



COLLECTIVE BARGAINING AGREEMENT ASPECTS AND PERFORMANCE OF ACADEMIC TEACHING STAFF IN SELECTED PUBLIC UNIVERSITIES IN NAIROBI CITY COUNTY, KENYA

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Abstract

The Kenyan government and the University Academic Staff Union have in the past decade entered several collective bargaining agreements (CBA) to address the terms of work for university lecturers. However, a number of CBAs have not been honoured by the government, this often creating conflicts with lecturers in the country. This research examined the effect of collective bargaining agreement (CBA) aspects on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya. Specifically, it narrowed down to: establish the effects of union securities, management rights, remuneration, and dispute resolutions on performance of teaching staff in selected public universities in Nairobi City County. Systems Theory, Equity Theory and Contingency Theory of Management were used in the study. The target population consisted of 1693 UASU members from Kenyatta University, The Technical University of Kenya and The Co-operative University of Kenya, with a sample size of 169 selected through simple random technique. A structured questionnaire was used for

data collection, and data analyzed descriptively and inferentially using SPSS v.21 and presented using tables, figures, and narratives. The findings showed that union security favoured the UASU membership regarding their negotiation on improved terms. Good remuneration tended to improve staff retention, while effective dispute resolution strategies ensured timely resolution of conflicts between lecturers and universities. The study recommended strengthened systems and structures to enable UASU to work closely with universities for better working terms.

Keywords: Staff union, Bargaining agreements, Teaching staff, CBA, Public universities

INTRODUCTION

Like in several other states globally where university education is increasingly becoming very important, university academic teaching workforce in Kenya face challenges in their desire to effectively execute the role of making these institutions achieve their set goals (Kande, Namusonge & Mugambi, 2017) due to expanding student numbers (ILO, 2018). According to ILO, 2018 teaching and research staffing levels in Kenyan public universities have grown at a slower pace compared to the growth of the student population. This is notwithstanding that the teaching staff has to contend with challenges associated with low salaries, low morale, and big workload (ILO, 2018). The situation has been further complicated by the liberalization university learning that has seen a number of universities come up with a different set of parameters in regard to academic staff performance (Mathooko & Ogutu, 2014; Ibia, 2014).

In spite of these challenges trade unions that represent teachers and lecturers continue to press on the authorities to hear the professional voices of members, and to appropriately valued and reward the experiences and expertise (Worlds of Education, 2017). From a human resource (HR) perspective, the recruitment, retention, and motivation of employees remain important to institutional growth, since an institution's HR policy is usually considered efficient if its compensation policy is integrated and coherent (Bedarkar & Pandita, 2014). But Mbirithi (2013) has criticized the management rights as practiced in local universities noting that they are inclined more on performance of universities at the expense of the rights of employees. Waswa, Ombuki and Metet (2013) add that due to lack of clear collective bargaining agreement (CBA), in some instances, academic teaching staff are subjected to harsh working conditions and threatened with legal action and dismissals. This has often led to strikes and collective action by employees against repressive working conditions instituted by employers

In other instances, according to Munene (2014), lack of CBA implementation in regard to salaries and other employment terms can easily cause discontent between academic teaching

staff and the universities. Similarly, the controversy surrounding lack of CBA implementation has only served to heighten the animosity between the concerned parties. As such, according to Aremu, Lawrence and Ayeloton (2015), frequent strikes arising from non-implementation of CBA have contributed to the inefficiencies found in public universities systems. Rawford (2014) alludes that failure to implement CBA is self-destructive as it interferes with students' education. In Kenya, the University Academic Staff Union (UASU) exists for the sake of advancing university lecturers' interests, including pushing for a rightful share of the budget to go to financing staff remuneration. However, UASU has to contend with the fact that the remuneration of its members is determined by the wages at entry level of the individuals (industry level wages), and not the individual performance. Much as the universities' councils and UASU have at all times when they experience industrial conflicts portrayed the desire to work in harmony in order to foster good relations (Nkirote, 2018), the public universities in Kenya have experienced several industrial disputes involving the universities management and UASU in the last five years (Munene, 2014).

According to Abdusalam and Mawoli (2012) evaluating employees' performance is a significant issue, which makes it necessary to understand the relationship against its determinants (Van Dyk, Hennerbert & Dupuis, 2016), even when the performance of individual employee is not easily verifiable (Shahzadi, et al., 2014). Anitha, (2014) adds that evaluation of performance must be emphasized at all levels of the organization where existing HR policies are respected by the top management when it comes to respecting the rights of employees. At the same time, achieving organizational objectives should be viewed as a responsibility of all the staff under guidance of the leadership of the organization. In this sense, staff remains imperative in organizational achievement regardless of size or area of specialization (Anitha, 2014). Taylor et al., (2012) add that measuring academic staff teaching performance enhances their commitment to learning activities and builds quality relationship with students, which creates an environment that challenges and nurtures the latter. However, according to Mulunda, Were and Muturi (2018), employees are reluctant to put their best performance at workplaces if they do not feel appreciated by their employer and workmates. It is a rule that employees' performance is reduced whenever there are strikes and lockouts occasioned by bad employer – employee relationships (Mulunda, et al., 2018).

Collective Bargaining Agreement (CBA)

The concept of collective bargaining agreement entails a formal engagement between companies and their staff as they negotiate improvement of working terms. The process involves decision making between parties representing the interests of employer and those of

the employees (Koçer & Hayter, 2011). It is a doctrine of labour practices where employees get an opportunity to table their grievances to their employers with the hope of reaching an amicable solution relating to protection of terms of negotiations (ILO, 2016). Given the skewed employer-employee power relations when it comes to negotiations about collective terms of employment, the CBA is usually intended to protect the negotiation process. Hence, workers are forced to work together and in harmony in order to create a stronger voice where their grievances can be heard, and their wishes possibly be granted by their employer (Rezandt, 2015).

Strike action is a mechanism employees rely on to gain collective power. On the other hand, employers use their powers to issue dismissal and salary withholding or withdrawal threats, thereby sometimes forcing the agitating workers to call off their strikes and abandon their push for better working terms (Rezandt, 2015). Employers at times forestall unions to use statutory recognition procedures (Russo, 2012) even when a CBA been declared binding for both parties by a public authority under law (Villanueva, 2015). The ILO remains in the forefront in the fight for better working standards for all employees in the world (ILO, 2018). Rezandt (2015) adds that ILO has the mandate to listen to the grievances of all workers globally and help to articulate these concerns to relevant stakeholders in the employment circles. As such, most labour rights charters all over the world are designed in line with labour standards of the ILO frameworks.

In South Africa, the labour laws provide for CBA but the legislation is not explicit on the duty to bargain. As such, courts there recognize and appreciate the importance of workers negotiating collectively with their employers for better working terms, thus reducing the chances of their requests being turned down (Rezandt, 2015). Only in sectors classified as Essential Service are workers provided with various options to compel employers to bargain. And in Nigeria, employers are constantly challenged to enhance industrial harmony in organizations because of their failure to readily embrace the views of workers when negotiating for the latter's working terms (Nwokocha, 2015), for they keep on flouting the law even when studies there have shown that avoidance of implementation of agreed CBA reduces the productivity of employees (Uwa,2014).

In Kenya, according to Mulunda, Were & Muturi, (2018) the 2010 Constitution guarantees workers the leeway and right to unionize as the platform allows them to freely push for improvement of working terms through collective bargaining. The Constitution 2010 is read together with the Labour Relations Act, 2007 which combined and superseded previous draconian laws that could not freely allow certain important pursuits by the Kenyan employee, especially with regard to asking the employers to improve the general working conditions. This

Act encourages parties in a collective bargaining process to do so in good faith, make it obligatory for negotiating parties to freely share relevant data in a transparent manner, with the understanding that an industrial court can readily intervene in their actions should there be any disagreements under CBAs (Fashoyin, 2007). However, numerous researches indicate that CBA in Kenya may not have substantial influence on employee performance (Akhaukwa, Maru & Byaruhanga, 2013; Maina, 2018).

Public Universities in Nairobi City County, Kenya

Kenyan government considers higher education as crucial to the economy as it is in the university where students are granted certificates at different levels. For that matter the Kenya government has in the last two decades expanded university education by granting charters to 41 new public universities and several private universities. Public universities are those universities which are established, managed and financed by the government, whereas private universities are those that are founded and financed by private individuals or corporations. The number of people seeking university education in Kenya has increased to an extent that universities have established constituent campuses in several urban areas around the country to meet this demand (Ng'ang'a, 2016). Nairobi City County, which is the focal point of economic growth in Kenya, has attracted majority of Kenyan universities and few foreign universities to establish satellite campuses to tap on working and non-working paying students.

Among Kenyan public universities that have their main campuses in Nairobi City County include: UoN, TUK, KU, Cooperative University, Multimedia University of Kenya, as well as Kenya College of Accountancy University. Besides universities headquartered in Nairobi, there are those that have established satellite campuses in the county. These include Dedan Kimathi University of Technology, JKUAT, Egerton University, Moi, Masinde Muliro, and Kisii universities, to name a few. These institutions are endowed with an active human capital and would easily achieve their mandates if they were to urge the government to always honour the CBA it enters with the respective staff union whenever they settle salary disputes. While we have no data on the number of man hours that universities have lost due to university lecturers' industrial action since independence, it is on record that the institutions have experienced several strikes that have paralyzed university learning in the stated period. The University Staff Union (USU) was established in 1972 as the first union to serve university lecturers. This came about at a time when lecturers demanded just and fair political and economic treatment from the government. However, USU was conveniently denied registration by the government up to 2003 (Munene, 2014). Over time the union has evolved to what is now the University Academic Staff Union (UASU) and has local chapters in nearly all public universities in Kenya. UASU has since

then represented university teaching staff on all negotiations pertaining to wages and terms of service in all the CBAs that the university staff has engaged the government.

But like other workers in any other sector, academic staff workers in Kenyan public universities perform poorly when under stress, and when less concerned, less vigilant and less efficient in their daily duties (Dar et al., 2011). Previous empirical findings cited lack of understanding of the effects of non-implementation of CBAs as the causes of lack of motivation, poor relationships and frequent turnovers among public universities academic staff which has greatly contributed to poor academic staff performance. This study will focus on UASU members from KU, TUK, and CUK to understand the influence of CBAs on performance of teaching staff in Kenyan public universities. UASU has been chosen as the unit of study as it has been operational for a considerable period of time and would provide adequate information for addressing the research questions.

Statement of the Problem

There are numerous researches on CBA within Kenya's environment, but much of the literature is largely concerned with such agreements' impact on the general output of organizations in question (Kitonga, 2017). On the other hand, much of the literatures in the education sector have not revealed the magnitude of influence of CBAs on performance of Kenyan public universities' lecturers (Omuya, 2015; Tumwet, Chepkilut & Kibet, 2015). Despite its popularity in other countries when it comes improving of workers' performance, in Kenya, respecting of CBAs by government institutions still faces numerous challenges.

Over the years, the government and UASU have locked horns over non-implementation of CBA on several occasions. This therefore implies that there is need to investigate how CBAs influence performance of teaching staff in Kenyan public institutions of higher learning. The research was cognizant of the fact that there exist some operational and managerial differences among organizations in different sectors of Kenyan economy and the implementation of the collective bargaining agreements may not produce similar effects unless empirical studies demonstrate so. As such, attempts were made to address these gaps by focusing on public universities in Kenya.

General Objective of the Study

The general objective of this study was to examine the effects of collective bargaining agreement aspects on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya.

Specific objectives

- i. To establish the effects of union security on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya.
- ii. To examine the effects of management rights on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya.
- iii. To establish the effects of remuneration on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya.
- iv. To establish the effects of dispute resolutions on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya.

LITERATURE REVIEW

Theoretical Framework

Systems Theory

The theory was pioneered by Dunlop (1958), and postulates that trade relation provide a basis for regulating contracting workers and their behaviours at the work place. Influenced by Talcott Parsons, the systems theory views employees' behaviour at the work place as a product of the concept of industrial relations (Chidi & Okpala, 2012). According to Hennert and Dupuis (2016), systems theory helps us understand, manage and plan organizations. They add that employee relations are a human resources discipline which should be considered based on existing relationship between workers and their employer. Through system theory, employees form a central part of the organization rather than just as an appendage. This perspective gives top managers justification to treat junior workers as an important part of the company. Hence, overall, based on the system theory, the worker remains a central pillar of organizational system.

In this connection, Ekundayo (2012) has identified four elements that make up the industrial relations system. These include industrial actors (employers and employer associations); employees and trade unions; and government institutions. Secondly, there is the aspect of predominantly existing economic and psychological situations and power distribution in a broader context. Third, there are the rules that regulate the relationship between employees and employers as the main actors in work output. Finally, there is organizational culture that enables workers to co-exist with one another for the sake of pursuing common objectives of the company and achieving good outcomes. In this sense, good working relationship among employees on one hand, and employees and the employer on another, helps to make the system operational (Chidi & Okpala, 2012).

Equity Theory

Foundations of this model were initiated courtesy of Stacey Adam in 1963 (Gupta, 2011). The premise of the theory is that employees prefer to be treated fairly at the workplace and rewarded accordingly (Barnes, Hollenbeck, Jundt, DeRue, & Harmon, 2011). In addition, Equity theory recognises individual contributions to a group and rewards these distinctions 'appropriately' (Barnes, et al., 2011). Employees are always keen to see whether their input in a job is favourably rewarded when compared to their peers in the same category. They consider a state of equity to exist whenever these ratios match. Whenever the ratios become uneven, they feel under rewarded (Rubin & Chiqués, 2015).

According to Fair Weather (2005), workers will always feel happy and put in more efforts at work whenever the company appreciates them. Furthermore, it always resonates well with workers when their bosses at the workplace treat them in a fair and just manner (Rubin & Chiqués, 2015). From an HR perspective, leaders in an organization stand better chances of winning the hearts of their staffs and entrench the vision of the organization even better whenever there is equitable and just treatment (AffulBroni, 2004), as employees crave for a pat on the back when they accomplish a task (Blanchard & Witts, 2009). Haizlip (2008) adds that an integrated approach where junior staffs are involved in decision making has the double outcome of increasing personal commitment as well as motivating them to be advocates for their decisions. Venter et al (2011) observe that CBAs encourages cooperation and compromise between the parties involved in the negotiations. Teamwork enhances trust among parties such that the workers can give their best while the employer is expected to reciprocate in equal measure. At the same time, workers increase their commitment to servicing customers if they are encouraged to work in teams. The equity model clearly applies to this study, especially with regard to investigating effects of remuneration on the teaching workers' motivation to deliver at the workplace in public universities.

The Contingency Theory for Management

This model has its origin from the research findings of a study on leadership behaviour carried out by Ohio State University researchers in 1950 (Abba, Yahaya & Suleiman (2018). The theory has however been improved by several scholars notably Derr in 1975 (Kagwiria, 2019), separately by Thompson (1977) and Galbraith (1977) (Tosi, Jr. & Slocum, Jr., 1984), and by Burrell and Morgan in 1979 (Waweru, 2019). The model further postulates that different organizations have different structures and systems for managing their work-related conflicts between the staffs and the employer. This means that conflict-resolution mechanisms may be effectively determined on the basis of the fit or match between organizational size,

administrative models or management style, type of technology used, communication system, and the volatility of the operational environment among other key organizational considerations (Abba, Yahaya & Suleiman, 2018).

The theory suggests that organization elites (employer) have the culture of have the tendency of developing constraints to achieve predictability of their members (employees), so that the latter can direct the set activities towards the organization desired purposes (Abba, Yahaya & Suleiman, 2018). The constraints are classified on the basis of their origin, magnitude, and leadership behaviours (Abba, Yahaya & Suleiman, 2018). These may therefore be influenced by internal or external factors, where policies, regulations, organizational culture, level of complexity of the firm heavily count (Tosi, Jr. & Slocum, Jr., 1984). However, Abba, Yahaya and Suleiman (2018) cite Galunic and Eisenhardt (1994) who consider contingency theory to be static, hence failing to account for changes that are ever present in company relations. They add that contrary to the assumptions of the contingency theory, organizations always expand and incorporate expanded structural and operational systems. Consequently, there becomes the need to adopt new ways of conflict resolutions in as far as workers' issues are concerned. However, as changes continue to be experienced in the organization, both employer and employees move between fit and misfit with results into higher and lower performances (Abba, Yahaya and Suleiman, 2018).

Empirical Literature

Union Security and Employee Performance

Akhaukwa, Maru & Byaruhanga (2013) did research to understand how collective bargaining agreement negotiations influence performance of teaching staffs of Kenyan public institutions of higher learning. 322 interviewees were sampled and data analysis done descriptively and inferentially where results indicated that CBAs significantly influenced industrial relations in the universities. Furthermore, the findings revealed that the university administration tended to dictate negotiation processes where at the end of the negotiations the union representatives felt shortchanged. Nonetheless, the study recommended that parties in a CBA should prior to the commencement of their negotiations put in place effective structures for articulating their respective concerns. This approach would eventually leave each of the sides in the negotiation process satisfied about the outcome of their talks. Despite these revelations, the previous study was conducted almost 8 years ago, hence the need for another research to highlight the current situation in Kenyan public universities.

In another study by Joseph (2015), the findings revealed that CBAs should be handled carefully if all the parties involved need to emerge victorious. The research was conducted in

Canada and focused on handling of CBAs during the period 1998-2013 and different indicators were chosen to be addressed in the negotiation procedures. The findings further indicated that some of the common issues addressed through CBAs included wage and salary settlements, and union membership was very important in influencing bargaining power agreements. It also came out that public universities did not take workers' unions serious in their line of work. This perception allowed the universities' top management to mistreat union officials by often prolonging the negotiation periods longer than necessary. Despite these findings, the previous research was done in Canada, as opposed to the proposed one in Nairobi, Kenya.

Another study was done by Mulunda et al (2018) to explore how collective negotiation influences workers' output in Kenyan electricity generation entities. Study elements comprised of 5,001 members of staff from whom 356 research participants were selected using stratified sampling methods. They comprised management and union staffs in all the companies involved from all levels. The dichotomy in choosing respondents was informed by the different roles played by the two sets of employees in their respective organizations. While the top management staff provided relevant information related to the running of the companies, union staffs were picked since they were the ones affected by HR policies and practices. Data was analyzed descriptively and inferentially based on study variables, where analysis revealed that collective negotiations significantly influenced employee performance. However, while the study by Mulunda et al (2018) focused on employees from the energy sector, the current study intends to dwell on teaching staff in public universities in Kenya.

Gichaba (2013) carried out a study to determine how Kisii University members of staff perceive their trade unions and the kind of influence they have on guaranteeing workers' job security. The study targeted academic and administrative staffs from various university workers' unions. Descriptive research design was adopted where mixed method approach was used to interview 809 respondents from various departments in the universities. The research instrument was tested for both reliability and validity before being taken to the field. Research outcomes noted that trade unions significantly impacted staffs' working environment. At the same time, through open negotiations, the universities were forced to regularly review the terms of service for their employees. At the same time, CBA negotiations helped to strengthen the working relationship between universities and employees, thereby enhancing their outputs. However, the previous study specifically addressed perceived impact of working environment on work outputs for staffs; whereas current study addresses then relationship between CBA negotiations and performance of university workers in Kenyan public universities in Nairobi County.

Mwathe, Gachunga and Waiganjo (2017) conducted a study on how trade unions' work influenced employee performance in TVET institutions in Kenya. The target population included

5718 individuals in TVET including holding different teaching and administration positions as well as members of different workers' unions. Out of the sample size of 361 respondents, 315 of them managed to successfully participate in the study. These were interviewed using a structured questionnaire and an interview schedule. The research noted a significant correlation related to trade unionists' activities against work output for employees in TVET institutions. Consequently, the study recommended that all such institutions should have somebody to help in championing their interests. While this investigation studied employee productivity in the TVET institutions as the outcome of the study, the current study will focus on public universities' teaching workers and trade union members.

Riunguh (2015) used a descriptive survey design for exploring factors that influence trade union workers in Meru Central KNUT offices. Specifically, the research looked at the administration structure; employee attitude; empowerment level; and financing of the union on performance of these institutions. Research targeted 3000 members as well as 10 KNUT officials of the branch where 119 members and 9 officials were selected and involved. The 128 sample was interviewed using a questionnaire and analysis subsequently done descriptively and inferentially. The study noted a strong correlation between employee attitude and empowerment on productivity of the KNUT offices. Yet, the previous research studied KNUT membership as opposed to proposed research to feature teaching staff in Kenyan public institutions of higher learning.

Management Rights and Employee Performance

Soylu and Singh (2017) studied the role of labor unions in the workplace to assess its influence on employees' productivity at the work place. The study established that union management rights affected productivity at the work place, and therefore concluded that more emphasis should be put on workers' representatives through unions. Larmache (2013) used Argentine union contract data to study about the influence of trade unionism on pushing for the rights of workers and reforms in industrial companies in Argentina. The study applied SPSS to descriptively and inferentially analyze data and noted that industrial practices significantly helped to improve workers' efficiency in any organization. At the same time, workers stood a better chance of being more productive if the right reforms were undertaken in the companies they worked for. Despite the previous study's findings, the study site was different from current study which aims to focus on teaching staff in Kenyan public universities.

Kipsang', Chepkuto and Kwonnyike (2015) investigated how the push for the employees' rights impact on their rights and benefits at the workplace. The target population was that cadre involved in employee relations in Kenyan local organizations' HRM department. Furthermore,

the research addressed work culture, the labour laws guiding employees in Kenya, and career future of the workforce and how these determined their performance in their respective offices. The findings noted that employees protected by good labour laws often performed better in their respective offices since they felt secure and assured in their career progression. However, since the previous study was carried out nearly six years ago and with a different focus, current research would be imperative in Kenyan public institutions of higher learning.

Another study by Adewumi (2012) combines empirical data and secondary materials to establish that Nigeria suffers non-compliance of the existing legislation on workers' rights. The research also established that institutions that did not have encourage strong labour protection practices for their staffs were more likely to experience low output from their workforce. However, it emerged that several of Nigerian states lack the political will to protect its workers. But since the study by Adewumi (2012) was carried out in a different study environment from the current one, it is important to understand how collective bargaining influences lecturers' work output in Kenyan public institutions of higher learning.

Remuneration and Employee Performance

Omuya (2015) did research in Kenyan universities to understand the influence of rewards and compensation for the workers on their performance, with 125 employees from human resource department being involved. Key information was collected from HR employees while supplementary information was obtained from scholarly journals in the field. The study established all the relevant relationships through a regression model. While Omuya (2015) based the study on workers from the human resource department, the current study intends to focus on academic staff of the universities. Furthermore, union members such as from UASU will provide better insights on how bargaining agreements influence performance of the workers.

Tumwet, Chepkilut and Kibet (2015) carried out a census of all employees of Kabarak University to examine the impact of proper rewarding and compensation systems on workers' output in Kenyan private universities. Primary data was collected using a structured form while information from human resource department complemented raw data. Data was analyzed descriptively and inferentially where it emerged that stronger compensation and rewarding structures for universities significantly influenced employee output at the workplace. Despite the findings by the previous study, the focus was on the general workforce as opposed to the focus of the current study which will feature teaching staff in public universities in Nairobi County.

Mutuma and Manase (2013) administered questionnaire to 136 purposely selected respondents of Kenya Methodist University to evaluate the relationship between employee salary and their productivity level in places of work. The study's secondary aim was to arrive at

appropriate recommendations that would reverse staff turnover in private universities. The target population comprised academic and non-academic staffs of Kenya Methodist University in their Nairobi and Nakuru branches. The study analyzed data using tables, frequency and percentages. This study examined the situation in private universities and adopted purposive sampling while the current research intends to apply random and simple random methods of selection of respondents and use a questionnaire to collect data from UASU members in selected public universities in Nairobi City County, Kenya.

Ndung'u (2017) administered a questionnaire on 360 respondents at Kenyatta University main campus to explore relationship between working environment and leadership styles on individual staff performance. The study carried out inferential statistics and multiple regressions. However, the study was a case research where random and purposive participants' selection methods were used to identify the respondents, while the current study was a cross-section one and adopted stratified and simple random sampling on UASU members drawn from different Kenyan public universities.

Dispute Resolutions and Employee Performance

Olang (2017) used all employees of Stima Sacco, regardless of their positions or stature, to carry out a descriptive research survey on how conflict management influences organizational performance of the organization in the SACCO sector using Stima Sacco as a case study. The research used a designed form for quantitative and qualitative data collection. Collected information was processed descriptively and inferentially using SPSS computer software. The findings noted that timely management of conflicts at the workplace was instrumental in encouraging workers to perform their duties effectively. Conflict management between the workers and their employers was better handled by trade unions if the bone of contention related to salaries and other serious terms of employment. However, the previous research studied Sacco sector, as opposed to the proposed research which will study Kenyan public universities.

Mwikali (2016) did a study about how managing conflicts at the workplace impacts employees' work output at KPLC. The findings revealed that the sources of conflicts between individuals at KPLC occurred as a result of poor communication, different social backgrounds, as well as religious or political differences. Further, groups encountered misunderstandings amongst themselves owing to unnecessary competition amongst workmates. The study further revealed that proper conflict management was important for co-existence of employees at the workplace' however, while the previous study focused on KPLC employees and the kind of

difference conflict management would make in their career pursuit, the current study intends to focus on the academic staff.

Zhu *et al.*, (2013) conducted a study titled *Conflict Management Between Employees from Various Organizational Departments in China*. The study revealed an existing link between the efforts to resolve conflicts and good performance of organizations. Yet, the study did not find any existing correlation gender differentials of an employee, conflict resolution, and organizational output. Possibly the application of descriptive and cross-sectional research designs to collect statistics might have inflated the causal relationship between conflict resolution practices and organizational outcomes. The study recommended the need for a similar study in another region of the country or in a different country that would include of all employees and more secondary data.

Conceptual Framework

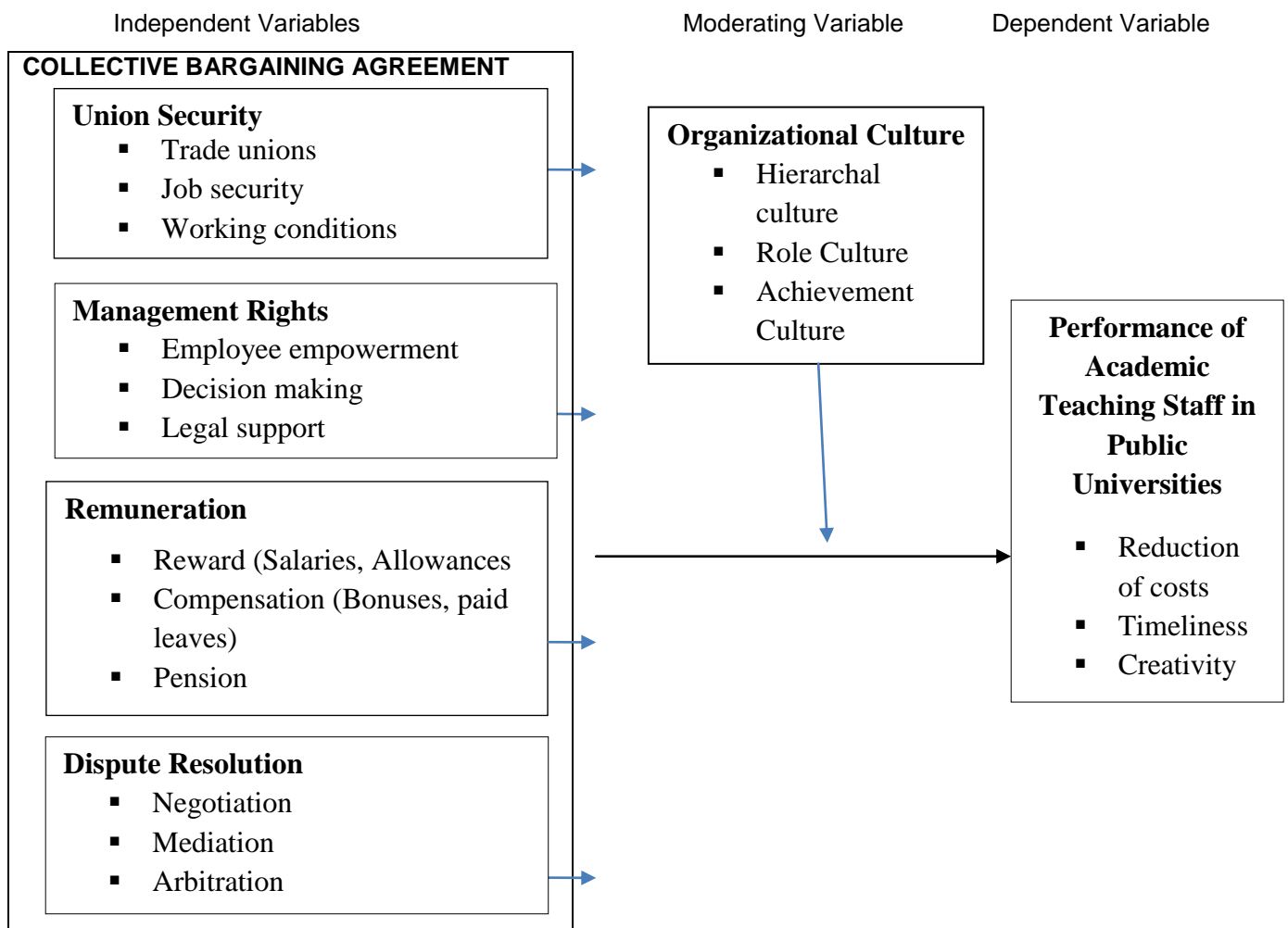


Figure 1 Conceptual Framework

As illustrated in figure 1, a conceptual relationship between the variables provides summary about what was studied and how this influenced the outcome of the study. The predictor elements included union securities, management rights, remuneration and dispute resolutions. The moderating variable is the organizational culture. The dependent variable was performance of academic teaching staff in selected public universities in Nairobi City County, Kenya.

RESEARCH METHODS

Research Design

This study used descriptive research design, which helped to answer the 'who', 'what', 'when', 'where' and sometimes 'how' questions of research. The design was also appropriate in allowing the researcher to organize and summarize the findings in a logical and coherent manner. Finally, Creswell and Creswell (2017) suggest that data from a descriptive research is more reliable when the researcher intends to holistically study the subject under scrutiny.

Research Philosophy

Underlying philosophy for this study was positivism. The positivist philosophy is premised on the assumption that reality can be researched from unbiased standpoint where there is no distortion or prejudice of the variables under scrutiny (Creswell & Creswell, 2017). Further argument is advanced that positivism must be viewed from the perspectives of objective reasoning and scrutiny where empirical data can be scientifically analyzed and used to justify certain positions (Babbie, 2015).

Target Population

This constituted academic teaching staff drawn from 3 public universities within the jurisdiction of Nairobi City County, which included Kenyatta University, Technical University of Kenya and Co-operative University of Kenya. The unit of analysis was the 3 selected public universities and unit of observation was UASU members in those universities. These institutions were purposively selected because they are ISO certified, and, although all have good structures of collective bargaining agreement, they are at different level of development owing to the years they have existed since being chartered. The UASU is in charge of pushing for better terms of employment and good working environment for all the lecturers/academic and teaching staffs of the universities in Kenya. Table 1 summarizes the study target population.

Table 1 Target Population

| University | Population (N) | Percentage (%) |
|--------------------------------------|----------------|----------------|
| Kenyatta University | 987 | 58.30 |
| Technical University of Kenya | 645 | 38.10 |
| The Co-operative University of Kenya | 61 | 3.6 |
| Total | 1693 | 100 |

Source: UASU (2021)

Sampling Design and Sample Size

Based on the target population of 1693 academic teaching staff members as identified in table 1 above, the study worked with a sample size of 169 academic staff members to investigate how certain aspects of CBA affect the output of the university teaching staffs. As shown in Table 2 below, the research used proportional distribution to allocate the research sample to the specified universities. The research used the UASU chapters in the respective universities to identify members in the selected schools.

Table 2 Sample Size

| University | Population (N) | Sample (n) |
|--------------------------------------|----------------|------------|
| Kenyatta University | 987 | 98 |
| Technical University of Kenya | 645 | 64 |
| The Co-operative University of Kenya | 61 | 7 |
| Total | 1693 | 169 |

Source: UASU (2021)

Data Collection Instruments

The research employed a self-designed structured questionnaire to collect data. A questionnaire was more economical and easy to administer to the respondents. At the same time, the tool allowed easier coding, organizing, and analyzing and general processing of data in preparation for publication and sharing with relevant audience. Furthermore, the questionnaire is considered as the most appropriate research tool for easily capturing opinions, attitudes and feelings of respondents during data collection process through close-ended and open-ended questions (Tavassoli & Sune, 2015). The researcher worked in collaboration with the UASU local chapters to distribute the questionnaire to qualified respondents.

Data Analysis and Presentation

A quality check of data was carried before carrying out the statistical analysis. The collected data was entered in excel spreadsheets, classified, coded and edited. The research employed SPSS version 21 to descriptively and inferentially analyze data which was then shared and obtainable in various forms, including percentages, frequencies, tables and graphs.

FINDINGS AND DISCUSSION

Response Rate

Table 3 Response Rate

| Institution | Sample Size | Response Rate | |
|--------------------------------------|-------------|---------------|----------------|
| | | Frequency (n) | Percentage (%) |
| Kenyatta university | 98 | 70 | 71 |
| Technical University of Kenya | 64 | 45 | 70 |
| The Co-operative University of Kenya | 7 | 5 | 71 |
| Total | 169 | 120 | 71 |

As indicated in table 3, out of the selected sample of 169 respondents for the study, 120 of the respondents managed to successfully participate in the study, which translated to 71% response rate. There was also a proportional representation from each of the universities involved in the study in terms of the questionnaires fielded and returned for analysis.

Respondents' Demographic Information

The respondents' demographics were important in providing details about personal attributes of the respondents related to their work. These characteristics included gender, highest level of education attained, terms of employment by their respective universities, and working experience in years.

Respondents' Gender

The respondents were asked about their gender, and the distribution is presented in figure 2.

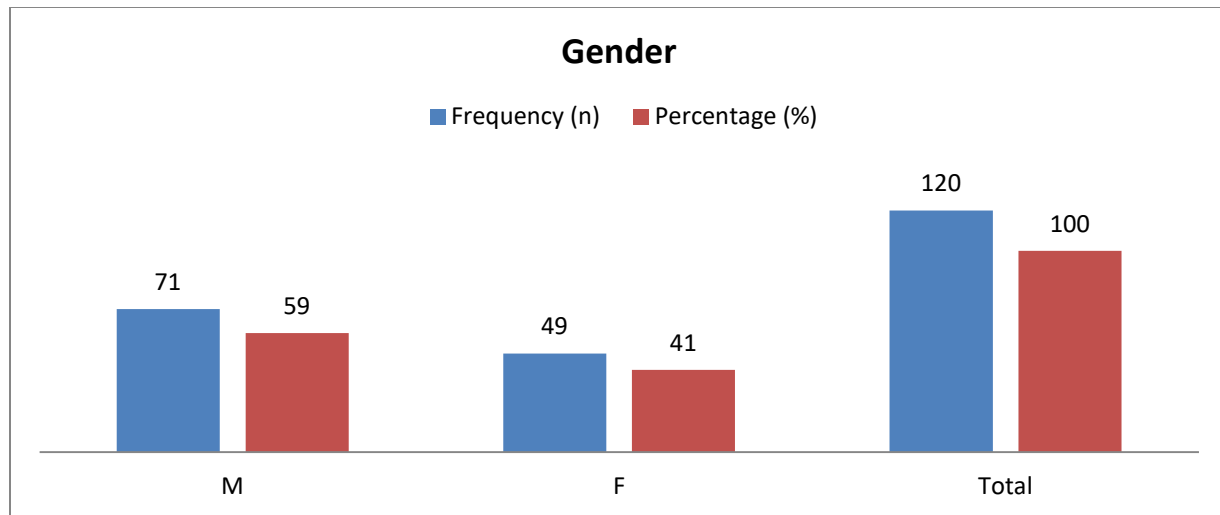


Figure 2 Gender of the Respondents

Based on figure above, 71 (59%) of the respondents were male while 49 (41%) of them were female. The distribution is a reflection of the gender representation in universities' teaching staff in Kenya where majority are male lecturers in virtually all the institutions of higher learning. This may attest to the fact majority of the faculty members in public universities are male employees.

Respondents' Highest Education Level

The respondents were asked about their highest education level, and the findings are presented in table 4.

Table 4 Highest Education Level of the Respondents

| Education Level | Frequency (n) | Percentage (%) |
|------------------|---------------|----------------|
| Bachelors | 0 | 0 |
| Masters | 78 | 65 |
| PhD | 42 | 35 |
| Total | 120 | 100 |

As illustrated in table 4, 78 (65%) of the respondents had masters degrees whereas 42 (35%) of them had PhDs. None of them had a bachelor's degree as their highest level of education. This distribution could be indicative of the situation in Kenya's universities where majority of the lecturers are holders of masters degrees as opposed to PhDs.

Respondents' Terms of Employment

The respondents were asked about terms of employment in their respective universities, and the outcomes are distributed in figure 3.

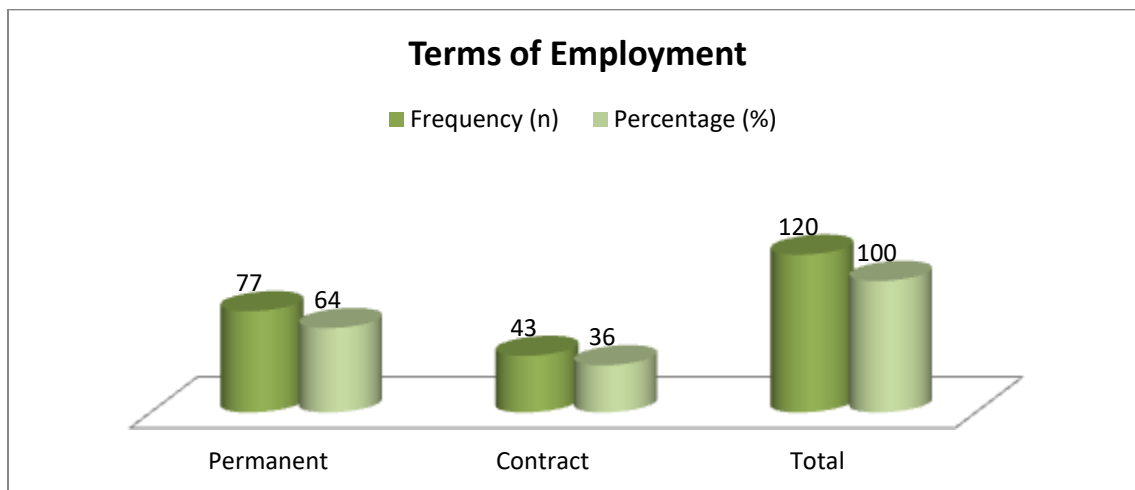


Figure 3 Terms of Employment of the Respondents

As indicated in figure 3, 77 (64%) of the respondents were employed on permanent terms while 43 (36%) of them were on contracts. The distribution of terms of employment for the lecturers where more than a third of them in public universities are on contract may imply that public universities do not have good terms for the teaching staff. This may also call for the UASU to push further for permanent contracts for the university teaching staff as a way of motivating them to deliver better services.

Respondents' Teaching Experience in Public Universities

The respondents were asked about how long they had taught in public universities, and the findings are summarized in table 5.

Table 5 Respondents' Teaching Experience in Public Universities

| Work Duration (years) | Frequency (n) | Percentage (%) |
|-----------------------|---------------|----------------|
| 1-5 | 21 | 18 |
| 6-10 | 43 | 36 |
| 11-15 | 35 | 29 |
| 15+ | 21 | 18 |
| Total | 120 | 100 |

From summary on table 5, 43 (36%) of the respondents had worked for 6-10 years, 35 (29%) for 11-15 years, while 21 (18%) each had worked for 1-5 years and 15+ years. Cumulatively, 82% of the respondents had taught in the university for at least 6 years, implying that they had sufficient experience in university teaching.

Collective Bargaining Agreement and Performance of University Academic Teaching Staff

The general objective of the study was to examine the effects of collective bargaining agreement aspects on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya. Specific objectives included the effects of union security; management rights; remuneration; dispute resolution; and organizational culture on performance of teaching staff in the selected public universities. Varied responses were given on each of the variables as summarized in subsequent tables and further discussed under those specific variables.

Union Security and Performance of University Academic Teaching Staff

The respondents were asked questions related to various aspects of the influence of union security on performance of the university academic teaching staff, and the responses are summarized in table 6.

Table 6 Effects of Union Security on UASU Teaching Staff

| | 1= strongly disagree | 2= disagree | 3= not sure | 4= agree | 5= strongly agree | Total |
|---|----------------------------|----------------|----------------|----------|-------------------------|--------------|
| | n(%) | n(%) | n(%) | n(%) | n(%) | n(%) |
| My union represents me at the disciplinary and grievance hearing | 14 (12) | 0 (0) | 15 (13) | 49 (41) | 42 (35) | 120 (100) |
| My union redresses the balance of power between me and my employer | 7 (6) | 0 (0) | 36 (30) | 42 (35) | 35 (29) | 120 (100) |
| UASU ensures that if negotiations fail the members are informed for collective action, say strikes | 7 (6) | 7 (6) | 14 (12) | 36 (30) | 56 (47) | 120 (100) |
| I feel contented with my union's efforts to help change my employment terms from contract to permanent and pensionable | 22 (18) | 21 (18) | 21 (18) | 42 (35) | 14 (12) | 120 (100) |

| | | | | | | |
|---|---------|---------|---------|---------|---------|-----------|
| My union has considerably reduced cases of mistreatment in our places of work | 7 (6) | 7 (6) | 36 (30) | 56 (47) | 14 (12) | 120 (100) |
| My trade union cushions me against harsh inflationary periods | 14 (12) | 42 (35) | 22 (18) | 28 (23) | 14 (12) | 120 (100) |
| UASU negotiates wages and working conditions for me | 0 (0) | 7 (6) | 21 (18) | 29 (24) | 63 (53) | 120 (100) |
| My trade union provides me with the environment I need to work peacefully and increase my work output. | 14 (12) | 8 (7) | 49 (41) | 35 (29) | 14 (12) | 120 (100) |
| My union trains me on my employee rights | 21 (18) | 36 (30) | 21 (18) | 14 (12) | 28 (23) | 120 (100) |
| I get legal support in defence of my rights through the union | 22 (18) | 28 (23) | 7 (6) | 35 (29) | 28 (23) | 120 (100) |

Table 6...

From the findings in table 6, 14 (12%) of the respondents strongly disagreed that the union represents them at the disciplinary and grievance hearings while 15 (13%) of them said that they were not sure if the union effectively played this role. On the other hand, 49 (41%) of them agreed and 42 (35%) strongly agreed that they were actually being represented by the union. At the same time, 6% of the respondents strongly disagreed that the union redresses the balance between them and their employer whereas 36 (30%) of them had neutral views. However, 42 (35%) of the respondents agreed and 35 (29%) strongly agreed that the union actually intervened on their behalf. Also, 7 (6%), 7 (6%), 14 (12%), 36 (30%), and 56 (47%) strongly disagreed, disagreed, were unsure, agreed, and strongly agreed, respectively, that UASU ensures that if negotiations fail the members are informed for collective action, say strikes. There were also mixed reactions regarding whether members of UASU feel contented with their union's efforts to help change their employment terms from contract to permanent and pensionable terms, where 22 (18%) of them strongly disagreed while 21 (18%) disagreed with this view. At the same time, 21 (18%) of the respondents indicated that they were not sure, 42 (35%) agreed while 14 (12%) of them strongly agreed that the union acted on their behalf in this respect.

It also emerged from the findings that the union had helped to significantly reduce cases of mistreatment of the teaching staff in universities, with 56 (47%) of the respondents agreeing with this view and 14 (12%) of them strongly agreeing. However, 36 (30%) of the respondents were not sure if the union has actually had any impact on reducing mistreatment of the

lecturers, while 7 (6%) of the respondents strongly disagreed and disagreed in equal measure. As to whether the trade union cushions members against harsh inflationary periods, 14 (12%) of them strongly disagreed, 42 (35) disagreed, 22 (18%) were unsure, 28 (23%) agreed, while 14 (12%) strongly agreed. It strongly emerged among majority of the respondents that UASU negotiates wages and working conditions for its members, with 63 (53%) of the respondents strongly disagreeing while only 7 (6%) of them disagreed. At the same time, 21 (18%) of the respondents indicated that they were uncertain, while 29 (24%) of them agreed that the union negotiates salary and other terms of service on the members' behalf.

There were also mixed reactions regarding whether UASU provides its members with the environment they need to work peacefully and increase their work output. Out of the 120 respondents involved in the study, 14 (12%) strongly disagree, 8 (7%) disagreed, 49 (41%) were uncertain, 35 (29%) agreed, and 14 (12%) strongly agreed with this view. The union also performed other functions to members, such as training them on their employee rights. However, the findings indicated that the respondents had varied opinion regarding the extent this function was being performed. Among those who were interviewed, 21 (18%) strongly disagreed, 36 (30%) disagreed, 21 (18%) were unsure, 14 (12%) agreed, while 28 (23%) strongly agreed that the union trains its members on their employee rights. At the same time, 22 (18%) of the respondents strongly disagreed that they get legal support in defense of their rights through the union, 28 (23%) disagreed, 7 (6%) were uncertain, 35 (29%) agreed, while 28 (23%) strongly agreed.

Union security has emerged as an essential element in the performance of staffs in different careers. Like the current study, various past studies have established that there is a significant relationship between union security and performance of unionized workers. A study by Akhaukwa et al (2013) to understand how collective bargaining agreement negotiations influence performance of teaching staffs of Kenyan public institutions of higher learning, the findings revealed that the university administration tended to dictate negotiation processes where at the end of the negotiations the union representatives felt shortchanged. Also, Joseph (2015) revealed that CBAs should be handled carefully if all the parties involved need to emerge victorious. The findings further indicated that some of the common issues addressed through CBAs included wage and salary settlements, and union membership was very important in influencing bargaining power agreements.

Another study by Mulunda et al (2018) to explore how collective negotiation influences workers' output in Kenyan electricity generation entities showed that while the top management staff provided relevant information related to the running of the companies, union staffs were picked since they were the ones affected by HR policies and practices. Despite the study by

Mulunda et al (2018) focusing on employees from the energy sector as opposed to current study which dwelt on teaching staff in public universities in Kenya, there was clearly a correlation between collective bargaining agreements and employee performance regardless of the sector of focus. In another study by Gichaba (2013) to determine how Kisii University members of staff perceive their trade unions and the kind of influence they have on guaranteeing workers' job security, like the current study, findings of previous study noted that trade unions significantly impacted staffs' working environment. Through open negotiations, the universities were forced to regularly review the terms of service for their employees.

Management Rights and Performance of University Academic Teaching Staff

Regarding the aspect of management rights of the union members and the role UASU played to influence their performance; responses to the relevant questions related to this variable were summarized in table 7.

Table 7 Effects of Management Rights on UASU Teaching Staff

| Management rights | 1= | 2= | 3= not | 4= | 5= | Total |
|---|-------------------|----------|---------|---------|----------------|-----------|
| | strongly disagree | disagree | sure | agree | strongly agree | |
| | n(%) | n(%) | n(%) | n(%) | n(%) | n(%) |
| Management includes us in decision making process | 8 (7) | 62 (52) | 43 (36) | 0 (0) | 7 (6) | 120 (100) |
| The management inspires us to do our best | 9 (8) | 40 (33) | 42 (35) | 29 (24) | 0 (0) | 120 (100) |
| Management does delegate as many things as possible | 7 (6) | 14 (12) | 63 (53) | 36 (30) | 0 (0) | 120 (100) |
| We do operate best within a clear and structured framework of procedure | 0 (0) | 14 (12) | 29 (24) | 70 (58) | 7 (6) | 120 (100) |
| We receive approvals for the changes in regard to working conditions | 0 (0) | 16 (13) | 76 (63) | 28 (23) | 0 (0) | 120 (100) |
| We do delegate as many tasks as possible | 7 (6) | 28 (23) | 57 (48) | 28 (23) | 0 (0) | 120 (100) |
| We repeatedly get and receive advice and support | 14 (12) | 14 (12) | 56 (47) | 36 (30) | 0 (0) | 120 (100) |

Based on the findings in table 7, 62 (52%) of the respondents disagreed that management adequately involves members of UASU in key decision making processes. At the same time, 43 (36%) of them indicated that they were uncertain, 8 (7%) strongly disagreed while 7 (6%) strongly agreed. It also emerged that the management did not inspire the union members to do their best in their respective roles, with 40 (33%) of the respondents expressing disagreement, 42 (35%) were uncertain, 29 (24%) agreed, while 9 (8%) strongly disagreed with this account. Regarding whether the management does delegate duties, 63 (53%) of the respondents indicated that they were unsure, 36 (30%) agreed, 14 (12%) disagreed while 7 (6%) strongly disagreed. It further emerged that union members do operate within a clear and structured framework of procedure at the work place, with 70 (58%) of the respondents agreeing with this account while 7 (6%) of them strongly agreed. On the other hand, 14 (12%) of the respondents disagreed that union members do actually operate within a clear and structured framework of procedure at the work place.

On whether union members receive approvals for the changes in regard to working conditions, 76 (63%) of the respondents were unsure, 28 (23%) agreed, while 16 (13%) of them disagreed with this account. Similar trend was witnessed regarding whether there was delegation of as many tasks as possible by the management, with 57 (48%) of the respondents saying they were unsure, 28 (23%) agreed and disagreed in equal measure, while 7 (6%) strongly disagreed with this account. There were also mixed reactions regarding whether union members repeatedly get and receive advice and support from the university management, 56 (47%) of the respondents were uncertain, 36 (30%) agreed, while 14 (12%) disagreed and strongly disagreed in equal measure.

Trade unions play a very important in advancing the rights of its membership. This study echoed findings by several other past studies on the relationship between trade unions and performance of employees in different sectors. In a study by Soylu and Singh (2017) on the role of labour unions in the workplace to assess its influence on employees' productivity at the work place concluded that more emphasis should be put on workers' representatives through unions. Similarly, like the current research, Larmache (2013) used Argentine union contract data to study about the influence of trade unionism on pushing for the rights of workers and reforms in industrial companies in Argentina and established that industrial practices significantly helped to improve workers' efficiency in any organization. At the same time, workers stood a better chance of being more productive if the right reforms were undertaken in the companies they worked for. It also emerged that proper training of workers enhanced their productivity levels.

Kipsang' et al (2015) investigated the role of trade unions in pushing for the employees' rights and benefits at the workplace. The research addressed work culture, the labour laws

guiding employees in Kenya, and career future of the workforce and how these determined their performance in their respective offices. The findings noted that employees protected by good labour laws often performed better in their respective offices since they felt secure and assured in their career progression. The reverse would lead to negative output for the employees and the company in general. The study further noted that the right attitude at the work place can influence individuals' performance if the unions work in the right direction.

Remuneration and Performance of University Academic Teaching Staff

Concerning remuneration of the UASU union members and performance of the university academic staff, table 8 presents a summary of the responses on different questions related to this variable.

Table 8 Effects of Remuneration on UASU Teaching Staff

| Remuneration | 1= | 2= | 3= not | 4= | 5= | Total |
|---|-------------------|----------|---------|---------|----------------|-----------|
| | strongly disagree | disagree | sure | agree | strongly agree | |
| | n(%) | n(%) | n(%) | n(%) | n(%) | n(%) |
| I receive my salary , wages and entitlements in time | 7 (6) | 0 (0) | 0 (0) | 35 (29) | 78 (65) | 120 (100) |
| I receive my benefits to my satisfaction | 9 (8) | 14 (12) | 29 (24) | 41 (34) | 27 (23) | 120 (100) |
| My overtime work is adequately compensated | 36 (30) | 42 (35) | 28 (23) | 0 (0) | 14 (12) | 120 (100) |
| I regard my pay as fair | 11 (9) | 10 (8) | 49 (41) | 39 (33) | 11 (9) | 120 (100) |
| The basic pay I earn is competitive compared with other organizations | 16 (13) | 19 (16) | 46 (38) | 29 (24) | 10 (8) | 120 (100) |
| I receive my maternity/sick-off benefits promptly | 23 (19) | 27 (23) | 16 (13) | 26 (22) | 28 (23) | 120 (100) |
| I understand how salaries, benefits and pay rise are determined | 17 (14) | 25 (21) | 33 (28) | 24 (20) | 21 (18) | 120 (100) |
| I am contented with the organizations benefits (holiday, pension, medical, leave study) | 13 (11) | 18 (15) | 41 (34) | 29 (24) | 19 (16) | 120 (100) |

The third objective of the study was to establish the effects of remuneration on performance of academic teaching staff in selected public universities in Nairobi City County. Based on the findings in table 8, 78 (65%) and 35 (29%) of the respondents agreed and strongly agreed, respectively, that they receive their salaries, wages and entitlements in time. Conversely, 7 (6%) of them strongly disagreed with this account. It also emerged that majority of the respondents receive their benefits to their satisfaction, with 41 (34%) of the respondents agreeing, 27 (23%) strongly agreeing, 29 (24%) being unsure, 14 (12%) disagreeing, while 9 (8%) strongly disagreed with this opinion. Regarding whether overtime work was adequately compensated, 42 (35%) of the respondents disagreed, 36 (30%) strongly disagreed, 28 (23%) were uncertain, while 14 (12%) strongly agreed that this was actually the case. At the same time, 49 (41%) of the respondents indicated that they were not sure whether their pay was fair enough, 39 (33%) agreed that the pay was fair, while only 11 (9%) of them strongly agreed with this view. On the other hand, 11 (9%) and 10 (8%) of the respondents strongly disagreed and disagreed, respectively, with the reasoning that the pay was fair.

On the competitiveness of the pay for the university teaching staff, 46 (38%) of them neither agreed nor disagreed that the pay was competitive enough, while 29 (24%) and 10 (8%) of them respectively agreed and strongly agreed that the pay was competitive when compared with other organizations. On the other hand, 19 (16%) and 16 (13%) of the respondents respectively disagreed and strongly disagreed with this view. The study also revealed that 26 (22%) and 28 (23%) of the respondents agreed and strongly agreed respectively that they receive their maternity/sick-off benefits promptly. Conversely, 27 (23%), 23 (19%), and 16 (13%) of the respondents respectively disagreed, strongly disagreed, and were neutral regarding that view. The findings further indicated that 33 (28%) of the respondents were not sure about how salaries, benefits and pay rise are determined while 24 (20%) and 21 (18%) of them agreed and strongly agreed, respectively, that they understand how the rates for these benefits are arrived at. On the contrary, 25 (21%) and 17 (14%) disagreed and strongly disagreed, in that order. Finally, 29 (24%), 19 (16%), 41 (34%), 18 (15%), and 13 (11%) agreed, strongly agreed, were unsure, disagreed, and strongly disagreed, respectively, that they were contented with their organizations' benefits, such as holidays, pension, medical, and leave allowances and all the rest of the things that go with those benefits.

Remuneration for union membership is critical when it comes to work morale and inspiration to perform. This was evident in this study, with the indication that workers who are well remunerated tend to perform better in their workplace because they are motivated to work hard under a more innovative environment. The findings of the current study further resonated with other previous studies on this subject. A study by Omuya (2015) in Kenyan universities to

understand the influence of rewards and compensation for the workers on their performance established all the relevant relationships through a regression model.

Similarly, UASU union members provided better insights on how bargaining agreements influence performance of the workers. As reflected in the study by Tumwet *et al* (2015) which featured all employees of Kabarak University to examine the impact of proper rewarding and compensation systems on workers' output in Kenyan private universities, the findings in the current research noted stronger compensation and rewarding structures for universities significantly influenced employee output at the workplace.

Dispute Resolution and Performance of University Academic Teaching Staff

The fourth objective of the study was to establish the effects of dispute resolutions on performance of academic teaching staff in selected public universities in Nairobi City County. Different responses were given on various questions fielded to the respondents, where table 4.8 captures a summary of the findings.

Table 9 Effects of Dispute Resolutions on UASU Teaching Staff

| Dispute Resolution | 1= | 2= | 3= not | 4= | 5= | Total |
|---|-------------------|----------|---------|---------|----------------|-----------|
| | strongly disagree | disagree | sure | agree | strongly agree | |
| | n(%) | n(%) | n(%) | n(%) | n(%) | n(%) |
| Negotiation is used to solve conflicts on personal differences | 13 (11) | 39 (33) | 31 (26) | 32 (27) | 5 (4) | 120 (100) |
| Negotiation is used to solve issues on the employee absenteeism | 23 (19) | 27 (23) | 46 (38) | 24 (20) | 0 (0) | 120 (100) |
| Mediation has influenced my years of service in the organization | 33 (28) | 31 (26) | 37 (31) | 19 (16) | 0 (0) | 120 (100) |
| Arbitration is used in unfair termination, underpayment of wages | 49 (41) | 37 (31) | 23 (19) | 11 (9) | 0 (0) | 120 (100) |
| Arbitration is used in labour disputes and personal differences | 28 (23) | 41 (34) | 23 (19) | 28 (23) | 0 (0) | 120 (100) |

From the findings in table 9, 39 (33%) of the respondents disagreed with the notion that negotiation is often applied to solve conflicts on personal differences, while 13 (11%) of them strongly disagreed. At the same time, 32 (27%) of the respondents agreed, 5 (4%) strongly agree, while 31 (26%) of them neither agreed nor disagreed with the view that negotiation was often adopted as the conflict resolution strategy. Similarly, negotiation is used to solve issues on the employee absenteeism, but there were different reactions from the respondents the extent to which this strategy was being applied. The statistics indicate that 46 (38%) of the respondents were unsure if this approach was applied, while 27 (23%) disagreed, 23 (19%) strongly disagreed, while 24 (20%) of them agreed with this account.

Also, 33 (28%) and 31 (26%) of the respondents strongly disagreed and disagreed, respectively, with the proposition that mediation in conflict resolution had influenced their service improvement in their respective organizations. Conversely, 37 (31%) of the respondents said they were unsure while 19 (16%) agreed with the view that mediation was being commonly applied in improving interpersonal relationships at the work place. The study also indicated that arbitration is used in addressing unfair termination, and underpayment of wages of union members, but with different levels of agreement or disagreement where 49 (41%) strongly disagreed, 37 (31%) disagreed, 23 (18%) were unsure, while 11 (9%) agreed. Finally, the respondents agreed and disagreed that arbitration is used in labour disputes and personal differences, where 28 (23%) strongly disagreed, 41 (34%) disagreed, 23 (19%) were unsure, while 28 (23%) agreed with this opinion.

Workers' unions are known for playing an active role in dispute resolutions between employees and the employer. The findings of this study, like other numerous studies, revealed as much. For instance, like a previous study by Olang (2017) carried out in Stima Sacco on how conflict management influences organizational performance of the organization in the SACCO sector, this study noted that timely management of conflicts at the workplace was instrumental in encouraging workers to perform their duties effectively. Furthermore, it was evident that conflict management between the workers and their employers is always better handled by trade unions as opposed through individual efforts.

The findings of the current study further noted that negotiation is commonly used in solving disputes between employees and their employers. These revelations were in agreement with an earlier study by Mwikali (2016) about how managing conflicts at the workplace impacts employees' work output. The two studies also concurred that poor communication, different social backgrounds, as well as religious or political differences were some of the likely causes of conflict at the workplace between employees and employers. Furthermore, groups encountered misunderstandings amongst themselves owing to unnecessary competition between

workmates. At the same time, the two researchers agreed that proper conflict management was important for co-existence of employees at the workplace, hence improving work output.

Inferential Analysis

This study examined the effects of collective bargaining agreement aspects on performance of academic teaching staff in selected public universities in Nairobi City County, Kenya. Specifically, the research focused on the effects of union security on performance of academic teaching staff in selected public universities; the effects of management rights on performance of academic teaching staff in selected public universities; the effects of remuneration on performance of academic teaching staff in selected public universities; and the effects of dispute resolutions on performance of academic teaching staff in selected public universities. Inferential analysis provided an opportunity to examine the relationship between variables and the extent to which they influenced one another. Inferential analysis was preceded by parametric tests in order to establish suitability of different parameter for the analysis.

Test for Normality

Before undertaking a regression analysis, the residual/error terms must be assumed to be normally distributed. Figure 4 illustrates normality test residual plot.

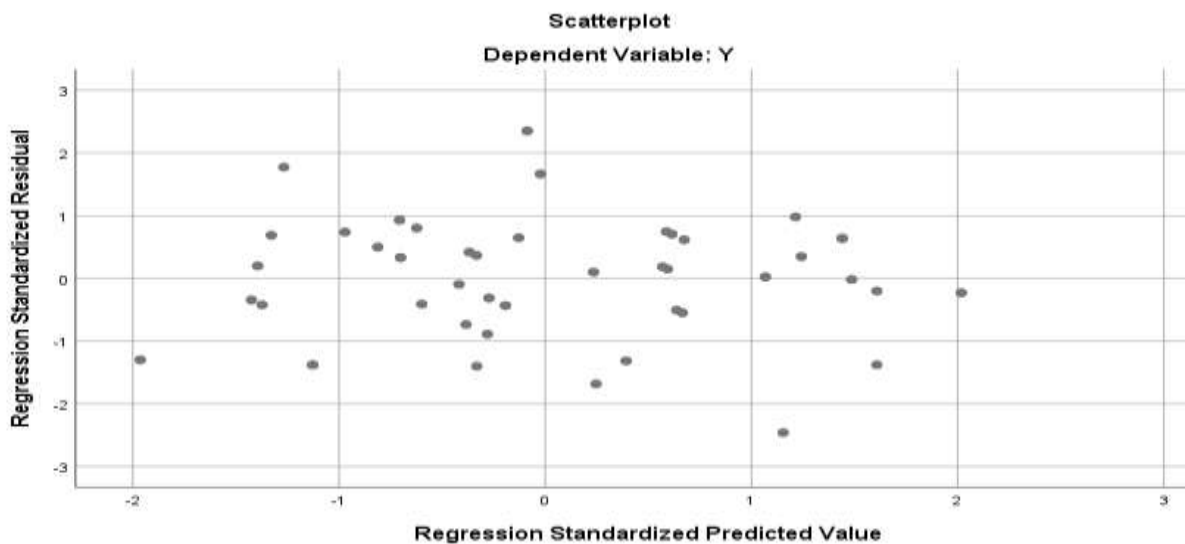


Figure 4 Test for Normality Residual Plot

As demonstrated in figure 4, the test for normality residual plot indicates distributed points lying on the straight diagonal line, with standard residuals peaking in the middle of the

scatter plot. Kolmogorov-Smirnov test was also carried out to determine if there was any violation of assumptions of normal distribution of data (Math-Statistics-Tutor, 2010). Table 10 illustrates a summary of the findings.

Table 10 Kolmogorov-Smirnov Test

| | Kolmogorov-Smirnov ^a | | | Shapiro-Wilk | | |
|-------------------------|---------------------------------|-----|------|--------------|-----|------|
| | Statistic | df | Sig. | Statistic | df | Sig. |
| Unstandardized Residual | .063 | 120 | .202 | .975 | 120 | .51* |
| Standardized Residual | .063 | 120 | .202 | .975 | 120 | .51* |

Table 10 summarizes distribution of the standardized and unstandardized residuals of the study. Based on the Kolmogorov-Smirnov and Shapiro-Wilk tests, if the p-value is less than 0.05, this means that the data is abnormally distributed. However, as shown in table 10, the p-values for both standardized and unstandardized residuals for Kolmogorov-Smirnov test ($p=0.202$) and Shapiro-Wilk test ($p=0.51$) were greater than 0.05. Hence, this meant that the residuals were normally distributed, where this test agreed with the distribution in the scatterplot.

Multicollinearity Test

In parametric tests, it is assumed that there should not be multicollinearity, meaning that the independent variables should not be highly correlated. In order to test multicollinearity, Variance Inflation Factor (VIF) was used where the findings are presented in table 11.

Table 11 Multicollinearity Test

| Model | Collinearity Statistics | |
|---------------------------|-------------------------|-------|
| | Tolerance | VIF |
| Union security | 0.452 | 4.213 |
| Management rights | 0.521 | 2.124 |
| Remuneration | 0.642 | 1.621 |
| Dispute resolution | 0.577 | 1.562 |

Testing multicollinearity is essential before running inferential statistics on independent variables. As indicated in table 11, there was no multicollinearity detected between the variables. According to Sasa-Escudero et al (2009), multicollinearity between variables can only be confirmed if the model has a VIF value of more than 10 or a tolerance level of less than 0.3. And, as indicated in table 11, all the independent variables had VIF values of less than 10 and

tolerance levels of more than 0.2. This implies that there was no multicollinearity in the dataset; hence the independent variables did not have any effect on one another which then meant that the data was suitable for regression modeling.

Pearson Correlation Analysis

The study applied Pearson correlation analysis to determine the strength of the relationship between collective bargaining agreement aspects and performance of academic teaching staff in selected public universities in Nairobi City County. Specifically, the Pearson correlation analysis intended to determine the strength between union security, management rights, remuneration, and dispute resolutions as independent variables, and performance (dependent variable) of academic teaching staff in selected public universities in Nairobi City County. Table 12 presents Pearson correlation analysis.

Table 12 Correlation Analysis

| | | Performance | Union security | Management rights | Remuneration | Dispute resolutions |
|---------------------|---------------------|-------------|----------------|-------------------|--------------|---------------------|
| Performance | Pearson Correlation | 1 | | | | |
| | N | 120 | | | | |
| | | | | | | |
| Union security | Pearson Correlation | .631** | 1 | | | |
| | Sig. (2-tailed) | .000 | 120 | | | |
| | N | 120 | | | | |
| Management rights | Pearson Correlation | .525** | .633** | 1 | | |
| | Sig. (2-tailed) | .000 | .000 | 120 | | |
| | N | 120 | 120 | | | |
| Remuneration | Pearson Correlation | .591** | .132 | .428** | 1 | |
| | Sig. (2-tailed) | .000 | .000 | .000 | 120 | |
| | N | 120 | 120 | 120 | | |
| Dispute resolutions | Pearson Correlation | .645** | .121 | .423* | .433** | 1 |
| | Sig. (2-tailed) | .000 | .000 | .000 | .000 | 120 |
| | N | 120 | 120 | 120 | 120 | |

Based on the findings in table 12, there was a significant and positive correlation between collective bargaining agreement aspects as the independent variables and performance (dependent variable) of academic teaching staff in selected public universities in Nairobi City County, Kenya. As indicated in the summary table, the independent variables had Pearson correlation coefficients as follows: union security ($r=0.631$, $p=0.000$), management rights ($r=0.525$, $p=0.000$), remuneration ($r=0.591$, $p=0.000$), and dispute resolutions ($r=0.645$, $p=0.000$).

Model Summary

Model summary was undertaken to determine the level of correlation between the model and the independent variable (performance of academic staff). Summary of the coefficient of correlation R and the coefficient of determination R square (R^2) is presented in Table 13.

Table 13 Model Summary for collective bargaining agreement aspects on performance

| Model | R | R Square | Adjusted R Square | Std Error of the Estimate |
|-------|-------------------|----------|-------------------|---------------------------|
| 1 | .707 ^a | .662 | .659 | .7232 |

a. Predictors: Union security, Management rights, Remuneration, Dispute resolutions

As indicated in table 13, the coefficient of correlation R is .707, implying that there was a strong correlation between the independent or predictor variables and the dependent variable or the outcome of the study, which was performance of academic teaching staff in selected public universities in Nairobi City County. The coefficient of determination R square (R^2) was 0.662%, implying that 66.2% changes in performance of academic teaching staff in public universities was explained by collective bargaining agreement aspects, as the independent variables. Based on this analysis, it can be deduced that 33.8% of the changes in performance of academic teaching staff in public universities may be attributed to other factors which were not within the scope of this study.

Analysis of Variance (ANOVA)

Analysis of variance (ANOVA) of the regression model was carried out to test the good of fit of the model of the study, which also explained the significance of the correlation between the independent and dependent variables. Table 14 presents summary of the ANOVA findings.

Table 14 Analysis of Variance (ANOVA)

| Model | | Sum of Squares | df | Mean Square | F | Sig. |
|-------|------------|----------------|-----|-------------|-------|-------------------|
| 1 | Regression | 19.697 | 1 | 19.70 | 31.04 | .000 ^b |
| | Residual | 75.515 | 119 | 0.63 | | |
| | Total | 95.212 | 120 | | | |

a. Dependent Variable: performance of academic teaching staff

b. Predictors: Union security, Management rights, Remuneration, Dispute resolutions

From the ANOVA results in table 14, the P-value was 0.000. The statistics further showed that the *F* statistic (1, 119) at 95% level of significance (0.63) was less than *F* calculated (31.04). Hence, this implied that the regression model was significant in predicting the influence of independent variables (collective bargaining aspects) on performance of academic teaching staff in selected public secondary schools in Nairobi County.

Multivariate Analysis

Multivariate analysis was performed to establish the strength of the influence of the independent variables (collective bargaining aspects) on the dependent variable, performance of academic teaching staff in selected public universities in Nairobi County. Table 15 summarizes regression coefficients with P-values of individual variables used in the study.

Table 15 Multiple Regression Analysis

| Predictor | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|------------------------------------|-----------------------------|------------|---------------------------|-------|-------|
| | β | Std. Error | Beta | | |
| Constant | 3.121 | 0.041 | | 1.531 | 0.000 |
| X ₁ Union security | 0.332 | 0.109 | 0.4121 | 3.312 | 0.001 |
| X ₂ Management rights | 0.221 | 0.037 | 0.301 | 1.510 | 0.000 |
| X ₃ Remuneration | 0.259 | 0.047 | 0.209 | 2.231 | 0.061 |
| X ₄ Dispute resolutions | 0.293 | 0.064 | 0.411 | 2.233 | 0.003 |

a. Performance

As reflected in table 15, when all other factors were held at zero, the constant was 3.121, indicating the level of performance of academic teaching staff in selected public universities. However, a unit increase in union security when all other factors were held into

constant, there would be an improvement of 0.332 in performance of academic teaching staff in public universities. Also, a unit increase in management rights when all other factors remained at zero, would lead to a 0.221 increase in performance of the academic teaching staff.

At the same time, a unit increase in remuneration when all other factors were held into constant, would amount to improvement of performance of academic teaching staff by 0.259. Finally, a unit increase in dispute resolution when all other factors were held at zero, would lead to a 0.293 improvement in performance of academic teaching staff in selected public universities in Nairobi County. Based on the coefficient results in table 4.16 above, the following model was established by the study:

$$Y = 3.121 + 0.332 X_1 + 0.221 X_2 + 0.259 X_3 + 0.293 X_4 + \varepsilon$$

Where, Y stands for performance of academic teaching staff while X_1 , X_2 , X_3 , and X_4 represent union security, management rights, remuneration, dispute resolutions in that order.

SUMMARY

Effects of union security on performance of academic teaching staff

The study revealed that union security was a very important aspect of collective bargaining agreement which influenced performance of employees in academic and teaching staff category in public universities. The union got involved in the welfare of its membership in different ways, including on disciplinary and grievance hearings. It also emerged that the union redresses the balance between its members and their employer. This means that UASU ensures that if negotiations fail the members are informed for collective action, including when to resort to strikes. There were also strong indications regarding whether members of UASU feel contented with their union's efforts to help change their employment terms from contract to permanent and pensionable terms. It also emerged from the findings that the union had helped to significantly reduce cases of mistreatment of the academic teaching staff in universities.

As to whether the trade union cushions members against harsh inflationary periods, the findings indicated that this was actually happening, with regular negotiations on wages and working conditions for UASU members. There were also revelations UASU provides its members with the environment they need to work peacefully and increase their work output. This usually happens through negotiations with the universities' senior management through a structured process. The union also performed other functions to members, such as training them on their employee rights. However, the findings indicated that the respondents had varied opinion regarding the extent this function was being performed, with a strong indication that UASU usually seeks legal support in defense of their members' rights whenever there is need for that.

Effects of management rights on performance of academic teaching staff

The findings also indicated that the university management usually respects the position of the union whenever there are negotiations and discussions regarding employee rights. In this sense, the management often adequately involves members of UASU in key decision making processes regarding the welfare of employees. On the other hand, the study noted that the management was not keen enough to inspire the union members to do their best in their respective roles. This implied that there was some level of disconnect between the operations of UASU and the university managements. At the same time, the study noted that union members do operate within a clear and structured framework of procedure at the work place, with the possibility of effectively articulating their concerns with the university management.

It also emerged that union members receive approvals for the changes in regard to working conditions. There were also delegation of as many tasks as possible by the management, thus enabling mutual coexistence of the university management and the union. Generally, it was clear that trade unions play a very important in advancing the rights of their membership. Consequently, more emphasis should be put on workers' representatives through unions. Similarly, the study noted that workers stood a better chance of being more productive if the right reforms were undertaken in the companies they worked for.

Effects of remuneration on performance of academic teaching staff

The third objective of the study was to establish the effects of remuneration on performance of academic teaching staff in selected public universities in Nairobi City County. Based on the findings, it generally emerged that UASU membership were happy with timely receiving of their salaries, wages and other entitlements. Similarly, the members expressed high level of satisfaction regarding the benefits their usually negotiate for them. The findings also indicated that overtime work was adequately compensated, although with some misgivings regarding fairness in the distribution among different cadres of employees.

On the competitiveness of the pay for the university academic teaching staff, the pay appeared not to be competitive enough when compared with other organizations in different sectors of the economy. Despite the inadequacy of salary scale for the union members, other benefits such as maternity or sick-off benefits were promptly provided. The findings further indicated that a number of UASU members were not well-informed on how salaries, benefits and pay rise are determined or arrived at. Other benefits the union members seemed to be happy about included holidays, pension, medical, and leave allowances.

Effects of dispute resolutions on performance of academic teaching staff

From the findings, dispute resolution plays an essential role in helping to determine the general relationship between employees and their employers. Negotiation, arbitration, and mediation were some of the common dispute resolution mechanisms employees by UASU membership when dealing with their university employers. These strategies applied at both personal and group level, with negotiation being often applied to solve conflicts at personal differences. Similarly, negotiation is used to solve issues on the employee absenteeism.

Regular application of mediation in conflict resolution had influenced employee-employer relationships and service improvement in their respective universities. However, there were some of the union members who did not consider mediation to have been sufficiently applied in improving interpersonal relationships at the work place. The study also indicated that arbitration is used in addressing unfair termination and underpayment of wages for union members and in settling labour disputes and personal differences.

CONCLUSIONS

Based on the research findings, the study had the following conclusions:

Union security

On the effects of union security on performance of academic teaching staff in public universities, the study concluded that this strategy generally favoured the UASU membership regarding their negotiation on improved terms of service.

Management rights

It was also concluded that management rights significantly influenced performance of academic teaching university staffs in public universities.

Remuneration

Regarding the effects of remuneration on performance of academic teaching staff, the study concluded that the union was very active in pushing for the employees' improved terms of payments despite reluctance from most senior university levels to fully adhere.

Dispute resolutions

Dispute resolution was seriously applied by the union to ensure smooth operational environment where there is mutual coexistence between the employees and the employer.

RECOMMENDATIONS

Based on the findings of the study, there is need for strengthened systems and structures to enable UASU to work closely with universities to further enhance the working conditions of its members and subsequently improve workers' output at their places of work. One of the very important approaches is for the government to take seriously collective bargaining agreements (CBAs) and honour them in good time in order to avoid protracted conflicts between the university teaching staffs and their employer. Furthermore, addressing the CBAs on time will forestall unnecessary wrangling between the university teaching staff union and ensure that their good performance is maintained. It would also be imperative for the union security of the UASU members to be guaranteed and their management rights respected in order to improve their morale to work effectively. Since remunerations of UASU members have a strong bearing on their performance, it would be prudent for their employers to put in place effective mechanisms of regular review of their salaries and other terms of employment so as to maintain good performance through a well-motivated team. Additionally, application of mutually agreed dispute resolution mechanisms will avoid unprecedented suspicions between UASU members and their employer, thus enabling them to achieve their best work outcomes.

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