wellbeing on under 24-year-olds.</li> </ul> <p>The goal is to achieve wellbeing priorities. They believe that realising wellbeing is to create happiness which is a significant factor in human behaviour and performance. The intention is to realise harmony, prosperity, and morality in relationships. They also have international relations with many countries with the aim of learning from them and them learning from New Zealand. There are legislations created to facilitate conflict resolution. Employees have the choice to belong to trade unions. Bargaining is based on good faith and fairness. No party may opt out of the bargaining process without valid reasons. Employees have the right to strike but they may be suspended for doing so. The no work no pay rule is implemented against those who partake in a strike.</p> <p>New Zealand may be regarded as a societal corporatist state.</p>
9	Canada	Americas	<p>There is private ownership of capital. Public service delivery is made possible through public-private partnerships. The government is concerned with maintaining the conditions of the market for ensuring macroeconomic stability. Employees require better pay and conditions of employment. Professionalism and non-partisanship are required to look after the interests of the government. There are people from different countries which creates diversity based on language, cultures and nationalities. This tends to develop into a conflict. There are austerities, privatisation, marketisation, and public-private partnership that are perilous to trade unionism, collective bargaining and strikes.</p> <p>Canada may be regarded as the mixed economy of capitalism and state corporatism.</p>
23	United Arab Emirates	Middle East and Northern Africa	<p>Their economy focuses on creating the wellbeing of the people in the country. There is also a lot of privatisations on capital projects. There is a need to realise equality, social justice, safety and security, and equal opportunities. Most employees are from India, Pakistan, Philippines, Australia and the United States of</p>

2018 Ranks	Country	Regions	Perceptions on labour relations in brief
			America. The diverse workforce as a result of different language and culture is likely to cause a conflict. Further, conflict may arise if locals are not considered for employment. The right and freedom of association is confirmed in legislation. Employees who partake in a strike action may be put to detention. The United Arab Emirates may be regarded as the social corporatist state.
28	Seychelles	Sub-Saharan Africa	<p>The economy of Seychelles is service oriented hence their public service remains the largest employer. The government is involved in controlling inflation and the exchange rates thus protecting the interests of the people of Seychelles. The government's main goal is to keep inflation low below 3.0%. Only 2% of the employees in the entire economy are union members. The right to establish or belong to trade union is prohibited if its intention is to disturb the public order, disturb the protection of health and morals. Discrimination based on one or more grounds of gender, sexual orientation, trade union affiliation, language, or religion, among others is prohibited. Collective bargaining is limited because the legislative power on labour relations issues is vested in the Parliament. Peaceful demonstrations are supported, and violence is not permitted during strike action.</p> <p>Seychelles may be regarded as a state corporatist.</p>
41	Georgia	Eastern Europe and Central Asia	<p>The economy is based on consumption and economic growth hence it is said it is market driven. The market produces and sells what can be consumed by the people. The entire country has a common goal of fighting against crime. There is a shared goal by the state, employers, and employees to boost family income towards national prosperity. Trade unions independently represent the interests of the employees. The government further intends to improve the conditions of employment and to regulate labour relations. Good faith is required in collective bargaining processes. Information regarding the dispute of interest that is bargained for may be accessed or exchanged by parties, unless such information is not confidential.</p> <p>Georgia may be regarded as the pluralist state.</p>
73	South Africa	Sub-Saharan Africa	<p>South Africa is faced with the triple challenges of poverty, unemployment and inequality. The economy is about poverty alleviation, employment creation and equal opportunities. The goal is to promote fair labour practices which must be respected, protected, promoted and fulfilled. To avoid conflicts, it is advisable that parties must rely on consensus interaction rather than adversarial. Conflicts may be created because of the separation of powers whilst parties are equal partners who are interdependent. There is a freedom of association and public service in South Africa boosts with many trade unions than in any other sector. However, trade unions without threshold majority of membership will not enjoy certain freedoms such as collective bargaining. Collective bargaining is decentralised and based on sectoral relations.</p> <p>South Africa may be regarded as the pluralist state.</p>

**Source:** Author's own compilation

### **3.5.9 Lessons for South Africa**

It is observed that South Africa is different from the other selected countries in terms of its perceptions on labour relations. Further, there are certain perceptions that are similar between South Africa and each of the selected country. It might, therefore, be argued that South Africa may glean some lessons from the selected countries. The following lessons may learn from selected countries and others are already being implemented.

#### **(a) Lessons from Denmark**

The government's intention is to engender a society on equal opportunities on income distribution, education and health. The government's goals and values are to improve efficiency and productivity through collective performance towards realising the wellbeing of society. Public servants have the right to form or join trade unions and to participate in trade union's activities. However, trade unions are somehow marginalised. There is no autonomy in bargaining processes and collective agreements because bargaining and negotiations are decentralised.

#### **(b) Lessons from New Zealand**

The government of New Zealand is focusing on the wellbeing of the society. Their national budget is also called a wellbeing budget and it singles out the five wellbeing priorities. They are:

- creating sustainability on small businesses and low emission economy;
- supporting its people through innovation, social and economic opportunities;
- increase incomes and skills levels;
- reduce child poverty and prohibit family violence; and
- support mental wellbeing on under 24-year olds.

The goal is to achieve wellbeing priorities. They believe that realising wellbeing is to create happiness which is a significant factor in human behaviour and performance. The intention is to realise harmony, prosperity and morality in relationships. They also have international relations with many countries with the aim of learning from them and them learning from New Zealand. There are legislations created to facilitate conflict resolution. Employees have the choice to belong to trade unions. Bargaining

is based on good faith and fairness. No party may opt out of the bargaining process without valid reasons. Employees have the right to strike but they may be suspended for doing so. The no work no pay rule is implemented against those who partake in a strike. New Zealand may be regarded as a societal corporatist state.

**(c) Canada**

Canada encourages private ownership of capital. Canada further encourages public-private partnerships in public service delivery projects. The government of Canada is concerned with maintaining the conditions of the market for ensuring macroeconomic stability. Employees are provided with better pay and conditions of employment. Professionalism and non-partisanship are required to look after the interests of the government. There are people from different countries which creates diversity based on language, cultures and nationalities. This tends to develop into a conflict. There are austerities, privatisation, marketisation and public-private partnership that are perilous to trade unionism, collective bargaining and strikes. Canada may be regarded as the mixed economy of capitalism and state corporatism.

**(d) UAE**

Their economy focuses on enhancing social wellbeing of the people in the country. Capital projects are often privatised. Because most employees are from India, Pakistan, Philippines, Australia, and the United States of America, there is a need to realise equality, social justice, safety and security and equal opportunities. The diverse workforce because of different language and culture is likely to cause a conflict. Further, conflict may arise if locals are not considered for employment. The right and freedom of association is confirmed in legislation. Employees who partake in a strike action may be put to detention. The United Arab Emirates may be regarded as the social corporatist state.

**(e) Seychelles**

The Seychelles economy is service oriented hence their public service remains the largest employer. The government controls the inflation and exchange rates as a means to protect the interests of the people of Seychelles. The government's main goal is to keep inflation low below 3.0%. Only 2% of the employees in the entire economy are union members. The right to establish or belong to a trade union is

prohibited if its intention is to disturb the public order, disturb the protection of health and morals. Discrimination based on one or more grounds of gender, sexual orientation, trade union affiliation, language or religion, among others, is prohibited. Collective bargaining is limited because the legislative power on labour relations issues is vested in the parliament. Peaceful demonstrations are supported, and violence is prohibited during strike action. Seychelles may be regarded as a state corporatist.

**(f) Georgia**

The economy of Georgia is based on consumption and economic growth; hence, it is said to be market driven. The market produces and sells what people consume. The entire country has the common goal of fighting crime. The shared goal of the state, employers and employees is to boost family income towards national prosperity. Trade unions independently represent the interests of employees. The government of Georgia further intends to improve the conditions of employment and regulate labour relations. Good faith is required in collective bargaining processes. Information regarding the dispute of interest that is bargained for may be accessed or exchanged by parties, unless such information is confidential. Georgia may be regarded as the pluralist state.

### **3.6 CONCLUSION**

This chapter provided definitions of labour relations tracing its origins back to the industrial revolution. The explicit character of different role players in labour relations was identified. Evidently, labour relations in South Africa are no longer explored entirely in the context of tripartite system where only the employer, employees and state interact, but as a pentagonal system. Customers and competitors have become important role players in the labour relationship system, adding to the already existing relationship of state, employees and employer. Customers and competitors emanate from outside the GDE and actively participate in policy making.

This chapter also explored the three main theories on labour relations to gain a better understanding of labour relations. Corporatist theories of societal corporatism and state corporatism were also discussed. Perceptions of labour relations were discussed to determine the theories on labour relations held by the selected countries. It was



realised that South Africa follows pluralist ideologies. Labour relations must, therefore, be accepted as a universal phenomenon that is influenced by transnational factors within the social, economic and political environments. Labour relations at the GDE are reflected in government legislation that restores relationships and best business practices. Chapter 2 expressed that the GDE is required by law to promote professional ethics. In this chapter, a clear position was arrived at that professional ethics ought to be promoted within the labour relations system at the GDE. Therefore, the study to determine the perceptions of professional ethics in labour relations at the GDE is crucial to establish if there is promotion and maintenance of professional ethics that lessens grievances and disciplinary cases at the GDE.

The following chapter outlines the research design and methodology.

## **CHAPTER 4: RESEARCH METHODOLOGY**

### **4.1 INTRODUCTION**

Chapters 2 and 3 reviewed literature on the perspectives of public servants regarding professional ethics and labour relations at the GDE. Chapter 2 presented a critical review of professional ethics in the global and local arena with distinct focus on specific perceptions or frames of reference on labour relations whilst chapter 3 provided a theoretical background on the practice of labour relations globally and at the GDE. Chapter 4 builds on, and summarising, the reviewed literature in chapters 2 and 3 by integrating and summarising the study's research design and research methodology.

Chapter 4 conceptualises the term “research” and explains the research design and methodology. The research design is described and the research methodology is explained by determining the population, sampling methodology, data collection procedures, the population sample, the development of the measuring instrument as well as data processing and analysis methods. The validity and reliability aspects pertaining to the questionnaire are discussed. The limitations of the study are described whilst ethical issues are also outlined. This chapter ends with a conclusion.

### **4.2 RESEARCH DESIGN**

Abutabenjeh and Jaradat (2018:237) argue that the research design is selected after the research topic and questions are identified. Research design is regarded by Mukherjee (2017:56) as a plan for research which answers the when, what, how much and where questions. In this study, research design is regarded as a plan that outlines the procedures for collecting, analysing, interpreting and reporting data.

In outlining the research design, it is necessary to start by explaining what research entails including the different types of research.

#### **4.2.1 Research defined**

Davis (2022) indicates that Socrates (469-399 BC) postulates that the unexamined life is not worth living for a human being. In addition, Miceli (2022) asserts that Rene Descartes (1596–1650) posits that human beings perceive life through the activities

of their minds. Kabir (2016:202), suggests that human beings are able to answer questions through gathering of logical information and measuring information on variables of interest in an established systematic fashion.

Leedy and Ormrod (2015:38) point out that research contributes to a body of science, and that it follows the scientific method which means “the method that searches after knowledge”. They suggest that a scientific method is an approach in which a researcher identifies a research problem that defines the goal of one’s quest and posits a hypothesis that, if confirmed, resolves the problem (Leedy & Ormrod, 2015:38). Parveen and Showkat (2017:2) define research as “a process of investigation leading to new insights, effectively shared”. Daniel (2016:91) extends that research includes reasoning, interest, critical thinking, experience and expertise when discovering the truth and solutions through investigation and analysis. Leedy and Ormrod (2015:48) claim that research is an investigation that is systematically intended to uncover and establish facts that are already known and believed about the researcher’s topic of interest.

In this study, research is considered as the systematic collection and analysis of data using a specific method that is appropriate to address the aim of the study. It may be construed that research is dictated by the human desire to acquire knowledge of the unknown. This may prompt the researcher to collect data about past experiences and theory and to determine whether the past experiences and theory are relevant today. Therefore, research requires clarity on the type of tools and procedures necessary to analyse data so as to achieve the envisaged results. Once the data is analysed, the researcher generates findings which may trigger arguments and further study opportunities.

The next section outlines the purpose of the research.

#### **4.2.2 Purpose of the research**

The research objectives and questions were described in chapter 1 and which are:

The secondary research objectives are:

- To investigate the impact of unethical behaviour on the effectiveness of the GDE.
- To examine whether the measures instituted by the GDE are effective in promoting ethical behaviour.
- To explore whether ethics enhances the professionalism of employees at the GDE.
- To determine whether sound labour relations exist at the GDE.

The secondary research questions are:

- What are the causes of unethical behaviour at the GDE?
- Which measures are in place to promote ethical behaviour at the GDE?
- Do ethics enhance employees' professionalism at the GDE?
- Are sound labour relations practiced at the GDE?

However, based on the problem statement, research objectives and questions, the current measures at the GDE are insufficient to curb unethical behaviour and to positively influence the employees' behaviour and conduct. Therefore, the purpose of the research is to examine whether the measures are effective in promoting ethical behaviour and explore whether ethics enhances professionalism and sound labour relations at the GDE.

In realising the purpose of the research, Roubtsova (2015:5) maintains that there are different research approaches, which are briefly discussed below.

### **4.2.3 Research approaches**

According to Ranjit (2019:16), there are three main methodological approaches to research. The approaches are discussed to determine whether this research follows an inductive or deductive approach:

#### *4.2.3.1 Quantitative research approach*

According to Leedy and Ormrod (2015:98-99), quantitative research, collects and analyses numerical data. Quantitative research is followed to objectively measure the variables of the study (Leedy and Ormrod, 2015). Mohajan (2018:21) indicates that quantitative research "is used to understand any social phenomenon from the perspective of the actors involved, rather than explaining it from the outside".

Moreover, quantitative research “helps to understand complex phenomena that are difficult or impossible to capture quantitative research” (Mohajan, 2018:21).

It may be rational that, through quantitative research, the researcher collects data and then confirms or disconfirms the results. The researcher ought to generate an instrument for collecting data which may be analysed to test the theory, research questions and to measure or observe the research variables. In constructing a brief discussion of what entails the quantitative research approach, it becomes necessary to describe qualitative research approach.

#### *4.2.3.2 Qualitative research approach*

Langos (2014:1) explains that the use of qualitative research is most suitable for small samples, because unlike quantitative research, its outcomes are not measurable and quantifiable. Rahman (2017:102) maintains that qualitative research produces findings not derived from statistical quantification but rather life and its experiences, behaviours and organisational functioning, social movements, cultural phenomena and interactions between nations. Ranjit (2019:16) explains that qualitative research explores diversity and emphasises the descriptions and narrations of the findings. Qualitative research communicates findings in a descriptive manner with little or no generalisation.

#### *4.2.3.3 Mixed research approach*

Shorten and Smith (2017:74) explain mixed method as a research approach that collects and analyses both quantitative and qualitative data within the same study. Manjengwa (2020) argues that the basic premise of the mixed methods research approach is that it permits the integration of qualitative and quantitative methods to be complete and synergistic. Furthermore, the integration of quantitative and qualitative methods has great potential to strengthen rigor and enrich the analysis of data and the findings.

This study will follow a quantitative research approach because it focuses on collecting data relating to the perceptions from the employees at the GDE on the promotion and maintenance of professional ethics related to labour relations. The collection of data

will be through a questionnaire as a survey instrument. Ponto (2015:168) admits that survey research where questionnaires are used to collect data follow quantitative research strategies. After identifying the research approach for this study, it is important to align it to the research design. Different research designs are, therefore, briefly described below.

#### **4.2.4 Types of research designs**

Pandey and Pandey (2015:11) confirm three types of research designs which are exploratory, descriptive and explanatory in nature. Akhtar (2016:73) asserts that the explanatory research design may also be regarded as an experimental research design. These types of research design are briefly discussed below.

##### *4.2.4.1 Exploratory research design*

Exploratory research is the initial research into a hypothetical or theoretical idea which concerned with exploring the research questions that have not previously been studied in depth (Barcik, 2016). Rahi (2017:2) explains that exploratory research is undertaken to seek new insights and determine what is happening. Exploratory research is about asking questions and assessing phenomena (usually adopted in early stages of research) to generate new and clear ideas. It is further mentioned that, in exploration research, researchers are fueled by curiosity to find clues and venture into new territories in search of information (Pratap, 2019).

Exploratory research is not intended to arrive at final and conclusive solutions to existing problems. Exploratory research, in this study, is applied to generate new ideas that are theoretical and may require further assessment or testing in future studies. In exploring new ideas or theory related to the study, it is necessary to assume that certain elements of the study ought to be described. Therefore, it is crucial to explain what descriptive research entails.

##### *4.2.4.2 Descriptive research design*

Sirisilla (2023) explains that descriptive research is about providing adequate information about primary research process for interested parties to understand what has been collected and why was it collected. Leissa (2018:98) further argues that

descriptive research is more suitable for a relatively new or unexplored research area rather than explaining why an event has occurred. Nassaji (2015:129) concurs that descriptive research is concerned with “what” rather than “how” and “why” something has happened. Descriptive research is appropriate when there is a paucity of knowledge about the topic or problem and when the research aims to determine characteristics, frequencies, trends, correlations and categories (McCombes, 2019). In determining the characteristics, frequencies, trends, correlations and categories, the researcher ought to explain “what”, “where”, “when” or “how” something happened. As such, a questionnaire was appropriate to collect data for this purpose.

Since research may be pursued to expose why something happened, explanatory research is explained next.

#### *4.2.4.3 Explanatory research design*

Explanatory research is regarded as a research method that investigates why something occurs when limited information is available (George and Merkus, 2023). Explanatory research determines the causes and effects by investigating patterns and trends in existing data that have not been investigated before. Fagerholm, Kuhrmann and Münch (2017:8) define explanatory research as an “empirical inquiry that manipulates one factor or variable of the studied setting”. Explanatory research is conducted to test theories and conventional wisdom, and to explore relationships.

Any type of research may be conducted independently but all three combined may inspire boundless research with great interpretation, intuition and insight of the issues under research. However, this study was conducted using a descriptive research. Creswell and Creswell (2018:56) reason that the quantitative research approach is aligned to the deductive research design because it confirms and validates theory.

Chapters 2 and 3 openly espoused philosophical ideas that guided the choice of a research approach for this study. There is no doubt that the philosophical ideas held in this study led to embracing a strong quantitative approach. It is important to identify the philosophical worldview that is aligned to quantitative research approach.

In doing so, different philosophical worldviews are explained below.

#### **4.2.5 Philosophical worldview**

It may be necessary to define the word “philosophy” before determining the nature of philosophical assumptions. According to the Collins Online Dictionary (2023), “philosophy is the study or creation of theories about basic things such as the nature of existence, knowledge and thought, or about how people should live”. Melnikovas (2018:34) extends that any research is based on its philosophy which forms the foundation of the research by delineation of ontology, epistemology and axiology. In this study, it will be indicated why the selected research philosophy was adopted.

Creswell and Creswell (2018:5) indicate that philosophical worldviews reflect the beliefs that guide the action. They further view philosophical worldviews as a general philosophy that is aligned to the world and nature of research that a researcher brings to the study. Kaushik and Walsh (2019:1) concur that philosophical worldviews describe the researcher’s thoughts and how they make sense in the complex real world. Kaushik and Walsh (2019:1) suggest that philosophical worldviews may be regarded as tools to consider when solving research problems. Leedy and Ormrod (2015:25) concur that the different philosophical worldviews are there to point researchers in somewhat different directions in their quests to make sense of the physical, social and psychological worlds.

Kivunja and Kuyini (2017:30) specify the four different philosophical worldviews as positivist, interpretivist, critical paradigms and pragmatism. These philosophical worldviews are briefly explained next.

##### *4.2.5.1 Positivist philosophical worldview*

In 1845, Comte (1875:xvii) introduced the doctrine of positivism as the basis for knowledge and thought that ought to depend on the scientific method. It is, therefore, argued that positivists do not derive conclusions from a subjective approach and do not let feelings and emotions cloud their judgment (Johnson, 2014). Park, Konge and Artino (2020:692) mention that positivist researchers rely heavily on objectivity and detach themselves from individuals’ subjective experiences and values to remain emotionally neutral and clear distinctions between reason and feeling.



It may be resolved that the involvement of respondents will forever be resolute under the positivist worldview whilst Corry, Porter and McKenna (2018:3) express that real knowledge is based on observed facts. Positivist researchers carefully test the research theory to ultimately respond to research questions whilst realising research objectives. Creswell and Creswell (2018:7) further allude that positivist researchers not only test but also verify and refine theory. In positivist studies, researchers are required to develop a research instrument to be used for collecting data that will either support or refute theory.

#### *4.2.5.2 Interpretivist-constructivist philosophical worldview*

Whilst Kivunja and Kuyini (2017:30) refer to this philosophical worldview as interpretivist, Creswell and Creswell (2018:7) refer to it as the constructivist philosophical worldview. The constructivist idea was introduced by Mannheim (1936:27) who argued that the term “ideology” ought to be broadened to present a gradual development towards critical analysis of thought processes. Mannheim (1936:28) further explains that ideology ought to be traced within social arrangements that are interest-bound in society.

Leedy and Ormrod (2015:26) indicate that constructivist researchers are not only biased in their research but also attempt to acknowledge these biases. Constructivist researchers focus their inquiries on respondents’ perceptions and interpretations of various phenomena, including their behaviours, group processes and cultural practices. On the other hand, van der Waldt (2020:65) relates that constructivist researchers often construct their own understanding and knowledge of the world based on their experiences and reflections on those experiences. Leedy and Ormrod (2015:26) reiterate that constructivist researchers construct or interpret the research findings by considering their historical and social arrangements shaped by their own experiences and background.

Selecting facts based on biases can lead to ambiguous research reports. Ambiguous research reports may generate theory rather than verify or test it. Any theory generated throughout the study of this nature may trigger further research on the same study or a new study.

#### 4.2.5.3 *Critical paradigms worldview*

Whilst Kivunja and Kuyini (2017:30) refer to this philosophical worldview as a critical paradigm other scholars such as Creswell and Creswell (2018:9) refer to it as a transformative philosophical worldview. Transformative researchers (Fay, 1987 cited in Watts and Hodgson, 2019:98) are bound to generate critical theories that are typically political and ideological. Transformative researchers often have a vision (a sense) of how things could be as well as descriptions of how things are and they propose ideas about what needs to happen for desired change to occur. Heron and Reason (1997:4) indicate that for any desired change to occur, the transformative researcher ought to use his/her own rationale and be considerate of the world's arrangements. Transformative philosophical worldviews guide researchers in bringing about change and justice related to inequalities and suppressions.

Govender (2016:237) acknowledges that justice pertaining to inequalities and subjugation is a social subject and it may be assumed that any research on a social subject ought to be characterised by participation and cooperation. Therefore, Omodan (2020:14) explains that transformative research aims to bring about social change based on the belief that knowledge is power and that by producing and disseminating knowledge, society can be transformed for the better. The transformative philosophical worldview is, according to Omodan (2020:14), intended to assist those individuals who have been relegated to societal margins to voice their grievances and recommend solutions through research.

Transformative philosophical worldviews are relevant if the world seeks to identify a changed environment from the increased rate of gender-based violence and child abuse. It ought to be reasoned that change may also be argued in a real-world environment where researchers have a choice to follow research techniques and procedures that best suit their needs and purpose. Researchers may be regarded as being pragmatic if they do not follow fixed theories, ideas or rules but sensible techniques and procedures that best suit their needs and purpose.

#### 4.2.5.4 Pragmatism philosophical worldview

Kivunja and Kuyini (2017:30) as well as Kaushik and Walsh (2019:2) indicate that pragmatism acknowledges that the focus of the study is based on the consequences and research questions rather than the methods. Kivunja and Kuyini (2017:30) attest that pragmatism originated in the late 19th century through what was called the philosophical movement of pragmatism which was fundamentally based on the rejection of a notion where research can access reality solely by using a single scientific method.

Table 4.1 specifies the research approach that was followed and how it was used in this study.

**Table 4.1: Research approach used in this study**

Design	Used in this study
Philosophical worldview	Positivist knowledge claims
Research design	Non-experimental design
Research approach	Deductive
Approach to enquiry	Structured/ rigid/ close-ended questions, numeric data and open-ended questions using questionnaire
Nature	Quantitative and Qualitative

**Source:** Creswell and Creswell (2018:12,18)

#### 4.2.6 Target Population

Marwat, Zia-ul-Islam and Khattak (2016:288) refer to the population as “an aggregate or totality of all the objects, subjects or members that conform to a set of specifications”. The public servants at the GDE were appointed in terms of the Public Service Act 103 of 1994 and Employment of Educators Act 76 of 1998. By February 2020, the GDE employed 1 677 public servants (on permanent, temporary and probation terms) at the head office. The number of appointed public servants at the head office may be represented by a sampled number of public servants. Sample and sampling method are discussed next.

#### 4.2.7 Sample and sampling method

Taherdoost (2016:18) enlightens that a researcher applies sampling techniques to reduce the number of cases because of time or resource limitations to analysis the entire population. The sampling process is simplified if, in the first instance, a target population has been defined. Therefore, the population related to this study included permanent, temporary and probationary employees (referred to as public officials) at the GDE head office. Based on the determined population, convenience sampling was most suitable for this study. Ilker, Sulaiman and Rukayya (2016:2) explain convenience sampling as a type of non-probability or non-random sampling where members of the target population are easily accessible at a given time to participate in the study. Table 4.2 illustrates the study requirements for sample size.

**Table 4.2: Sample size based on the desired accuracy**

Population size	Variance of the population P=50%					
	Confidence level = 95%			Confidence level = 99%		
	Margin of error			Margin of error		
	5	3	1	5	3	1
50	44	48	50	46	49	50
70	63	70	75	67	72	75
100	79	91	99	87	95	99
150	108	132	148	122	139	149
200	132	168	196	154	180	198
250	151	203	244	181	220	246
300	168	234	291	206	258	295
400	196	291	384	249	328	391
500	217	340	475	285	393	485
600	234	384	565	314	452	579
700	248	423	652	340	507	672
800	260	457	738	362	557	763
1 000	278	516	906	398	647	943
1 500	306	624	1 297	459	825	1375
2 000	322	696	1 655	497	957	1784
3 000	341	787	2 286	541	1 138	2 539
5 000	357	879	3 288	583	1 342	3 838
10 000	370	964	4 899	620	1 550	6 228

25 000	378	1 023	6 939	643	1 709	9 944
50 000	381	1 045	8 057	652	1 770	12 413
100 000	383	1 056	8 762	656	1 802	14 172
250 000	384	1 063	9 249	659	1 821	15 489
500 000	384	1 065	9 423	660	1 828	15 984
1 000 000	384	1 066	9 513	660	1 831	16 244

**Source:** Adapted from Taherdoost (2017:238)

Taherdoost (2017:238) introduced the contents of Table 4.2 as a usable presentation of sample size that is necessary for given combinations of precision, confidence levels and a population percentage or variability of 50%. According to this table, the minimum sample appropriate for a population of 1 677 is 313 respondents from the public servants at the GDE head office. However, a sample size of 313 would not be achievable if there was no viable strategy for distributing questionnaires and collecting data at the GDE head office. At the time of the study, during the COVID-19 pandemic, the viable strategy for distributing questionnaires and collecting data considered the set protocols to avoid further spread of the virus. The strategy for distributing questionnaires and collecting data is explicated below.

#### **4.2.8 Data collection**

A questionnaire consisting of a series of questions and other prompts was utilised as the only source of collecting data from respondents. A questionnaire, according to Young in Hua (2016:168), is a text-based instrument that requires respondents to respond to a series of questions or statements by either indicating a response on paper or online. In this study, the questionnaire was distributed online. This online approach was decided on in line with COVID-19 protocols.

In making sure that the online questionnaire reached respondents, the following strategy was applied:

- The online questionnaire was created using a LimeSurvey® account;
- A link to the online questionnaire was created and distributed to the respondents by email.
- The link was also distributed to trade union officials at the GDE by email. The trade union officials then shared the link with their members for their response.

These trade unions included the South African Democratic Teachers Union (SADTU), National Education, Health, and Allied Workers Union (NEHAWU), and Public Service Association (PSA);

- Follow-up requests were made with respondents and trade union officials at the GDE;
- The respondents were given a choice to consent to participating in the survey by selecting yes or no on the consent screen;
- The respondents could navigate to the previous screen by selecting the previous button. This was initiated to enable the respondents to make changes to their responses or to re-read instructions in the previous screen;
- The respondents were required to submit questionnaires digitally by selecting the submit button after completing the survey; and
- All submitted questionnaires are digitally kept in the LimeSurvey® account and shall be kept for a period of five years.

### **4.3 RESEARCH METHODOLOGY**

Mouton (2014:56) indicates that the research design clarifies the type of study and its envisaged results whereas the research methodology explains the type of tools and procedures used to arrive at the envisaged results. To describe the research methodology related to this study, the following underlying issues are explained.

#### **4.3.1 Research strategy and instrument**

The research strategy employed a survey making use of a digital questionnaire. In complying with the COVID-19 regulations on social distancing, questionnaires were distributed by email. The respondents were required to respond to the questionnaire online via email. After completing the questionnaire, the respondents were required to submit the questionnaire to the LimeSurvey® account. The following features detail the research strategy and instrument:

##### *4.3.1.1 Strengths and weaknesses*

The study utilised a questionnaire as a tool for collecting data. The questionnaire presented the instructions, consent form, statements (questions), and a space for responses. All statements (questions) were closed-ended requiring respondents to

tick on the relevant/appropriate block. There are, therefore, noticeable strengths and weaknesses that are observed for utilising an electronic questionnaire, as illustrated in Table 4.3 below:

**Table 4.3: Strengths and weaknesses of using digital questionnaire**

Strengths	Weaknesses
Distributing the digital questionnaire was impactful in that many respondents were reached at a lower cost.	Some respondents did not have access to computer services.
Many respondents may not respond if the questionnaire was delivered to them in person because of the fear of the spread of COVID-19. Digital questionnaires would help reach those who were not going to risk touching a hard copy of a questionnaire.	It was difficult to identify who responded and who did not respond. It was, therefore, difficult to follow-up with respondents who were not responding.
The GDE head office has four separate offices which are geographically dispersed. The use of digital questionnaire made it easy to reach respondents even when they were in separate offices.	There was little control over who completed the questionnaire. It took four months to reach the sample size.
Data derived from digital questionnaires was automatically captured. The services of a data capturer were not required which reduced the costs.	Survey development was done by a specialist who had access on LimeSurvey®. This came with a cost.
Follow-up reminders were sent to respondents to increase the response rate	The response rate did not improve.

**Source:** Author's own compilation

It ought to be reasoned that there is no study that will not face challenges especially with the completion of questionnaire. The questionnaire was, therefore, developed to attract the respondents and encourage them to respond. The development of a questionnaire is explained next.

#### 4.3.1.2 Questionnaire development

Mutepfa and Tapera (2018:4) indicate that the layout and design of a questionnaire, as a measuring tool, impact on the collection of data including the response and completion rate. They argue that a well-developed questionnaire is bound to improve

the response and completion rates. Considering the weaknesses of using a digital questionnaire as outlined in Table 4.3, the data collection strategy was developed to improve the response and completion rates, and the following factors were considered:

- A user-friendly questionnaire that reduces measurement error and the potential for non-response error of the research respondent was developed. The instructions were clearly stipulated for the respondents to understand and respond with ease and minimal errors.
- The questionnaire was generated on LimeSurvey® which could not be edited by the researcher but by the specialist working with LimeSurvey®. The respondents were only permitted to respond to the statements (questions) and could not, by intention or mistake, change the questionnaire.
- The questionnaire – the statements (questions) and scales – was explicit about the required data and data format.
- The questionnaire – the statements (questions) and scales – was structured to address the specified research objectives.
- There were statements (questions) that were amended to increase the response rate and decrease item non-response.
- Digital questionnaires also have the advantage of fewer errors in data entry and coding because data is electronically entered and may easily be transformed into formats that are easy to analyse.
- The questionnaire consisted of closed-ended statements (questions) only.
- The questionnaire used the Likert scale to determine whether the statements (questions) where respondents were required, in Section B, to indicate whether they strongly disagree, disagree, neither agree nor disagree, agree or strongly agree, and in Section C to indicate whether the statement (question) is true, false or not applicable. According to Joshi, Kale, Chandel and Pal (2015:398), Likert scaling is designed to provide different options to test the essence of questions based on the opinions or perceptions of the respondents. Joshi et al (2015) reason that Likert scaling is rooted in the aim of the research. It is, therefore, significant to accomplish that Likert scales are not for comparing but for opinion seeking; and



- The questionnaire was only available in English. Clear instructions and questions were drawn to promote appropriate responses.

### **4.3.2 Pilot study**

According to Doody and Doody (2015:1074), a pilot study “provides the researcher with the opportunity to develop and enhance the skills necessary before commencing the larger study”. They explain that researchers can obtain preliminary data, evaluate their data analysis method, and explain the financial and human resources required before undertaking the final research. It is crucial to acknowledge that a pilot study contributes towards attracting preliminary reviews which enables researchers to make amendments to the whole or part of their research goals. Fraser, Fahlman, Arscott and Guillot (2018:261) reflect that the purpose of a pilot study is a risk mitigation strategy that helps reduce chances related to the failure of the research. A pilot study was conducted in two phases, as follows:

#### *4.3.2.1. Phase 1*

People who may be regarded as experts with knowledge of the content area were invited to review the initial statements (questions) to determine the accuracy and relevance of statements (questions) in the study. The rationale for inviting experts on the subject was to elicit feedback to maximise the appropriateness of the statements (questions) and to examine the extent to which the proposed statements (questions) covered all potential dimensions. The experts provided insight into alternative ways of measuring the phenomena that were not operationalised.

The subject experts were, therefore, invited to review the statements (questions). These experts include two supervisors, three labour relations officials in the public service (all not situated at the GDE head office), three ethics officials in the public service (all not situated at the GDE head office), and one statistician.

#### *4.3.2.2. Phase 2*

It was necessary to assess the actual data collection process. During the pilot process of assessing the actual data collected, it became relevant to determine the following:

- If there were any statements (questions) that were ambiguous. Table 4.4 shows the ambiguous statements (questions) that were changed;
- The time that a respondent would take to complete a questionnaire. It was found that it takes up to 10 minutes to complete the questionnaire;
- If the instructions were understandable;
- If the statements (questions) were aligned to the research objectives. It was found that the statements (questions) were aligned to the research objectives and that the responses would be central to resolving the research problem; and
- In developing the questionnaire, three questionnaires that were previously developed by other researchers at the University of South Africa (UNISA), in the College of Economics and Management Sciences (CEMS) were examined to explore how they are structured.

Based on the pilot tests, the following results were achieved.

#### **4.3.3 Validity and reliability**

Heale and Twycross (2015:66) indicate that validity relates to the extent which a concept is accurately measured in a quantitative study whilst reliability measures quality in a quantitative study or accuracy of an instrument. This study measured and validated all concepts that were explained as variables. The study experts were consulted, and they validated that the instrument measured the intended concept. These study experts included three labour relations and three ethics officials in different public service organisations, two study supervisors, and one statistician. A language editor was also consulted, and amendments were made on the questionnaire based on the advice of the language editor.

The following were identified after consultations with all 10 respondents:

- The instructions, prescribed wording, and order of questions in the questionnaire were changed for respondents to understand the questionnaire in the same manner and to respond with ease. These instructions were not ambiguous and were worded in simple English, as follows:

- The last paragraph on the instructions read: “This survey is divided into five sections. Section A captures the demographic information of respondents. Sections B and C require respondents to tick the most appropriate box which represents the statement closer to their opinions”. This paragraph was misleading and was changed to: “This survey is divided into three sections. Section A captures the demographic information of respondents. Sections B and C require respondents to tick the most appropriate box which represents the statement closer to their opinions”; and
- According to the COVID-19 protocols, the questionnaire was generated and distributed electronically. A consent page was created to allow respondents to either agree or disagree to participate in the survey. The following is a link to the electronic survey; [“https://survey.unisa.ac.za/index.php/974286?lang=en”](https://survey.unisa.ac.za/index.php/974286?lang=en)
- In section A, the respondents were required to indicate their employment level at the GDE; the salary levels were removed because educators (who are appointed in terms of the Employment of Educators Act) and staff (appointed in terms of the Public Service Act, 103 of 1994) were not the same classification. The respondents would know their level of employment without mentioning the salary levels: whether non-managerial, junior management, middle management services, or senior management services.
- The statements (questions) in the questionnaire prior to the pilot study were classified and numbered under B1, B2 and B3. However, the statements (questions) were not implicitly classified because they were not grouped according to the variables. The final questionnaire was not numbered and the statements (questions) relating to the same variables were grouped. Grouping these statements (questions) according to variables was crucial because of the need for a detailed analysis to resolve a research problem.
- Table 4.4, below, lists the initial statement (question) that were changed in one column, the changed statement (question) in the second column, and the last column outlines the reasons why the statement (question) was changed:

**Table 4.4: Reasons for changing statements (questions)**

Initial questions	Changed questions	Reasons for changing the questions
Suspensions do not exceed the prescribed 90 days at the GDE	Precautionary suspensions do not exceed the prescribed 90 days at the GDE	The initial statement (question) was about suspensions. There are two different suspensions at the GDE, which are precautionary suspension and suspension as a sanction. To change the statement (question) was inevitable to stipulate which suspension was referred to in this survey. The change was also important to attract responses that are specific to precautionary suspension and not suspension as a sanction.

**Source:** Author's own compilation

There is a great relationship between the statements (questions) in the questionnaire as they are intended to measure the same variables. Heale and Twycross (2015:66) assert that reliability is about the consistency of a measure in that respondents completing a questionnaire should have approximately the same responses each time the test is completed. They explain that reliability is about measuring three attributes: homogeneity, stability and equivalence. The final questionnaire was reliable as it reflected consistency and replicability and it had fewer measurement errors.

It is significant to specify that all data collected was processed and analysed. The strategy for processing and analysing the data collected is explained below.

#### **4.3.4 Data processing and analysis**

Kaushik and Mathur (2014:1188) explain that descriptive analysis provides simple summaries of the sample and the observations gathered from the responses. They suggest that a simple summary of the sample and observations may either, form the basis of the initial description of the data as part of a more extensive statistical analysis or they may be sufficient in and of themselves for an investigation. However, in this study, descriptive analysis yielded simple graphical analysis that was simultaneously interpreted using the IBM Statistical Package for Social Sciences (SPSS) version 25 statistical software programme. The spreadsheets were converted to simple graphs to easily generate findings and portray important patterns in the data. The findings

indicated in the spreadsheets are the same as reflected in the graphs. Inferential analysis was conducted using the SPSS. However, the detailed data analysis is thoroughly expressed in Chapter 5.

There were limitations during the study and they are listed below.

#### **4.4 LIMITATIONS OF THE STUDY**

Theofanidis and Fountouki (2019:156) explain the limitations of study as potential weaknesses that a researcher has no control over attributed to the chosen research design, statistical model constraints and funding constraints. Akanle, Ademuson and Shittu (2020:110) argue that all studies have one or more limitations ranging from issues related to theory or methodology to constraints that are evident during the process of data collection.

The following limitations were observed during the study:

- Time limitations in the collection of data. The collection of data started in the second week of September 2021. However, data collection was halted because the GDE only permitted the process to continue until the end of September 2021. Two week was insufficient time to reach all respondents. To proceed with data collection, the researcher was required to acquire an extension from the GDE to start collecting data from the second week of February 2022.
- Since the questionnaire was online, many respondents ignored the request to complete the questionnaire and many did not have email facilities and/ or data to complete the questionnaire. This contributed to the low response rate.
- The length of the questionnaire and the time taken to complete it was a limitations and many respondents lacked interest to complete the questionnaire; and
- Many respondents did not select the extreme scales “strongly disagree” and “strongly agree” and preferred the middle scales like “agree”, “neither agree nor disagree” and “disagree”. This led to the masking of the intensity of the real attitudes and behaviours of the respondents.

#### **4.5 ETHICAL CONSIDERATIONS**

The following ethical standards were adhered to, namely:

- A non-disclosure agreement was signed with the GDE to agree on standards related to leakage and disclosure of information. The confidentiality and anonymity of the respondents was safeguarded;
- A written application was submitted to the GDE for authorisation prior to conducting research at the GDE. The application to conduct research and the authorisation thereof are attached as Annexures C1 and C2;
- A request for the ethics clearance certificate was submitted to, and obtained from, the University of South Africa, Department of Public Administration. The ethics clearance certificate is attached as Annexure D;
- The respondents were encouraged to consent to the study by participating voluntarily and they were advised that they may withdraw at any time without any penalty attached;
- Plagiarism, piracy, falsification, or the fabrication of results at any stage of the research was prohibited. The findings of the research are reported accurately and truthfully in chapter 5; and
- COVID-19 regulations were observed during the collection of data.

#### **4.6 CONCLUSION**

The fundamentals of research design and research methodology were explained in this chapter. The researcher used a quantitative, descriptive survey design. The size of the population and the sample size were discussed. Permission to conduct research was obtained from the GDE prior to collecting data. Consent was also obtained from the GDE prior to collecting data. Equally, the respondents were provided with the opportunity of consenting prior to responding to the statements (questions). The questionnaire was developed, a pilot study was undertaken, and data was collected. The anonymity, independence, and confidentiality of the respondents were ensured during the completion of the questionnaire. The limitations of the research and the ethical considerations related to the study were discussed.

When data is collected, it is then analysed and interpreted to generate findings. The next chapter reflects on the data analysis and interpretations of results.

# **CHAPTER 5: DATA ANALYSIS AND INTERPRETATIONS OF RESULTS**

## **5.1 INTRODUCTION**

The research design and methodology were explained in Chapter 4. The research design and methodology may be regarded as the path through which researchers need to conduct their research. After conducting research, it is crucial to present the results of the research. Chapter 5 discusses the statistical results of the study and integrates the empirical findings with the literature. The results are reported in terms of descriptive and inferential analyses in the form of graphs, pie charts and tables. Data collected through a questionnaire were entered and analysed with the aid of a computer spreadsheet, using Chart Wizard. Responses provided will be interpreted and presented in the sequence followed in the questionnaire.

Chapter 5 also discusses the response rate and the preliminary and descriptive statistics by screening cases and variables and describing categories of data. In addition, the chapter assesses the psychometric suitability of the scale, analyses the univariate and multivariate statistics and tests the homogeneity of the variables. Finally, Chapter 5 delivers a summary of the findings.

## **5.2 RESPONSE RATE**

This section describes the measuring tool and how it was distributed. In measuring the tool, responses that were collected from the respondents as part of the research effort are identified and recorded. An online LimeSurvey® link was distributed among the head office employees of the GDE as the only perceived research population. The questionnaire was designed in such a manner that respondents had to complete one page before they could proceed on to the next page. The target population (N) was 1 677 with a sample size of 313. Only 305 responses were received and kept in the LimeSurvey® account. One respondent did not wish to participate in the survey and did not consent. This respondent was, thus, excluded while 304 responses were retained for analysis which led to 97% of the responses received. The demographic profiles are discussed below.

### 5.3 DEMOGRAPHIC PROFILE

The respondents were requested to indicate their age, gender, highest qualifications, years of service at the GDE, and their levels of employment. The results are presented graphically in the tables that follow. Where possible, the tables present the actual demographic arrangements at the GDE.

#### 5.3.1 Age

Table 5.1 provides a presentation of the age distribution of the respondents.

**Table 5.1: Ages (n=304)**

Age	Frequency	Percent
18-28: Born Free (BF)	46	15.1%
29-40: Millennials or Generation Y (GY)	125	41.1%
41-58: Generation X (GX)	113	37.2%
59 and above: Baby Boomers (BB)	20	6.6%
<b>Total</b>	<b>304</b>	<b>100.0%</b>

Young South Africans are often referred to as the Born Frees because they were born after 1994, during the democratic South Africa (Malila, 2015:128). Millennials or Generation Y were born between 1981 and 1994 and are currently between 29 and 40 years old whereas Gen Xers were born between 1965 and 1980, currently aged 41-58 years old (Kasasa, 2021). Finally, Baby Boomers are a generation that was born between 1946 and 1964, aged between 59 and 77 years old (Mulroy, 2023). However, for this study, Baby Boomers who may still be employed are between 59 and 65 years old.

According to Table 5.1, the cumulative majority (78.3%) of the respondents were in the age categories of 29-40 years and 41-50 years, amounting to a total of 238 respondents. This was surprising because these categories constitute the highest proportion of the staff component at the GDE head office as indicated in the PERSAL report (2022) to be discussed later in this chapter.

Accordingly, the categories of BF=15.1% and GY=41.1% constitute 56.2% of the respondents under 40 years of age. Evidently, most of the workforce at the GDE head office was young. Many employees in the GX and BB categories did not participate in the survey. The GX category comprised 37.2% of respondents which was second



largest group following the GY category. Seemingly, the BB category comprised 6.6% of the respondents with least employees at the GDE. Presumably, employees in the BB category may be aware of their pending retirement age.

### 5.3.2 Gender

The different gender categories of the respondents are presented in Table 5.2.

**Table 5.2: Gender (n=304)**

Gender	Frequency	Percent
Female	170	55.9%
LGBTQI	9	3.0%
Male	125	41.1%
<b>Total</b>	<b>304</b>	<b>100.0%</b>

Table 5.2 shows that females (170) constituted the largest number of employees who responded to the questionnaires which is equivalent to 55.9% of the responses received. Males comprised 125 (41.1%) respondents. Responses from the LGBTQI category was 3.0%.

Maluleke (2021:18) reports in the Statistics South Africa's Quarterly Labour Force Survey of the 2nd quarter of 2021 that the South African labour market is more favourable to men and women are more vulnerable. Furthermore, the proportion of employed men is higher than that of women meaning that more men participate in the labour market. However, the contrary is true at the GDE which employs 1 060 female and 617 men at its head offices. Therefore, this study had more female participants than men.

### 5.3.3 Highest Qualification

The respondents were requested to indicate their highest qualification which is illustrated in Table 5.3. The different items as presented in Table 5.3 were provided in the questionnaire and the respondents had the option of selecting the most appropriate option.

**Table 5.3: Highest Qualification (n=304)**

Highest qualification	Frequency	Percent
Matric/Grade 12	15	4.9%
Certificate	11	3.6%
Higher certificate	17	5.6%
Diploma	66	21.7%
Bachelor's degree	97	31.9%
Postgraduate diploma/Honours degree	72	23.7%
Master's degree	25	8.2%
Doctoral degree	1	0.3%
<b>Total</b>	<b>304</b>	<b>100.0%</b>

Following a discussion with the statistician, it was decided to condensed categories that had a few selections for the sake of data analysis; for example, only one (1) responded selected doctoral degree. Moreover, a diploma and a bachelor's degree are categorised on the same National Qualifications Framework (NQF) level namely Level 7. The condensed categories for the respondents' highest qualifications are presented in Table 5.4.

**Table 5.4: Highest Qualification - Condensed categories**

Highest qualification [Condensed]	Frequency	Percent
Matric/ Grade 12/ Certificate/ Higher certificate	43	14.1%
Diploma/ Bachelor's degree	163	53.6%
Postgraduate diploma/ Honours/ Masters/ Doctoral	98	32.2%
<b>Total</b>	<b>304</b>	<b>100.0%</b>

In analysing the research, the condensed version of highest qualification in Table 5.4 is a point of reference and will be discussed accordingly throughout the study. A total of 43 respondents (14.1%) were grouped as those with matric/ grade 12, certificates, and higher certificates. A significant majority of 163 respondents (53.6%) had diplomas and bachelor's degrees. The second highest number of respondents (98; 32.2%) had postgraduate diplomas, honours, master's, and doctoral degrees. From the above information, it can be deduced that the GDE had a fair number of well-educated employees who are academically qualified to perform their duties.

### 5.3.4 Years of Service in the GDE

The respondents were requested to indicate their years of service at the GDE which is illustrated in Table 5.5. The different items as presented in Table 5.5 were provided in the questionnaire and the respondents selected the most appropriate option.

**Table 5.5: Years of service in the GDE (n=304)**

Years of service in the GDE	Frequency	Percent
Less than 5	69	22.7%
More than 5 and less than 10	93	30.6%
More than 10 and less than 15	68	22.4%
More than 15 and less than 20	35	11.5%
More than 20	39	12.8%
<b>Total</b>	<b>304</b>	<b>100.0%</b>

Table 5.5 illustrates that most (93) respondents had been with the GDE for more than five years but not more than 10 years, comprising 30.6% of the sample, followed by 69 respondents (22.7%) who had been in the employ for less than five years. Those who had been with the GDE for less than five years and not more than 10 years were as many as a combination of the three other categories of “more than 10 and less than 15 years” (68 respondents equating to 22.4%), “more than 15 and less than 20 years” (35 respondents equating to 11.5%), and “more than 20 years” (39 respondents equating to 12.8%). These differences bring to light the following arguments: employees with less than 10 years of service are likely to be BF and GY, who are busy building their careers and hopping from institution to institution with the hope finding their ideal job. Employees with more than 10 years and less than 20 years of service are likely to be GX. They are most likely middle managers and it can be deduced that those who resign from the GDE intend to move to greener pastures for career advancement.

Employees with more than 20 years of service are mostly likely BB, who will remain employed at the GDE because they are heading to retirement. These responses illustrate that the GDE has a workforce with a sound understanding and knowledge of institutional memory and culture. It is expected that long-serving BBs would mentor GX, GY and BF generations before retiring.

### 5.3.5 Level of Employment at the GDE

The respondents were requested to indicate their level of employment which is illustrated in Table 5.6. It is important to note that, the different items as presented in Table 5.6 were provided in the questionnaire and the respondents selected the most appropriate option.

**Table 5.6: Level of employment in the GDE**

Level of employment in the GDE	Frequency	Percent
Senior management services	17	5.6%
Middle management services	76	25.0%
Junior management	96	31.6%
Non-managerial	115	37.8%
<b>Total</b>	<b>304</b>	<b>100.0%</b>

Following a discussion with the statistician, it was decided to condense some of the categories, such as senior management services and middle management services, which received less than 30% of responses for the sake of data analysis. The collapsed categories relating to the respondents' level of employment is presented in Table 5.7.

**Table 5.7: Level of employment in the GDE - condensed**

Level of employment in the GDE [Condensed]	Frequency	Percent
Senior   Middle management services	93	30.6%
Junior management	96	31.6%
Non-managerial	115	37.8%
<b>Total</b>	<b>304</b>	<b>100.0%</b>

A total of 93 respondents (30.6%) constituted the senior/ middle management services category while the junior management category consisted of 96 respondents (31.6%). The non-managerial category made up a significant majority of 115 respondents (37.8%).

## 5.4 ASSESSING THE PSYCHOMETRIC SUITABILITY OF THE SCALE

In assessing the psychometric suitability of the scale, the exploratory factor analysis (EFA) and confirmatory factor analysis (CFA) are explained.

#### **5.4.1 Exploratory factor analysis**

Watkins (2018:219) defines exploratory factor analysis (EFA) as a multivariate statistical method that has become a fundamental tool in developing and validating psychological theories and measurements. According to de Oliveira Santos, Gorgulho, de Castro, Fisberg, Marchioni and Balta (2019:1), EFA represents a multivariate statistical method that analyses several variables to reduce a large dimension of data to a relatively smaller number of dimensions, components, or latent factors. Pallant (2016:188) indicates that EFA “is often used in the early stages of research to gather (explore) information about the interrelationships among a set of variables”.

A set of observed variables is called a factor that can be understood as the cluster of variables that are associated with a hidden variable (sometimes referred to as confounding variable) (Glen, 2021). A confounding variable is an extra variable that a researcher normally does not account for which may ruin the research with impractical results. Confounding variables may suggest a correlation where one does not exist (Glen, 2021). Therefore, EFA is used to analyse the structure of the correlations among many variables, such as questionnaire responses, by defining sets of variables that are highly correlated, known as factors.

Furthermore, according to Pallant (2016:188), there are two main approaches to factor analysis as described in literature, namely EFA and CFA. EFA is often used in the early stages of research to gather information about (or to explore) the interrelationships among a set of variables. The outcome of EFA will inform CFA and Pallant (2016:205) maintains that the CFA is a set of more sophisticated techniques used later in the research process to confirm the structure of the underlying set of variables.

It must be enlightened that the EFA is significant in assessing the measurement model and assisting in identifying possible emerging first-order constructs based on pre-defined second-order factors. In assessing the measurement model and assisting in identifying possible emerging first-order constructs based on pre-defined second-order factors, the following five stages were pursued:

#### *5.4.1.1 Stage 1: Objectives of factor analysis*

For this study, variables were considered as a unit of analysis for the use of factor analysis. Significantly, factor analysis was used to identify the structure of relationships among the variables. Factor analysis, in this regard, analyses a set of variables to find the latent or underlying dimensions. Hair, Hult, Ringle, Sarstedt, Danks and Ray (2021:10) specify that a crucial significance of factor analysis relates to the correlations of the variables.

The outcome of factor analysis is data summarisation. It is indicated that data summarisation presents the summary of a generated data in an easily comprehensible and informative manner (Singh, 2021). Data summary is substantial because it describes the data with much less concepts than the original number of variables. After describing data with less concepts, the variables may be viewed on a generalised level for what they represent collectively and not individually. On a generalised level, data summarisation provides a clear understanding wherein variables collectively belong together and how many variables are expected to have a significant effect in the analysis, which is later incorporated into the CFA.

In ensuring the appropriateness of the variables for factor analysis, the concept underpinning the variables was considered before the variables were included in the survey instrument. A pilot study contributed to this end. Furthermore, a trial run was done with the necessary software, in which variables with low loadings on a factor were identified and reconsidered for inclusion in the factor analysis. These variables did not contribute towards the measurement model.

#### *5.4.1.2 Stage 2: Designing a factor analysis*

All variables included in the factor analysis were metric variables and measured quantitatively. The metric variables on the questionnaire were Likert-type scale items, which ensured a reasonable number of variables per factor extracted. There were up to nine factors that could be extracted, with a possibility of less than ten variables per factor.

60 key variables were identified which closely reflected the hypothesised underlying factors. These variables aided in the validation of the derived factors and assessment of the results for practical significance. There are more observations to variables, which translates that in 1 observation there are 5 variables thus meeting the 1:5 guideline ratio of observations to variables.,

#### *5.4.1.3 Stage 3: Assumptions in factor analysis*

It was assumed that some underlying structure, or factors, did exist among the set of variables selected for factor analysis. The observed patterns were investigated thoroughly to ensure that they were conceptually valid and appropriate to study using factor analysis.

The IBM SPSS Statistics software package was used to perform the EFA in identifying the underlying constructs. Initially, data suitable for factor analysis was assessed and a thorough inspection of the correlation matrix indicated that all correlations between the variables were  $>0.30$ . Therefore, the data matrix had sufficient correlation to justify the use of factor analysis.

The Kaiser–Meyer–Olkin (KMO) measure of sampling adequacy and Bartlett’s test of sphericity were applied to assess whether the data were appropriate for EFA. The Bartlett test is a statistical test for the presence of correlations among the variables, while the KMO measure is a value, which quantifies the degree of inter-correlations among the variables.

#### *5.4.1.4 Stage 4: Deriving factors and assessing overall fit*

The latent root criterion, percentage of variance criterion, and scree test criterion were surveyed as guidelines to decide the number of factors to be extracted. The latent root criterion states that any factor should account for the variance of at least one variable if it is to be retained in the model to be interpreted. This means that only factors with latent roots, or eigenvalues greater than one, are considered as significant.

The use of eigenvalues in determining a cut-off in the number of factors is most reliable in the case of 20 to 50 variables. Since there are 60 variables to be included in the

factor analysis for the current study, it made sense to include this criterion. According to the percentage of variance criterion, successive factors must achieve a specified cumulative percentage of the total variance. This ensures that the derived factors are practically significant in that they explain at least a certain amount of variance in the data.

Table 5.8 represents the output from SPSS and displays the computed eigenvalues, as well as the cumulative percentage of the total variance explained by successive factors.

**Table 5.8: Total variance explained**

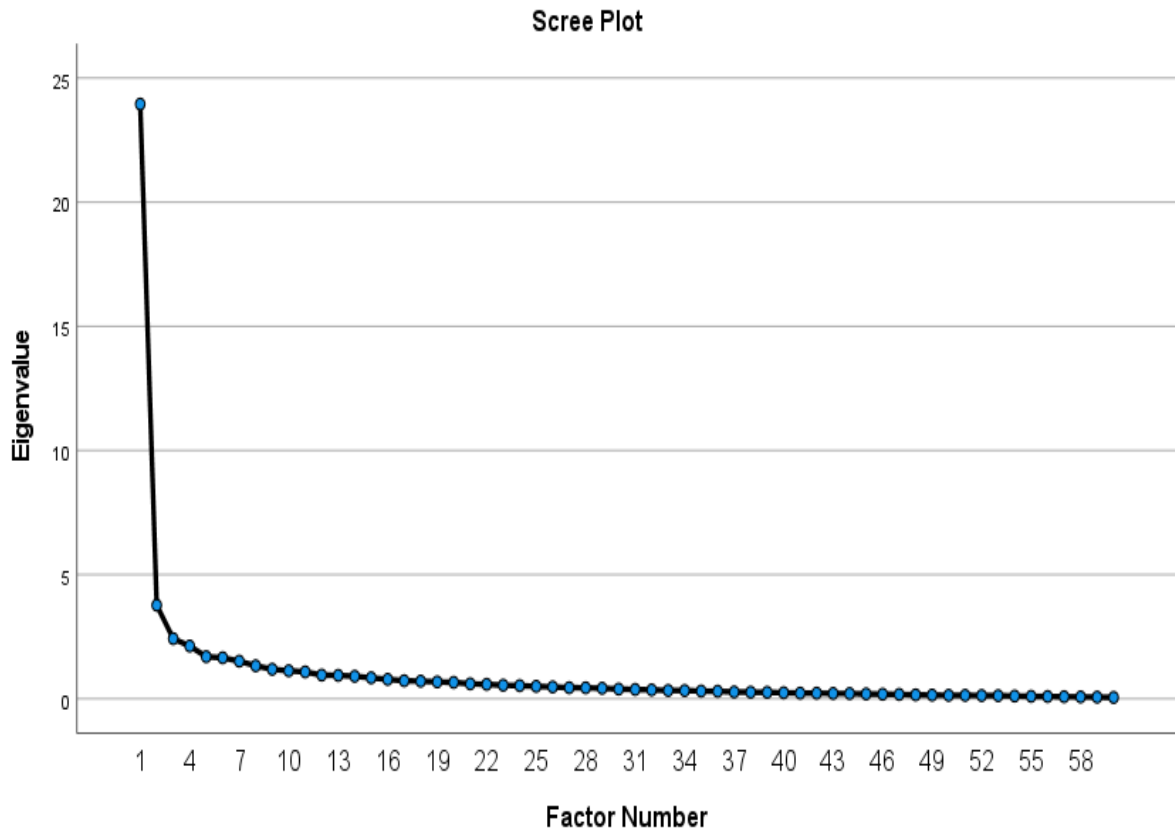
Factor	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total
1	<b>23.954</b>	39.923%	39.923%	23.660	39.433%	39.433%	16.579
2	<b>3.771</b>	6.286%	46.208%	3.347	5.578%	45.012%	2.963
3	<b>2.424</b>	4.040%	50.248%	1.992	3.320%	48.332%	8.348
4	<b>2.126</b>	3.543%	53.791%	1.677	2.794%	51.126%	11.553
5	<b>1.697</b>	2.829%	56.620%	1.297	2.162%	53.288%	9.144
6	<b>1.653</b>	2.755%	59.375%	1.254	2.091%	55.378%	3.332
7	<b>1.517</b>	2.528%	61.903%	1.074	1.790%	57.168%	1.287
8	<b>1.330</b>	2.217%	64.119%	0.958	1.596%	58.765%	10.163
9	<b>1.189</b>	1.982%	66.101%	0.766	1.276%	60.041%	8.058
10	<b>1.131</b>	1.884%	67.985%	0.688	1.147%	61.187%	10.060
11	<b>1.084</b>	1.807%	69.793%	0.617	1.028%	62.215%	3.026
12	0.955	1.592%	71.385%				
13	0.943	1.572%	72.957%				
14	0.908	1.513%	74.470%				
15	0.846	1.411%	75.881%				
16	0.782	1.304%	77.185%				
17	0.729	1.214%	78.399%				
18	0.710	1.184%	79.583%				
19	0.681	1.135%	80.719%				
20	0.663	1.104%	81.823%				



Factor	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total
21	0.602	1.004%	82.827%				
22	0.584	0.973%	83.800%				
23	0.547	0.911%	84.711%				
24	0.530	0.884%	85.595%				
25	0.503	0.838%	86.433%				
26	0.478	0.796%	87.229%				
27	0.447	0.745%	87.974%				
28	0.444	0.740%	88.714%				
29	0.425	0.709%	89.423%				
30	0.392	0.653%	90.076%				
31	0.377	0.629%	90.705%				
32	0.359	0.598%	91.303%				
33	0.336	0.561%	91.864%				
34	0.332	0.553%	92.417%				
35	0.313	0.521%	92.938%				
36	0.305	0.509%	93.446%				
37	0.276	0.460%	93.907%				
38	0.266	0.444%	94.351%				
39	0.260	0.434%	94.784%				
40	0.244	0.407%	95.191%				
41	0.229	0.382%	95.573%				
42	0.229	0.381%	95.954%				
43	0.217	0.362%	96.316%				
44	0.212	0.353%	96.669%				
45	0.197	0.328%	96.997%				
46	0.185	0.309%	97.306%				
47	0.177	0.296%	97.602%				
48	0.160	0.267%	97.869%				
49	0.150	0.250%	98.119%				
50	0.141	0.235%	98.353%				
51	0.140	0.233%	98.586%				
52	0.132	0.220%	98.806%				
53	0.126	0.211%	99.017%				

Factor	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total
54	0.111	0.186%	99.203%				
55	0.100	0.167%	99.370%				
56	0.093	0.155%	99.525%				
57	0.085	0.141%	99.666%				
58	0.078	0.129%	99.796%				
59	0.068	0.113%	99.909%				
60	0.055	0.091%	100.000%				

Based on Table 5.8, a factor model with 60 factors presented results where some factors were not significant to the resulting model structure. The scree-test was surveyed to determine an optimal number of factors to extract without the amount of unique variance exceeding the common variance structure in the data. The scree-test is performed by inspecting the scree-plot, a graph displaying the eigenvalues plotted against the number of factors in the same order in which they were extracted. The cut-off point is identified by inspection of the shape of the curve. The point at which the curve makes an “elbow” – in other words, where it starts to straighten out – is an indication of the maximum number of factors that can be extracted before becoming redundant. Figure 5.1 below shows the scree plot as obtained from the SPSS output.



**Figure 5.1:** Scree Plot

The eigenvalues displayed in Table 5.8 and the visual inspection of the scree-plot in Figure 5.1 reveal a maximum of 14 factors that were considered for extraction. After the 14 factors, the graph begins to straighten out on the scree-plot. An additional variance that was explained by the factor model became so marginal that it did not make a practical and/or significant contribution to the model. Note that due to the large number of variables included for factor analysis (the number of factors on the horizontal axis of the graph), it was difficult to pinpoint the exact point on the graph where a pattern of stabilisation was visible.

Different factor structures were, further, obtained from trial solutions, after which the results were compared to arrive at the best possible representation of the data. After inspection of the eigenvalues and percentage of variance explained, as contained in Table 5.9 and the scree plot (Figure 5.1), it was decided that 14 factors would be used for a trial run. The structure of the factor solution and practicality of the factors were assessed; it was evident that a six-factor solution was impractical and difficult to

interpret theoretically. The remaining factors were used resulting in a much improved, more practical structure, which was easier to interpret.

#### 5.4.1.5 Stage 5: Interpreting the factors

Communalities were computed to identify items, which were unlikely to be associated with any underlying factors. Pasamar, Johnston and Tanwar (2022:185) indicate that any communality above 0.5 is reliable. However, Samuels (2016:1) argues that because the dimension reduction techniques seek to identify items with a shared variance, items with a communality score less than 0.2 are not reliable and must be removed.

Items with low communality scores may indicate additional factors which could be explored in further studies by measuring the additional items (Samuels, 2016). Holm, Alvariza, Fürst, Öhlen and Årestedt (2019:3) maintain that to support model fit, communality values should be 0.3. Table 5.9 shows three variables that were below 0.4 including B1.23 (0.355), B.2.18 (0.367) and B2.21 (0.396). Based on the argument by Samuels (2016:1), there is no variable with a communality value less of less than 0.2 and as a result no variable was removed.

**Table 5.9: Communalities**

	Initial	Extraction
B1.1 [The GDE applies fair labour relations in units]	0.863	0.826
B1.2 [The environment at the GDE is suitable for employees and management to interact and relate]	0.815	0.783
B1.3 [Fair labour relations are practiced at the GDE]	0.909	0.896
B1.4 [Employees comply with the applicable rules and policies that regulate labour relations at the GDE]	0.620	0.488
B1.5 [Fair labour relations are practiced between employees and management at the GDE]	0.871	0.867
B1.6 [The GDE initiates disciplinary hearings for all who conduct themselves unethically irrespective of their levels of employment]	0.692	0.613
B1.7 [Trade union officials are granted leave to perform trade union activities]	0.555	0.350
B1.8 [Trade unions represent its members satisfactorily during disciplinary hearings]	0.439	0.314
B1.9 [There are formal procedures to deal with disputes at the GDE]	0.579	0.451

	<b>Initial</b>	<b>Extraction</b>
B1.10 [The GDE encourages regular consultation between managers and employees]	0.696	0.633
B1.11 [Managers value employees' opinions]	0.854	0.805
B1.12 [Managers and employees share the same institutional goals and values]	0.729	0.655
B1.13 [Trade unions are able to communicate and share information with their members]	0.555	0.533
B1.14 [Managers consult employees before making decisions]	0.875	0.903
B1.15 [Employees participate in decision-making processes of their departments]	0.831	0.811
B1.16 [Trade unions and management collaborate to improve working conditions]	0.656	0.589
B1.17 [Managers at the GDE are approachable and supportive]	0.812	0.780
B1.18 [Trade unions are responsive to members' complaints and grievances]	0.693	0.720
B1.19 [Employees trust trade union representatives to effectively handle grievances]	0.632	0.619
B1.20 [The GDE generally resolves grievances within the prescribed 90 days]	0.720	0.584
B1.21 [Employees resort to strikes when the GDE fails to honour collective agreements]	0.490	0.453
B1.22 [Employees behave when participating in a strike action]	0.468	0.438
B1.23 [Colleagues are threatened for being at work when they were expected to participate in a strike action]	0.355	0.372
B1.24 [Employees are prohibited from participating in an unprotected strike action]	0.420	0.342
B1.25 [Unequal salary pay for work of equal value is a reason why employees strike at the GDE]	0.563	0.675
B1.26 [Conditions of services are a cause of strike actions at the GDE]	0.473	0.369
B2.1 [Precautionary suspensions do not exceed the prescribed 90 days at the GDE]	0.549	0.413
B2.2 [Employees get demoted when they commit serious offences]	0.529	0.400
B2.3 [The measurements in place at the GDE are sufficient to deal with ethical behaviour]	0.609	0.612
B2.4 [Employees act ethically to avoid punishment]	0.487	0.401
B2.5 [The GDE has a culture of zero tolerance towards corruption]	0.810	0.724
B2.6 [The work environment at the GDE promotes a culture of loyalty]	0.849	0.777

	<b>Initial</b>	<b>Extraction</b>
B2.7 [Employees are promoted when they comply with requirements]	0.702	0.651
B2.8 [The GDE promotes fair practice when selecting and recruiting employees]	0.797	0.752
B2.9 [Managers execute their duties as stipulated in the code of conduct]	0.840	0.862
B2.10 [Employees execute their duties according to the requirements of the code of conduct]	0.759	0.717
B2.11 [The GDE is morally conducive for employees to do the right thing]	0.772	0.708
B2.12 [The human resources management directorate encourages employees to be politically neutral while on duty]	0.656	0.581
B2.13 [Managers encourage employees to comply with the GDE's ethical practices]	0.675	0.606
B2.14 [The human resources management directorate encourages employees to comply with the department's ethical standards and principles]	0.705	0.625
B2.15 [The human resources management directorate encourages employees to comply with the confidentiality principles]	0.644	0.607
B2.16 [The human resources management directorate annually encourages employees to declare their business interests]	0.547	0.465
B2.17 [Employees act ethically as it is inherent to values and beliefs]	0.659	0.617
B2.18 [It is difficult to gauge the punishment of unethical behaviour]	0.396	0.252
B2.19 [A strong ethical environment prevails in the workplace]	0.843	0.797
B2.20 [The GDE subscribes to high moral practices]	0.839	0.781
B2.21 [Whistleblowers are inclined to victimisation]	0.367	0.210
B2.22 [Managers act professionally thus inspire employees to act ethically]	0.825	0.753
B2.23 [Managers provide regular feedback that inspires employees to act professionally]	0.792	0.712
B2.24 [Employees put the interests of the public first in their performance of duties and responsibilities]	0.689	0.613
B2.25 [Employees are transparent in their performance of duties and responsibilities]	0.722	0.712
B2.26 [There is co-operation between employees at the GDE]	0.574	0.497
B2.27 [The work environment is conducive for integrity and honesty]	0.833	0.787
B2.28 [The work environment restrains managers from abusing power and authority]	0.798	0.720

	Initial	Extraction
B2.29 [Managers expect employees to act in an ethical manner at all times]	0.687	0.626
B2.30 [Managers at the GDE lead by example]	0.874	0.831
B2.31 [Employees are proud to be associated with the GDE]	0.739	0.687
B2.32 [The GDE is an employer of choice]	0.732	0.700
B2.33 [The GDE is a low-stress working environment]	0.704	0.643
B2.34 [The GDE ensures that employees have the necessary means to perform their duties]	0.696	0.621
Extraction Method: Principal Axis Factoring		

The EFA was rerun. The KMO measure of sampling adequacy and Bartlett's test of sphericity were again used to determine whether the data were indeed suitable to perform an EFA. Table 5.10 shows the SPSS output .

**Table 5.10: KMO and Bartlett's Test**

KMO and Bartlett's Test		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy		0.943
Bartlett's Test of Sphericity	Approx. Chi-Square	14995.881
	df	1770
	Sig	0.000

Once again, both the KMO measure and Bartlett's test yielded favourable results. After rerunning the EFA, a KMO measure was 0.943. According to Mthembu, Roman and Wegner (2016:76), a measure of 0.943 falls within a KMO value range between 0.90 and 1.00 which is considered a degree of common variance of marvellous. In addition, Bartlett's test resulted in a highly significant approximate chi-square value of 14995.881 ( $p$ -value < 0.01), indicating that non-zero satisfactory correlations existed between the variables.

Communalities were calculated where they indicated that all variables were likely to be associated with an underlying construct. Three variables (B1.23, B2.18 and B2.21) showed relatively low communalities, although with significant factor loadings, they were included in the analysis. The output from SPSS is shown below in Table 5.11.

**Table 5.11: Communalities recalculated**

	<b>Initial</b>	<b>Extraction</b>
B1.1 [The GDE applies fair labour relations in units]	0.863	0.780
B1.2 [The environment at the GDE is suitable for employees and management to interact and relate]	0.815	0.714
B1.3 [Fair labour relations are practiced at the GDE]	0.909	0.804
B1.4 [Employees comply with the applicable rules and policies that regulate labour relations at the GDE]	0.620	0.429
B1.5 [Fair labour relations are practiced between employees and management at the GDE]	0.871	0.750
B1.6 [The GDE initiates disciplinary hearings for all who conduct themselves unethically irrespective of their levels of employment]	0.692	0.541
B1.7 [Trade union officials are granted leave to perform trade union activities]	0.555	0.265
B1.8 [Trade unions represent its members satisfactorily during disciplinary hearings]	0.439	0.197
B1.9 [There are formal procedures to deal with disputes at the GDE]	0.579	0.314
B1.10 [The GDE encourages regular consultation between managers and employees]	0.696	0.597
B1.11 [Managers value employees' opinions]	0.854	0.739
B1.12 [Managers and employees share the same institutional goals and values]	0.729	0.592
B1.13 [Trade unions are able to communicate and share information with their members]	0.555	0.335
B1.14 [Managers consult employees before making decisions]	0.875	0.635
B1.15 [Employees participate in decision-making processes of their departments]	0.831	0.638
B1.16 [Trade unions and management collaborate to improve working conditions]	0.656	0.545
B1.17 [Managers at the GDE are approachable and supportive]	0.812	0.707
B1.18 [Trade unions are responsive to members' complaints and grievances]	0.693	0.494
B1.19 [Employees trust trade union representatives to effectively handle grievances]	0.632	0.368
B1.20 [The GDE generally resolves grievances within the prescribed 90 days]	0.720	0.486
B1.21 [Employees resort to strikes when the GDE fails to honour collective agreements]	0.490	0.228
B1.22 [Employees behave when participating in a strike action]	0.468	0.315



	<b>Initial</b>	<b>Extraction</b>
B1.23 [Colleagues are threatened for being at work when they were expected to participate in a strike action]	0.355	0.072
B1.24 [Employees are prohibited from participating in an unprotected strike action]	0.420	0.051
B1.25 [Unequal salary pay for work of equal value is a reason why employees strike at the GDE]	0.563	0.242
B1.26 [Conditions of services are a cause of strike actions at the GDE]	0.473	0.257
B2.1 [Precautionary suspensions do not exceed the prescribed 90 days at the GDE]	0.549	0.341
B2.2 [Employees get demoted when they commit serious offences]	0.529	0.357
B2.3 [The measurements in place at the GDE are sufficient to deal with ethical behaviour]	0.609	0.537
B2.4 [Employees act ethically to avoid punishment]	0.487	0.256
B2.5 [The GDE has a culture of zero tolerance towards corruption]	0.810	0.625
B2.6 [The work environment at the GDE promotes a culture of loyalty]	0.849	0.712
B2.7 [Employees are promoted when they comply with requirements]	0.702	0.560
B2.8 [The GDE promotes fair practice when selecting and recruiting employees]	0.797	0.688
B2.9 [Managers execute their duties as stipulated in the code of conduct]	0.840	0.668
B2.10 [Employees execute their duties according to the requirements of the code of conduct]	0.759	0.467
B2.11 [The GDE is morally conducive for employees to do the right thing]	0.772	0.657
B2.12 [The human resources management directorate encourages employees to be politically neutral while on duty]	0.656	0.427
B2.13 [Managers encourage employees to comply with the GDE's ethical practices]	0.675	0.537
B2.14 [The human resources management directorate encourages employees to comply with the department's ethical standards and principles]	0.705	0.489
B2.15 [The human resources management directorate encourages employees to comply with the confidentiality principles]	0.644	0.451
B2.16 [The human resources management directorate annually encourages employees to declare their business interests]	0.547	0.308
B2.17 [Employees act ethically as it is inherent to values and beliefs]	0.659	0.525
B2.18 [It is difficult to gauge the punishment of unethical behaviour]	0.396	0.168

	<b>Initial</b>	<b>Extraction</b>
B2.19 [A strong ethical environment prevails in the workplace]	0.843	0.741
B2.20 [The GDE subscribes to high moral practices]	0.839	0.747
B2.21 [Whistleblowers are inclined to victimisation]	0.367	0.156
B2.22 [Managers act professionally thus inspire employees to act ethically]	0.825	0.686
B2.23 [Managers provide regular feedback that inspires employees to act professionally]	0.792	0.647
B2.24 [Employees put the interests of the public first in their performance of duties and responsibilities]	0.689	0.440
B2.25 [Employees are transparent in their performance of duties and responsibilities]	0.722	0.442
B2.26 [There is co-operation between employees at the GDE]	0.574	0.390
B2.27 [The work environment is conducive for integrity and honesty]	0.833	0.702
B2.28 [The work environment restrains managers from abusing power and authority]	0.798	0.708
B2.29 [Managers expect employees to act in an ethical manner at all times]	0.687	0.527
B2.30 [Managers at the GDE lead by example]	0.874	0.803
B2.31 [Employees are proud to be associated with the GDE]	0.739	0.544
B2.32 [The GDE is an employer of choice]	0.732	0.537
B2.33 [The GDE is a low-stress working environment]	0.704	0.606
B2.34 [The GDE ensures that employees have the necessary means to perform their duties]	0.696	0.599
Extraction Method: Principal Axis Factoring.		

After recalculating, the communalities measure remained unchanged. The B1.23 (0.355), B.2.18 (0.367) and B2.21 (0.396) variables still showed communality values of more than 0.3. There was no variable with a communality value of less than 0.2 and as a result there is no variable that is removed.

Further, the factor matrix was computed, showing the loading for each variable on each of the factors – the factor loading being the correlation between the factor and the variable. These loadings provide a measure of the degree to which the variable and factor relate to each other. Higher loadings would indicate that the variable represents the factor well. The relevant output from SPSS is shown in Table 5.12.

**Table 5.12: Factor Matrix**

	Factor										
	1	2	3	4	5	6	7	8	9	10	11
B2.30 [Managers at the GDE lead by example]	0.882										
B2.20 [The GDE subscribes to high moral practices]	0.862										
B2.19 [A strong ethical environment prevails in the workplace]	0.857										
B2.27 [The work environment is conducive for integrity and honesty]	0.837										
B1.11 [Managers value employees' opinions]	0.834										
B1.17 [Managers at the GDE are approachable and supportive]	0.826										
B2.6 [The work environment at the GDE promotes a culture of loyalty]	0.825										
B2.9 [Managers execute their duties as stipulated in the code of conduct]	0.818										
B2.22 [Managers act professionally thus inspire employees to act ethically]	0.816										
B2.28 [The work environment restrains managers from abusing power and authority]	0.815										
B2.8 [The GDE promotes fair practice when selecting and recruiting employees]	0.815										
B2.11 [The GDE is morally conducive for employees to do the right thing]	0.806										
B1.3 [Fair labour relations are practiced at the GDE]	0.793			- 0.322							
B1.5 [Fair labour relations are practiced between employees and management at the GDE]	0.792										
B2.5 [The GDE has a culture of zero tolerance towards corruption]	0.784										
B2.23 [Managers provide regular feedback that inspires employees to act professionally]	0.779										
B1.2 [The environment at the GDE is suitable for employees]	0.773										

	Factor										
	1	2	3	4	5	6	7	8	9	10	11
and management to interact and relate]											
B1.1 [The GDE applies fair labour relations in units]	0.770			- 0.318							
B1.14 [Managers consult employees before making decisions]	0.764							0.302			
B1.12 [Managers and employees share the same institutional goals and values]	0.761										
B2.33 [The GDE is a low-stress working environment]	0.747										
B1.10 [The GDE encourages regular consultation between managers and employees]	0.744										
B1.15 [Employees participate in decision-making processes of their departments]	0.742										
B2.7 [Employees are promoted when they comply with requirements]	0.740										
B2.32 [The GDE is an employer of choice]	0.722							- 0.349			
B1.16 [Trade unions and management collaborate to improve working conditions]	0.705										
B2.31 [Employees are proud to be associated with the GDE]	0.703										
B1.6 [The GDE initiates disciplinary hearings for all who conduct themselves unethically irrespective of their levels of employment]	0.698										
B1.20 [The GDE generally resolves grievances within the prescribed 90 days]	0.678										
B2.34 [The GDE ensures that employees have the necessary means to perform their duties]	0.678										
B2.13 [Managers encourage employees to comply with the GDE's ethical practices]	0.674										
B2.14 [The human resources management directorate encourages employees to comply with the department's ethical standards and principles]	0.645					0.322					

	Factor										
	1	2	3	4	5	6	7	8	9	10	11
B2.12 [The human resources management directorate encourages employees to be politically neutral while on duty]	0.635										
B2.29 [Managers expect employees to act in an ethical manner at all times]	0.616		-0.381								
B2.3 [The measurements in place at the GDE are sufficient to deal with ethical behaviour]	0.614			0.378							
B2.26 [There is co-operation between employees at the GDE]	0.574										
B2.17 [Employees act ethically as it is inherent to values and beliefs]	0.562	0.429									
B2.24 [Employees put the interests of the public first in their performance of duties and responsibilities]	0.548										
B2.1 [Precautionary suspensions do not exceed the prescribed 90 days at the GDE]	0.546										
B1.4 [Employees comply with the applicable rules and policies that regulate labour relations at the GDE]	0.543			-0.323							
B2.25 [Employees are transparent in their performance of duties and responsibilities]	0.530	0.339									
B2.15 [The human resources management directorate encourages employees to comply with the confidentiality principles]	0.522		-0.416								
B2.10 [Employees execute their duties according to the requirements of the code of conduct]	0.494	0.471			-0.317				0.309		
B1.9 [There are formal procedures to deal with disputes at the GDE]	0.464				0.305						
B2.2 [Employees get demoted when they commit serious offences]	0.425			0.344							
B1.18 [Trade unions are responsive to members' complaints and grievances]		0.702			0.344						

	Factor										
	1	2	3	4	5	6	7	8	9	10	11
B1.19 [Employees trust trade union representatives to effectively handle grievances]		0.584			0.365						
B1.13 [Trade unions are able to communicate and share information with their members]		0.540			0.335						
B1.22 [Employees behave when participating in a strike action]		0.438									
B2.4 [Employees act ethically to avoid punishment]		0.396									
B1.26 [Conditions of services are a cause of strike actions at the GDE]		0.359		0.307							
B2.21 [Whistleblowers are inclined to victimisation]		0.324									
B2.18 [It is difficult to gauge the punishment of unethical behaviour]		0.323									
B1.8 [Trade unions represent its members satisfactorily during disciplinary hearings]		0.307									
B1.25 [Unequal salary pay for work of equal value is a reason why employees strike at the GDE]		0.325	0.441			0.401					
B2.16 [The human resources management directorate annually encourages employees to declare their business interests]			-0.413								
B1.7 [Trade union officials are granted leave to perform trade union activities]	0.359		-0.361								
B1.21 [Employees resort to strikes when the GDE fails to honour collective agreements]			0.342			0.315					
B1.24 [Employees are prohibited from participating in an unprotected strike action]							0.407				
B1.23 [Colleagues are threatened for being at work when they were expected to participate in a strike action]				0.325							0.332
Extraction Method: Principal Axis Factoring											
a. 11 factors extracted. 15 iterations required											

An interpretation of the factor matrix can be misleading. Hence, in order to obtain a simpler and conceptually more meaningful and practical factor solution, a rotational method was applied to the factor matrix. Rotation of the factor matrix enhances and eases interpretation of the factor solution in that it reduces ambiguities often present in unrotated factor solutions. Table 5.13 shows the rotated factor matrix, or pattern matrix, from the SPSS output.

**Table 5.13: Pattern matrix**

	Factor										
	1	2	3	4	5	6	7	8	9	10	11
B1.14 [Managers consult employees before making decisions]	0.982										
B1.15 [Employees participate in decision-making processes of their departments]	0.892										
B1.11 [Managers value employees' opinions]	0.598			-0.312							
B1.17 [Managers at the GDE are approachable and supportive]	0.551										
B2.23 [Managers provide regular feedback that inspires employees to act professionally]	0.541										
B1.12 [Managers and employees share the same institutional goals and values]	0.483										
B1.16 [Trade unions and management collaborate to improve working conditions]	0.416										
B2.30 [Managers at the GDE lead by example]	0.370										
B1.10 [The GDE encourages regular consultation between managers and employees]	0.343										
B2.2 [Employees get demoted when they	0.301										

	Factor										
	1	2	3	4	5	6	7	8	9	10	11
commit serious offences]											
B1.18 [Trade unions are responsive to members' complaints and grievances]		0.768									
B1.19 [Employees trust trade union representatives to effectively handle grievances]		0.758									
B1.13 [Trade unions are able to communicate and share information with their members]		0.669									
B2.21 [Whistleblowers are inclined to victimisation]											
B2.15 [The human resources management directorate encourages employees to comply with the confidentiality principles]			-0.706								
B2.16 [The human resources management directorate annually encourages employees to declare their business interests]			-0.629								
B2.14 [The human resources management directorate encourages employees to comply with the department's ethical standards and principles]			-0.555								
B2.13 [Managers encourage employees to comply with the GDE's ethical practices]			-0.483								



	Factor										
	1	2	3	4	5	6	7	8	9	10	11
B1.7 [Trade union officials are granted leave to perform trade union activities]			-0.412								
B1.9 [There are formal procedures to deal with disputes at the GDE]			-0.352	-0.347							
B1.3 [Fair labour relations are practiced at the GDE]				-0.755							
B1.5 [Fair labour relations are practiced between employees and management at the GDE]				-0.729							
B1.1 [The GDE applies fair labour relations in units]				-0.699							
B1.2 [The environment at the GDE is suitable for employees and management to interact and relate]				-0.611							
B1.4 [Employees comply with the applicable rules and policies that regulate labour relations at the GDE]				-0.484							
B1.6 [The GDE initiates disciplinary hearings for all who conduct themselves unethically irrespective of their levels of employment]				-0.463							
B2.10 [Employees execute their duties according to the requirements of the code of conduct]					-0.626				-0.339		
B2.9 [Managers execute their duties as stipulated in the code of conduct]					-0.623						
B2.12 [The human resources management]			-0.334		-0.424						

	Factor											
	1	2	3	4	5	6	7	8	9	10	11	
directorate encourages employees to be politically neutral while on duty]												
B2.8 [The GDE promotes fair practice when selecting and recruiting employees]					-0.420							
B2.7 [Employees are promoted when they comply with requirements]					-0.419							
B1.25 [Unequal salary pay for work of equal value is a reason why employees strike at the GDE]						0.833						
B1.21 [Employees resort to strikes when the GDE fails to honour collective agreements]						0.621						
B1.26 [Conditions of services are a cause of strike actions at the GDE]						0.378						
B1.22 [Employees behave when participating in a strike action]						0.313	-0.300					
B2.18 [It is difficult to gauge the punishment of unethical behaviour]												
B1.23 [Colleagues are threatened for being at work when they were expected to participate in a strike action]							0.608					
B1.24 [Employees are prohibited from participating in an unprotected strike action]							0.506					
B2.32 [The GDE is an employer of choice]									-0.626			
B2.31 [Employees are proud to be associated with the GDE]									-0.618			

	Factor										
	1	2	3	4	5	6	7	8	9	10	11
B2.29 [Managers expect employees to act in an ethical manner at all times]			-0.345					-0.494			
B2.11 [The GDE is morally conducive for employees to do the right thing]								-0.374			
B2.34 [The GDE ensures that employees have the necessary means to perform their duties]								-0.359			
B2.27 [The work environment is conducive for integrity and honesty]								-0.348			
B2.20 [The GDE subscribes to high moral practices]											
B2.25 [Employees are transparent in their performance of duties and responsibilities]									-0.761		
B2.24 [Employees put the interests of the public first in their performance of duties and responsibilities]									-0.673		
B2.26 [There is co-operation between employees at the GDE]									-0.501		
B2.4 [Employees act ethically to avoid punishment]									-0.409		
B2.17 [Employees act ethically as it is inherent to values and beliefs]									-0.403		
B2.5 [The GDE has a culture of zero tolerance towards corruption]										-0.508	
B2.3 [The measurements in place at the GDE are										-0.498	

	Factor											
	1	2	3	4	5	6	7	8	9	10	11	
sufficient to deal with ethical behaviour]												
B2.6 [The work environment at the GDE promotes a culture of loyalty]											-0.482	
B1.20 [The GDE generally resolves grievances within the prescribed 90 days]											-0.451	
B2.33 [The GDE is a low-stress working environment]											-0.368	
B2.28 [The work environment restrains managers from abusing power and authority]											-0.311	
B2.1 [Precautionary suspensions do not exceed the prescribed 90 days at the GDE]												
B1.8 [Trade unions represent its members satisfactorily during disciplinary hearings]												0.355
B2.22 [Managers act professionally thus inspire employees to act ethically]												
B2.19 [A strong ethical environment prevails in the workplace]												
Extraction Method: Principal Axis Factoring.												
Rotation Method: Oblimin with Kaiser Normalization.												
a. Rotation converged in 34 iterations.												

Each factor loading was assessed for statistical significance to decide which of the factor loadings were worth considering. All factor loadings were 0.3 or higher and statistically significant in this study. Therefore, all factor loadings were selected for interpretation. Some items loaded significantly onto two factors. In such cases, the variable was assigned to the factor with the highest factor loading. The cross-loadings signified the overlapping nature and integration, or convergence, of items underlying the framework.

Table 5.14 summarises the structure, as obtained by EFA, by displaying each of the fourteen factors and its associated variables.

**Table 5.14: Initial 14 factors and associated variables**

Factors	Variables
Fair labour relations practiced at all levels of GDE [Existence_A]	B1.1 B1.3 B1.5 B1.7
Prohibitions and behaviour of employees during strike actions/ Employees' right to participate in a strike action/ Strike action [Existence B]	B1.22 B1.23 B1.24
Management consults trade unions and employees when making decisions (Communication) [Efficacy_A]	B1.2 B1.4 B1.14 B1.15 B1.16
GDE encourages consultation between managers and employees (Encouragement) [Efficacy_B]	B1.10 B1.11 B1.17
Disciplinary action against ethical behaviour (Action) [Efficacy_C]	B1.6 B2.1 B2.2 B2.3
The GDE encourages employees to comply with laws, policies and rules that promote ethical behaviour (Compliance) [Efficacy_D]	B1.4 B2.12 B2.13 B2.14 B2.15 B2.16
Impact of promoting ethical behaviour (Benefit/Reward/Result/Outcome)/ Consequences/ Value [Efficacy_E]	B1.9 B1.12 B1.20 B2.34
The role of trade unions in enhancing professionalism [Enhancement_A]	B1.8 B1.13 B1.18 B1.19
The role of managers in enhancing professionalism [Enhancement_B]	B2.22 B2.23 B2.29 B2.30
The role of employees in enhancing professionalism [Enhancement_C]	B2.11

Factors	Variables
	B2.17 B2.26
Organisational culture in enhancing professionalism [Enhancement_D]	B2.4 B2.5 B2.6 B2.18 B2.19 B2.20 B2.31 B2.32 B2.33
Code of conduct in enhancing professionalism [Enhancement_E]	B2.9 B2.10 B2.24 B2.25 B2.28
Fair selection and recruitment practices [Enhancement_F]	B2.7 B2.8
Impact on unethical behaviour on effectiveness of the GDE [Impact A]	B1.21 B1.25 B1.26 B2.21

Following the factor analysis, it became necessary to develop the framework that was aimed at assessing and, if necessary, adjusting the factor model obtained from EFA. In developing the framework for assessing and adjusting the factor model, CFA was performed to assess and inform the underlying structure of the set of variables, as obtained from the EFA.

#### **5.4.2 Confirmatory factor analysis**

The four-stage approach for conducting CFA was followed in this research study and is elaborated on below.

##### *5.4.2.1 Stage 1: Defining individual constructs*

The individual constructs were identified from the factor structure that was obtained from EFA were used to identify the individual constructs for a CFA. The measurement model comprised four constructs. The specific name and definition of each construct were decided after assessing the validity of the measurement model.

The variables for each construct measured were also obtained from the results of the EFA in Table 5.14. The development of the measurement scale was discussed in chapters 4. The same scale was used for all individual variables, namely a five-point Likert-type scale ranging from 1 (Strongly Disagree) to 5 (Strongly Agree):

**Table 5.15: Measurement scale**

1	2	3	4	5
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree

Following the development of the questionnaire, the pilot study was conducted and the scale was found to be reliable. The value of statements (variables) resulted in an excellent scale reliability in the questionnaire. The same variables that were used to perform EFA were applied to perform CFA. Furthermore, the EFA performed previously acted as a pre-test for the purpose of scale purification. Finally, the EFA was performed in conjunction with literature and relevant theory to identify constructs for a measurement model (conceptual framework) that were used as input for a CFA.

#### 5.4.2.2 Stage 2: Developing the overall measurement model

In this section, the measurement model is specified. The model defines the relationships between the constructs and indicates the nature of each construct. The model consists of 60 indicator variables, measured with a five-point Likert-type scale and four constructs. The following assumptions (hypotheses) were applied to this model:

- All constructs correlated with all other constructs.
- Uni-dimensionality exists among the set of variables: Each variable relates to only one construct, that is, all cross-loadings are zero. This ensures that there is no compromise in construct validity.

As obtained after performing an EFA, the first construct consisted of seven items (variables or indicators). The second consisted of 21 items (variables or indicators). The third construct consisted of 27 items (variables or indicators), whereas the fourth construct had four items. Figure 5.2 shows the initial conceptual model obtained from performing the EFA.

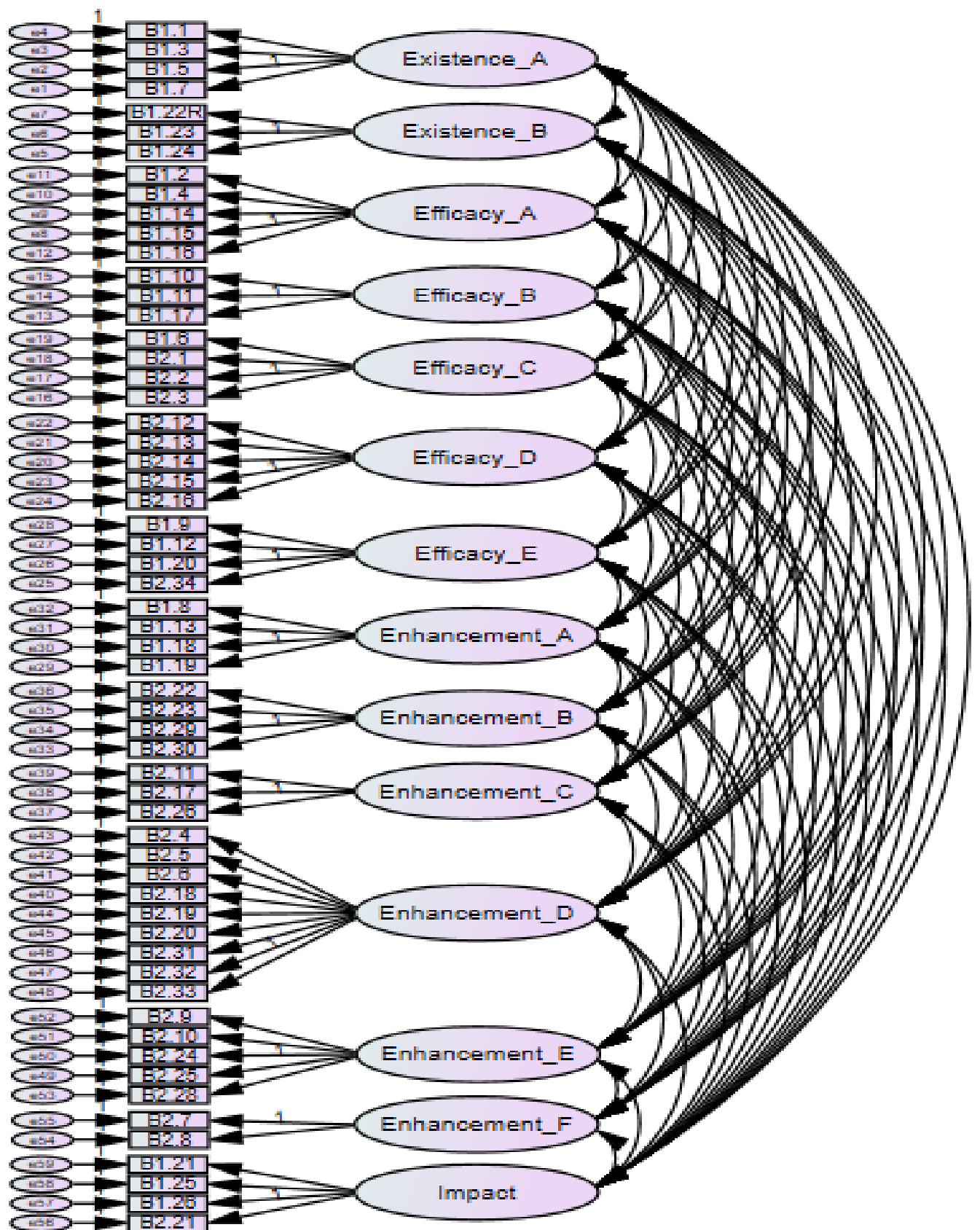


Figure 5.2: Initial conceptual measurement model



The important characteristic of a measurement model and its constructs is their level or degree of identification as determined by the degrees of freedom. The degrees of freedom for a construct or entire measurement model are defined as the difference between the number of distinct sample moments (variances and covariances of items) and the number of parameters to be estimated. A construct with positive degrees of freedom is said to be over-identified. On the other hand, a construct with negative degrees of freedom is said to be under-identified, while a construct with zero degrees of freedom is just identified.

The initial measurement model recorded 1 770 as the number of distinct sample moments, 209 as the number of parameters to be estimated, and 1 504 degrees of freedom. The recorded measurement model resulted in a chi-square value of 4699.53 and a probability value of 0,000; the iteration limit was reached which led to the results to being incorrect.

#### *5.4.2.3 Stage 3: Design of the study to produce empirical results*

The research study was designed and executed with the intention of collecting the necessary data for testing the measurement model. It was necessary to consider the sample size and model specification to identify the model. The details of the research design, such as target population, sample size, sampling procedure, and questionnaire distribution process were explained in chapter 4.

The model was specified by running the CFA through the IBM SPSS statistical software package which provided a graphical interface, that resulted in the model shown in Figure 5.2, by using various shapes, such as rectangles, ellipses, one-pointed straight arrows and two-pointed curved arrows. The model was specified to determine the estimates of the measurement model parameters. The software computed a solution for the specified model, which was used to assess the validity of the measurement model.

As indicated during stage 2 of the CFA process, the overall model had 1 561 degrees of freedom. Therefore, since the number of degrees of freedom for the model was greater than zero, the order condition was satisfied. The rank condition was satisfied

because all factors in a congeneric model had at least three indicators. The CFA models satisfying the three-indicator rule, with large samples sizes greater than 300, generally do not produce unreliable results. Using this as guideline, the sample size is sufficient to perform confirmatory analysis with reliable results successfully and effectively.

#### 5.2.5.4 Stage 4: Assessing measurement model validity

In this stage, the SPSS package was used to estimate the CFA model – the parameters of the model were computed. This provided an empirical measure of the relationships between the variables and constructs, as represented by the measurement model. The results gave insight into how the theory (model) compared to practice or reality (sample data) – how well the model fit the data. Construct validity was tested through several goodness of fit measures (GOF measures) and the achievement of convergent validity.

#### (a) Convergent validity

To examine convergent validity, the unstandardised factor loading estimates presented in Table 5.16 were reviewed. Table 5.16 presents each indicator or variable, the associated construct, estimated loading, standard error and critical ratio (CR).

**Table 5.16: Unstandardised factor loading estimates**

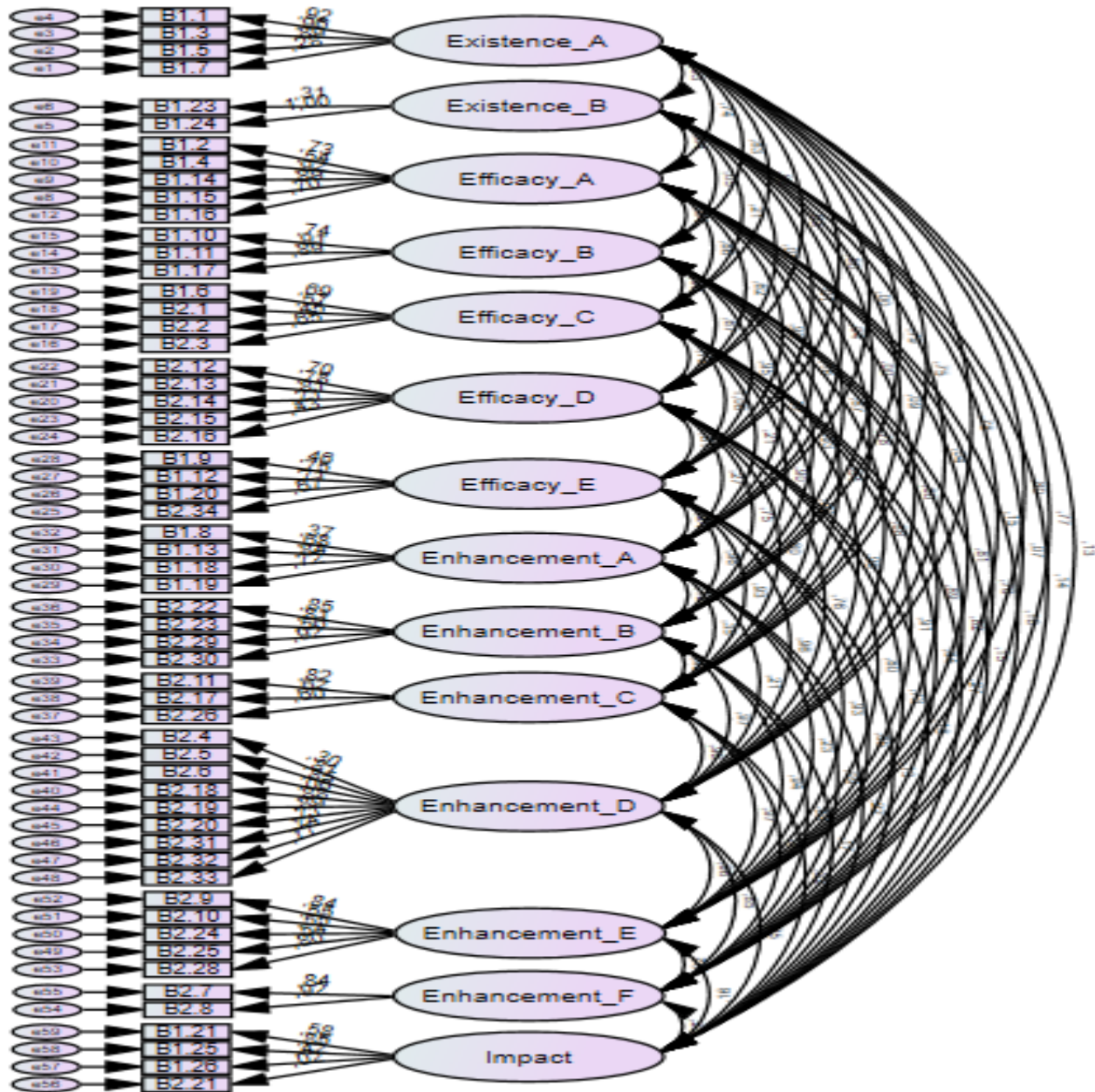
Indicator	Construct	Estimate	S.E.	CR
B1.7	Existence_A	1	N/A	N/A
B1.5	Existence_A	4.859	0.985	4.936
B1.3	Existence_A	5.293	1.065	4.969
B1.1	Existence_A	5.356	1.082	4.951
B1.24	Existence_B	1	N/A	N/A
B1.23	Existence_B	0.397	0.18	2.207
B1.15	Efficacy_A	1.473	0.1	14.757
B1.14	Efficacy_A	1.549	0.102	15.155
B1.4	Efficacy_A	0.732	0.081	9.027
B1.2	Efficacy_A	1.143	0.094	12.12
B1.16	Efficacy_A	1	N/A	N/A
B1.17	Efficacy_B	1	N/A	N/A
B1.11	Efficacy_B	0.999	0.042	24.037
B1.10	Efficacy_B	0.705	0.043	16.237
B2.3	Efficacy_C	1	N/A	N/A

Indicator	Construct	Estimate	S.E.	CR
B2.2	Efficacy_C	0.741	0.098	7.581
B2.1	Efficacy_C	0.927	0.099	9.362
B1.6	Efficacy_C	1.301	0.117	11.098
B2.14	Efficacy_D	2.62	0.355	7.375
B2.13	Efficacy_D	2.381	0.326	7.314
B2.12	Efficacy_D	2.452	0.348	7.052
B2.15	Efficacy_D	2.065	0.293	7.056
B2.16	Efficacy_D	1	N/A	N/A
B2.34	Efficacy_E	1	N/A	N/A
B1.20	Efficacy_E	1.165	0.1	11.705
B1.12	Efficacy_E	1.215	0.098	12.378
B1.9	Efficacy_E	0.518	0.066	7.902
B1.19	Enhancement_A	1	N/A	N/A
B1.18	Enhancement_A	0.884	0.076	11.555
B1.13	Enhancement_A	0.674	0.065	10.414
B1.8	Enhancement_A	0.48	0.083	5.807
B2.30	Enhancement_B	1	N/A	N/A
B2.29	Enhancement_B	0.392	0.036	11.024
B2.23	Enhancement_B	0.802	0.039	20.365
B2.22	Enhancement_B	0.879	0.039	22.629
B2.26	Enhancement_C	1	N/A	N/A
B2.17	Enhancement_C	0.976	0.106	9.19
B2.11	Enhancement_C	1.49	0.134	11.137
B2.18	Enhancement_D	0.068	0.064	1.065
B2.6	Enhancement_D	1.03	0.063	16.409
B2.5	Enhancement_D	1.032	0.067	15.493
B2.4	Enhancement_D	0.251	0.049	5.13
B2.19	Enhancement_D	0.965	0.056	17.244
B2.20	Enhancement_D	1.007	0.057	17.573
B2.31	Enhancement_D	0.724	0.055	13.208
B2.32	Enhancement_D	0.786	0.056	13.924
B2.33	Enhancement_D	1	N/A	N/A
B2.25	Enhancement_E	1	N/A	N/A
B2.24	Enhancement_E	1.107	0.14	7.89
B2.10	Enhancement_E	1.137	0.145	7.855
B2.9	Enhancement_E	1.983	0.196	10.119
B2.28	Enhancement_E	2.079	0.211	9.866
B2.8	Enhancement_F	1	N/A	N/A
B2.7	Enhancement_F	0.898	0.044	20.321
B2.21	Impact	1	N/A	N/A
B1.26	Impact	15.994	42.231	0.379

Indicator	Construct	Estimate	S.E.	CR
B1.25	Impact	35.729	94.282	0.379
B1.21	Impact	22.734	59.983	0.379

The CR is a value obtained when the estimated factor loading is divided by its standard error. For example, the CR value for indicator B1.21 is  $z = 22.734/59.983 = 0.379$ . In other words, the factor loading estimate for B1.21 is 0.379 standard errors above zero. The CR is similar to a t-value from a t-test in which the loading estimate is hypothesised to be zero. The CR therefore acts as an indicator for significant loadings. Note that CR (with commas) is different from CR (without commas) (composite reliability).

As can be seen from Table 5.16, all the unstandardised factor loading estimates were highly significant. Although the unstandardised loadings provided useful information, they do not give the diagnostics needed to determine convergent reliability. To that end, the standardised loading estimates were examined since they also aid in the calculation of reliability estimates. Figure 5.3 shows the initial conceptual measurement model with standardised loading estimates.



**Figure 5.3:** Initial Conceptual Measurement Model with Standardised Loading Estimates

The standardised loadings are displayed in Table 5.17 including the factor loading, Cronbach alpha, composite reliability (CR) and average variance extracted (AVE) values for each construct.

**Table 5.17: Standardised loading estimates and reliability**

Construct	Items	Factor loading	Cronbach Alpha	CR	AVE
Existence A	B1.5, B1.3, B1.1	0.28, 0.89, 0.96, 0.92	0.944	0.872	0.660
Existence B	B1.24, B1.23	1.00, 0.32	0.469	0.655	0.547
Efficacy A	B1.15, B1.14	0.89, 0.92, 0.54, 0.73, 0.70	0.932	0.874	0.589
Efficacy B	B1.17, B1.11, B1.10	0.89, 0.91, 0.74	0.880	0.884	0.719
Efficacy C	B2.3, B2.1, B1.6	0.65, 0.45, 0.57, 0.69	0.649	0.681	0.354
Efficacy D	B2.14, B2.13, B2.12, B2.15	0.81, 0.78, 0.70, 0.71, 0.44	0.830	0.822	0.459
Efficacy E	B2.34, B1.20, B1.12	0.67, 0.71, 0.75, 0.46	0.752	0.747	0.431
Enhancement A	B1.13, B1.8	0.72, 0.84, 0.68, 0.37	0.753	0.759	0.457
Enhancement B	B2.30, B2.23, B2.22	0.92, 0.56, 0.81, 0.85	0.903	0.871	0.634
Enhancement C	B2.26, B2.17, B2.11	0.60, 0.62, 0.82	0.721	0.722	0.459
Enhancement D	B2.6, B2.5, B2.19, B2.20, B2.31, B2.32, B2.33	0.06, 0.85, 0.81, 0.30, 0.88, 0.89, 0.71, 0.74, 0.77	0.928	0.893	0.519
Enhancement E	B2.24, B2.9, B2.28	0.54, 0.55, 0.55, 0.85, 0.80	0.740	0.797	0.451
Enhancement F	B2.8, B2.7	0.92, 0.84	0.872	0.874	0.776
Impact	B2.21, B1.25	0.03, 0.43, 0.85, 0.58	0.664	0.562	0.311

Following the inspection of the loading estimates, it was found that several loadings were low. As indicated, the standardised factor loadings should be 0.5 or higher and ideally 0.7 or higher. In this case, 11 out of 58 loadings were below 0.5. The AVE for seven constructs fell below 0.5. The AVE and CR for each construct were calculated using the following formulas:

$$AVE = \frac{\sum_{i=1}^n L_i^2}{n}$$

and

$$CR = \frac{(\sum_{i=1}^n L_i)^2}{(\sum_{i=1}^n L_i)^2 + \sum_{i=1}^n e_i}$$

After thorough inspection of the convergent validity results and careful consideration, it was evident that the initial CFA model did not adhere to the requirements for construct validity. Based on this finding, it was clear that the initial model needed to be modified.

**(b) Modified conceptual measurement model**

For careful data reduction, the modification approach included the elimination of those items with low loadings to ensure that the average loading for each construct was as close as possible to 0.7. To this end, the following items were deleted:

**Table 5.18: Items deleted from each construct**

Construct	Item
Existence A	B1.7
Existence B	B1.22
Efficacy A	B1.2, B1.4, B1.16
Efficacy B	None
Efficacy C	B2.2
Efficacy D	B2.16, B2.27
Efficacy E	None
Enhancement A	B1.8, B1.19
Enhancement B	B2.29
Enhancement C	None
Enhancement D	B2.4, B2.18
Enhancement E	B2.10, B2.25
Enhancement F	None
Impact	B1.26, B2.21

It was now necessary to provide each construct a descriptive name. After deleting these items or variables, labels were assigned to each construct. The items belonging to each construct determined the name of the construct. Hence, labels were assigned by taking into consideration the specific variables belonging to the construct. The

appropriateness of each item for representing the underlying dimensions of the construct was also considered. The labels decided upon are listed in Table 5.19, with their shortened descriptions for ease of reference and to facilitate the drawing of the modified model. Each shortened description is shown in brackets.

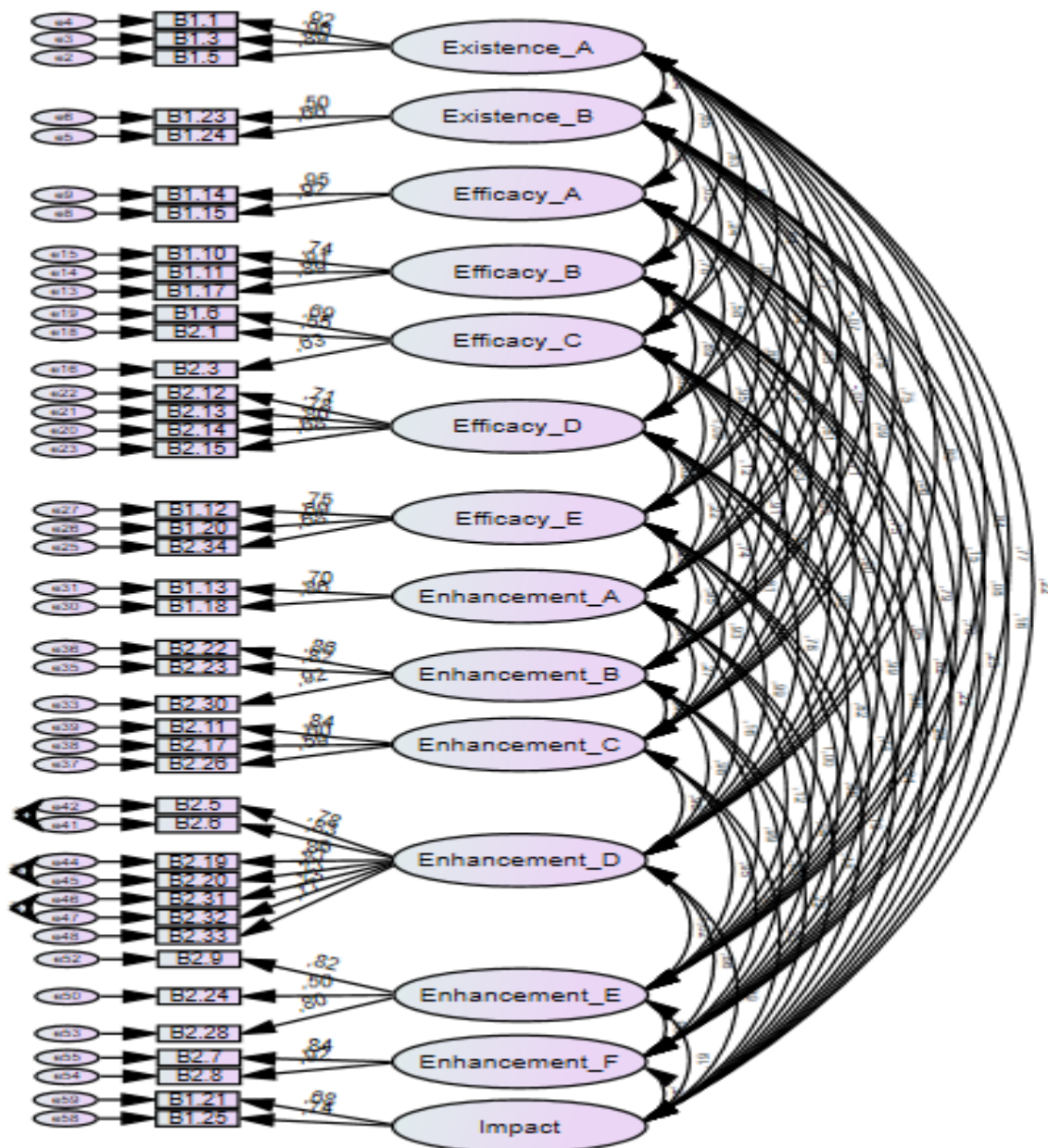
**Table 5.19: Labels determining the name of the construct**

<b>Construct</b>	<b>Description</b>	<b>Labels</b>
<b>Existence</b>	Existence of sound labour relations at the GDE	<p><b>Fair labour relations practiced at all levels of the GDE (Existence A)</b> B1.1, B1.3, B1.5</p> <p><b>Prohibitions and behaviour of employees during strike actions/ Employees' right to participate in a strike action/ Strike action (Existence B)</b> B1.23, B1.24</p>
<b>Efficacy</b>	Efficacy of measures to promote ethical behaviour at the GDE	<p><b>Management consults trade unions and employees when making decisions (Efficacy A)</b> B1.14, B1.15</p> <p><b>The GDE encourages consultation between managers and employees (Efficacy B)</b> B1.10, B1.11, B1.17</p> <p><b>Disciplinary action against ethical behaviour (Action) (Efficacy C)</b> B1.6, B2.1, B2.3</p> <p><b>The GDE encourages employees to comply with laws, policies and rules that promote ethical behaviour (Efficacy D)</b> B2.12, B2.13, B2.14, B2.15</p> <p><b>Consequences/ values of promoting ethical behaviour (Efficacy E)</b> B1.9, B1.12, B1.20, B2.34</p>
<b>Enhancement</b>	Enhancement of professionalism through ethics at the GDE	<p><b>The role of trade unions in enhancing professionalism (Enhancement A)</b> B1.13, B1.18</p>



Construct	Description	Labels
		<p><b>The role of managers in enhancing professionalism (Enhancement B)</b> B2.22, B2.23, B2.30</p> <p><b>The role of employees in enhancing professionalism (Enhancement C)</b> B2.11, B2.17, B2.26</p> <p><b>Organisational culture in enhancing professionalism (Enhancement D)</b> B2.5, B2.6, B2.19, B2.20, B2.31, B2.32, B2.33</p> <p><b>Code of conduct in enhancing professionalism (Enhancement E)</b> B2.9, B2.24, B2.28</p> <p><b>Fair selection and recruitment practices (Enhancement F)</b> B2.7 B2.8</p>
<b>Impact</b>	Impact of unethical behaviour on the effectiveness of the GDE	<b>Impact of unethical behaviour on the effectiveness of the GDE (Impact A)</b> B1.21, B1.25

Figure 5.2, for the initial measurement model, was then modified to reflect the labelled constructs and associated indicator variables, after omitting the variables listed in Table 5.18. Each construct, therefore, has fewer associated variables, as reflected in Table 5.19. The relationships among the constructs and indicator variables in the modified model remained unchanged from the initial model (Figure 5.3). The modified model is depicted in Figure 5.4.



**Figure 5.4:** Modified conceptual measurement model

The new model displayed 43 measured variables, along with the existing 14 latent constructs and their relation to each other. The same assumptions were applied to the measurement model and the correlation was allowed between all constructs; each variable could only load onto one construct. There were no cross-loadings allowed.

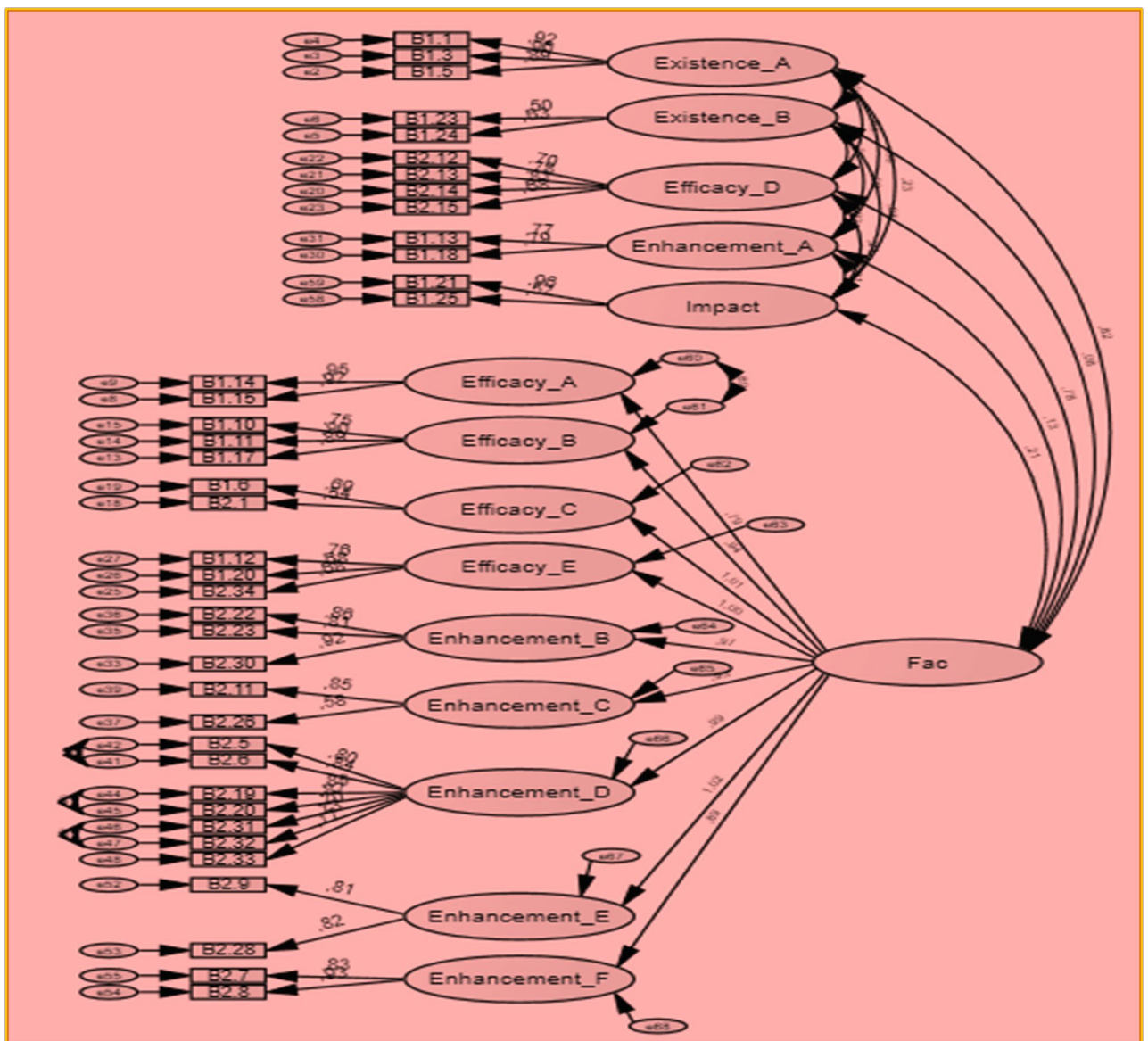
The loading estimates are displayed in Table 5.20 explains the modified conceptual measurement model captured in Figure 5.4.

**Table 5.20: Unstandardised factor loading estimates for the modified model**

Indicator	Construct	Estimate	S.E.	C.R.
B1.5	Existence_A	1	N/A	N/A
B1.3	Existence_A	1.087	0.039	28.029
B1.1	Existence_A	1.101	0.043	25.532
B1.24	Existence_B	0.528	0.048	10.938
B1.23	Existence_B	0.528	0.048	10.938
B1.15	Efficacy_A	1	N/A	N/A
B1.14	Efficacy_A	1.053	0.038	27.836
B1.17	Efficacy_B	1	N/A	N/A
B1.11	Efficacy_B	1.001	0.042	24.047
B1.10	Efficacy_B	0.703	0.044	16.125
B2.3	Efficacy_C	1	N/A	N/A
B2.1	Efficacy_C	0.944	0.104	9.066
B1.6	Efficacy_C	1.36	0.125	10.871
B2.14	Efficacy_D	1.306	0.108	12.141
B2.13	Efficacy_D	1.19	0.1	11.9
B2.12	Efficacy_D	1.244	0.113	11.005
B2.15	Efficacy_D	1	N/A	N/A
B2.34	Efficacy_E	1	N/A	N/A
B1.20	Efficacy_E	1.118	0.094	11.848
B1.12	Efficacy_E	1.18	0.093	12.707
B1.18	Enhancement_A	1	N/A	N/A
B1.13	Enhancement_A	0.771	0.113	6.81
B2.30	Enhancement_B	1	N/A	N/A
B2.23	Enhancement_B	0.806	0.039	20.861
B2.22	Enhancement_B	0.881	0.038	23.078
B2.26	Enhancement_C	1	N/A	N/A
B2.17	Enhancement_C	0.951	0.109	8.732
B2.11	Enhancement_C	1.543	0.141	10.967
B2.6	Enhancement_D	1.007	0.062	16.164
B2.5	Enhancement_D	0.996	0.066	15.024
B2.19	Enhancement_D	0.942	0.056	16.954
B2.20	Enhancement_D	0.986	0.057	17.339
B2.31	Enhancement_D	0.722	0.054	13.311
B2.32	Enhancement_D	0.772	0.056	13.791
B2.33	Enhancement_D	1	N/A	N/A
B2.24	Enhancement_E	0.479	0.051	9.392
B2.9	Enhancement_E	0.926	0.053	17.391
B2.28	Enhancement_E	1	N/A	N/A
B2.8	Enhancement_F	1	N/A	N/A
B2.7	Enhancement_F	0.894	0.044	20.314

Indicator	Construct	Estimate	S.E.	C.R.
B1.25	Impact	1	N/A	N/A
B1.21	Impact	0.868	0.153	5.672

Compared to the initial model, all the unstandardised factor loading estimates were highly significant. However, the unstandardised loadings did not give the necessary diagnostics to determine convergent reliability. Hence, the standardised loading estimates were examined. From 60 variables, the unstandardised loadings remained with 42 variables following the deletion of the variables shown in Table 5.18. Finally, Figure 5.5 displays a visual representation of the final modified conceptual measurement model, and Table 5.21 shows the final loading estimates.



**Figure 5.5:** Final modified conceptual measurement model

The final loading estimates displayed in Table 5.21 explain the final modified conceptual measurement model that is captured in Figure 5.5.

**Table 5.21: Factor loading estimates for the final modified model**

Indicator	Construct	Estimate	S.E.	C.R.
B1.5	Existence_A	1	N/A	N/A
B1.3	Existence_A	1.088	0.039	28.107
B1.1	Existence_A	1.099	0.043	25.399
B1.24	Existence_B	0.516	0.049	10.481
B1.23	Existence_B	0.516	0.049	10.481
B2.14	Efficacy_D	1.319	0.108	12.196
B2.13	Efficacy_D	1.188	0.1	11.854
B2.12	Efficacy_D	1.223	0.113	10.827
B2.15	Efficacy_D	1	N/A	N/A
B1.18	Enhancement_A	1	N/A	N/A
B1.13	Enhancement_A	0.929	0.154	6.044
B1.25	Impact	1	N/A	N/A
B1.21	Impact	1.734	0.55	3.151
Efficacy_C	Fac	0.728	0.046	15.829
Efficacy_B	Fac	0.933	0.045	20.628
Efficacy_A	Fac	0.931	0.057	16.444
Efficacy_E	Fac	0.788	0.041	19.311
Enhancement_B	Fac	1.012	0.047	21.413
Enhancement_C	Fac	0.66	0.041	16.193
Enhancement_D	Fac	0.911	0.041	22.237
Enhancement_E	Fac	0.968	0.046	20.878
Enhancement_F	Fac	1	N/A	N/A

The variables were lastly limited to 22 as shown in Table 5.21. For ease of reference, the standardised loadings are displayed in Table 5.22, together with the Cronbach alpha, composite reliability (CR), comparative fit index (CFI) and average variance extracted (AVE) values for each construct.

**Table 5.22: Standardised loadings and reliability for modified model**

Construct	Items	Factor loading	Cronbach Alpha	CR	AVE
Existence A	B1.7, B1.5, B1.3, B1.1	0.28, 0.89, 0.96, 0.92	0.944	0.872	0.660
Existence B	B1.24, B1.23	1.00, 0.32	0.469	0.655	0.547
Efficacy A	B1.15, B1.14, B1.4, B1.2, B1.16	0.89, 0.92, 0.54, 0.73, 0.70	0.932	0.874	0.589
Efficacy B	B1.17, B1.11, B1.10	0.89, 0.91, 0.74	0.880	0.884	0.719
Efficacy C	B2.3, B2.2, B2.1, B1.6	0.65, 0.45, 0.57, 0.69	0.649	0.681	0.354
Efficacy D	B2.14, B2.13, B2.12, B2.15, B2.16	0.81, 0.78, 0.70, 0.71, 0.44	0.830	0.822	0.459
Efficacy E	B2.34, B1.20, B1.12, B1.9	0.67, 0.71, 0.75, 0.46	0.752	0.747	0.431
Enhancement A	B1.19, B1.18, B1.13, B1.8	0.72, 0.84, 0.68, 0.37	0.753	0.759	0.457
Enhancement B	B2.30, B2.29, B2.23, B2.22	0.92, 0.56, 0.81, 0.85	0.903	0.871	0.634
Enhancement C	B2.26, B2.17, B2.11	0.60, 0.62, 0.82	0.721	0.722	0.459
Enhancement D	B2.18, B2.6, B2.5, B2.4, B2.19, B2.20, B2.31, B2.32, B2.33	0.06, 0.85, 0.81, 0.30, 0.88, 0.89, 0.71, 0.74, 0.77	0.928	0.893	0.519
Enhancement E	B2.25, B2.24, B2.10, B2.9, B2.28	0.54, 0.55, 0.55, 0.85, 0.80	0.740	0.797	0.451
Enhancement F	B2.8, B2.7	0.92, 0.84	0.872	0.874	0.776
Impact	B2.21, B1.26, B1.25, B1.21	0.03, 0.43, 0.85, 0.58	0.664	0.562	0.311

The standardised loadings and reliability for the modified model show a significant improvement where only nine loadings are low (as compared to the unstandardised factor loadings where 11 loadings were below 0.5), whereas the rest are over 0.5 or higher. According to Suprpto, Stefany and Ali (2020:4-5), the rule of thumb used for measuring loadings and reliability is a value of over 0.7. Gu, Guo, Liang, Lu, Zhao, Liu and Long (2019:8) maintain that a reliability coefficient above 0.7 is accepted as the threshold. Soprapto *et al.* (2020) further explain that loadings above 0.5 indicate that the reliability of the model good (2019:8). Pasamar, Johnston and Tanwar (2020:785) enlighten that a value of 0.4 for the intensity scale is also acceptable.

The Cronbach alpha for only one construct was below 0.5, whilst all others were over 0.6. Cronbach's alpha values are used to determine the reliability of constructs Pervan, Curak and Kramaric (2018:9). The construct with a Cronbach's alpha that is below 0.5 registers a CR of over 0.6. As CR is an alternative Cronbach's alpha, it may be presented that Table 5.22 confirms the reliability of the measurement model.

Although reliability is important for a study, it is not sufficient unless combined with validity. A test that is reliable also needs to be valid. Therefore, a common procedure after determining the reliability includes an investigation of the measurement model, which is usually assessed with convergent validity and discriminant validity (Pervan *et al.*, 2018:10). To determine the validity, convergent and discriminant validity are discussed.

Convergent validity, according to Wang, French and Clay (2015:87), relates to different indicators that are theoretically similar or overlapping constructs that are strongly interrelated. Convergent validity is achieved when all items in a measurement model are statistically significant. The convergent validity could also be verified by computing the AVE for every construct. The value of AVE should be 0.5 or higher for this validity to be achieved. Thus, retaining low factor loading items in a model could cause the construct to fail convergent validity. Ab Hamid (2017:2) argues that AVE of above 0.4 can be accepted if the CR is higher than 0.6. Table 5.22 illustrates that one construct (construct name: impact) recorded AVE of 0.311 and CR of 0.562. This construct is not fit for convergent validity and was, therefore, removed. All the other constructs illustrate the convergent validity of the construct that is adequate.

Further, several individuals were presented with a questionnaire to review its validity. These individuals included two supervisors, three labour relations officials in the public service (all not in the GDE head office), three ethics officials in the public service (all not situated in the GDE head office), and one statistician. These individuals were asked to look at each question to determine whether it measured what it was intended for. These individuals also scrutinised the questionnaire for accuracy in the questions. It was found that the validity of the questionnaire was adequate.

According to Hair et al. (2010:708), to determine validity, construct validity ought to be realised. Furthermore, they argue that construct validity relates to the extent to which a set of measured items are correlated to the theoretical latent construct. Construct validity was tested through several goodness of fit (GOF) measures and the achievement of convergent validity, as discussed next.

**(c) Goodness of fit (GOF) measures**

The model fit described how well the variance–covariance sample data fit the CFA models in Figures 5.3, 5.4 and 5.5. The common criteria used include the chi-square statistic, the goodness of fit index (GFI), the adjusted goodness of fit index (AGFI), and the root mean square residual (RMR). These criteria or statistics are determined by computing a comparison between the observed models (including the initial model, modified and final modified models). Table 5.23 depicts a comparison summary of the GOF statistics for the initial model, modified model, and final modified models.

**Table 5.23: A comparison of goodness of fit statistics**

Statistic	Guideline/ Benchmark	Compared observed model values		
		Initial Model	Modified Model	Final Modified Model
<b>Chi-square</b>	p > 0.05	4699.53 df = 1504 p < 0.000	1709.66 df = 726 P < 0.000	1625.95 df = 675 P < 0.000
<b>CMIN/df</b>	> 5 terrible 3-5 acceptable <3 excellent	3.125	2.355	2.409
<b>GFI</b>	<0.90 terrible >0.90 acceptable >0.95 excellent	<b>0.64</b>	<b>0.79</b>	0.79
<b>AGFI</b>	<0.90 terrible >0.90 acceptable >0.95 excellent	<b>0.59</b>	<b>0.74</b>	0.75
<b>NFI</b>	<0.90 terrible >0.90 acceptable >0.95 excellent	<b>0.69</b>	<b>0.85</b>	0.85
<b>TLI</b>	<0.90 terrible >0.90 acceptable	<b>0.74</b>	<b>0.89</b>	0.90



Statistic	Guideline/ Benchmark	Compared observed model values		
		Initial Model	Modified Model	Final Modified Model
	>0.95 excellent			
<b>CFI</b>	<0.90 terrible 0.90-0.95 acceptable >0.95 excellent	<b>0.77</b>	<b>0.91</b>	0.91
<b>RMSEA</b>	>0.08 terrible 0.06-0.08 acceptable <0.06 excellent	<b>0.084</b>	<b>0.067</b>	0.068
<b>PCLOSE</b>	<0.01 terrible 0.01-0.05 acceptable >0.05 excellent	<b>0.000</b>	<b>0.000</b>	0.000
<b>SRMR</b>	>0.10 terrible 0.08-0.10 acceptable <0.08 excellent	<b>0.081</b>	<b>0.046</b>	0.046
<b>AIC</b>	Min acceptable	5. 113.5	2.063.7	1. 835.9
<b>BIC</b>	Min acceptable	5. 883.0	2.721.6	2. 226.2

Each statistic shown in Table 5.23 is described to illustrate the observed value for a model fit and to provide further insight into the model fit. To this end, the following model fit statistics were used:

**(i) Chi-square statistics**

This sub-section explains the two chi-square statistics used as GOF measures.

- **$X^2$  statistics**

According to Schumacker and Lomax (2016:75), “chi-square statistic is the only statistic test of significance for testing the theoretical model. The chi-square value ranges from zero for a saturated model with all paths included to a maximum value for the independence model with no paths included”. A nonsignificant chi-square value is favourable because it indicates that there is little difference between the sample covariance matrix and the model implied (reproduced) covariance matrix. A nonsignificant chi-square value is regarded as any value close to zero.

A significant chi-square value illustrates the difference between the observed and implied covariance matrices. The statistical worth of a significant chi-square then points towards the probability that this difference is caused by sampling variation. The observed value of the chi-square statistic for the final modified model was 1625,94 (df = 675,  $p < 0.00$ ). The small p-value means that the chi-square statistic was significant, indicating that the model fit the sample variance–covariance matrix less than adequate. Further examination of the model fit was, therefore, executed using several model fit statistics.

- **Normed chi-square**

This measure is obtained by dividing the value of the chi-square statistic by its degree of freedom. In other words, it is the ratio of the value of the chi-square statistic to its corresponding degrees of freedom (df). The final modified model was calculated as follows:

$$2.4088 = \frac{1625.94}{675}$$

The value of the normed chi-square statistic is permissible, since it is smaller than 5.

- (ii) **Absolute fit measures**

The absolute fit measures are regarded as GOF statistics that provide measures of how well the specified model can reproduce or represent the sample data. These absolute fit measures are discussed in subsequent sections.

- **Goodness of fit index (GFI)**

Wang, Xu, Wang, Tan and Chen (2019:2) argue that the GFI measures the discrepancy between the sample covariance matrix and the estimated covariance matrix, and to determine how much better the proposed model fits as compared to a null model. Table 5.23 illustrates that the GFI for the final modified model fell below the traditional benchmark of 0.90 and it was, therefore, regarded as a terrible value at 0.79.

- **Root-mean-square error of approximation (RMSEA)**

Beribiski and Cribbie (2023:1) explain that the RMSEA is one of the GOF measures that is most widely reported to determine misfit/fit in applications of structural equation

modelling. When the RMSEA is of interest, the accompanying confidence interval will also be of interest (Beribiski & Cribllie, 2023). A narrow confidence interval reveals that plausible parameter values are confined to a relatively small range at the specified level of confidence. Table 5.23 illustrates the RMSEA value to be at 0.063 which was regarded as an acceptable benchmark.

- **P of Close (PCLOSE)**

Berba and Oliva (2022:216) explain that the p-close value must be greater than or equal to 0.05. Table 5.23 illustrates a p-close value of 0.000 that is below the benchmark of 0.5 thus implying that it had a terrible value.

- **Standardised root mean square residual (SRMR)**

Pinedaa, Mohamadc, Solomon, Bircob, Superioe, Cuencof and Bognot (2022:58) indicate that the permissible range for the SRMR index is between 0 and 0.08 but the most reliable estimates and observed correlations are <0.08. Table 5.23 illustrates a SRMR of 0.046 which is within the acceptable benchmark of <0.08, which was a good fit for the final modified model.

**(iii) Incremental fit indices**

The incremental fit indices include the normed fit index (NFI), the comparative fit index (CFI), the non-normed fit index (NNFI, also referred to as the Tucker–Lewis Index – TLI) which are in a family of relative fit measures for structural equation modelling that involves locating a model of interest within a continuum of models from the worst fitting baseline model to the perfect fitting or saturated model. These incremental fit indices are explained below.

- **Normed fit index (NFI)**

Yaşhoğlu and Yaşhoğlu (2020:11) indicate that the “NFI is calculated using minimum discrepancy (CMIN – chi-square) of default model with CMIN of independent model”. The authors further indicate that the NFI fits with a value between 0-1, although the value 1 represents perfect fit to data. A value of 0.90 and above is accepted to represent acceptable fit. Table 5.23 shows a value of 0.85 which did not qualify as a fit within the benchmark value of >0.90 or >0.95.

- **Comparative fit indices (CFI)**

Cangur and Ercan (2015:158) refer to the CFI as incremental fit indices that measures the improvement in non-centrality. As incremental fit indices, the CFI is intended to overcome deficiencies presented in the NFI statistic. For the final modified model, it was found that CFI = 0.91 which is considered to fall within the accepted benchmark of between 0.90 and 0.95. The CFI for the final modified model was permissible.

- **Tucker–Lewis index (TLI)**

Yaşhoğlu and Yaşhoğlu (2020:11) specify that TLI is very similar to the relative fit index (RFI). They further indicate that the TLI and CFI depend on the average size of correlations in the model. If the average correlation among variables is low, the values are also low. Table 5.23 illustrates values of between 0.90 and 0.95 as acceptable, and >0.95 was recognised as a good fit. Using the benchmark guideline value of between 0.90 and 0.95 as indicated in Table 5.23, the TLI of 0.91 in the final modified model was permissible.

**(iv) Parsimony fit indices**

Yaşhoğlu and Yaşhoğlu (2020:2) define parsimony as simplicity and argue that parsimonious models are simple models with less parameters to be estimated. They further argue that parsimony of a model can only be judged relatively often by comparing nested models. The following parsimony indices provide useful information about which model is best among a group of similar or competing models by inspection of their fit relative to their complexity.

- **Adjusted goodness of fit index (AGFI)**

As with GFI, AGFI also produces a value between 0 to 1 and has a measuring benchmark of <0.90 (terrible), between 0.90 and 0.95 (acceptable) and >95 (excellent). Because both GFI and AGFI are very sensitive to sample size, their use as fit indices is decreasingly trusted even to the point where researchers have recommended that they are not used at all (Carlback & Wong, 2018:40). Table 5.23 illustrates AGFI value of 0.75 that explains that the final modified model has a poor fit.

#### **(v) Comparing the Akaike Information Criterion (AIC) and Bayesian Information Criterion**

AIC is regarded as an estimate of a constant and relative distance between the unknown true likelihood function of the data and the fit likelihood function of the model (Randa, 2019). The Bayesian Information Criterion (BIC) as an estimate of a function of the posterior probability of a model being true, under a certain Bayesian setup (Randa, 2019). Randa (2019) further notes that the Akaike Information Criterion (AIC) or BIC cannot determine how well a particular model explains data, it can only tell if data strikes the balance between model complexity and specificity.

The AIC determines which model is most adequate in describing the unknown. It is further resolved that reality in the AIC is never in the set of candidate models that are being considered. Both the AIC and BIC reflect how well the model fits the data. Arguably, a model with a lower AIC or BIC is better despite not indicating an absolute fit (Datalab, 2019). The AIC of the final modified model was lower at 1.835.9 compared to the initial and the modified models (at 5.113.5 and 2 0.63.7 respectively). The BIC if the final modified model was also lower at 2.226.2 compared to the initial and the modified models (at 5.883.0 and 2.721.6 respectively). Therefore, the final modified model fit very well with the data.

#### **5.4.2 Extended analysis (Section C1 of the Questionnaire)**

The questionnaire included three questions in Section C1, which required respondents to respond by either yes, no or not applicable. Table 5.24 shows the total number of responses per category.

**Table 5.24: Questionnaire-Section C1 (analysed)**

		Yes	No	Not applicable	Total
C1.1 [The human resources management directorate offers training on the code of conduct which is mandatory for all employees]	n	161	132	11	304
	%	53.0%	43.4%	3.6%	100.0%
C1.2 [The human resources management directorate initiated disciplinary action against employees for participating in non-protected strikes]	n	188	100	16	304
	%	61.8%	32.9%	5.3%	100.0%
C1.3 [Employees that participate in an unprotected strike action are subjected to the “no work no pay” rule]	n	279	14	11	304
	%	91.8%	4.6%	3.6%	100.0%

Table 5.24 shows that 161 (53.0%) respondents agreed, by choosing yes, that the human resources management directorate offered training on the code of conduct which was mandatory for all employees compared to 132 (43.4%) who say no and 11 (3.6%) who say not applicable. It is, therefore, assumed that many employees at the GDE were trained on the code of conduct implying that most employees had knowledge of what was expected of them regarding their conduct and behaviour in the workplace. It may further be assumed that moral behaviour, respect, tolerance, and decency among employees would prevail. The Public Service Commission (2002:25) establishes in the Code of Conduct for the Public Service that employees are required to make a special effort to co-operate with, help and support each other.

Table 5.24 further specifies that 188 (61.8%) respondents stated that human resources management directorate initiated disciplinary action against employees for participating in unprotected strikes compared to 100 (32.9%) respondents who refuted this statement and 16 (5.3%) who refrained by selecting not applicable. The Public Service Coordinating Bargaining Council provides that any public service employee who participates in an unprocedural, unprotected and/or unlawful strike action will be found to be guilty of misconduct (PSCBC, 2003:12). Sections 65 and 68 in the Labour Relations Act 66 of 1995 provide that employees who participate in a strike action that does not comply with the provisions related to the right to strike in the Labour Relations Act 66 of 1995 partake in an unprocedural, unprotected and/or unlawful strike action

(RSA, 1995:91-96). The large number of respondents (188) who affirmed this statement signify that most GDE employees acknowledge that, despite having the right to strike, their right is limited by law and that they cannot participate in an unprotected strike.

Lastly, 275 (91.8%) respondents declared that no work no pay is subjected against employees who participate in unprotected strikes compared to 14 respondents (4.6%) standing against this statement and 11 (3.6%) who did not respond. It is, therefore, expected that most GDE employees will not participate in an unprotected strike action because they may not be paid a salary. It may be extended that the no work no pay principle may be implemented against an employee for arriving late or leaving work early, or one who takes extended tea or lunch breaks. Therefore, the very basis of the employee contract is that an employee must be on time and at the workstation for the contracted number of hours per day to perform their requisite duties (Classen, 2022). It is further explaining that, an employee who does not report on time at the workstation breaches the contract, and the employer may, on own discretion, implement the no work no pay rule against such an employee (Classen, 2022).

## **5.5 CONCLUSION**

This chapter reported on the results of the research study and emphasised how the quantitative data were analysed and interpreted. The demographic profile of the respondents was reported; the categories for the highest qualification and level of employment at the GDE were condensed because some sub-categories recorded fewer responses. The psychometric suitability of the scale was explained using EFA and CFA assessments. A five-stage EFA process was conducted followed by a four-stage CFA approach. This was done to assess and inform the underlying structure of the set of variables, as obtained from the EFA. Based on the preliminary findings of the CFA, an initial conceptual measurement model was proposed. Lastly, the initial model, the modified model and final modified models were compared and it was resolved that the final modified model was a fit model for this study. Based on the presented final modified conceptual model, it becomes necessary to present the research findings with recommendations. Chapter 6 will present the research findings, recommendations, and conclusions.

## **CHAPTER 6: FINDINGS, RECOMMENDATIONS AND CONCLUSIONS**

### **6.1 INTRODUCTION**

Chapter 5 outlined and discussed the statistical results by presenting the descriptive and inferential statistical reports which included data cleaning and organising, instrument and model development, thematic analysis, testing for group mean differences and invariance testing. These results are now interpreted to enable the researcher to integrate the findings of the literature review with the empirical research findings. The results provide supportive evidence for the formulated research objectives. Chapter 6, finally, outlines the main conclusions of the study, makes recommendations for the practical application of the findings, and signifies the contribution to the Body of Knowledge and for possible further research studies.

The following were research objectives of the study:

- To determine whether sound labour relations exist at the GDE.
- To examine whether the measures instituted by the GDE are effective in promoting ethical behaviour.
- To explore whether ethics enhance professionalism of employees at the GDE.
- To investigate the impact of unethical behaviour on the effectiveness of the GDE.

### **6.2 SUMMARY OF CHAPTERS**

The study sought to explore whether the existing measures to promote ethical behaviour enhance professionalism and effectiveness, and promote sound labour relations between managers and employees of the GDE. The thesis was divided into the following chapters:

#### **6.2.1 Chapter 1: Introduction and rationale of the study**

This chapter outlined the introduction and rationale of the study and presented the background and rationale of the study as well as the problem statement. The primary and secondary objectives and questions of the study were presented. The research design and methodology of the study were described to outline the sample selection,



to identify the respondents, to describe the procedure used in designing the instrument and collecting data, to provide an analysis to the collected data, and to provide a possible limitations and delimitations to the study. Ethical considerations about the study were also described. The terms and concepts used in the study were defined and the preliminary review was presented in the research.

### **6.2.2 Chapter 2: Professional ethics in Gauteng Department of Education (GDE)**

This chapter presented a critical review on professional ethics in the global arena. Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia and South Africa were selected to ascertain the most reported ethical dilemmas and to identify the available measures to promote professional ethics in the public services. Analysing global trends was imperative to identify lessons that the South African public service (GDE in particular) could adopt in promoting professional ethics. The main theories of ethics (consequentialist, deontological, and utilitarian theories of ethics) were discussed to determine the more practicable to apply in the South African public service and the GDE in particular.

### **6.2.3 Chapter 3: Labour relations in the public service**

This chapter determined the nature of labour relations by tracing its history and theory. The different theories of labour relations were discussed with distinct focus on specific perceptions or frames of reference on labour relations (economic system, values and goals, conflict, trade unions, strike action, and bargaining). These theories included unitarist, pluralist, radicalism, societal corporatist and state corporatist. The global trends on labour relations practices were discussed for the few selected countries (Denmark, New Zealand, Canada, United Arab Emirates, Seychelles, Georgia, and South Africa). Before tracing the concept and practice of labour relations in history and global trends, it was imperative to define it. This chapter further identified the different role players in labour relations.

### **6.2.4 Chapter 4: Research methodology**

This chapter built on and synthesised the reviewed literature by integrating and summarising the research design and research methodology of the study. This chapter conceptualised the term “research” and explained the research design and methodology. The research design was described, and the research methodology

explained by determining the population, sampling methodology, data collection procedures, the population sample, the development of the measuring instrument as well as data processing and analysis methods. The validity and reliability aspects pertaining to the questionnaire were discussed. The study's limitations were described whilst the ethical issues were outlined.

### **6.2.5 Chapter 5: Research analysis and results**

This chapter discussed the statistical results of the study and integrated the empirical findings with the literature. The results were reported in terms of the descriptive and inferential analyses. Data that was collected through a questionnaire was entered and analysed with the aid of a computer spreadsheet, using Chart Wizard. Responses provided were interpreted and presented in the sequence followed in the questionnaire. This chapter also discussed the response rate, and the preliminary and descriptive statistics by screening cases and variables and describing categories of data. This chapter further assessed the psychometric suitability of the scale, analysed the univariate and multivariate statistics, and tested the homogeneity of the variables.

### **6.2.6 Chapter 6: Findings, recommendations, and conclusions**

This chapter outlines the summaries of each chapter. The findings related to the study, focusing on each of the identified themes, are discussed. This chapter discusses the empirical and theoretical findings, including the contribution to the Body of Knowledge. The recommendations based on the findings are also proposed. Lastly, ideas for future research were recommended.

## **6.3 SUMMARY OF DATA**

Coding terminology and procedures were used to summarise the collected data. In summarising the collected data, the following themes and sub-themes emerged.

**Table 6.1: Themes and Sub-themes**

<b>Themes</b>	<b>Sub-Themes</b>
Theme 1: Existence of sound labour relations at the GDE	

Themes	Sub-Themes
Theme 2: Effectiveness of the measures instituted by the GDE in promoting ethical behaviour	<ul style="list-style-type: none"> <li>• Management consult trade unions and employees when making decisions</li> <li>• GDE encourages consultation between managers and employees</li> <li>• Disciplinary action against unethical behaviour</li> <li>• GDE encourages employees to comply with laws, policies and rules that promote ethical behaviour</li> <li>• Consequences/ values of promoting ethical behaviour</li> </ul>
Theme 3: Ethics enhancing professionalism of employees at the GDE	<ul style="list-style-type: none"> <li>• Role of trade unions, managers, and employees in enhancing professionalism</li> <li>• Organisational culture in enhancing professionalism</li> <li>• Code of conduct in enhancing professionalism</li> <li>• Fair selection and recruitment practices</li> </ul>
Theme 4: Impact of unethical behaviour on the effectiveness of the GDE	

The researcher was able to develop the well-formulated themes that guided the development of an organised and well-analysed research report. These themes were divided into several sub-themes to account for the salient features. Vaismoradi, Jones, Turumen and Snelgrove (2016:101) approve that “each theme may have some sub-themes as subdivisions to obtain a comprehensive view of data and uncovers a pattern in the participants’ account”.

Table 6.1 represents the themes that were divided into the sub-themes which guided the analyses of the data collected to arrive at the findings of the study. Below, is the presentation of the empirical and qualitative findings from the data collected.

## 6.4 EMPIRICAL FINDINGS

This section discusses the themes which are derived from empirical research.

### 6.4.1 Theme 1: Existence of sound labour relations at the GDE

This section discusses the findings on the perceptions of the GDE employees on whether fair labour relations are practiced at all levels of the GDE. The perceptions

include whether there exist fair labour relations, whether fair labour relations are practiced, and whether there are prohibitions on how employees behave while on duty.

The principle of fair labour relations is undeniably important in any employer-employees relationship. The labour relationship is not only concerned with interactions and interrelations between an employer and the employee, but includes trade unions and employer organisations. Fair labour relations are possible through the interactions and relationships that take place within the individual or collective labour relations. These interactions and relationships relate to the participation of employees, their trade unions and managers seemingly found in individual or collective labour relations. Whether it is within individual or collective labour relations, employees, their trade unions and managers apparently treat each other in a fair manner at the GDE. Therefore, it is assumed that the labour relations practices at the GDE are fair because a significant 69.8% of the respondents agreed that fair labour relations exist at the GDE compared to 20.7% who disagreed. The remaining 9.5% neither agreed nor disagreed that sound labour relations exist at the GDE relating to a neutral response.

When fair labour relations are practiced at the GDE, it is without contest that employees practice fair labour relations within their units. This perception is confirmed by an overall majority (70.7%) of respondents who agreed that the GDE applied fair labour relations in different units. However, 21.7% of the respondents disagreed and 7.6% of respondents neither agreed nor disagreed that the GDE applied fair labour relations in units. Within the units at the GDE, there are individual employees and managers who may be expected to practice fair labour relations among themselves at the GDE. Therefore, 67.1% agreed that employees and managers practice labour relations at the GDE. Labour relations at the GDE appears to be grounded on principles of ethical conduct such as fairness, respect, participation, teamwork, interaction and relationship. Therefore, labour relations and ethics are viewed to be interdependent and part of a seamless machinery leading towards quality service delivery at the GDE. To state it differently, when employees interact and interrelate among themselves, with their trade unions, with managers, and with their customers respectively in a manner that is fair, honest, and full of respect for one another, quality service delivery is expected to be accelerated. However, 23.0% of respondents disagreed whilst the 9.9% neither agreed nor disagreed.

Fair labour relations at the GDE seemingly expects striking employees to respect those who choose to continue working while others are on strike, rather than to threaten them. However, there is no clear view on the finding regarding whether colleagues are threatened when they are expected to be participating in a strike action. Although 43% indicated that they were threatened for being at work during a strike, it was a marginal majority compared to those 35.9% who disagreed and those 21.1% who neither agreed nor disagreed. This indicates that within labour relations there are not always clear-cut winners or losers. Although 43.0% is not a significant majority, is insufficient to conclude that employees were threatened for not participating in a strike action.

Several reasons can be proffered for threats against employees who opt to refrain from participating in a strike. A reason may be frustration due to low participant turn out especially if the basis of the strike action benefits everyone. Conversely, threats may be unwarranted because each individual employee has a right to participate in a strike action. It is, however, opined that the right to participate in a strike action does not translate into a right to participate in unprotected strike action. The prohibition to participate in unprotected strike action discharges that the right to participate in a strike action is not absolute and should be done under safe ethical grounds. Employees at the GDE are prohibited from partaking in unprotected strike action which was confirmed by an overwhelming majority of 80.6% respondents. However, a smaller percentage of respondents (7.9%) disagreed that they were prohibited from strike action whilst 11.5% neither agreed nor disagreed.

#### **6.4.2 Theme 2: Effective measures promote ethical behaviour**

This section discusses findings on the following sub-themes:

- Management consult trade unions and employees when making decisions
- GDE encourages consultation between managers and employees
- Disciplinary action against unethical behaviour
- GDE encourages employees to comply with laws, policies and rules that promote ethical behaviour
- Consequences/values of promoting ethical behaviour

#### *6.4.2.1 Management consult trade unions and employees when making decisions*

This section discusses the findings on the perception of the GDE employees on whether managers consult employees before making decisions and whether employees participate in decision making. It is observed that the decision-making process at the GDE is inclusive of managers consulting employees before making decisions, and this is confirmed by just more than half (51.7%) of the respondents. It is possible that some managers do not consult employees before making decisions because 33.2% of respondents disagreed whilst 15.1% neither agreed nor disagreed. Employees' consultation might rely on the managers' willingness to involve employees in the decision-making processes.

It is expressed that there are managers who do not involve employees in decision-making hence only 52.3% of employees participated in the decision-making processes of their respective departments. Consultations are valuable in limiting conflicting views between employees and managers. Consultations are bound to generate a shared decision-making environment that encourages employees to participate in decision-making because they feel valued. When employees feel valued, they can voice any work-related matters affecting them in the workplace. It is detected, therefore, that employees will not take part in decision-making processes if managers do not consult them, or if they are taken for granted, or their opinions are not considered. As a result, 32.2% disagreed that employees do not participate in decisions of their respective departments. The remaining 15.5% neither agreed nor disagreed with the statement.

#### *6.4.2.2 GDE encourages consultation between managers and employees*

This section discusses the findings on the perception of the GDE employees on whether the GDE encourages regular consultations between managers and employees, whether managers value the opinions of the employees, and whether managers are approachable and supportive. The research reveals that, through consultations, the employees at the GDE found it easy to express their ideas and opinions openly. The reassurance given to employees (or trade unions) in the labour relationship system enables and encourages employees to express ideas and opinions openly. Further, the GDE is committed to protecting the right to freedom of expression to encourage employees to participate in a consultative meeting or forum.

It is observed that a significant 74.0% of the respondents agreed that the GDE encouraged regular consultations between managers and employees. This clearly shows that the GDE endeavours to maintain sound relations with both internal and external stakeholders. Notwithstanding, 15.8% of the respondents disagreed and 10.2% neither agreed nor disagreed that the GDE encouraged regular consultations between managers and employees.

The collective involvement of managers and employees and their trade unions in consultative meetings or forums may be viewed as an opportunity to recognise and realise the common goals and values to overcome obstacles and leverage opportunities in sustaining growth, improving equity and creating a sustainable future. These consultative meetings or forums are significant for strategic management at the GDE which may cultivate its real essence of determining and aligning the annual performance plans (APPs) to performance management and development plans (PMDPs) to the strategic plans. Strategic management may, therefore, require periodic consultations to determine whether GDE and its employees are achieving the set standards. These periodic consultations present to the managers and employees the opportunity to reset standards to improve service delivery.

Based on the perceptions of the respondents, consultations were sufficient when managers value the opinions of the employees. It is anticipated that the GDE will resolve conflicts and tough challenges confronting relations or interactions and public service delivery. A total of 60.2% of respondents agreed that managers value the opinions of employees at the GDE. Conversely, 28.6% of respondents disagreed whilst 11.2% of them neither agreed nor disagreed. When managers value the opinions of the employees, it is expected that the managers are approachable and supportive of the employees' initiatives and innovations. Managers at the GDE were approachable and supportive as most of the respondents (62.1%) asserted. However, some (27.0%) respondents disagreed that managers at the GDE were approachable and supportive while only 10.9% neither agreed nor disagreed.

#### 6.4.2.3 *Disciplinary action against unethical behaviour*

This section discusses the findings on the perception of the GDE employees on whether the GDE initiates disciplinary action against employees who conduct themselves unethically irrespective of their level of employment, whether precautionary suspensions do not exceed the prescribed 90 days at the GDE, and whether there are enough measures in place at the GDE to deal with unethical behaviour. It was confirmed by 69.5% of the respondents that the GDE initiated disciplinary action against employees who conduct themselves unethically irrespective of their level of employment. However, 22.5% of the respondents disagreed and 8.2% of them neither agreed nor disagreed.

It is incontestable that precautionary suspension is part of disciplinary action, however, considerations are given to specific valid reasons why precautionary suspension applies. A possible reason for applying precautionary suspension is entrenched in the circumstances underlying the misconduct. A serious misconduct attracts precautionary suspension especially when the presence of the employee at work (the GDE) has the potential to derail investigations into the alleged misconduct where documentary evidence may be lost or witnesses may be threatened. It was found that 42.1% of the respondents agreed that precautionary suspensions do not exceed the prescribed 90 days at the GDE. This indicates that there is a deficiency in confirming that precautionary suspensions do not exceed the prescribed 90 days which may be ascribed to the perceptions of the different levels of management from where this emanates. Therefore, a conclusion cannot be made based on the low response since the respondents who disagreed constituted 22.4% of the sample and those that neither agreed nor disagreed were 31.3%. Therefore, this finding emphasises that most misconduct charges are not serious and do not attract precautionary suspensions, and even when precautionary suspensions are initiated, many do exceed the prescribed 90 days at the GDE.

There are enough measures at the GDE to deal with unethical behaviour which was affirmed by 73.0% of the respondents. What has been established is that the process of initiating disciplinary action is prompt, consistent, fair and without favour or prejudice against all employees including managers, irrespective of their level of employment. The disciplinary action at the GDE is sufficient to correct unethical behaviour



irrespective of the level of employment. The grievance resolution at the GDE was perceived as measure that may be followed to allow employees to report unfair practices that directly or indirectly affect them. When grievances and disciplinary measures are thought to be unfair, parties may want to resolve their cases at dispute resolution forums such as the Educators Labour Relations Council (ELRC), General Public Service Sectoral Bargaining Council (GPSSBC), or the Commission for Conciliation, Mediation and Arbitration (CCMA). However, there were 13.2% of respondents who disagreed, with 13.8% of respondents neither agreeing nor disagreeing that the GDE had enough measures to deal with unethical behaviour. Evidently, the respondents who negated, including those reserved their comments are unaware of the impact of disciplinary action, grievance, and dispute resolution measures in correcting unethical behaviour at the GDE.

#### *6.4.2.4 GDE encourages employees to comply with laws, policies and rules that promote ethical behaviour*

This section discusses the findings on the perception whether the human resources management directorate at the GDE encouraged employees to be politically neutral, whether managers encouraged employees to comply with the GDE's ethical practices, whether the human resources directorate at the GDE encouraged employees to comply with the department's ethical standards and principles, and to comply with the confidentiality principles.

Political neutrality is viewed as the foundation for promoting and maintaining ethical standards because services are provided to satisfy all and not only those who belong to a particular political party. The appointment of political party loyalists or cadre deployment is the source of bias and favour as opposed to meritorious appointments (Cilliers & Aucoin, 2016:5-6). It was observed that the human resources management directorate at the GDE also promoted ethical conduct by encouraging the employees to be politically neutral. This perception was affirmed by 60.2% of the respondents, even though 20.7% opposed the view, and 19.1% neither agreed nor disagreed that the human resources management directorate at the GDE promoted ethical conduct by encouraging the employees to be politically neutral.

The human resources management directorate and managers of different directorates at the GDE are equally involved in encouraging employees to comply with ethical practices, standards and principles. A significant 70.1% of respondents agreed that the human resources management directorate at the GDE encouraged employees to comply with the department's ethical standards and principles. It was further revealed that 18.1% disagreed, and 11.8% of respondents neither agreed or disagreed that the human resources management directorate at the GDE encouraged employees to comply with the department's ethical standards and principles. It is assumed that human resources management may initiate training on ethics in compelling the employees to exercise minimum acceptable behaviour when complying with ethical practices, ethical standards and principles.

Furthermore, managers are responsible for encouraging employees to comply with the GDE's ethical practices, and it was revealed that a significant majority (75.7%) of respondents agreed that managers encouraged employees to comply with the GDE's ethical practices. In addition, 13.8% disagreed whilst 10.5% of respondents neither agreed nor disagreed that managers encouraged employees to comply with the GDE's ethical practices. The role of managers in encouraging employees to comply with the GDE's ethical practices is evidently integrated as part of the responsibilities of managers.

The human resources management directorate at the GDE further assumes the responsibility of encouraging employees to comply with confidentiality principles. It was not determined how the human resources management directorate encouraged employees to comply with the confidentiality principles, but it might be that they utilised common methods such as training workshops, and memoranda and other means of correspondence. Further, it is undisputed that encouraging employees to comply with confidentiality principles implies that the employees could disclose certain information except that which is legally privileged, confidential, private, and personal without consent of the employee whom the information is about. A significant majority (77.6%) of the respondents agreed that the human resources management directorate at the GDE encouraged employees to comply with the confidentiality principles. It is, therefore, observed that the role of human resources management directorate at the GDE was not limited to the ordinary human resources management responsibilities of

recruitment and selection, performance management and development, leave management, and management of other conditions of employment, but also included the entire wellbeing and management of the individual employee.

#### *6.4.2.5 Consequences/values of promoting ethical behaviour*

This section discusses the findings on the perception of the GDE employees on whether there were formal procedures to deal with disputes at the GDE, whether managers and employees shared the same institutional goals and values, whether the GDE generally resolved grievances within the prescribed timeframe, and whether the GDE ensured that employees had the necessary means to perform their duties.

The promotion of ethical conduct is likely to benefit the institution in different ways. Some of the benefits of promoting ethics at the GDE are that an aggrieved employee could refer the grievance for prompt and fair resolution, within the prescribed 90 days. Just more than half (53.6%) of the respondents agreed while 26.0% disagreed, and 20.4% neither agreed nor disagreed that the GDE generally resolved grievances within the prescribed timeframes. These results reveal that there is much that the GDE ought to do to resolve grievances within the prescribed timeframes. Grievance resolution at the GDE starts at the point of its origin to the office of the Member of Executive Committee (MEC). The MEC is not always available due to the public education challenges that require his/her attention throughout the province. Most challenges happen at the schools level where the core service of the GDE is rendered. It may also be assumed that the delay in resolving grievances within the required timeframes is a result of employees not providing full descriptions and evidence for their grievances. However, should an employee be dissatisfied with the grievance exceeding the expected resolution timeframe, he or she may lodge a dispute with the dispute resolution body such as the ELRC, GPSSBC or CCMA.

An overwhelming majority (87.8%) of respondents agreed that there were formal procedures to deal with disputes at the GDE. These formal procedures were identified as conciliation and arbitration procedures. However, 4.6% respondents disagreed and 7.6% neither agreed nor disagreed that there were formal procedures to deal with disputes at the GDE. It may be assumed that the very small percentage of respondents

who disagreed, including those who neither agreed nor disagreed, was because they had not attended workshops relating to labour relations. This group of employees are either unaware or uninterested in exercising their right to lodge disputes against the GGE's treatment towards them.

Since grievance and dispute resolution processes are perceived to promote ethics; the promotion of ethics is likely to lead to the promotion of sound labour relations because grievance and dispute resolution processes are labour relations processes. Likewise, when sound labour relations are realised, the GDE is likely to realise an ethical workforce. When there are sound interrelations and interactions, it is expected that managers and employees will share the same institutional goals and values. It was found that managers and employees share the same institutional goals and values at the GDE as confirmed by the acquiescing 61.2% of the respondents. However, 26.0% of respondents disagreed whilst 12.8% of respondents neither agreed nor disagreed that managers and employees share the same institutional goals and values.

It is ethical practice to provide employees with necessary tools of the trade that enable them to perform their duties and responsibilities. During the COVID-19 era the GDE supplied employees with the personal protected equipment and clothing such as masks, and sanitisers while it became important to be protected against such infections. 74.7% of the respondents agreed that the GDE ensured that employees were provided with the necessary tools of the trade to perform their duties. Only 14.8% of respondents disagreed whilst 10.5% of them neither agreed nor disagreed that the GDE ensured that employees had the necessary tools of the trade to perform duties.

#### **6.4.3 Theme 3: Ethics enhance employees' professionalism**

This section discusses findings on the following sub-themes:

- Role of trade unions, managers and employees in enhancing professionalism;
- Organisational culture enhances professionalism;
- Code of conduct enhances professionalism; and
- Fair selection and recruitment practices enhance professionalism.

#### *6.4.3.1 Role of trade unions, managers and employees in enhancing professionalism*

This section discusses the findings on the perception of the GDE employees regarding the role played by trade unions in representing their members during disciplinary hearings, in communicating and sharing information with their members, and in responding to grievances and complaints by their members and whether employees trust trade union representatives to effectively handle grievances. Regarding the managers, the findings discussed detail whether managers inspire employees to act ethically at the GDE. This includes whether managers provide feedback that inspires employees to act professionally and ethically. Managers are an example to their subordinates hence their good behaviour may be welcomed by good behaviour from subordinates. Managers' bad behaviour may also develop in their subordinates.

This section also discusses the findings on whether the GDE is morally conducive for its employees to do the right thing, whether employees act ethically as it is inherent in the values and beliefs of the GDE, and whether employees co-operate. It is acknowledged that, among others, trade union representatives, official bearers or shop stewards can represent member employees during disciplinary hearings. However, it is evident that trade union representatives do not always win cases in favour of the members. Trade union representatives also act to the satisfaction of employees when they settle for lenient rather than harsher sanctions (for example: when a sanction warrants dismissal, a trade union representative may persuade the presiding officer of the disciplinary hearing to consider a sanction of suspension without pay). A total of 64.8% of respondents agreed, 15.8% disagreed, whilst 19.4% neither agreed nor disagreed that trade unions represented its members satisfactorily during disciplinary hearings.

A trade union does not only seek to show its strength by winning cases but has a responsibility to promote ethics and professionalism in the institution. A trade union also has a responsibility to communicate and share information with their members. A trade union is duty bound to educate its members on ethics and to create a professional workforce. There are instances where a trade union may resort to a general meeting or ordinary meeting or to share information through members' WhatsApp group chats or by email. At the GDE, trade unions communicate and share

information with their members as agreed by 87.2%, disagreed by 4.2%, and neither agreed nor disagreed by 8.6% of the respondents.

Obviously, complaints and grievances are prevalent at the GDE, and it is probable that the trade unions will represent its members when complaints and grievances are raised. When trade unions represent members when complaints and grievances are raised, it is important to indicate that they respond to their members who need guidance and representation. It was found that 79.3% of the respondents agreed, while 6.6% disagreed, and 14.1% neither agreed nor disagreed that trade unions were responsive to members' complaints and grievances.

It seems that the more the trade union representatives, official bearers or shop-stewards represent employees in a manner that is satisfying, employees are inclined to trust them, not only in disciplinary hearings but also in grievance resolutions. With just over 60% of the respondents agreeing that employees trust trade unions, it could be that the remaining employees had more trust in their fellow employees or legal representatives to take up cases involving them. Employees trust trade unions representatives to effectively handle their grievances. It was agreed by 62.1%, disagreed by 17.8%, and neither agreed nor disagreed by 20.1% of the respondents.

Managers are important role players, and their actions are meant to inspire employees. It was agreed by 60.8% of the respondents that managers act professionally thus inspiring the GDE employees to act ethically. A mere 28.0% of the respondents disagreed whilst 11.2% neither agreed nor disagreed that managers acted professionally to inspire employees to act ethically at the GDE. In inspiring employees, managers continued to provide feedback to inspire employees to act ethically. At the GDE, it was found that managers provided regular feedback that inspired employees to act professionally, as affirmed by 62.1%, disagreed by 23.7%, and neither agreed nor disagreed by 14.1% of the respondents.

It is not always true that employees always act in an ethical manner as expected by managers at the GDE. Managers expectations about their employees always acting in an ethical manner are too high, which was confirmed by 83.6% of respondents who agreed, 7.6% who disagreed, and 8.9% who neither agreed nor disagreed that

managers expected employees to always act in an ethical manner. The 7.6% who disagreed indicated that some managers did not expect employees to always act ethically. Admittedly, employees are just human and can act unethically sometimes. Notwithstanding, some employees were unaware of acting unethically, hence negligence.

Managers at the GDE led by example as confirmed by 55.9% of the respondents, with 31.9% who disagreed, and the balance of respondents (12.2%) neither agreed nor disagreed. It is, however, alarming that one third of the respondents felt that their managers did not lead by example. This is supported by the previous statement that employees do not always act ethically as expected by management, since management does not lead by example. It is concerning that a gap exists between the perceptions regarding the expectations of managers that employees should always act in an ethical manner and the actions of managers themselves. With a gap of over 20%, managers are not doing enough to inspire the employees to act professionally. It would have been remarkable if the percentage was closer to 80%, closer to the expectations of the managers about employees always acting ethically.

It is surveyed that employees are important role players in the labour relationship that promotes ethical conduct and enhances professionalism. However, the GDE is expected to create a morally conducive environment to allow employees to do the right thing. A significant majority (68.1%) of respondents agreed that the GDE is morally conducive for employees to do the right thing. Only 19.4% disagreed and 12.5% neither agreed nor disagreed with this statement. In doing the right thing, employees act ethically as is inherent in the values and beliefs at the GDE. This statement was confirmed by 72.1% of the respondents whereas 15.1% disagreed and 12.8% neither agreed nor disagreed with it. This may be ascribed to the fact that the GDE had created a work environment that was conducive to ethical behaviour.

Employees at the GDE cooperated with one another. A significant majority (73.0%) of respondents agreed and 16.1% disagreed that there existed cooperation among employees at the GDE. Employee cooperation is, incontrovertibly, one of the fundamental values that employees must consider when working together in harmonious interdependent relations at the GDE. Employee cooperation, in

harmonious independent relations at the GDE, is undeniably realised when employees abide by values such as respect, no personal but professional relationships, goal oriented, teamwork, and fair dealings. The remaining 10.9% of the respondents neither agreed nor disagreed that there was cooperation between employees at the GDE.

#### *6.4.3.2 Organisational culture enhances professionalism*

This section discussed the findings on the perception on whether the GDE employees acted ethically to avoid punishment, whether the GDE had a culture of zero tolerance towards corruption, whether the GDE promoted a culture of loyalty, whether it was difficult to gauge the punishment of unethical behaviour, and whether there was a strong ethical environment prevailing at the GDE. It is perceived that employees at the GDE acted ethically to avoid punishment, as confirmed by 76.3% of respondents, while 12.8% of respondents neither agreed nor disagreed, and 10.9% of respondents disagreed. This insinuates that many employees do not act ethically because it is the correct thing to do, but because it is to avoid punishment. However, employees are aware that corruption is intolerable at the GDE, hence 60.5% of respondents agreed that the GDE adopted a culture of zero tolerance. A total of 28.0% of respondents disagreed whereas 11.5% neither agreed nor disagreed that the GDE had a zero-tolerance policy towards corruption. From the 28.0% who disagreed, it implies that a degree corruption is being practiced and tolerated at the GDE.

Most managers and employees are loyal to the GDE, which was supported by 63.2% of respondents who agreed that the work environment at the GDE promoted a culture of loyalty. A total of 27.0% of respondents disagreed with this view. Although 27.0% is a small percentage of managers and employees involved, they are disloyal. Only 9.9% of the respondents neither agreed nor disagreed that the work environment at the GDE promoted a culture of loyalty.

It is difficult to gauge the punishment of unethical behaviour. This explains that it is difficult to determine which unethical act attracted what punishment. It is alarming that only 43.8% of respondents agreed, 33.2% respondents disagreed and 23.0% of respondents neither agreed nor disagreed that it was difficult to gauge the punishment of unethical behaviour at the GDE. The proportion of only 43.8% of respondents



agreeing to the statement was not significant, below the 50.0% plus 1 benchmark to accurately confirm the perception. It is because the nature of punishment varies in format and degree.

Respondents (64.8%) agreed that there was a strong ethical environment that prevailed at the GDE. This perception was supported by several findings but to name one that related to employees acting in an ethical manner to avoid punishment. When employees decide to act in an ethical manner without being pestered, it symbolises that the GDE upholds a strong ethical environment. A strong ethical environment does not imply that there are employees who will not take part in unethical behaviour. 23.3% of respondents disagreed and 11.8% neither agreed nor disagreed that there was a strong ethical environment that prevailed at the GDE. Similarly, based on the 64.1% of respondents, it was agreed that the GDE subscribed to high moral practices. It was also revealed that even though there were those who subscribed to high moral practices at the GDE, 24.7% of respondents disagreed that the GDE subscribed to high moral practices. However, the remaining 12.2% of respondents neither agreed nor disagreed that the GDE subscribed to high moral practices. This finding was unsurprising considering the abovementioned statements fell into the 60% average which seemed to be a common denominator.

It is found that employees associated themselves with the GDE and that they were even proud of their association with the institution. A significant majority (72.7%) of respondents agreed that employees were proud to be associated with the GDE. The other 15.1% of respondents disagreed whilst the remaining 13.2% neither agreed nor disagreed. Employees were not only proud to associate with the GDE, but also perceived the GDE to be an employer of choice. The percentage of those who agreed that the GDE was an employer of choice was similar to the percentage of those who agreed that employees were proud to associate with the GDE. The majority (74.0%) of the respondents agreed, 15.8% disagreed, and 10.2% neither agreed nor disagreed that the GDE was an employer of choice. Therefore, 54.6% of the respondents agreed that the GDE was a low stress working environment. The percentage of 54.6% is just above the 50.0% plus 1 threshold proportion, which is an exceptionally slim margin compared to the 34.9% of respondents who disagreed while 10.5% neither agreed nor disagreed that the GDE was a low stress work environment. This was not a favourable

finding, considering the 60% average of the above statements that comprised the organisational culture.

#### *6.4.3.3 Code of conduct enhance professionalism*

This section discusses the findings on the perception on whether managers executed their duties as stipulated in the code of conduct, if employees executed their duties according to the requirements of the code of conduct, if employees put the interests of the public first in their performance of duties and responsibilities, and finally, if employees were transparent in performing their duties and responsibilities, and whether the work environment restrained managers from abusing power and authority. The Public Service Commission (PSC) enlightens that the code of conduct for the public service exists to promote high standards of professional ethics in the public service and guides managers and employees to think and behave ethically (PSC, 2002:7-8). The code of conduct guides both managers and employees to execute their duties in an ethical manner. It was, therefore, found that managers executed their duties as stipulated in the code of conduct, which was supported by 61.2% of respondents who agreed with the statement. It was observed that some managers did not execute their duties as stipulated in the code of conduct, based on 24.3% of the respondents who disagreed with the statement. However, 14.5% of respondents neither agreed nor disagreed that managers executed their duties as stipulated in the code of conduct. Furthermore, employees were found to execute their duties according to the requirements of the code of conduct, with 69.7% agreeing with the statement. A small percentage, 17.7%, disagreed whilst the remaining 12.6% neither agreed nor disagreed that employees executed their duties according to the requirements of the code of conduct. This means that employees not only respected their colleagues and peers, but also their stakeholders, thus endeavouring to provide better service delivery. The public are the noticeable target market when managers and employees execute their duties because they benefit from public education offered by the GDE. Employees, therefore, placed the interests of the public first while they performed duties and responsibilities, which was agreed upon by a significant 79.0% of respondents. However, 14.2% shows that there were employees who did not place the public first when performing their duties and responsibilities, whereas the remaining 6.9% of the respondents neither agreed nor disagreed with the statement.

It is speculated that one of the guidelines extricated from the code of conduct to assist employees prioritise the public was whether they performed their duties and responsibilities in a transparent manner. It was further established that 78.7% of respondents agreed, 12.2% disagreed and 9.2% neither agreed nor disagreed that employees were transparent in the performance of their duties and responsibilities. Managers were restricted from abusing power and authority; they were expected to think and act ethically while on duty. The respondents who agreed to this were 62.8% of the participants, while 26.0% disagreed and 11.2% neither agreed nor disagreed that the work environment at the GDE restrained managers from abusing power and authority.

#### *6.4.3.4 Fair selection and recruitment practices enhance professionalism*

This section discusses the findings on whether employees were promoted when they complied with the requirements, and whether the GDE promoted fair labour practice when selecting and recruiting employees. Selection and recruitment processes are not aimed at benefiting friends, families, and comrades even when they do qualify. Selection and recruitment are fair processes where promotions suit those who comply with requirements, based on merit. However, it was revealed that only 50.6% of respondents agreed that employees that were promoted complied with the requirements. This percentage, while above 50.0%, is inadequate to conclude that the GDE satisfactorily promoted employees on merit, and those with the inherent requirements. This slim 50.6% indicates that the GDE was non-compliant with the government's appointment and promotion policy which prescribed that the most competent and qualified candidates ought to be appointed in the most appropriate position (PSC, 2001:18). To appoint incompetent and unqualified candidates may have a direct influence on the effectiveness of the GDE and quality of service delivery. A total 35.5% of respondents disagreed and 13.8% of respondents neither agreed nor disagreed that employees were promoted in accordance with the requirements. It is alarming that more than a quarter of the respondents were not in agreement with the above statement.

Promoting employees to higher levels and positions is not the only practice of selecting and recruiting employees at the GDE. Other selection and recruitment practices

include shortlisting and interviews. The selection and recruitment processes at the GDE are seemingly fair but not satisfactory because it was only a limited 54.6% of respondents who agreed that the GDE promoted fair practices when selecting and recruiting employees. 35.6% of respondents disagreed that selection and recruitment at the GDE was fair which revealed that there may have been employees who were disadvantaged or unfairly treated during selection and recruitment processes. However, a small percentage of 9.9% of respondents neither agreed nor disagreed that selection and recruitment were fair at the GDE. More than one quarter of respondents disagreed with the statement feeling. This was supported by the 35.5% of respondents who disagreed that the best candidates were considered for promotion to the next higher position.

#### **6.4.4 Theme 4: Impact of unethical behaviour on the effectiveness of the GDE**

This section discusses the findings on whether employees resort to strikes when the GDE fails to honour collective agreements, and whether unequal salary pay for work of equal value was the reason why employees took part in strike action at the GDE. It was perceived that the GDE failed to honour a collective agreement as it may jeopardise their employees' rights. It is further unmistakable to specify that employees act unethically when they resort to strike action when the GDE fails to honour collective agreements. Only 46.0% of respondents agreed that employees resort to strike action when the GDE fails to honour collective agreements. This finding is, however, insignificant; yet, it still constitutes the largest percentage. Therefore, this finding illustrates that both the GDE and its employees act unethically. Those who disagreed with the statement comprised 30.2% of the respondents whilst those who neither agreed nor disagreed with the statement were 23.7% of the respondents.

It is questionable why the GDE remunerates unequal salary for work of equal value and whether it is correct for the employees to strike for unequal pay of work of equal value at the GDE. Van Wyk, van Heerden and Feldman (2023) indicate that it is fair practice to pay equal salary to employees who perform work of equal value. Less than half (42.4%) of respondents agreed that unequal salary pay for work of equal value justified employees partaking in strike action at the GDE; they felt that the GDE was being unfair. It was found, further, that 34.2% disagreed and 23.4% neither agreed nor

disagreed that there was unequal salary for work of equal value was the reason why employees participated in strike action at the GDE.

## **6.5 QUALITATIVE FINDINGS**

The qualitative findings are discussed under the following themes and sub-themes, mentioned in Table 6.1:

### **6.5.1 Theme 1: Existence of sound labour relations at the GDE**

This section discusses the qualitative findings on the perception of the GDE employees on whether fair labour relations are practiced at all levels of the GDE. The perceptions include whether there exist fair labour relations, whether fair labour relations are practiced, and whether there are prohibitions that employees should participate in an unprotected strike action. The literature has revealed that fairness is a requirement in any labour relationship system. Osman *et al.* (2016:541) support the idea that fairness is a requirement in the promotion of professional ethics and sound labour relations. The literature further uncovered that fairness is for everyone who is a role player in any labour relationship system, hence section 23(1) of the Constitution (RSA, 1996:9) reiterates that everyone has the right to fair labour practices.

The respondents' perceptions reveal that there are fair labour relations at the GDE which is practiced at all its levels, it prohibits unethical behaviour. In the absence of fairness, there obviously lies unfairness which is unethical in nature. Fairness from an ethical point seemingly results in sound labour relations; therefore, ethics impacts the existence of labour relations. If ethical principles such as trust, fairness and consistency are implemented, labour relations practices such as grievance and dispute resolution, disciplinary proceedings, trade unionism, and strike are expected to be well managed. Fair labour relations are undeniably visible where interactions and interrelations take place between employer, employees and their trade unions and employer organisations. The literature further directs employees who participate in an unprocedural, unprotected and/or unlawful strike act unethically and are guilty of misconduct (PSCBC, 2003:12).

## **6.5.2 Theme 2: Effective measures instituted by the GDE promote ethical behaviour**

This section discusses the qualitative findings on the following sub-themes:

- Management consults trade unions and employees when making decisions;
- GDE encourages consultation between managers and employees;
- Disciplinary action against unethical behaviour;
- GDE encourages employees to comply with laws, policies and rules that promote ethical behaviour; and
- Consequences/values of promoting ethical behaviour.

### *6.5.2.1 Management consult trade unions and employees when making decisions*

This section discusses the qualitative findings on the perception of the GDE employees on whether managers consult employees before making decisions and whether employees participate in the decision-making processes of their respective departments.

The International Labour Organisation (ILO) submits that collective labour relations by nature encourage consultation between workers with their representatives and employers or employers' organisations over working conditions, labour standards and other employment issues (ILO, 2023). Bingham (2016:37) resolves that an institution accommodates different viewpoints and manages potential disagreements by consultation, where negotiation and shared decisions are realised. It is, therefore, important for managers to be accessible so that employees can voice their concerns as soon as they arise (van Rooyen, 2023). Consultations are important for resolving conflict because they allow parties to meet regularly to discuss any awkward situations or problems that could give rise to future conflict situations. When managers consult employees before making decisions, consultative forums are expected to be set. Consultations are important in managing conflict accessing valuable inputs from those who may be regarded to be voiceless (employees at lower levels, mostly men and People with Disabilities (PWDs) if they are not consulted.

It is accepted that consultations are valuable in limiting conflicting views between employees and managers. Mambula, Francis and Zirra (2021:29) suggest that

consultations are bound to generate a shared decision-making environment that encourages employees to participate in decision making because they feel valued. The authors further resolve that when employees participate in decision-making are often seen as a motivational tool for encouraging high productivity and a positive attitude. When employees feel valued, they can voice any work-related matters affecting them in the workplace. Consultations are not initiated without taking the employees' opinions into consideration.

#### *6.5.2.2 The GDE encourages consultation between managers and employees*

This section discusses the findings on the perceptions of the GDE employees on whether the GDE encouraged regular consultations between managers and employees, whether managers valued the opinions of the employees, and whether managers were approachable and supportive. It was demonstrated that, through consultations, the employees at the GDE found it easy to express ideas and opinions openly. By allowing or encouraging employees to express ideas and opinions openly emphasised that employees (and their trade unions representatives) were important role players in the labour relationship system. Further, the GDE was committed to protecting the right to freedom of expression to encourage employees to participate in a consultative meeting or forum,

The collective involvement of managers and employees and their trade unions in consultative meetings or forums may be viewed as an opportunity to organise and to realise common goals and values to overcome obstacles and leverage opportunities in sustaining growth, improving equity and creating a sustainable future. The collective involvement of managers and employees and their trade unions in consultative meetings or forums may also be necessary to determine and align the annual performance plans (APPs), performance management and development plans (PMDPs) to the strategic plans whereas periodic consultations are encouraged to determine whether the managers and employees were achieving the set standards. These periodic consultations present managers and employees with the means and measures with which to improve the set standards.

Gogoi and Baruah (2017:2) expand that ethics and performance management are adjacent because the proper implementation of performance agreements leads to fewer ethical transgressions in the workplace. The Public Service Regulations (2001:146) stipulates that performance management is a tool that improves consultations, communication and outstanding performance by managers and employees. Consequently, it is argued that ethics and performance management are linked and effective in improving organisational performance and employee satisfaction and employee development. Further, Netshitenzhe (2014:4) indicates that strategic plans should reflect broad strategic outcomes of the institution. The GDE is tasked with the responsibility of encouraging regular consultations to identify the broad strategic outcomes and to assess if these strategic outcomes are realised, and if they are not, to suggest new outcomes that must be realised. In drafting and assessing the APPs and the strategic plan, the GDE may need to encourage consultations between managers and employees.

#### *6.5.2.3 Disciplinary action against unethical behaviour*

This section discusses the findings on the perception of the GDE employees on whether the GDE initiated disciplinary action for all who conducted themselves unethically irrespective of their level of employment, whether precautionary suspensions did not exceed the prescribed 90 days at the GDE, and whether there were enough measures in place at the GDE to deal with unethical behaviour.

The literature reveals that training in ethics, motivational speeches and management of whistleblowing are some effective measures to effectively promote ethical conduct in the GDE. Ethics training also minimises ethical risks and binds employees to their ethical obligations, helps them detect ethical hiccups that may emerge in their workplace (Ethico, 2023). Further, motivational speeches inspire employees and promotes ethical conduct in the long run. Motivational speeches can trigger the audience to seriously consider ways they can change parts of their lives to make improvements through service delivery (Indeed, 2022). It is also admitted that employees feel safe to report unethical conduct whenever they feel comfortable and protected to speak up (Groenewald, 2020:2).



Further measures to promote ethical conduct include disciplinary action and precautionary suspension. Disciplinary action is accepted as a remedial action to correct unethical behaviour at the GDE. Schedule 8, paragraph 4(4) read with section 188A of the Labour Relations Act 66 of 1995 (RSA, 1995:287) presupposes that the GDE may initiate disciplinary action chaired by a presiding officer in a disciplinary hearing or, by consent, chaired by an arbitrator in what is known as an enquiry by arbitrator. It is expected that when disciplinary action is taken against all employees irrespective of their level of employment, principles of fairness, consistency and equality will be realised (de Vries, 2021). In realising the principles of fairness, consistency and equality, the GDE is effective in promoting ethics and professionalism.

Precautionary suspension is undeniably part of disciplinary action, and it is required to be fair based on valid reasons. In the labour court case of IMATU on behalf of Shihambi and others versus the City of Ekurhuleni Metropolitan Municipality and Others (2018,4), it was found that precautionary suspension is objectively justifiable to deny the employee access to the workplace for reasons related to the integrity of any investigation into the alleged misconduct. It was further found that an employee must be afforded a reasonable opportunity to make representations before any decision to suspend. Therefore, the obvious reason for applying precautionary suspension is entrenched in the circumstances underlying the misconduct. A serious misconduct attracts precautionary suspension especially when the presence of the employee at the GDE has the potential to derail investigations into the alleged misconduct where documentary evidence may be lost, or witnesses may be threatened. Precautionary suspension may be applied promptly within a prescribed timeframe, consistent and fair to all employees irrespective of the level of employment. Precautionary suspension at the GDE does not exceed the prescribed 90 days.

#### *6.5.2.4 The GDE encourages employees to comply with laws, policies and rules that promote ethical behaviour*

This section discusses the findings on the perception whether the human resources management directorate at the GDE encouraged employees to be politically neutral, whether managers encouraged employees to comply with the GDE's ethical practices,

whether the human resources directorate at the GDE encouraged employees to comply with the department's ethical standards and principles, and to comply with the confidentiality principles.

The role of the human resources management directorate at the GDE is not limited to the ordinary responsibilities of recruitment and selection, performance management and development, leave management, and management of other conditions of employment. The role of the directorate at the GDE encourages employees to be politically neutral, to comply with ethical practices, standards and principles, and to comply with the confidentiality principles. Political neutrality may be viewed as a foundation for promoting and maintaining ethical standards and professionalism because services are provided for all and not for political party loyalists. Mozumder (2021:832) expresses that political neutrality is about the truthful, upkeep of promises, caring for others and engaging with the public to restore trust. It is further qualified that political neutrality may also imply that employees should be appointed, irrespective of their political affiliations. Appointment of political party loyalists or cadre deployment is the source of bias and favour as opposed to meritorious appointments. Swanepoel (2021:452) acknowledges that appointing political party loyalists brings about patronage leading to poor service delivery.

The human resources management directorate and managers of different directorates at the GDE are equally involved in encouraging employees to comply with ethical practices, standards and principles. Best practices are intended to encourage employees to comply with the ethical practices, standards and principles. One of the ethical practices, standards or principles is prohibition of access to information, as set out in section 16 of the Labour Relations Act, 66 of 1995, which entrenches that the public service may not disclose information that is legally privileged, confidential and private and personal without consent from the employee concerned.

Therefore, the directorate further encourages employees to comply with the principle of confidentiality at the GDE. However, it may be expected that despite the ethical standards and principles, some employees will continue to act in an unethical manner. Ultimately, it is reasoned that the responsibility of encouraging employees to comply with the ethical practices, standards and principles, is an inherent responsibility for

managers at the GDE. The directorate may initiate training on ethics by compelling the employees to exercise minimum acceptable behaviour when on duty at the GDE.

#### *6.5.2.5 Consequences/values of promoting ethical behaviour*

This section discusses the findings on the perception of the GDE employees on whether there were formal procedures to deal with disputes at the GDE, whether managers and employees shared the same institutional goals and values, whether the GDE generally resolved grievances within the prescribed timeframe, and finally whether the GDE ensured that employees have the necessary means to perform their duties.

According to Phala (2020), a grievance is a feeling of discontent, unfairness or injustice which an employee may have in respect of his work conditions against his manager or supervisor, including a fellow worker, and brought to the attention of management. Muleya, Fourie and Schlebusch (2017:9) are seemingly cognitive that the lack of content, fairness and justice may result in ethical dilemmas and ethical violation. Whenever the ethical violation leads to an employee feeling dissatisfied, the employee may lodge a grievance. It is believed that one of the benefits of promoting ethics at the GDE is that whenever employees are aggrieved, they can refer the grievance for it to be resolved promptly and fairly within the prescribed 90 days.

Hassan, Kaur, Muchiri, Ogbonnaya and Dhir (2023:512) presuppose that unethical behaviours and decisions by managers lead to anti-moral, illegal actions, and exhibit outrageous intent to instigate unethical behaviours among employees. Such unethical behaviours by managers may lead to an increased number of grievances and disputes. Therefore, grievance and dispute resolution processes may be perceived to promote ethics and aimed at the promotion sound labour relations (Phala, 2020). Grievance and dispute resolution processes are also intended to empower employees with the opportunity and procedure to raise issues of dissatisfaction with the employer.

Likewise, when sound labour relations are realised, the GDE is likely to realise an ethical workforce. While developing and maintaining sound interrelations and interactions, it is expected that managers and employees will share the same

institutional goals and values (Greer, 2018). Chinomona and Sandela (2013:137) indicate that shared goals and values activate a workplace that is without damaging conflicts and that is professional. Therefore, grievance and dispute resolution processes can be regarded as the means or recourse with which employees may apply to raise dissatisfaction and to allow fair and consistent procedures that are without prejudice or favour to take place. According to Puja (2019:11), it appears that the value for managers and employees to share goals and values is undoubtedly a stimulus for commonality, cohesion, high levels of team-spirit and harmony in the institution.

### **6.5.3 Theme 3: Ethics Enhance Professionalism of Employees at the GDE**

This section discusses qualitative findings on the following sub-themes:

- Role of trade unions, managers, and employees in enhancing professionalism;
- Organisational culture enhances professionalism;
- Code of conduct enhances professionalism; and
- Fair selection and recruitment practices enhance professionalism.

#### *6.5.3.1 Role of trade unions, managers, and employees in enhancing professionalism*

This section discusses the findings on the perception of the GDE employees regarding the role played by trade unions in representing their members during disciplinary hearings, in communicating and sharing information with their members, and in responding to grievances and complaints by their members and whether employees trust trade union representatives to effectively handle grievances. Regarding the managers, the findings discussed relate to whether managers inspired employees to act ethically at the GDE, whether managers provided feedback that inspired employees to act professionally, whether managers expected the employees to always act ethically, and whether the managers acted as good examples. Furthermore, the discussion will detail whether the GDE is morally conducive for its employees to do the right thing, to act ethically as it is inherent in the values and beliefs at the GDE, and whether employees co-operated with each other.

Heil (2020:53) explains that labour relations are embedded in either or both individual labour and collective labour relationships. Botha (2015:331) expresses that collective labour relations involve several role players including trade unions, employees, employer and employer organisation. It is, therefore, necessary to ensure that collective labour relations are made sound to promote ethics and professionalism at the GDE. O'Sullivan, Turner, Kennedy and Wallace (2015:223) indicate that when employers do not adhering to their contractual obligations, trade unions will be duty bound to represent employees to resolve grievances. Trade unions represent employees and employees trust the trade unions to effectively represent them during grievance cases. Phala (2020) states that trade unions represent employees in grievance resolution to ensure that employees are not victimised or subjected to disciplinary hearings on the grounds of their having lodged grievances. Naidoo (2020) expresses that an employee may not be dismissed for lodging a grievance or for indicating an intention to lodge a grievance. When employees are charged and subjected to a disciplinary hearing, trade unions are equally obliged to represent employees during disciplinary hearings. When employees are subjected to disciplinary processes, trade unions through their representatives other than another employee or a legal representative may represent an employee as established in paragraph 4(1), Schedule 8 in the Labour Relations Act 66 of 1995 (RSA, 2015:322).

Trade unions not only represent employees for grievances, disputes and disciplinary cases, they also seek to show their forte by winning these cases while promoting ethics and professionalism at the GDE (Mzangwa and Madue, 2015:45). Ramos, Priday, Browne and Chimal (2023:30) explain that a trade union also has the responsibility to communicate and share information with their members; they may resort to general meetings or ordinary meetings or share the information through members' WhatsApp group chats, by email or a dedicated Twitter account. The GDE can benchmark with other countries such as the United Arab Emirates (UAE) where trade unions communicate and share information through informational lectures, written communications and orientations, interactive workshops, training programmes, social activities and feedback meetings (UAE, 2018:25).

Further, managers are important role players and their actions are meant to inspire employees. It is obvious that those at the level of authority have the potential to inspire

others including their subordinates. Research indicates that managers at the GDE inspire employees to act ethically through regular feedback.

Metwally, Ruiz-Palomino, Metwally and Gartzia (2019:6) explain that managers inspire employees by showing integrity, taking employees' needs into consideration, providing a sense of confidence, and representing a valid source of ethical guidance. The Molemole Local Municipality (2022:6) emphasises that through staff meetings, imbizos and debriefing sessions, managers can provide honest feedback that inspires employees to act ethically. Sulaiman, Abdullah and Man (2023:235) reason that, in a pandemic crisis like COVID-19, managers may arrange staff meetings, imbizos and debriefing sessions to take place through virtual meetings and remotely.

Managers themselves are expected to act ethically to show the need for others to act ethically. Managers are expected to act as good examples at the GDE if they expect employees to act ethically (Indeed, 2023). When managers are honest, trustworthy, and transparent about the institution's activities, employees may be encouraged to be honest, trustworthy, and transparent while on duty. Ogunola (2018:1) presupposes that when managers act as good examples to employees, a harmonious relationship between employees and managers is set which enables a system that achieves set institutional goals. A harmonious relationship relates to a relationship between employees and managers regarding their respect for the terms and conditions of employment, respect for the law and respect for one another (Ogunola, 2018:2-3). Satyendra (2022) asserts that a harmonious relationship between employees and managers is presumed to be espoused and acted on ethical values such as respect, honesty, responsibility, care, compassion and loyalty. Section 195(1) of the Constitution (RSA, 1996:108-109) lists common values that should be practised at the GDE. Some of these common values include the promotion and maintenance of a high standard of professional ethics, the promotion of efficient, economic and effective use of resources, a development orientation, the provision of services impartially, fairly, equitably and without bias, and practice accountability (RSA, 1996:108). However, Martinez, Skeet and Sasia (2021:89) reason that employees cannot act ethically if the institutional conditions are rigid and not morally conducive. The GDE is expected to create a morally conducive environment to allow employees to do the right thing.

### 6.5.3.2 *Organisational culture enhances professionalism*

This section discusses the findings on the perception on whether the GDE employees acted ethically to avoid punishment, whether the GDE had a culture of zero tolerance towards corruption, whether the GDE promoted a culture of loyalty, whether it was difficult to gauge the punishment of unethical behaviour, and whether there was a strong ethical environment prevailing at the GDE.

It cannot be over emphasised that disciplinary action is supposed to be fair; it should not favour and prejudice others. Disciplinary action aims to promote fairness and procedural justice while dealing with employee discipline (Shishi, 2022:35). The PSC, however, indicates that some managers use disciplinary action for their own vengeful purposes or as a way of victimising employees (PSC, 2016:vi). The PSC asserts that managers should avoid victimising employees during disciplinary action as it has the potential of instilling fear and exclusion, emotional or mental anguish, anger, humiliation and hostility in the work environment (PSC, 2016:10). Victimising employees may make it difficult for them to gauge the sanction that may be decided against them. Therefore, employees avoid unethical actions because they fear being punished (Ayanyemi, 2023).

It is accepted that employees who avoid unethical actions such as corruption benefit the GDE. Even though it is perceived that there is zero tolerance for corruption at the GDE, it does not imply that there are zero unethical actions. It is, therefore, reasoned that instead of zero unethical actions, the term reduction of unethical actions may be used. The reduction of unethical actions may be preferred because, even when the intention is to have a generally ethical public service, instances of unethical action may prevail. It is expected of employees to adopt a culture of loyalty. Employees are not loyal towards political parties or certain individuals but towards the legislative frameworks and policies of the government. Kotze (2023) reports that the deployment strategy of the ruling political party – the ANC – places loyalty ahead of merit and competence; it is, therefore, an obstacle to efficient public service. A workplace that encourages employees to be loyal to the employer reduces corrupt activities and develops the existence of an ethical climate (Ghanem, 2022:11).

### 6.5.3.3 *Code of conduct enhances professionalism*

This section discusses the findings on the perceptions on whether managers executed their duties as stipulated in the code of conduct, whether employees executed their duties according to the requirements of the code of conduct, whether employees placed the interests of the public first in their performance of duties and responsibilities, whether employees were transparent in their performance of duties and responsibilities, and whether the work environment restrained managers from abusing power and authority.

The PSC enlightens that the Code of Conduct for the Public Servants exists to promote high standard of professional ethics in the public service and to guide managers and employees to think and behave ethically (PSC; 2002:7-8). The code of conduct guides both employees and managers to execute their duties in an ethical manner. The Code of Conduct for the Public Servants (RSA, 2016:4) imposes a direct responsibility amongst managers and employees to promote and maintain professional ethics. The Code of Conduct for the Public Servants further guides managers and employees on how to conduct themselves in their relationship with the legislature and executive, with the public (whom they serve), among themselves (managers and employees), and on how they supposed to perform their duties, and how they should conduct themselves and shun away from private interests (RSA, 2016:3-4).

Mitonga-Monga (2018:16) indicates that an ethical climate refers to shared perceptions by employees of appropriate workplace and work role conduct. The author expresses that there are four types of workplace ethics climate: caring, law, codes and rules; independence; and instrumental. Caring is when employees perceive that the workplace is based on an overarching concern for the well-being of others. The second type of workplace ethics climate (law, codes, and rules) is the use of a fair and transparent workplace code of conduct. Independence refers to the autonomy of employees who can easily realise institutional tasks without being managed. Lastly, instruments refer to the tools or affordances employees perceive to have for workplace ethical decision-making.



Therefore, it is expected that managers and employees at the GDE will not face ethical dilemmas when they perform tasks and responsibilities in an ethical manner. It is probable that managers and employees at the GDE will foster relations among themselves with eagerness to satisfy the public while avoiding carelessness, corruption, favouritism and mismanagement of government resources as suggested by Serfontein and de Waal (2015:2). Hallunovi, Osmani and Bashi (2014:214) indicate that the Code of Conduct for the Public Service enforces the responsibility of managers and employees to guard against unethical actions including abuse of power and corruption. It is suggested that the Code of Conduct for the Public Servants like any other code of conduct should guide managers and employees to be objective, transparent, honest and accountable when carrying out their responsibilities (Villirilli, 2021). The ethical responsibilities bestowed to managers and employees by the code of conduct ought to be competent with the legal requirements founded in the section 2 of the Constitution (RSA, 1996:3).

#### *6.5.3.4 Fair selection and recruitment practices enhance professionalism*

This section discusses the findings on whether employees were promoted in compliance with the requirements and whether the GDE promoted fair labour practice when selecting and recruiting employees. Bogatova (2017:14) expresses that the promotion of qualifying employees to higher levels of employment is one of the practices related to selection and recruitment at the GDE. Grensing-Pophal (2018) conveys that the selection and recruitment processes are not aimed at benefiting those who are within close personal network such as friends, families, and comrades even when they do qualify. Vveinhardt and Sroka (2020:5) propose that the promotion of friends, families, and comrades without considering other befitting individuals might lead to increased demoralisation of employees, dissatisfaction, and poor service delivery.

#### **6.5.4 Theme 4: Impact of unethical behaviour on the effectiveness of the GDE**

This section discusses the findings on whether employees resort to strikes when the GDE fails to honour collective agreements and whether unequal pay for work of equal value was the reason why employees participated in strike action at the GDE. A strike action is normally witnessed after employers and employees deadlock during the

bargaining process and not after a collective agreement has been reached (Lennox, 2023). It is obvious that employees act unethically when they resort to strike action when the GDE fails to honour collective agreements. Section 28 of the Labour Relations Act 66 of 1995 (1995:44) asserts that a collective agreement is determined to specify matters which may not lead to issues in dispute for the purposes of strike or a lock out at the workplace. Section 64(1) of the Labour Relations Act 66 of 1995 (1995:83) entrenches that a strike action may take place after a certificate indicating that the dispute remains unresolved and the employees' intention to strike are served to the employer seven days prior to the actual strike. Employees who take part in a strike action following the conclusion of the collective agreement because the GDE failed to honour collective agreements act unethically and such a strike action may be considered unlawful. Disciplinary action may be considered for employees who participate in an unlawful strike action. Furthermore, the no work no pay rule may be applied those those who were absent from work for the purpose of a strike action.

## **6.6 RECOMMENDATIONS**

Based on the empirical and qualitative findings, the following recommendations are made.

### **6.6.1 Theme 1: Existence of sound labour relations at the GDE**

It is recommended that training and refresher workshops on labour relations need to be initiated timeously at the GDE during induction. These training and refresher workshops should be on existing labour relations practices and laws, including the changes in these practices and laws since law is not static. Further, it is proposed that managers should be fortified with basic labour relations knowledge to enable them to promote sound labour relations within their teams. Labour relations is a management responsibility; therefore, generating a willpower, including knowledge and necessary skills, would permit managers to promote and maintain sound labour relations at the GDE (MEARIE training team, 2022).

Based on the participants (43%) who indicated that they were threatened for being at work during a strike, it is clear that there may not be a policy in place or that the policy on strike management is poorly implemented to protect those who are at work. A policy on strike management should be developed and promptly implemented to protect

employees who are on duty while others are on strike. The policy should establish disciplinary action against those who threaten others for being at work during the strike action.

### **6.6.2 Theme 2: Effective measures promote ethical behaviour**

The GDE should adopt the main cardinal ethical standards that are fundamental principles for promoting ethical behaviour. These cardinal ethical standards may differ from one public institution to another based on the environment. Fairness, consistency, reasonableness, community development, customer-oriented and compliance to legal framework are some of the ethical principles that may be adopted as cardinal ethical standards at the GDE. These cardinal ethical standards need to be followed by employees to promote effective, efficient and economic service delivery to the public. These main cardinal ethical standards should be SMART (S-Simple, M-Measurable, A-Achievable, R-Realistic, and T-Time bound) to be well interpreted and implemented by the GDE employees. A good example in explaining the SMART attitude can be given relating to customer-oriented standards. The GDE must align their customer-oriented standard to the supply of textbooks. A good example for implementing the SMART attitude when GDE acquires textbooks expresses that. procuring 150 new syllabus history textbooks for 150 learners relates to Measurable of the SMART attitude. A single textbook cost R50.00.00 out of a budget totalling to R100 000.00 relates to Achievable and Realistic of the SMART attitude. Finally, procuring 150 textbooks before 31 January 2025 relates to Time bound of the SMART attitude.

In adopting these main cardinal ethical standards, the GDE should involve every employee including those at the lower levels of employment. All employees should be empowered and encouraged to participate in the making of the main cardinal ethical standards operational. The GDE's strategic management department should take over the process of adopting the cardinal ethical standards by involving senior management employees. The senior management should gather inputs from employees in their respective departments by involving them in their annual monitoring of the strategic plan and their further inputs should be considered in drawing annual performance plans which are drawn from the strategic plans.

In involving the employees in decision making, the GDE would have the forte in subjecting employees to disciplinary hearings against those who do not comply with these main cardinal ethical standards. According to the Labour Relations Act, 66 of 1995, Schedule 8, paragraph 3(1), one of the elements that leads to fair disciplinary hearings is if employees are made aware of the rules, laws or standards before deciding that an employee can be charged and subjected to a disciplinary hearing for unethical behaviour. The GDE should keep a list of employees who take part in adopting the cardinal ethical standards and to use the list to show that employees are aware of the standards when subjecting them to disciplinary hearings. This list would indicate the names of employees who are aware of the cardinal ethical standards and who are expected to comply with such.

Labour relations training should also include investigation training. With great investigation qualities, managers may investigate and produce an investigation report swiftly. This would allow the GDE to have more time for precautionary suspension and grievance resolution. Precautionary suspensions may no longer apply for over 90 days and grievances may be resolved within 30 days if investigations are concluded quickly.

### **6.6.3 Theme 3: Ethics enhance employees' professionalism at the GDE**

To enhance professionalism, trade union representatives must be included as part of the GDE committees where broad human resources decisions are taken. Trade union representatives would gain more insight into the GDE processes and would be able to better represent and advise members relating to labour relations and disciplinary action. Trade unions would have better knowledge of the context for decision making and would use this information for building relationships and professionalism within the GDE. For example, when trade union representatives partake in recruitment and selection processes, it is expected that the processes would be fair.

There is a need to encourage all managers and employees to undergo training in ethics offered by the Department of Public Services and Administration. There is a need to train managers and employees not only in the code of conduct but also in the processes of labour relations. The labour relations department should train managers and employees as they are knowledgeable of labour relations processes. A refresher training course in labour relations processes would have to take place annually and

during the induction of new employees and managers. Labour relations training should include disciplinary sanctions to alert employees to what sanctions are applicable for which acts of misconduct. Further, a table identifying different disciplinary sanctions for different acts of misconduct ought to be developed to guide employees and managers on what disciplinary sanctions are applicable for which acts of misconduct. An example of such a table is shown below.

**Table 6.2: Example of table of sanctions**

Act of Misconduct	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>r</sup> Offense
Fraud	Dismissal		
Absenteeism	Written Warning	Final Written Warning	Dismissal
Sleeping on Duty	Counselling/ Warning	Verbal Final Written Warning	Suspension without pay/ Dismissal

#### **6.6.4 Theme 4: Impact of unethical behaviour on the effectiveness of the GDE**

A strike management plan is required at the GDE to detail what strike action entails and develop a continuity plan to continue service delivery in the event of strike action. A strike management plan is sometimes referred to as a strike contingency plan by other institutions and further details a security plan on how security will be implemented to protect the premises and employees who are on duty while service delivery continues. The following are some of the areas that ought to be included in a detailed strike management plan:

##### *6.6.4.1. Communication process before strike action*

This part allows trade unions to inform the GDE of their intention to strike, and the GDE to inform trade unions of their intention to lock-out. Literature reflects that parties should communicate their intentions to strike and lock-out seven days prior to the strike action or lock-out (RSA, 1995:89).

##### *6.6.4.2. Preparation for strike*

This enables the GDE to prepare for the strike and to identify skeletal staff including the essential services and maintenance services. The essential and maintenance services are prohibited from taking part in strike action (RSA, 1995:91-92). Those who

do not intend to take part in strike action are to inform their managers to allow a swift process of security to protect them.

#### *6.6.4.3. Coordinating committee*

During strike action, coordination may be necessary daily or every three hours. Coordination may be necessary to provide feedback on any renewed mandate of either the striking employees or the GDE. A renewed mandate may bring the strike to an end hence this committee of representatives of employees who are on strike and the GDE should keep communication lines open, even during a strike action.

#### *6.6.4.4. Disaster risk detection and management*

This part allows the GDE to list and detect risks. Some of these risks include fire, sewerage blockage, disruption of electricity, disruption of telecommunication, information, technology (IT) and bomb or explosion threats. This part allows the GDE to list means with which to manage each of the identified risks.

A strike management plan is expected to advance that the principle of no work no pay should be applied against employees who participate in a strike action during working hours. It is observed that the principle of no work no pay is applicable in either protected or unprotected strike action if it is proven that an employee was not on duty but on a strike action during working hours. This strike management plan should be made available for trade union representatives and employees at the GDE. The human resources management at the GDE should workshop employees, managers and trade union representatives on a strike management plan.

### **6.7 CONTRIBUTION TO THE BODY OF KNOWLEDGE**

According to Zhou, Shafique, Adeel, Nawaz and Kumar (2017:261), theoretical contribution is a process that is based on the development of theory and advancement of existing theory. It was indicated in Chapter 2 that ethics afford individuals with opportunities to make good decisions and to act appropriately as guided by the values, traditions and morals that are found within society. It was further explained that public servants at the GDE are required to adhere to moral principles which include, among others, fairness, impartiality, compliance with the policies and legislative frameworks,

respect, professional conduct, and accountability. It was pointed out in chapter 3 that the behaviour and attitude of all role players in labour relations impacts professional ethics. It is, therefore, crucial to claim that ethics and labour relations are interdependent and that one without the other cannot ensure success.

Figure 6.1 represents a model that consists of the leadership (pentagonal labour relationship), pillars (institutional values) and the foundation (legislative framework), which takes place within the organisation's culture. Goldbach (2017:257) presumes that any process of change that takes place in an organisation requires an organisational culture as a major force to change the human factor. Gordon (2023) expresses that organisational culture is projected on individual employees by the organisation. Organisational culture is, therefore, an essential and indispensable element over individual employee cultures for improved organisational performance and progress (Goldbach, 2017:257). Swaney (2023) further expresses that an organisational culture represents the shared values, beliefs, norms and behavioural patterns that shape the identity of an organisation identity and guide employees of their day-to-day operations. Gordon (2023) argues that old organisational culture evolves from early organisation's managements and organisational rules, practices and expectations. Therefore, the old organisational cultures may have little impact in modern organisations because of the changing social, economics, politics and technological environments. The changing social, economics, politics and technological environments may prompt development of new shared values, beliefs, norms and behavioural patterns including policies and guidelines. The GDE may require new shared values, beliefs, norms and behavioural patterns including policies and guidelines while managers carry the responsibility of making it a point that employees comply and improve service delivery.

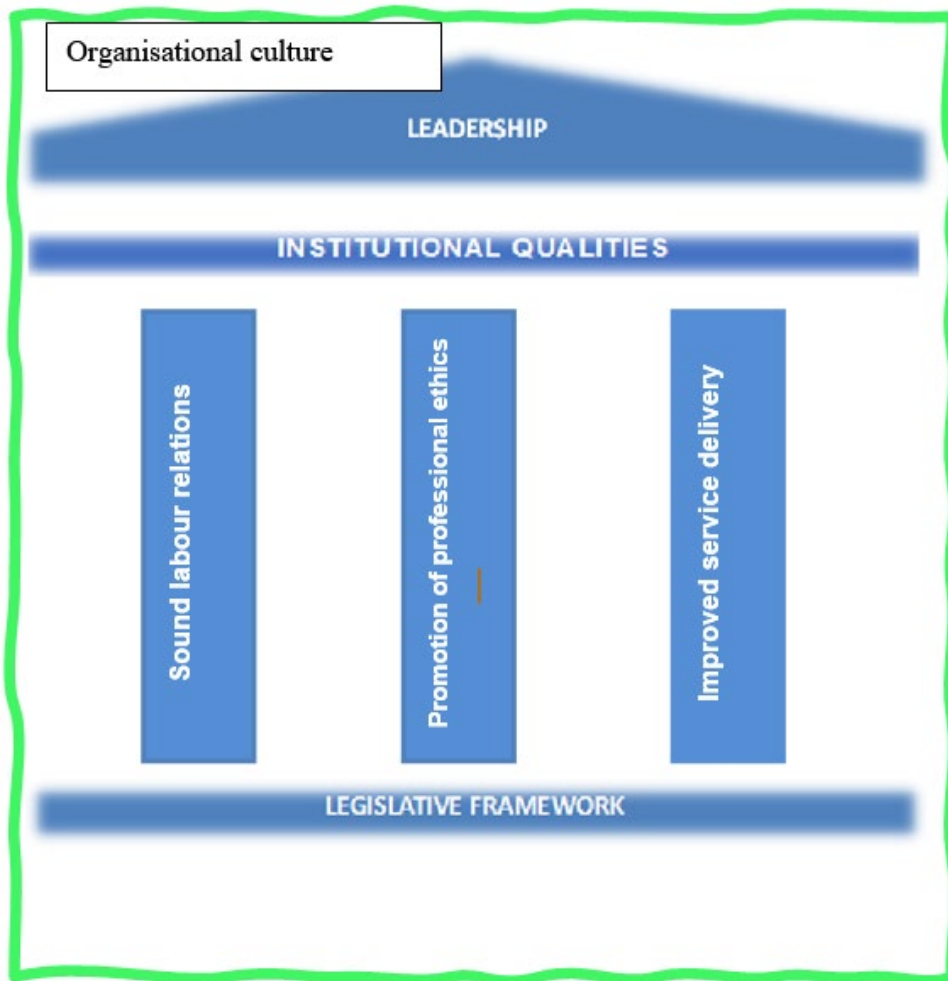
Pentagonal labour relations, therefore, consist of the state as a lawmaker, state as employer, employees (including their trade unions), competitors and customer (Parker, Farrell, Slabbert, 2015).

The institutional values include:

- Sound labour relations;

- Promotion of professional ethics; and
- Improved service delivery

This model serves to assist the GDE in dealing with its ethical and labour relations challenges and in creating a conducive and harmonious workplace where these can take place or be effectively implemented.



**Figure 6.1: Organisational culture and harmonisation of ethics and labour relations at the GDE**

**Source:** Own compilation

Figure 6.1 represents organisational culture and harmonisation of ethics and labour relations at the GDE. The bold green boundary symbolises, as suggested by MasterClass (2022), rebirth, renewal, growth and peace. This boundary is meandering, symbolising that it may be difficult but possible for the GDE to realise



renewal, growth and peace. The realisation of renewal will require individuals and collectives that are committed to promote and maintain sound labour relations and professional ethics and to improve public service delivery. These individuals and collectives are represented as leadership that is guided by legislative framework.

In clarifying Figure 6.1, the following are illustrated starting with the legislative framework, followed by the organisational qualities and the leadership of the model.

### **6.7.1 Legislative framework**

The legislative framework is regarded as the foundation of the model. According to GWS Masonry (2023), the foundation is buried in the ground underneath the building with the primary purpose of holding the building up. The author explains that a poor or weak foundation would quickly sink the building into the ground or get cracks or damage. Therefore, this contribution to the Body of Knowledge can only be strengthened through a strong foundation that is referred to as the legislative framework. The following legislative provisions lay a foundation towards a new model for ethics and labour relations at the GDE.

According to section 9(1) of the Bill of Rights contained in the Constitution “everyone is equal before the law and has the right to equal protection and benefit of the law” (RSA,1996:6). To expanding on what “everyone” means, the Cambridge Online Dictionary signifies that everyone refers to every person or everybody (Cambridge Online Dictionary, 2023). It is, therefore, implied that each person, in the promotion of ethics and labour relations at the GDE, is equal before the law and has the right to equal protection and benefit of the law. Section 9(2) of the Constitution affords that equality is the full and equal enjoyment of all rights and freedoms to everyone.

The full and equal enjoyment of all rights and freedoms means that everyone must be treated fairly, and no one may enjoy privileges or favouritism. Sroka and Vveinhardt (2020:80) define favouritism as the provision of special privilege to friends, colleagues and acquaintances in areas of employment, career, and personnel decisions whereas nepotism relates to the provision of special privilege to relatives and family members. There ought to be no special privileges for others while the best candidate based on merit is not appointed based on his or her political affiliation, gender, age, disability,

religion, conscience, belief, culture, language, social origin, and race. Equality for everyone may, therefore, be regarded as a requirement with which the GDE is expected to promote ethical conduct and sound labour relations.

Section 23(1) of the Constitution entrenches that, “everyone has the right to fair labour practices” (RSA, 1996:9). The element of “everyone” appears in this section too. “Everyone”, in this instance, is encased in the foundation that the labour relationship system that exists at the GDE is assumed to be pentagonal in nature. Therefore, all role players in the pentagonal labour relationship system, including the employer, employer organisations, employees, trade unions, state, customers and competitors have the right to fair labour practices. It is reasoned that the involvement of customers and competitors in the pentagonal labour relationship system can be extended to their involvement in promoting ethical conduct.

Venketsamy and Miller (2021:2) assert that parents may be considered as customers of education. They presume that parents shop around for schools that best suit their needs and those of their children. When parents shop around for schools that best suit their needs and those of their children, they (parents) prefer schools with a sound reputation, good management, and firm discipline combined with dedicated teachers (Venketsamy and Miller, 2021:3). An inference may be made that customers prefer ethically sound schools that employ staff that are dedicated to service. The crux of what customers prefer from the GDE and its schools may direct at how competition between the GDE and other institutions that provide education should be. It is assumed that competition guides customers and institutions to make choices about what they prefer.

Therefore, the doctrine of “caveat emptor” may be regarded as the initial principle in a competitive environment that requires customers (parents) to be aware of certain things before choosing a school for his/her child. The doctrine of “caveat emptor” is, however, based on the belief that when customers make a choice, they are left with no subsequent right to reject such choice (Chandra, 2020). Kinhal and Ranjan (2020:2) inform the next maxim of “caveat venditor” that puts greater responsibility on institutions to ensure that quality of goods and services is always available for customers. Whilst the maxim of “caveat venditor” requires institutions to be aware of

what they provide to customers, “caveat emptor” requires customers to be aware of the services provided by institutions. Therefore, in a competitive environment, the GDE would likely attract more customers if they offer good services compared to the services offered by their competitors.

The labour relationship system within which the GDE operates is, therefore, inclusive of customers and competitors beyond the state, employer and employees. The labour relationship system within which the GDE operates is referred to as the pentagonal labour relationship system. The role played by customers and competitors may further be discernible in institutions whose priority is to promote ethical conduct. The societal arrangements where customers are (within communities) might drive employees of the GDE, who may come from poor family backgrounds or from communities that lack role models, to be corrupt while on duty. However, institutions within communities (such as churches, schools, universities and sports clubs) may be considered too close the chasm between bad and good and may arguably influence public servants to act and behave ethically. The GDE may find pleasure in establishing relations with churches, schools, universities and sports clubs, among others, with the intention of promoting ethical conduct. The participation of customers in the labour relationship system may further encourage transparency where employees would be required to provide timely, accessible and accurate information, as rooted in section 195(1)(g) of the Constitution (RSA, 1996:108).

Comparatively, sections 23(2)(a) and (b) in the Constitution are not concerned with “everyone” but “every worker”. Sections 23(2)(a) and (b) embed that every worker may form or join a trade union and even participate in the activities and programmes of their trade unions (RSA, 1996:9). These sections presuppose that it is only employees with the right to be part of a trade union (by joining or establishing a trade union) whilst extending that employees at the GDE have the right to freedom of association. The right to freedom of association is supported in section 18 of the Constitution (RSA, 1996:9). However, it is important to express that the right to freedom of association is not only about the right of employees to be part of trade unions. Section 18 of the Constitution is about every person thus fortifying that everyone has the right to freedom of association. However, any employee who decides to join a trade union cannot be victimised for that choice.

Further, in terms of section 23(2)(c) in the Constitution, employees at the GDE may participate in a strike action. This right is supported by section 17 of the Constitution which reassures employees that they may assemble, demonstrate, picket or present a petition if they do so peacefully and unarmed.

Section 195(1)(a) of the Constitution encourages employees to promote and maintain a high standard of professional ethics while on duty (RSA, 1996:108). While promoting a high standard of professional ethics, employees are encouraged to provide services in an impartial, fair, equitable manner and without bias. The full involvement of employees in providing services that are impartial, fair, equitable and without bias may drive employees, and encourage the public, to participate in policy making. The inclusive participation of employees and the public in the development of public policy may be regarded as encouraging to customers of the public services to decide on their fate. Therefore, the inclusive participation of employees and the public in the development of public policy ushers in an atmosphere of customer-oriented service delivery. Finally, the inclusion of employees in the public policy development process observably encourages regular consultations between managers and employees to persuade managers to value the opinions of the employees.

Section 1(a) affords that the purpose of the Labour Relations Act, 66 of 1995 is “give effect to and regulate the fundamental rights conferred by section 23 of the Constitution” (RSA, 1995:21). Section 1(c) of the Labour Relations Act, 66 of 1995 gives direction through a framework of how employees and their trade unions, employers and employers’ organisations can collectively bargain to determine salaries, conditions of employment and other disputes of mutual interests. Labour relations are evidently founded on a legislative framework and have a legal influence on the behaviour and actions of employees.

The Labour Relations Act, 66 of 1995 was also developed for the purpose set out in section 1(d)(i) to (iv), including to promote orderly collective bargaining, sectoral collective bargaining, employee participation in decision-making in the workplace, and effective resolution of labour disputes. Collective bargaining at the GDE is, therefore, applicable. Literature reveals that there are several collective bargaining councils that are associated with public service sectors in South Africa (DoL, 2014:6-7). Literature

further reveals that collective bargaining related to the GDE, in the public education sector, takes place in the GPSSBC and the ELRC (DoL, 2014:6-7). However, collective bargaining on issues that affect the entire public service (such as salary improvement) takes place in the PSCBC (PSCBC, 2023).

The Labour Relations Act 66 of 1995, section 64 supports section 23(2)(c) of the Constitution which stipulates that employees in the GDE may participate in a strike action (RSA, 1995:89-91). However, section 65 of the Labour Relations Act 66 of 1995 (1995:91-92) sets out the circumstances under which the right to strike may not be exercised, entrenching that no person may take part in a strike if:

- The person is bound by a collective agreement.
- The person is bound by an agreement which requires the dispute to be referred for arbitration.
- The issue in dispute relates to a disagreement in which one of the parties must refer to the Labour Court in terms of the law.
- The employee is engaged in essential services or maintenance services.

It is certain that the right to strike is not absolute, and should any employee participate in a strike action that is prohibited, the GDE may initiate and declare that strike action unlawful. The GDE could initiate disciplinary hearings against those who participate in an unlawful strike action. Finally, it is acknowledged that the GDE has the authority to implement the no work no pay principle against those who participate in unlawful strike action. It is assumed that strike actions at the GDE are accepted if they are lawful and non-violent, otherwise, any strike action that is non-compliant with the law and that is violent would not be tolerated by the GDE.

Further, the Labour Relations Act, 66 of 1995 in schedule 8 (RSA, 1996:320-321) emphasizes that the GDE may initiate disciplinary action against those who act unethically. The GDE has adopted the disciplinary codes and procedures that are stipulated in the Employment of Educators Act, 55 of 1998 and the PSCBC Resolution 1 of 2003. The Labour Relations Act, 66 of 1995 ascertains that there should be efforts made to correct employees' behaviour through a system of graduated disciplinary measures such as counselling and warnings even though formal procedures are not

to be invoked every time a rule is broken, or a standard is not met (RSA, 1996:321). However, Mokgolo and Dikotla (2023:2) express that discipline are effective when disciplinary actions are promoted as a progressive method to correct unwanted behaviour and to foster a desired behaviour on an employee in a fair, reasonable, transparent and consistent manner. Disciplinary action should not, therefore, be seen as a means of punishment.

Employers in the Republic of South Africa are encouraged to take the necessary steps in promoting equal opportunities in the workplace by eliminating unfair discrimination in any employment policy or practice, in terms of section 5 of the Employment Equity Act, 55 of 1998 (RSA, 1998:12). Therefore, section 6(1) of the Employment Equity Act, 55 of 1998 prohibits unfair discrimination and discourages any person who unfairly discriminates, directly or indirectly, against an employee, in any employment policy or practice, and on one or more grounds, including race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, and birth. Section 6(3) of the Employment Equity Act, 55 of 1998 enlightens that harassment of an employee is a form of unfair discrimination and is also prohibited on any one or a combination of grounds of unfair discrimination listed above. However, section 6(2) of the Employment Equity Act, 55 of 1998 (RSA, 1998:12) explains that affirmative action measures consistently with the laws of the Republic of South Africa or distinguishing, excluding or preferring any person based on the inherent requirement of a job cannot be regarded as unfair discrimination.

The Public Service Act, 103 of 1994 and the Public Service Regulations provide guidance on how government organisations and administration of the public service for South Africa should operate (RSA, 1994:2). The said guidance relates to the functions of the political office bearers as executive authorities, recruitment and selection of employees, compensation for employees, performance management and development, training and education, financial disclosure and termination of employment, among others. The Public Service Regulations sets a code of conduct for the public service that gives practical guidelines on what is expected of the employees from an ethical point of view in their relationship with others and their individual conduct (RSA, 2002:7).

Certain employees appointed as contemplated in the Public Service Act, 103 of 1994, and those that are appointed in terms of the Employment of Educators Act, 76 of 1998. However, those appointed in terms of the Employment of Educators Act, 76 of 1998 are regarded as educators for the public service (RSA, 1998:305). The conditions of employment, discipline, retirement and discharge are regulated in the same Employment of Educators Act, 76 of 1998. Schedule 2 of the Employment of Educators Act, 76 of 1998 comprehends the disciplinary code and procedures for educators. Disciplinary action against educators is regarded as one of the approaches used to eradicate or limit unethical action and to realise best results at schools within the GDE.

### **6.7.2 Organisational qualities**

Stickdorn, Hormess, Lawrence and Schneider (2018:49) direct that research enables the researcher to identify patterns within data, while also providing a place to share research with others as it develops. Often researchers start synthesising data by simply clustering it according to specific categories or by creating a simple mind map of the dataset. The researcher's views about organisational qualities are the following:

- Sound labour relations
- Promotion of professional ethics
- Improved service delivery

#### *6.7.2.1 Sound labour relations*

The following are some of the arrangements that may promote sound labour relations at the GDE:

- **Equal rights for GDE employees:** The International Labour Organisation (ILO) reasons that labour relations generate a legal link between employees who perform work or services under certain conditions and employers who in return offer remuneration (ILO, 2023). The ILO details that labour relations are reciprocal in nature with employees accessing their rights and benefits associated with the employment relationship and with employers practicing their rights and obligations towards their employees. The rights and obligations of employers and employees are presumed to sustain and regulate the labour

relationship in a fair or sound manner. Fair, according to the Cambridge Online Dictionary (2023), means the treatment of someone or a group of people in a way that is right or reasonable or equal without allowing subjective opinions to influence their judgment. Therefore, the existence of sound labour relations at the GDE implies that employees and managers are treated rightly, equally and without prejudice. Disciplinary action must be initiated equally for all employees and managers who are found to have committed misconduct. Further, the GDE is expected to pay an equal salary for work of equal value or for the same work.

- **Consultations:** Linde and Visagie (2017:222) state that managers must acquire the opinions of employees on matters of mutual interest prior to making a final decision through consultations. Consultations are characterised as the method of exchanging ideas, opinions and suggestions. Marcu (2016:118) explains that employees are the ones offering institutions their identity; therefore, employees are supposed to avail themselves to exchange opinions and ideas. Well-structured institutions create culture that intersects a chain of tacit meanings for consultation and encourages all human activities and organisational processes through consultation with employees. Ainomugisha (2023) suggests that consultation develops admirable traits in managers and makes them approachable to those they manage. Other traits managers can develop through the exercise of the consultative style include humility and the ability to communicate as equals with anyone.
- **Performance Management:** According to the Performance Management and Development System (PMDS) at the Eastern Cape Provincial Administration (EC, 2012:15), the performance agreement or contract may be referred to as one of the mechanisms for resolving dispute. Performance agreements or contracts can resolve disputes because it lists the key performance areas (KPA's) with their standards within which the employees and managers ought to interrelate. The KPA's with clear and shared standards transmit to employees and managers what is expected of them and how they interrelate. The performance agreement or contract may, therefore, be regarded as one of the means that the GDE can utilise to promote ethical behaviour and conduct. PMDS is, therefore, a tool with which managers and employees may promote



sound labour relations because they agree on common KPAs and standards whilst they meet from time to time for consultations and reviews.

- **Grievance resolution:** The Public Service Commission (PSC) (2022:10) reports that, at the end of September 2022, 274 grievances were properly referred to the PSC which is an indication that departments failed to resolve grievances internally within the prescribed timeframes. It is also expressed that the employer is expected to resolve a grievance within 30 days unless parties mutually agree in writing to extend the timeframe (Phala, 2020). One of the procedural recourses that employees may follow is to lodge a dispute with dispute resolution bodies, especially when employees' dissatisfaction relates to unfair labour practices. Employees should be encouraged to lodge grievances whenever they are dissatisfied, and managers are expected resolve them fairly without victimising them. Equally, employees are supposed to adhere to the timeframes for which grievances must be lodged. It is presumed that sound labour relations will be realised if the GDE continuously trains employees and managers on labour relations and other areas of their work to avoid grievances that may lead to disputes. In cases where grievances are lodged, the GDE is expected to resolve them without victimising the aggrieved employees.
- **Strike management:** The Cliffe Dekker Hofmeyr Incorporation (2023:2) indicates that, although the right to strike is a constitutional right, section 65 of the Labour Relations Act 66 of 1995 provides limitations on the right to strike. One of the limitations that prohibit employees from striking is if they are bound by a collective agreement that requires the issue in dispute to be referred to arbitration. A collective agreement is seemingly binding on all parties affected by it. The International Labour Organisation (ILO) supports the idea that a collective agreement is binding to one or more registered trade unions or a trade union federation, and one or more employers or employers' organisation (ILO, 2022:1). The collective agreement is further binding on employees who are not members of trade unions and employers who are not members of employers' organisation but who belong to the bargaining council where the collective agreement is decided (ILO, 2022:2). The impact of a collective agreement affects all employees and employers who belong to the bargaining council where the collective agreement is decided. The impact of employees taking part

in strike action even when they are bound by a collective agreement reflects that the employees at the GDE are acting unethically. The GDE may determine a strike management plan based on the provisions related to the requirements for lawful strike action and the limitations thereof.

#### 6.7.2.2 *Promoting ethical behaviour*

The following are some of the arrangements that may be followed to promote professional ethics at GDE:

It is reported that employees are susceptible to gradual ethical erosion, but they are equally open to positive influences (Everfi, 2022). Mitonga-Monga, *et al* (2023:1-2) assert that there are employees who conduct themselves ethically, reflecting honesty, respect, fairness, integrity, respect, openness and democratic interactions whilst encouraging the institutional pertinent role of promoting and maintain high ethical standards.

- **Consultation and participation in decision making:** Consultation and participation in decision-making may be regarded as some of the principles that may promote ethical conduct at the GDE. The Ethics Policy/ Strategy 2023/24 of the Department of Public Works and Roads in the North-West Province (2023:4) supports that consultation and participation in decision-making are important principles within which support structures can be established in institutions to encourage communication and decision-making where shared beliefs, values and goals can be agreed upon. Employees through trade unions may be invited to take part in the GDE support structures where decisions are made. Similarly, managers who encourage consultations within their directorates may be regarded to be promoting ethical behaviour at the GDE.
- **Disciplinary action:** Disciplinary action is regarded as one of the measures that the GDE may utilise to promote ethical behaviour. Geraghty, Kuntz and Brennan (2023:8) explain that disciplinary action may result in response to violations of law, regulation, company policies or the code of conduct or in cases of other misconduct or unethical behaviour. Vanker and du Preez (2023:1) support that improper conduct provides the basis for disciplinary action against them. It is projected that there is no employee, irrespective of their level of

employment, who is immune to disciplinary action. Therefore, the employer is expected to ascertain that all employees are aware of the rules and the reasonable standards of behaviour that are expected of them in the workplace (CCMA, 2023).

Every time when there are reports of alleged misconduct or unethical behaviour, the GDE may appoint an investigation officer to determine whether the allegations are true. Should it be found that the allegations are true, the GDE may initiate disciplinary hearing as contemplated in PSCBC Resolution 1 of 2003, the Disciplinary Code and Procedures (PSCBC, 2003:1). However, disciplinary hearings for those employed as educators, in terms of the Employment of Educators Act, 76 of 1998, as entrenched in section 3 is regulated in section 7 of the same Employment of Educators Act, 76 of 1998 (RSA, 1998:345-348). The Public Service Regulations, 2001 (RSA, 2001:144) establishes the SMS handbook within which the procedure to initiate disciplinary action against senior managers is explained. Equally, section 188A of the Labour Relations Act, 66 of 1995 guides that the GDE may, with the consent of the employee or in accordance with a collective agreement, agree on an inquiry by arbitrator (RSA, 1995:209). The GDE may request a sectoral bargaining council or accredited agency or the CCMA to appoint an arbitrator to conduct an inquiry by arbitrator into allegations about the conduct (RSA, 1995:209).

The GDE may find it suitable to prove that an employee was either aware or that he could reasonably be expected to have been aware of the rule (Erasmus, 2023). Workplace rules are multifarious, contained in letters of appointment, employment of contract, induction booklets, disciplinary codes and collective agreements, statutes or customs and practices or common law.

- **Training and workshops on ethics:** The GDE may train or workshop employees on laws, policies and rules that promote ethics. Knight (2023:1) expresses the importance of training on ethics in a session where participants can ask questions, engage in debate and undertake a written assessment that tests their application of ethics concepts. The GDE may, over and above the ethics training that is offered by the National School of Government (NSG),

organise refresher training sessions where employees will ask questions, engage in debate, or role play. It is known that the ethics training course that is offered by the NSG is at no cost to employees (NSG, 2023).

Skillsoft (2022) suggests that employers are required to define what the right thing is for employees through a comprehensive code of conduct. There is also a need to set the tone for how employees are to act while at work, interacting with co-employees, clients, vendors, partners and other stakeholders (Skillsoft, 2022). Skillsoft seemingly suggests that the GDE may train employees on the code of conduct for public servants to reduce risk exposure and to provide effective, relevant training content that promotes ethical conduct.

- **Setting of goals and values:** The UCI suggests that institutions accomplish a set of goals and values to cultivate an inclusive workplace where unique talents, skills and perspectives are valued and leveraged to develop collective and shared principles across the institution to set a foundation for all interactions and initiatives (UCI, 2020:7). Institutions are encouraged to apply the principles of SMART goal setting (Zahorsky, 2020), which stands for Specific, Measurable, Attainable, Relevant and Time based. It may also be reasoned that the SMART goals are easier to interpret and implement.
- **The role of trade union representation:** the Labour Research Service (LRS) reveals that trade unions that operate in public education institutions, such as the GDE, also take part in collective bargaining to conclude collective agreements (LRS, 2023). It is also necessary that trade unions hold meetings sometimes within the employer's premises to divulge important information to the members (Lindemann, 2021). Trade unions may represent employees in grievance cases as stipulated in the Grievance Rules for the Public Service. In such cases, the supervisors must inform an aggrieved employee of his/her right to representation by a fellow employee, a shop steward, or a union official (RSA, 2004:2).

### 6.7.2.3 *Improved service delivery*

The following are some of the arrangements related to labour relations and ethics that may be followed to improve service delivery at GDE:

- **Professionalising the GDE:** Professionalism is defined as “an ideal to which individuals and occupational groups aspire, in order to distinguish themselves from other workers” (Creasy, 2015:23). Miles (2023) further indicates that professionalism is when employees deliver their work to the best of their abilities, above and beyond their job description, using their knowledge and skills. In this study, therefore, professionalism is explained as the desired intention by an employee to achieve government goals through adherence to honesty, responsibility, courtesy, fairness, and accountability. The GDE may promote professionalism through trade unions, managers and employees because they seem to be having a role in enhancing professionalism. Elias and Iramba (2022:1) admit that trade unions play a role in promoting professional development at the institution. Individual trade unions or those in collaboration with other trade unions promote professionalism by taking part in the reformation of the law of labour relations and education policy. Furthermore, trade unions establish valuable programs such as trainings, workshops, and seminars to promote professionalism.

Managers and employees may be encouraged to behave at work while building their relationships with one another, bolster their professional reputation and boost their career almost as much as their skills and experience permit (Herrity, 2022). Professional behaviour in the workplace is a combination of attitude, appearance and manners which may include the way one speaks, looks, acts and make decisions. Managers are expected to lead by example when they promote professionalism because what they do is a projection of what they expect from employees and trade unions. Employees are expected to follow the example of a professional manager, and to be productive, motivated and act ethically as was inherent in the values and beliefs of the GDE, and to co-operate with one another.

- **Public interest:** Employees at GDE are expected to have the public’s interest at heart as it is required by section 195 (1) (e) of the Constitution that expresses that the public service must respond to the needs of the public (RSA, 1996:108). Equally, the Code of Conduct for the Public Service directs that employees must advance the public’s interests by co-operating with one

another (RSA, 2002:25). The Code of Conduct for Public Service further regulates that employees at the GDE are supposed to understand that they are working towards a common goal, and they must share knowledge, ideas and even resources to serve the government of the day and the public as efficiently and faithfully as possible (RSA, 2002:25).

- **Organisational culture:** Organisational culture may be regarded as one of the facets that enhances professionalism and improves service delivery in institutions. The University of Witwatersrand (2022:4) pronounces that the public's trust in governments is diminishing due to several reasons, one being the erosion of service quality in the public service. Gabara (2022) indicates that it is expected that service delivery must be improved for the maximum benefit of citizens in line with their constitutional rights of being treated with dignity, courtesy and provided with quality service. The service delivery process should close the gap between GDE and its customers (parents and learners) and involve customers in the GDE's labour relationship system, as they are already part of the pentagonal labour relationship system. The GDE has a responsibility of promoting a culture of zero tolerance towards corruption and loyalty. The GDE's workforce should not be corrupted by any of its partners, including the service providers, parents or private education institutions. Miller (2023:6) suggests that to tackle ethical demands effectively and to develop strong ethical environment the workforce have a potential of changing nature of work. Rodin (2023:3) settles that", in developing a strong ethical environment, it is projected that the workforce will consistently behave and act ethically and to comply in a broader understanding of institutional and ethical culture. The culture of a strong ethical environment can be achieved by being agile while minimising future ethical risks that may trigger future ethical crisis.
- **Meritorious recruitment and selection process:** Mbokazi, Mkhasibe and Ajani (2022:189) state that the recruitment and selection of employees and managers at the GDE must be fair and on merit instead of political connectedness and affiliation and family or any other relations. Swanepoel (2021:456), therefore, suggests that the interests of the GDE are supposed to supersede the interests of political parties by avoiding cadre deployments. Swanepoel (2021:447) highlights that the appointment of cadres or comrades

over better qualified and competent candidates is unlawful in terms of cadre deployment policy. Cadre deployment may lead to accusations of politically motivated discriminatory practices for serving the interests of the political party rather than the interests of the people. Appointments of political party loyalists or cadre deployment is observably the source of bias and favour as opposed to meritorious appointments and may lead to political assertions rather than the satisfaction of the needs and demands of communities. It may be resolved that meritorious appointments of employees and managers limit their involvement in politics and render them political neutral. Political neutrality may then be viewed as the foundation for promoting and maintaining ethical standards because services are provided to satisfy everyone and not only those who belong to a particular political party. When recruitment and selection are made on merits, employees are able to perform and improve service delivery and not favour a few elites instead of the communities they serve.

### **6.7.3 Leadership**

In this study, leadership represents the different role players in the labour relationship system within which the GDE exists. The conditions confronting the labour relationship system at the GDE can be identified by first determining the role players. Chapter 3 reveals that the state, employer, employees, competitors and customers interact in a labour relationship system within which the GDE exists. This relationship is regarded as a pentagonal labour relationship. According to the Merriam-Webster Online Dictionary (2023), pentagonal is derived from the word pentangular which means “having five angles and five sides”.

Shava and Mazenda (2021:320) express that the escalating unethical conduct and corruption in the public service requires ethical leaders to uphold integrity, accountability, ethics, and transparency in the execution of public duties.

The involvement of the state, employer, employees, customers, and competitors in promoting ethical conduct is as follows:

### 6.7.3.1 *The state as a lawmaker*

Literature reveals that the National Economic Development and Labour Council (NEDLAC) and the Commission for Conciliation, Mediation and Arbitration (CCMA) are established by the state to regulate labour relations in South Africa. The NEDLAC, in its founding documents and protocols (NEDLAC, 1995:7), is constituted by organised labour and government who must develop effective policies to promote economic growth and increase public participation in economic decision-making and social equity in South Africa. NEDLAC (1995:8) brings role players together in consultative forums for considerations, debates, consensus and determinations of a new or updating of legislation. It may then be asserted that the inception of NEDLAC was to fulfil the state's role of making laws. The state, while making laws, encourages public participation, collective decision making, negotiations and dispute resolution.

Public participation, collective decision-making, negotiations and dispute resolution may be accepted as some important elements of ethics. While NEDLAC and the CCMA are significant in the regulation of labour relations, the role played by the national and provincial legislatures cannot be undermined. Section 2 of the Constitution determines that the employees ought to act within the powers conferred upon them by the legislature through legislation. Talagala (2011:1) indicates that acting within the powers conferred by the legislature is considered as the foundation of administrative law. The state may invite the members of the community to submit public inputs as a means towards participating in the promulgation of legislation. Section 195(1)(e) of the Constitution necessitates that the citizens of South Africa must participate in law making (RSA, 1996:108). Sections 42(3) and (4) of the Constitution further supports that the National Assembly (NA), as a national forum, considers public issues when passing legislation whilst the National Council of Provinces (NCOP) represents the interests of provinces at the national sphere of government (RSA, 1996:24-25). Maphanga, Shale, Gqomfa and Zungu (2023:278) suggest that the promulgation of legislation by the state takes place within a systems approach where information is identified, predicted and evaluated for decision-making. Chikere and Nwoka (2015:2) further explain that the systems approach is determined from external environments whereas section 195(1)(e) of the Constitution requires that the public service must respond to the needs of the people (RSA, 1996:99).



The state promulgated enough legislation to establish institutions that promote ethical conduct in the public service, including the Public Protector, and the Auditor General. The courts of law and the South African Police Services were promulgated to enforce the law by arresting and trying those who act unethically. Mogoeng (2016:3) illuminates that the Public Protector has the responsibility of promoting good governance and assuring that corruption and maladministration in the public service and its entities are uncovered and dealt with appropriately. Munzhedzi (2016:4) further mentions that chapter 5 of the Prevention and Combating of Corrupt Activities Act, 12 of 2004 lists the penalties relating to corrupt offences on tender processes and establishes a register for defaulting persons or enterprises.

#### 6.7.3.2 *Employer*

The National Treasury (RSA, 2018:2) indicates that the public service remains the largest employer in South Africa. Gabra (2022) and Govik (2022) confirm that the public service continues to be the largest source of formal employment in South Africa. Kashyap, Joseph and Deshmukh (2016:12) reason that employers create a good working environment that is desirable for employees. Van Antwerpen and Ferreira (2016:84) remark that since employees spend most of their day at work, they ought to feel happy in their work environment. Happiness may be realised by treating employees in a fair manner related to the conditions of employment, disciplinary actions and grievances. When employees feel happy in their working environment, Kashyap *et al.* (2016:12) suggest that they are likely to generate higher productivity and a greater sense of commitment. Arguably, happier employees are likely to have improved and satisfied personal lives because they can use what they learn at work to relate with others even outside working hours. The state as an employer has a significant role to play in ensuring that employees are always happy and ready to establish better communities. Making employees happy may be regarded as an ethical act because employees are attracted to good relationships and positive energy. Good relationships are expected to produce more ethical interrelations where employees are encouraged to relate well with other employees and the customers. Ethical interrelationships create a working environment where employees are required to comply with the policy and identify potential blockages in order to institute corrective measures that results in interventions to improve implementation and ethics.

Ramatlhodi (2016) claims that the public service encourages political heads, heads of department and other senior management employees to promote efficient and effective delegations and a more stable political administrative interface. Department heads are further delegated in terms of the Public Service Regulations of 2016, paragraph 57 to institute administrative processes and then make proper appointments (RSA, 2016:62). Managers are expected to lead by example to influence how employees are to interrelate and interact while on duty. Ye, Shang, Shafait and Xu (2022:2) explain that managers who lead by example impact employees' attitudes and behaviours. Managers who lead by example help employees create a positive working environment, which circumvents a toxic workplace environment that diminishes worker productivity. Employees develop more trust and care from leaders and even enjoy certain privileges such as autonomy, voice, promotion opportunities and remuneration (Ye *et al.*, 2022:2). When employees enjoy certain privileges, the GDE may be regarded as the employer of choice. According to Forbes Africa (2023:15), an employer of choice is the one that encourages a high safety ethos and trains employees to function well with limited business interruptions. Employer's choice is expected to restore a culture of loyalty and zero tolerance to corrupt activities.

### 6.7.3.3 *Employee*

Employees include managers and subordinates from the lower levels of employment, the most senior management levels of employment including the head of department. Employees at the GDE, irrespective of their levels of employment, are expected to conduct or behave themselves in an ethical manner where they put the interest of the public first. The GDE, similar to the entire public service, exists for the sole purpose of satisfying the needs of the public who may be regarded as customers. To satisfy the needs of the public, sections 195(1)(e) of the Constitution (RSA, 1996:99) requires the GDE to respond to the needs of the public and to encourage them to participate in policymaking. Section 195(1)(d) of the Constitution further requires the GDE to be development oriented. It may be suggested that the GDE needs to encourage its customers to participate in public policy making and in public surveys where they may report poor services, allegations of unethical behaviour or even express appreciation for good quality of service. Separate from the SGB activities at schools, the GDE may

arrange annual open days where they may educate the communities about their services.

The GDE is also mandated by section 195(1)(c) of the Constitution to be impartial, fair, equitable and without bias. Sections 195(1)(c), (d) and (e) explicitly encourage the public to make their needs known with the hope that their needs will be addressed by the GDE in a fair, equitable and impartial manner. The requirement to put customers first is also supported by Habel, Kassemeier, Alavi, Haaf, Schmitz and Wieseke (2020:25) who acknowledge that to put customers first is to achieve competitive advantage, improve the quality of services while lowering the cost of sourcing such services perceived by their customers as customer centric.

According to the Cambridge Online Dictionary (2023), respond means “to say or do something as a reaction to something that has been said or done”. Therefore, responding to the needs of the public, employees at the GDE are to act in a correct manner to satisfy the needs of the public. Acting correctly may involve acting swiftly and promptly to avoid public dissatisfaction or even protests. It is presumably expected of the employees to be aware of the needs of the public because such knowledge will guide them in delivering the correct quality and quantity of goods and services needed by the public and at the correct time. To respond to the needs of the public, the GDE is required to be transparent in terms of section 195(1)(g) of the Constitution, (RSA, 1996:99). The importance of transparency is emphasised by the ANC (2019:56) in that it assures a transparent and open service delivery systems as mitigation against fraud, bribery and corruption.

#### *6.7.3.4 Customers*

According to the Department of Provincial and Local Government (DPLG) (RSA, 2007:9), the following are some elements that define customers:

- **Customers as citizens:** Citizens express, via different stakeholder associations, their views before, during and after the policy development process to ensure that policies reflect community preferences as far as possible. At the GDE, one meaningful structure that may promote public

participation is the School Governing Body (SGB) (RSA, 1996:33). A SGB is a statutory body that is established to perform functions conveyed to them by section 20 of the South African Schools' Act, 84 of 1996 (SASA) (RSA, 1996:33). Parents, educators, non-teaching staff and learners (from grade 8 or higher) may be part of the SGB to promote the well-being and effectiveness of the school community and thereby enhance learning and teaching (RSA, 1996:39). It may be crucial that the GDE provides SGBs with SASA and even trains them on important sections requiring their attention. It may further be recommended that the GDE encourages policy meetings between employees who are responsible for schools and curriculum development and the SGBs throughout Gauteng province. These meetings are crucial to identify policy gaps which may be addressed through the law-making process for recommendation to cabinet.

- **Customers as consumers and end-users:** Parents and their children are the supposed beneficiaries of the services of the GDE. Parents and children at schools expect value for money, affordable services and courteous and responsive service from the GDE. The principles of value for money, affordable services, and courteous and responsive service are stimulated through the Batho Pele requirements (Pietersen, 2014:255). Public institutions are required to provide economic and efficient services to give customers the best possible value for money. The GDE is expected to produce good results at schools by training employees. The GDE may, further, be expected to identify future risks and correct them before they appear to distract challenges that may disturb service delivery. The GDE may, therefore, involve customers to participate in GDE processes such as risks identification and management.
- **Customers as organised partners:** Parents, sponsors, businesses, non-governmental organisations and churches may be regarded as organised partners. It is obvious that customers are at the receiving end of the value chain acquiring services from GDE. It is, further, without contest that the GDE exists to provide basic education to children and adults, as contemplated in section 29 of the Constitution (RSA, 1996:13). Therefore, any conspiracy between employees and customers that may lead to ethical dilemmas can be stopped through the teachings that come from community formations. Equally, the GDE

may request slots in the media during parents' meetings, business events or in church to deliver important service delivery messages to the customers. These slots may also be utilised to preach a message of ethical consideration where GDE employees and its partners work together in an ethical manner. Employees, who are also community members, may also learn from community formations on how to interrelate with other employees and most importantly, customers. Customers who are members of the church, sports, community policing and vigilante group formations in any community may find it necessary to relate in an ethical manner with employees of the GDE. Andrew (2022:146) supports that churches and their biblical moral standards can transform and renew people's hearts to promote ethics in the public service by developing ethos and educate people on corruption control. Brown (2016:232) explains that morality is learned in the process of growing up in human society through social interactions.

#### *6.7.3.5 Competitors*

According to the Cambridge Online Dictionary (2023), a competitor refers to "a person, team or company that is competing against others". In addition, competition is defined as "a situation in which someone is trying to win something or be more successful than someone else". On the other hand, Ntimba (2019:19) indicates that there is no institution that can exist without the consideration of competitors' presence, by comparing its products or services to that of other institutions.

Hosseini, Soltani and Mehdizadeh (2018:1) mention that an organisation realises competitive advantage when its profit rate is higher than rivals' profits. Furthermore, an organisation may realise sustained competitive advantage when it retains the high profit rate for several years. It may follow that the GDE can realise their competitive advantage by producing good results compared to other provincial departments of education. To achieve and maintain good results, especially grade 12 results from the previous five years, the GDE may also realise competitive advantage against rivals from other provincial institutions and private schools. These institutions may be from within the Gauteng Province or from national and other provincial departments, even if they are not educational institutions.

Hutzschenreuter, Borchers and Harhoff (2021:336) presuppose that competitors' actions may influence competing institutions in improving the quality of service, innovative activities, or changes in input prices. It may, further, be articulated that unethical actions by competitors may be based on competing over the same services, the sponsors and customers they serve. Competitors may also compete for the same employees who are exceptional in their day-to-day duties and responsibilities. Therefore, parents might enroll their children at private schools if the GDE does not provide efficient services. The GDE may outperform its competitors by continuing to provide quality education to learners with the resources they have. The GDE may be expected to appoint employees on merit by equipping them with the necessary tools and machines to enable them to perform their duties without hassle. Eventually, it may be expected of the GDE to manage the performance of employees in a fair manner and to reward outstanding performance. Employees at GDE may perform to their best ability with the intention to acquire rewards for their performance.

## **6.8 REFLECTION ON MY RESEARCH JOURNEY**

This thesis represents my intellectual activity which could not have happened without the respondents. I had to develop and maintain constant interpersonal relationships with trade union representatives and individual employees, especially at the height of the pandemic. I experienced several challenges where I had to balance my personal life, the impact of COVID-19 and research-related challenges. At some stage, I had to go through divorce, which affected my health. In addition, work-related commitments that came with plenty of travel resulted in my fatigue. Consequently, I contracted the coronavirus and lost strength for some time which resulted in delays where I often felt like quitting; but I learned to be more patient and resilient. To manage this, I promised myself to do what I could and not to worry about things outside my control. Prayers helped and I am today able to claim that it was by the mercy and grace of my God and the support from my family and friends.

I encountered specific thesis-related challenges. The electronic survey was one of the challenges because, without constant follow ups, the respondents were not completing a questionnaire. One of my biggest challenges was that despite the bursary available throughout my research, I had to use my own funds at times, and I did not have a pocket of money laying around for things like that. With these challenges, it became

very difficult to adhere to my planned programme. I can conclude, today, that conducting research is not a quick process.

My co-promoters were my support system that saw me managing my research specific challenges. The long meetings that I had with my promoters, sometimes late in the evening, and their honest feedback made me realise I still had too much work to do. I also decided to do the best I could and hoped that I would find happiness once I completed what I started. My research journey was extremely lonely as I could not be with my daughters who are also university students away from home.

While my research journey had a lot of challenges, it was in many ways rewarding. I expanded my knowledge and witnessed incredible human resilience. In collecting data, I remained as objective as possible. I do not know who completed the questionnaire and I am happy that no one was required to provide their names. I imagine what would have been if respondents were required to provide their names. The respondents participated voluntarily in the survey and not because I promised them goodies. Even though the process of collecting data was long, I remained hopeful that I would ultimately start analysing the collected data.

This thesis is only the first step in my journey as a researcher. I would like to write and publish articles in international journals. During this research project, I was able to identify several current topics that I may publish. I would like to join academia as a lecturer. The idea that “learning has a continually recursive nature” gives me faith that my future will shape up exactly as I wish it to be.

## **6.9 FUTURE RESEARCH**

Similar research through a competitive study can be conducted, using a more diverse demographic information from different departments in the entire public service. The study may focus on the circumstances that result in poor labour relations that may negatively impact ethical behaviour and service delivery in public institutions.

## **6.10 CONCLUSIONS**

The study illustrated that the GDE at head offices promotes and maintains professional ethics and sound labour relations. Through this study, it was further observed that

ethical conduct at the GDE cannot be realised without sound labour relations. Equally, sound labour relations cannot be realised without conduct that is ethical among the role players at the GDE. Therefore, sound labour relations lead to ethical behaviour and ethical behaviour leads to sound labour relations. The study further expresses that sound labour relations and ethical behaviour are a good combination to service delivery improvement at GDE. When labour relations are sound and employees behave ethically, service delivery is expected to improve. When labour relations are sound, employees benefit because they get to behave and act ethically to avoid being charged with misconduct, whilst the public benefit because the service delivery would have improved. The study recommends that a new organisational culture is significant to develop and harmonise the evitable relationship of ethics and labour relations. The GDE will benefit when acquiring employees by appointing those who understand the GDE's organisational culture of harmonising ethics and labour relations.

The study found that the roles played by the state, employer, employees, customers, and competitors are essential for promoting sound relations and interactions with each other in an ethical manner that improves service delivery at GDE. Based on the findings of the survey, there are existing measures that promote ethical behaviour and enhance professionalism and effectiveness. The research also reveals that sound labour relations are promoted between managers and employees at the GDE. However, there is evidence of unfair labour relations practices and instances of unethical behaviour at the GDE. It is confirmed, further, that the GDE is not immune to unethical behaviour and which may negatively impact on service delivery. Professional ethics may, therefore, not be realised without applying sound labour relations. Equally, sound labour relations may be achieved when ethical actions are encouraged at the GDE. There may be a need to tighten the current measures to curb unethical behaviour to improve the image of the GDE and the relationship between managers and employees which would progressively affect their operations.



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## APPENDIX I: ETHICS APPROVAL CERTIFICATE

	
<b>DEPARTMENT: PUBLIC ADMINISTRATION AND MANAGEMENT RESEARCH ETHICS REVIEW COMMITTEE</b>	
Date: 06 August 2021	<b>PAM/2021/018 (Tsebe)</b> Name of applicant: Mr MD Tsebe Student#: 50822365
Dear Mr Tsebe	
<b>Decision: Ethics Clearance Approval</b>	
<hr/>	
<b>Details of researcher:</b> Mr MD Tsebe, student#:50822365, email: <a href="mailto:50822365@mylife.unisa.ac.za">50822365@mylife.unisa.ac.za</a> , tel: 083 4401 262 <b>Supervisor:</b> S van Antwerpen, staff#: 90202309, email: <a href="mailto:vanans@unisa.ac.za">vanans@unisa.ac.za</a> , <b>Co-Supervisor:</b> SB Kahn, staff#: 90121244, email: <a href="mailto:kahnsb@unisa.ac.za">kahnsb@unisa.ac.za</a>	
<b>Research project</b> 'Perceptions of the effect of professional ethics in labour relations at Gauteng Department of Education in South Africa' <b>Qualification</b> PhD – Public Administration	
<hr/>	
Thank you for the application for <b>research ethics clearance</b> submitted to the Department: Public Administration and Management: Research Ethics Review Committee, for the above mentioned study. Ethics approval is granted. The decision will be tabled at the next College RERC meeting for notification/ratification.	
<hr/>	
<b>For full approval:</b> The application was <b>reviewed</b> in compliance with the <i>Unisa Policy on Research Ethics</i> and the <i>Standard Operating Procedure on Research Ethics Risk Assessment</i> .	
The proposed research may now commence with the proviso that:	
1) The researcher will ensure that the research project adheres to the values and principles expressed in the Unisa Policy on Research Ethics.	
	<small>University of South Africa Prefer Street, Muckleneuk Ridge, City of Tshwane PO Box 392 UNISA 0003 South Africa Telephone: +27 12 429 3111 Facsimile: +27 12 429 4150 <a href="http://www.unisa.ac.za">www.unisa.ac.za</a></small>

- 2) Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study, as well as changes in the methodology, should be communicated in writing to this Ethics Review Committee.
- 3) The researcher will conduct the study according to the methods and procedures set out in the approved application.
- 4) Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.
- 5) The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study, among others, the **Protection of Personal Information Act 4/2013; Children's Act 38/2005 and National Health Act 61/2003.**
- 6) Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data requires additional ethics clearance.
- 7) Field work activities **may not** continue after the expiry date of this ethics clearance, which is 06 August 2026. Submission of a completed research ethics progress report will constitute an application for renewal of the ethics clearance certificate for approval by the Research Ethics Committee.

Kind regards



**Dr VT Sambo**  
Chairperson: Research Ethics Review  
Committee  
Department of Public Administration and  
Management  
Research Ethics Review Committee  
Office tel. : 012 429-4355;  
Email : Esambovt@unisa.ac.za



**Prof MT Mogale**  
Executive Dean:  
College of Economic and Management  
Sciences  
Office tel. : 012 429-4805;  
Email : [mogalmt@unisa.ac.za](mailto:mogalmt@unisa.ac.za)



## APPENDIX II: PERMISSION LETTER FROM THE EMPLOYER



**GAUTENG PROVINCE**

Department: Education  
REPUBLIC OF SOUTH AFRICA

8/4/4/1/2

### GDE RESEARCH APPROVAL LETTER

Date:	06 October 2020
Validity of Research Approval:	08 February 2021 – 30 September 2021 2019/468A
Name of Researcher:	Tsebe MD
Address of Researcher:	House 5633 Albertsdal ext. 32 Alberton
Telephone Number:	0834401262
Email address:	tsebemd@gmail.com
Research Topic:	Perceptions on the Effect of professional ethics in labour relations at Gauteng Department of Education in South Africa
Type of qualification	PHD Public Administration
Number and type of schools:	
District/s/HO	Head Office

#### **Re: Approval in Respect of Request to Conduct Research**

This letter serves to indicate that approval is hereby granted to the above-mentioned researcher to proceed with research in respect of the study indicated above. The onus rests with the researcher to negotiate appropriate and relevant time schedules with the school/s and/or offices involved to conduct the research. A separate copy of this letter must be presented to both the School (both Principal and SGB) and the District/Head Office Senior Manager confirming that permission has been granted for the research to be conducted.

*Fh. Dube 06/10/2020*  
The following conditions apply to GDE research. The researcher may proceed with the above study subject to the conditions listed below being met. Approval may be withdrawn should any of the conditions listed below be flouted:

1. Letter that would indicate that the said researcher/s has/have been granted permission from the Gauteng Department of Education to conduct the research study.

1

*Making education a societal priority*

#### **Office of the Director: Education Research and Knowledge Management**

7<sup>th</sup> Floor, 17 Simmonds Street, Johannesburg, 2001

Tel: (011) 355 0488

Email: Faith.Tshabalala@gauteng.gov.za

Website: www.education.gpg.gov.za

Open Rubric

1. Letter that would indicate that the said researcher/s has/have been granted permission from the Gauteng Department of Education to conduct the research study.
2. The District/Head Office Senior Manager/s must be approached separately, and in writing, for permission to involve District/Head Office Officials in the project.
3. **Because of COVID 19 pandemic researchers can ONLY collect data online, telephonically or may make arrangements for Zoom with the school Principal. Requests for such arrangements should be submitted to the GDE Education Research and Knowledge Management directorate. The approval letter will then indicate the type of arrangements that have been made with the school.**
4. **The Researchers are advised to make arrangements with the schools via Fax, email or telephonically with the Principal.**
5. A copy of this letter must be forwarded to the school principal and the chairperson of the School Governing Body (SGB) that would indicate that the researcher/s have been granted permission from the Gauteng Department of Education to conduct the research study.
6. A letter / document that outline the purpose of the research and the anticipated outcomes of such research must be made available to the principals, SGBs and District/Head Office Senior Managers of the schools and districts/offices concerned, respectively.
7. The Researcher will make every effort obtain the goodwill and co-operation of all the GDE officials, principals, and chairpersons of the SGBs, teachers and learners involved. Persons who offer their co-operation will not receive additional remuneration from the Department while those that opt not to participate will not be penalised in any way.
8. Research may only be conducted after school hours so that the normal school programme is not interrupted. The Principal (if at a school) and/or Director (if at a district/head office) must be consulted about an appropriate time when the researcher/s may carry out their research at the sites that they manage.
9. Research may only commence from the second week of February and must be concluded before the beginning of the last quarter of the academic year. If incomplete, an amended Research Approval letter may be requested to conduct research in the following year.
10. Items 6 and 7 will not apply to any research effort being undertaken on behalf of the GDE. Such research will have been commissioned and be paid for by the Gauteng Department of Education.
11. It is the researcher's responsibility to obtain written parental consent of all learners that are expected to participate in the study.
12. The researcher is responsible for supplying and utilising his/her own research resources, such as stationery, photocopies, transport, faxes and telephones and should not depend on the goodwill of the institutions and/or the offices visited for supplying such resources.
13. The names of the GDE officials, schools, principals, parents, teachers and learners that participate in the study may not appear in the research report without the written consent of each of these individuals and/or organisations.
14. On completion of the study the researcher/s must supply the Director: Knowledge Management & Research with one Hard Cover bound and an electronic copy of the research.
15. The researcher may be expected to provide short presentations on the purpose, findings and recommendations of his/her research to both GDE officials and the schools concerned.
16. Should the researcher have been involved with research at a school and/or a district/head office level, the Director concerned must also be supplied with a brief summary of the purpose, findings and recommendations of the research study.

The Gauteng Department of Education wishes you well in this important undertaking and looks forward to examining the findings of your research study.

Kind regards



Mr Gumani Mukatuni  
Acting CES: Education Research and Knowledge Management

DATE: 06/10/2020

2

Making education a societal priority

**Office of the Director: Education Research and Knowledge Management**

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## APPENDIX III: FINAL QUESTIONNAIRE

2/2/22, 3:22 PM LimeSurvey - Perceptions of professional ethics in labour relations in the Gauteng Department of Education (GDE) in South Af...

### Perceptions of professional ethics in labour relations in the Gauteng Department of Education (GDE) in South Africa

Dear Prospective Participant

You are hereby invited to participate in a survey conducted by Mr Mogaba Daniel Tsebe under the supervision of Professor Sumei van Antwerpen towards a PhD in Public Administration at the University of South Africa (UNISA).

The survey has been designed to study "Perceptions of professional ethics in labour relations in the Gauteng Department of Education (GDE) in South Africa". You have been selected to participate in this survey because you are employed at the GDE head office. People who are not employed at the GDE head office are therefore not eligible to complete the survey. By completing this survey, you agree that the information you provide may be used for research purposes, including dissemination through peer-reviewed publications and conference proceedings.

It is anticipated that the findings gained from this survey will assist us to identify categories of staff that commit unethical acts in labour relations, the reasons why they commit these acts, and to recommend means and measures that may be considered to promote and maintain professional ethics in labour relations. You are, however, under no obligation to complete the survey. You can, therefore, withdraw from the study at any time. Participation in this survey is anonymous. This means that there will be no way of linking you to feedback provided, which will remain confidential and may be disclosed only with your permission or as required by law. Participation in this survey will not take more than 10 minutes of your time.

You will not benefit from your participation as an individual. However, it is envisioned that the findings of this study will be made available to the GDE. We do not foresee that you will experience any harm by your participation. Neither will you be reimbursed nor receive incentives.

The research was reviewed and approved by the Ethics Review Committee at UNISA. The primary researcher, Mr. Mogaba Daniel Tsebe can be contacted during office hours at 083 440 1262. The supervisor, Prof. Sumei van Antwerpen can be contacted during office hours at (012) 429 4988. Should you have any questions regarding the ethical aspects of the study, you can contact the Research and Integrity Officer of the Ethics Research Committee at 011 471 2130 or [SocEthics@unisa.ac.za](mailto:SocEthics@unisa.ac.za) (<mailto:SocEthics@unisa.ac.za>). Alternatively, you can report any serious unethical behaviour at the University's Toll-Free Hotline 0800 86 96 93.

This survey is divided into three sections. **Section A** captures the demographic information of participants. **Sections B and C** require participants to tick the most appropriate box which represents the statement closer to their opinions.

<b>Researcher:</b> Mogaba Tsebe	<b>Supervisor:</b> Prof. Sumei van Antwerpen Department of Operations Management <a href="mailto:vanans@unisa.ac.za">vanans@unisa.ac.za</a> 012 4294988	There are 12 questions in this survey
------------------------------------	---	---------------------------------------

Email: [tsebemd@gmail.com](mailto:tsebemd@gmail.com)  
Tel/Cell: 083 4401262

### CONSENT TO PARTICIPATE IN THIS STUDY

I hereby consent and understand that my participation is voluntary and anonymous, and that the information provided will be kept strictly confidential, and that I may withdraw from the study at any stage without negative consequences. \*

Please choose only one of the following:

Yes, I acknowledge that I have read the above consent form and would like to participate in this survey

No, I do not wish to participate in this survey

## SECTION A: BIOGRAPHICAL INFORMATION QUESTIONNAIRE

[ ] Please answer all the questions by ticking the appropriate box

[ ] 1. Please indicate your age \*

Please choose only one of the following:

- 18-28: Born Free (BF)
- 29-40: Millennials or Generation Y (GY)
- 41-58: Generation X (GX)
- 59 and above: Baby Boomers (BB)

[ ] 2. Please indicate your gender \*

Please choose only one of the following:

- Female
- LGBTQI
- Male
- Other

[ ] 3. Please indicate your highest qualification \*

Please choose only one of the following:

- Matric/Grade 12
- Certificate
- Higher certificate
- Diploma
- Bachelor's degree
- Postgraduate diploma/Honours degree
- Masters degree
- Doctoral degree

[ ] 4. Please indicate your years of service in the GDE \*

Please choose only one of the following:

- Less than 5
- More than 5 and less than 10
- More than 10 and less than 15
- More than 15 and less than 20
- More than 20

[ ] 5. Please indicate your level of employment in the GDE \*

Please choose only one of the following:

- Senior management services
- Middle management services
- Junior management
- Non-managerial

## SECTION B: PERCEPTIONS OF GDE EMPLOYEES RELATED TO ETHICS IN LABOUR RELATIONS

[ ] \*

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
The GDE applies fair labour relations in units	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The environment at the GDE is suitable for employees and management to interact and relate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fair labour relations are practised at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees comply with the applicable rules and policies that regulate labour relations at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fair labour relations are practised between employees and management at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE initiates disciplinary hearings for all who conduct themselves unethically irrespective of their levels of employment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trade union officials are granted leave to perform trade union activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trade unions represent its members satisfactorily during disciplinary hearings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are formal procedures to deal with disputes at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GDE encourages regular consultation between managers and employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers value employees' opinions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers and employees share the same institutional goals and values	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trade unions are able to communicate and share information with their members	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers consult employees before making decisions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees participate in decision-making processes of their departments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trade unions and management collaborate to improve working conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers at GDE are approachable and supportive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trade unions are responsive to members' complaints and grievances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Employees trust trade union representatives to effectively handle grievances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE generally resolves grievances within the prescribed 90 days	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees resort to strikes when the GDE fails to honour collective agreements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees behave when participating in a strike action	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Colleagues are threatened for being at work when they were expected to participate in a strike action	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees are prohibited from participating in an unprotected strike action	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unequal salary pay for work of equal value is a reason why employees strike at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conditions of services are a cause of strike actions at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

[] \*

Please choose the appropriate response for each item:

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Precautionary suspensions do not exceed the prescribed 90 days at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees get demoted when they commit serious offences	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The measurements in place at the GDE are sufficient to deal with ethical behaviour	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees act ethically to avoid punishment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE has a culture of zero tolerance towards corruption	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The work environment at the GDE promotes a culture of loyalty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees are promoted when they comply with requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE promotes fair practice when selecting and recruiting employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers execute their duties as stipulated in the code of conduct	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees execute their duties according to the requirements of the code of conduct	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE is morally conducive for employees to do the right thing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
The human resources management directorate encourages employees to be politically neutral while on duty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers encourage employees to comply with the GDE's ethical practices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The human resources management directorate encourages employees to comply with the department's ethical standards and principles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The human resources management directorate encourages employees to comply with the confidentiality principles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The human resources management directorate annually encourages employees to declare their business interests	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees act ethically as it is inherent to values and beliefs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It is difficult to gauge the punishment of unethical behaviour	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A strong ethical environment prevails in the workplace	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE subscribes to high moral practices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Whistleblowers are inclined to victimisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers act professionally thus inspire employees to act ethically	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers provide regular feedback that inspires employees to act professionally	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees put the interests of the public first in their performance of duties and responsibilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees are transparent in their performance of duties and responsibilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is co-operation between employees at the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The work environment is conducive for integrity and honesty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The work environment restrains managers from abusing power and authority	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers expect employees to act in an ethical manner at all times	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Managers at the GDE lead by example	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees are proud to be associated with the GDE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE is an employer of choice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The GDE is a low-stress working environment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Strongly disagree	Disagree	agree nor disagree	Agree	Strongly agree
The GDE ensures that employees have the necessary means to perform their duties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<https://survey.unisa.ac.za/index.php/admin/printablesurvey/sa/index/surveyid/974286> 6/8



## SECTION C

[ ] Please complete the following by ticking the most appropriate box which represents the statement closer to your opinion (one tick per line). Ensure that you answer all the questions.

[ ] \*

Please choose the appropriate response for each item:

	Yes	No	Not applicable
The human resources management directorate offers training on the code of conduct which is mandatory for all employees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The human resources management directorate initiated disciplinary action against employees for participating in non-protected strikes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employees that participate in an unprotected strike action are subjected to the "no work no pay" rule	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

[ ]

**THANK YOU FOR COMPLETING THE QUESTIONNAIRE**

Submit your survey.  
Thank you for completing this survey.

## APPENDIX IV: LANGUAGE EDITING OF QUESTIONNAIRE



University of Limpopo  
School of Languages and Communication Studies  
Department of Linguistics, Translation and Interpreting  
Private Bag x1106, Sovenga, 0727, South Africa  
Tel: (015) 268 3707, Fax: (015) 268 2868, email:kubayij@yahoo.com

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02 July 2021

Dear Sir/Madam

**SUBJECT: EDITING OF DISSERTATION**

This is to certify that your questionnaire entitled "Perceptions of professional ethics in labour relations in the Gauteng Department of Education (GDE) in South Africa" has been copy-edited, and that unless further tampered with, I am content with the quality of the questionnaire in terms of its adherence to editorial principles of consistency, cohesion, clarity of thought and precision.

Kind regards

Prof. S.J. Kubayi (DLitt et Phil - Unisa)  
Associate Professor  
SATI Membership No. 1002606

*Finding solutions for Africa*