

The London School of Economics and Political Science

*The Transition of Trade Unions in Taiwan: From
Paternalistic Autonomy to Responsibility for Collective
Union and Non-Union Representation*

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Abstract

Paternalistic employment relations have been a tradition supported by the government in Taiwan whilst trade unions were brought in to support political development and economic growth. The government promulgated a 'harmony culture' in order to control employment relations, and in the 1980s set up the campaign of the 'factory as one family, factory as one school' to encourage employers to inculcate paternalistic beliefs in their employees' everyday working lives. Authority, benevolence and morality, the characteristics of paternalistic management, make workers docile and loyal to management and stunt the sense of collective identity.

This qualitative research selects one primary case, a privatised enterprise SteelCo and its union Steel-U, to conduct participant observation, in-depth interviews with union officers, labour representatives and management, surveys of union members, and documentary analysis of official documents and meeting minutes. One supplementary case is a state-owned enterprise SugarCo with its union Sugar-U; this mainly involved in-depth interviews with union representatives and limited access to some documents.

Corporate trade unions take advantage of the paternalistic tradition to gradually develop their organisations as recognised by employers. Implementing non-union representation is a practice of paternalistic ideology, offering trade unions another platform on which to work with management. Workers identify both themselves and the trade union as parts of the enterprise family rather than seeing the union as an agent of collectivity. The union has to be a service provider offering welfare and benefits to attract members before triggering any mobilisation.

To conclude, paternalism has helped corporate trade unions to establish themselves in state-owned and privatised workplaces, and empowered trade unions to engage legitimately, effectively and autonomously in workplace affairs. To revitalise themselves from the paternalistic ideology, trade unions are expected to take the route of partnering unionism with the manipulation of non-union representation in a top-down process of shaping labour's collective identity.

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Glossary of Chinese Terms

English	Chinese
Nationalist Party, Kuomintang, KMT	中國國民黨，國民黨
Democratic Progressive Party, DPP	民主進步黨，民進黨
Factory as one family, factory as one school	以廠為家，以廠為校
Executive Yuan	行政院
Legislative Yuan	立法院
Council of Labour Affairs	勞工委員會
Ministry of Labour	勞動部
Labour Standards Act	勞動基準法
Labour Union Act	工會法
Collective Agreement Act	團體協約法
Act for Settlement of Labour-Management Disputes	勞資爭議處理法
Regulations for the Fixing of Basic Wage	基本工資審議辦法
Regulations of Leave-Taking of Workers	勞工請假規則
Regulations for Implementing Labour-Management Meetings	勞資會議實施辦法
Regulations for the Management, Repayment, Collection and Allocation of the Arrears Wage Debts	積欠工資墊償基金提繳及墊償管理辦法
Regulations for the Allocation and Management of the Workers' Retirement Reserve Funds	勞工退休準備金提撥及管理辦法
Act for Protecting Worker from Occupational Accidents	職業災害勞工保護法

Act of Gender Equality in Employment	性別工作平等法
Act for Worker Protection from Mass Redundancy	大量解僱勞工保護法
Employee Welfare Fund Act	職工福利金條例
Organisational Regulations on Employee Welfare Committee	職工福利委員會組織準則
Regulations for Occupational Safety and Health	職業安全衛生管理辦法
Rules Governing the Organisation of the Supervisory Committee of the Business Entities' Labour Retirement Reserve	事業單位勞工退休準備金監督委員會組織準則
National Pension Act	國民年金法
Factory Act	工廠法
Company Act	公司法
Financial Holding Company Act	金融控股公司法
Administrative Law of State-Owned Enterprises	國營事業管理法
Industrial union	產業工會
Corporate union	企業工會
Craft union	職業工會
Chinese Federation of Labour, CFL	中華民國全國總工會
Taiwan Confederation of Trade Unions, TCTU	全國產業總工會
Chinese General Labour League, CGL	中華民國全國勞工聯盟總會
National Trade Union Confederation, NTUC	中華民國全國聯合總工會
Labour-management meeting	勞資會議

Worker director	勞工董事，員工董事
Employee welfare committee	職工福利委員會
Labour safety and health committee	職業安全衛生委員會
Supervisory committee of workers' retirement reserve fund	勞工退休準備金監督委員會

Chapter 1. Introduction: Industrial Relations in Taiwan

As one of the four Asian Tigers¹, Taiwan has been renowned for its rapid industrialisation and praiseworthy economic miracle since the 1960s. In order to support economic growth, however, the Nationalist Party, or the Kuomintang (KMT, 國民黨)², dominated industrial relations and played an important part in shaping the systems of worker representation, including both union and non-union mechanisms (Pan, 2001, Wei, 2003, Wu, 1999). The idea of the 'factory as one family (以廠為家)' had been implemented in workplaces, state-owned factories in particular, to help maintain labour loyalty and docility for the sake of industrial peace. Under this principle, employers are responsible for looking after their employees, including essential needs such as accommodation, education and so on. In the meantime, workers are expected to help promote the development of their factory.

Taiwan has been famous for the democratisation and liberalisation of its politics as well. After the presidential election in 2000, the Democratic Progressive Party (DPP, 民進黨)³, as a pro-labour party, took power for the first time and made more effort to implement industrial democracy (Chen et al., 2003). During its eight years in power, the DPP government promulgated new labour legislation to enlarge legal protection of general workers.

Nevertheless, the KMT took back the presidency in 2008. It continued the reform of labour legislation following the liberalisation and democratisation

¹ The four Asian Tigers or Asian Dragons are Hong Kong, Singapore, South Korea and Taiwan.

² <http://www.kmt.org.tw/>.

³ <http://www.dpp.org.tw/>.

movement. As a result, the three pillars of Taiwanese collective labour legislation - the Labour Union Act (工會法), the Collective Agreement Act (團體協約法), and the Act for Settlement of Labour-Management Disputes (勞資爭議處理法) - are responsible for the massive transformation since 1 May 2011 and a new era of labour rights is anticipated.

In 2016, there was a third change of government when the DPP won both the presidential election and the parliamentary election in January. It was also the first time that a female president had been elected in Taiwan. Following the triumph of the general elections in December 2014, the DPP came finally to full power. However, people were wondering whether the new DPP era would bring a brighter future.

Clearly, Taiwanese industrial relations have been mediated by the government, no matter which party holds power. In general, labour rights have not been the priority of government since the state always focuses on economic development and social stability. Therefore, trade unions were originally conceived to support these goals rather than protecting labour interests. Whether trade unions would be able to represent collective rights is an issue for this research to investigate.

In contrast to previous labour studies on Taiwan, such as Chiu (2010, 2011) and Ho (2003a, 2003b, 2008), this research examines the limitation of governmental paternalism from a different perspective. Rather than criticising the inability of trade unionism in Taiwan, which has been commonly discussed in the past, this research analyses how trade unions in fact have been able to obtain accountable power and resources from the paternalistic tradition. This perspective has not yet been seen in Taiwanese labour studies and is the most original contribution of this work.

First, a brief introduction to the political transition, economic growth, 'factory as one family' paternalistic ideology and changes of industrial relations in Taiwan. The focus of this research, research questions and the structure of the thesis are also addressed.

1.1. Political Transition in Taiwan

The Nationalist Party had governed Taiwan since 1949 (following its earlier rule in mainland China after the establishment of the Republic of China in 1912) as an authoritarian and conservative government. The logic of its ruling, similar to other dictatorial political powers, was that a smaller group of the political and business elite could best formulate and rationalise the political economy (Öniş, 1991). The industrial policy was developed through cooperation and interaction between these politicians, bureaucrats and business leaders, and resulted both in industrial peace and in the kind of industrial relations which lacked the voice or autonomy of trade unions. Until the 1980s, unions used to play the weakest role in the Taiwanese industrial system, being subject to the state as well as to capital (Chen et al., 2003, Lee, 1999, Shieh, 1997, Wu, 1999).

The KMT government entirely manipulated the system of trade unions in order to put its industrial policy into action as well as to secure political resistance to the communists in China (Lee, 1995). Trade unions were set up to help economic development and maintain the current political power. Following anti-communist principles, the government implemented martial law from 1949 onwards. As a result, all kinds of social movements were strictly controlled if not forbidden by the government. Trade unions mainly served political and economic purposes instead of advocating the collective voice and rights of

workers during the period of industrialisation. Buchanan and Nicholls (2003: 206) call the regime one of 'paternalistic labour politics' because its central purpose was much more to do with labour cooperation than labour coercion.

The DPP, which was established in 1986, one year before the lifting of martial law, was the first opposition party in Taiwan. It was pro-labour and it initiated all kinds of social movements concerned with political justice, human rights, the environment, and so on. It aimed to defy the supreme authority of the KMT and also to pursue political freedom and democracy in Taiwan. In addition, social movements were flourishing during the late 1980s and early 1990s, whilst several serious demonstrations challenged the sole authority of the Nationalist government (Chu, 1993, Ho and Broadbent, 2011).

The year 2000 was a remarkable turning point in the political history of Taiwan: the DPP won the presidential election for the first time after taking part in local and parliamentary elections and ended the rule of the KMT, which had not been interrupted in more than fifty years. The DPP won the presidential election again in 2004, and was expected to transform Taiwanese industrial relations as well as generating sovereign trade unionism (Chen et al., 2003). However, the DPP government, although it had a broader channel for participation in political issues, moved in more and more conservative ways since increasing numbers of activists had been offered positions in government (Ho, 2005, Ho, 2010b). During the eight years of its rule, the DPP government nevertheless aimed to relax the tension in workplaces, for instance by a policy of building partnerships between labour and management, amending labour legislation, and reinforcing the mechanisms for non-union worker representation. The KMT, however, took back the presidency after the elections in 2008 and secured it again in 2012 for

another four years. In addition, this party also dominated the parliament, the Legislative Yuan (立法院)⁴, securing 81 of its 113 seats in 2008 and 64 of them in 2012, as well as most of the local authority posts (12 of 17 county magistrates in 2009). The DPP on this basis started a wholesale internal transformation to reinforce its position as the most influential opposition party. Nevertheless, the two experiences of party alternation ended with questions about the future of democracy in Taiwan. Fell (2010) argues that the ways in which voters and the political elites deal with democratic challenges, such as political corruption, the balance between international and cross-strait relations, reform of the electoral system and so on, will influence the direction of the country's democracy.

2016 saw the third party reversal, when the DPP candidate won the presidential election in Taiwan as the first ever female president. It was also the first time for the DPP to dominate the parliament with 68 of the 113 seats, whereas the KMT merely secured 35 seats and became the main opposition party. Before the president and legislators were elected, the DPP had a triumph in the general elections of 2014, which included 4 out of 6 municipal mayors and 9 of the 16 county magistrates; at this time only 1 municipal mayor and 5 county magistrates represented the KMT. Now that the DPP is finally in power for the first time, it is expected to introduce a series of changes affecting all the critical issues in society. So far, the reform of the pension system and youth employment have been addressed, among other things, but here seems to be no emphasis on a collective labour voice.

⁴ The Legislative Yuan (立法院) is the highest national legislative body. All legislators are elected by the people. For more information, see the official website <http://www.ly.gov.tw/>.

In this trend of political thinking and change for so many decades, trade unions have been treated negatively, as mere political means. The pressing question these days is what trade unions may do in Taiwan and how they may do it.

1.2. Economic Growth in Taiwan

Economic growth has been one of the government's major concerns. In the 1950s, in order to grow the economy rapidly and steadily, the Nationalist government implemented the national industrialisation policy by developing strategic industries, such as transportation, electricity, petroleum, petrochemistry, steel and telecommunications, as state-owned and public enterprises on the one hand; and furthermore helped trade unions to root themselves in these enterprises, on the other. Trade unions were employed as peripheral institutions supporting the political, economic and ideological strategies of the state instead of representing the collective power of workers (Chen et al., 2003, Lee, 1999). Consequently, Lee (1999) argues that Taiwanese industrialisation from the 1950s to the 1970s was a quiet process without any labour movement. The authoritarian state prevented workers from any political involvement with the purpose of developing industry and the economy (Deyo, 1989b, Deyo, 1997). Wang (2001b) infers that a flexible Taylorist labour regime was in place up to 1980.

Later the rapid but stable economic growth in Taiwan consisted for decades of a series of industrial policies (Chow, 1990, Clark, 1991, Lee, 1995): first, post-war reconstruction until the early 1950s, when the government applied a policy of land reform to decentralise capital from the big land owners in order to reduce poverty and develop agriculture; second, import substitution during the

1950s, when the country mostly received American aid and imported products for use in industrialisation in order to save foreign exchange and develop light industry; third, export expansion in the 1960s-1970s, when labour-intensive production was developed to expand exports and to increase foreign investment; fourth, a second phase of import substitution in the 1970s, allowing the country to start developing heavy industry and complete fundamental construction; and finally, an industrial upgrade since the 1980s, with high-tech and service industries leading the economy, when the main concern of development was to produce high added value with low pollution.

Lee (1996) argues that following the series of governmental policies, a hard-working and well-ordered labour force has been the greatest contribution to the country's rapid economic growth. In addition, during the period 1981 to 1988, governmental sponsorship helped to achieve sustainable economic growth, and official support aided private businesses to advance their technology, improve production, and eventually develop a service sector (Maeda et al., 1996). Over and above these economic strategies, Lee (2004: 30) finds that 'the link with the global economy' is the main factor in Taiwan's prospering economy. In addition, long-term loans by domestic banks have indeed helped Taiwan to participate in international markets (Deyo, 1989a: 35). After 2000, unavoidably, the government still put economic growth and capital interests as its dominant priority (Lee, 2002). Economic globalisation has affected labour income and employment, and as a result overseas direct investment and a foreign workforce have increased the national income and economic growth but at the same time have disadvantaged employment opportunities (Lee, 2006).

An imperative characteristic of economic development in Taiwan is the dual structure of industry, which consists of large public enterprises as well as small and medium-sized enterprises (Lee, 1999). According to the official criteria (see Table 1-1), small and medium-sized enterprises in Taiwan are: (1) enterprises in manufacturing, construction, mining and quarrying industries with capital less than 80 million NT\$⁵ or with fewer than 200 workers; (2) enterprises in other commerce and service industries, businesses with revenue in the preceding year of less than 100 million NT\$ or with fewer than 100 employees (Ministry of Economic Affairs, 2015b, Ministry of Economic Affairs, 2015a).

Table 1-1 Criteria for Identifying Small and Medium-Sized Enterprises and Micro Business in Taiwan

Sectors	Small and Medium-Sized Enterprises		Micro Businesses
	Basic Criteria	Exception	
Manufacturing, construction, mining, quarrying	Capital < 80 million NT\$	Employees < 200 persons	Employees < 5 persons
Commerce, service	Preceding year revenue < 100 million NT\$	Employees < 100 persons	

Source: Small and Medium Enterprise Administration, Ministry of Economic Affairs, R.O.C. (2015a)

⁵ The New Taiwan Dollar NT\$ is the currency in Taiwan. £1 was approximately NT\$38 in March 2017.

According to the official statistics, the Ministry of Economic Affairs (2015a) indicates that the aggregate number of registered small and medium-sized enterprises at the end of 2014 hit the highest record in recent years, consisting of 1.35 million 3,049 small and medium-sized enterprises running in Taiwan, approximately 97.61% of all enterprises. 50.67% of small and medium-sized enterprises have been run for less than 10 years, and 79.72% are in the service sector. In terms of labour force, 8.66 million 9,000 people were working in them (78.25% of the total work force), whilst 6.32 million 9,000 people were employed by small and medium-sized enterprises (72.44% of the total employment).

In the 1980s, following the governmental policy of upgrading industries, small and medium-sized enterprises were forced to change their businesses to admit foreign investment and so on, since most of these enterprises were still good at labour-intensive production alone (Smith, 2000). However, Wang (2001a) notes that setting up small and medium-sized enterprises is in fact the easiest way to become socially mobile, because there are more barriers to local Taiwanese receiving higher education, which results in different choices of vocation from those available to their counterparts among the ethnic mainlanders in Taiwan. Nevertheless, in support of economic growth, small firms are encouraged by the state to subcontract with large manufacturing industries (Deyo, 1990). Besides, the spread of industrialisation in various urban and rural sites has given everyone, especially people from farming family, the opportunity to become a manual worker, and has therefore prevented the development of a strong class identity (Sen and Koo, 1992). Shieh (1992) argues that Taiwan is a 'boss island' grounded on subcontracting networks and hierarchies of producing units.

Nevertheless, small and medium-sized enterprises have been the main foundation of the growth in economic exports since the 1960s (Lee, 2004).

Most of today's large public enterprises were set up during the period when heavy industry was being developed, and the characteristics of industry and the existence of trade unions are providing workers with more job security and low labour turnover. Unlike the experience in Latin American countries where labour militancy always follows export integration, Taiwan is an extraordinary case in which industrial peace has supported economic growth for a long time, because an authoritarian state controlled labour relations and plentiful small and medium-sized enterprises have sprung up. Besides, the policy of land reform saved Taiwan from class struggle during the period of export expansion (Chu, 2001, Minns and Tierney, 2003). As an important element, land reform facilitates liberal economics and small businesses (Chu, 2001, Cooney, 1996, Minns and Tierney, 2003). The landlord class was diminishing whilst the group of small owners significantly enlarged (Koo, 1987).

Moreover, Hsieh (2011) argues that the small and medium-sized enterprises were based on an egalitarian rural social structure. This characteristic plus the wide opportunities for education set the industrialisation of small and medium-sized enterprises in rural areas. In addition, the state provided common benefits to industries rather than to specific firms. Eventually, class consciousness remained untroubled because rural people had more chance of changing careers in the process of industrialisation. There was no clear impression of class identity because most people believed that hard work would improve their lives and change their status.

Yet workers in state-owned enterprises which were owned in the past by Japanese and were later controlled by the Nationalist government in the early post-war era, initially suffered from and resisted inter-ethnic conflicts at this time. Their working status in such workplaces entitled them to certain welfare and other benefits, such as accommodation and free education for their children; these proved to be enough to keep them docile and quiet under the authoritarian regime in order to maintain their improved status (Ho, 2014).

Therefore, Chu (2001) argues that workplace paternalism, authoritarianism, and free markets were the three main contributors to the country's economic development and labour silence. The government manipulated local unions and the personnel of enterprises and forced businesses to pay for various forms of worker support, such as benefits, accommodation, education and so on. Obviously, the economic miracle in Taiwan stifled the development of trade unions: anti-capitalist movements were weakened by economic profits and the working class tended to pay attention only to personal money-making, without any concern for the collective consciousness.

As a result, economic growth has been the main concern not only of the government but also of the society. People have focused on gaining individual wealth, and the importance of the labour voice has been ignored at all levels. In the circumstances of paternalism and individualisation, the question may in fact be whether trade unions may develop in Taiwan at all.

1.3. 'Factory as One Family'

To support industrial development, the Nationalist government promulgated a 'harmony culture' in order to control employment relations and mounted the campaign of the 'factory as one family, factory as one school (以廠為家，以廠為校)' to ask employers to take control over trade unions and also to encourage workers to incorporate the belief in paternalism into their everyday working lives (Wang, 2010: 63). The policy of the 'factory as one family, factory as one school' was initiated in 1982 in order to promote labour loyalty to enterprises and also to anticipate welfare infrastructure that employers would provide (Chiu, 2002).

For example, the former Premier of the Executive Yuan (行政院)⁶ Sun Yun-Suan (孫運璿) emphasised the policy of the 'factory as one family, factory as one school' when he made an opening speech to a meeting of the Chinese Federation of Labour (CFL, 中華民國全國總工會)⁷ (Sun, 1982):

... To help the government improve economic growth, I would like to call on everyone to practise the 'factory as one family, factory as one school' movement. 'Factory as one family' means we run a factory as a big family, and all are brothers and sisters without distinguishing labour and management. Morality is the essence of our society; any interpersonal relationship is expanded from family relationships, and this is the characteristic of our culture which should be enhanced in

⁶ The Executive Yuan (行政院) is the highest executive organ led by the premier, who is appointed by the president. More information can be found at the official website <http://www.ey.gov.tw/>.

⁷ The Chinese Federation of Labour (CFL, 中華民國全國總工會) was first set up in 1948 in Nanjing, China and was later resumed in 1951 in Taiwan. It was the only legal national body of labour unions before the liberalisation of trade unions in 1997 (<http://www.cfl.org.tw/>).

the workplace. Employers treat employees as family members, and employees take their factory as their business and do their best to help the company. Everyone works together to share bliss and misfortune together, so enterprises continue to develop and employee rights are strictly protected ...

In another speech to a national meeting of young representatives from different factories, Sun (1983) listed a few methods for practising 'factory as one family' movement:

... In order to respond to future change and challenge, enterprises have to encourage the 'factory as one family, factory as one school' movement ... The purpose of 'factory as one family' is to unite everybody in the factory to adapt to changes in international economic conditions and improve production techniques, in order to enhance the spirit of sharing bliss and misfortune together. I propose three ideas for business owners: (1) Implement factory meetings, improve communication and work together to solve any problems; (2) Increase social activities, introduce team work and be actively concerned for your employees' lives. (3) Do not simply lay off employees, but set up a fund for keeping workers in employment and overcoming short-term difficulties together in hard times ...

These examples show how the Nationalist government disseminated the propaganda to both labour and management as a nationwide ideology. Besides, quite a few enterprises in Taiwan are family-run, and this particular characteristic has made employer paternalism the specific basis of workplace culture (Kleingartner and Peng, 1991).

Workers working in different types of firm may demonstrate various responses to management authorities. Bu et al. (2001b) find that employees in small family businesses are the most likely to be docile to their employers without much objection. In addition, people employed in small family businesses as well as state-owned enterprises usually comply with enterprise policies and supervisors' demands.

Moreover, a paternalistic style of management may be more likely than an authoritarian style to deal legally with the issue of plant closure. Management with 'paternalist bargaining and consulting' industrial arrangements usually follow legal requirements when they have to shut down a factory, but industrial arrangements which are under authoritarian control tend to abuse labour rights (Wu, 2010a).

As in Japan, large enterprises in Taiwan paternalistically control workers over accommodation, uniforms and so on (Cumings, 1987). Besides, the Factory Act (工廠法) first introduced in 1929 embodies the state requirement for factory management to act paternalistically (Deyo, 1989a, Thompson, 1996). For example, a factory should provide and pay for the education of its child workers and apprentices, establish worker deposit and cooperative associations, build housing for its labour, contribute to a workers' welfare fund, and so on.

In Ho's (2010a) fieldwork in a Taiwanese sugar refinery, he observed that the slogan 'the factory as one family' was painted on the walls. From his interview notes, he finds that 'the daily activities of workers and their family members developed a collective rhythm' (Ho, 2010a: 569), for instance by broadcasting company-positive music every morning in the company residences as well as tranquil music every afternoon after work.

Furthermore, even though the essence of paternalistic capitalism nowadays seems to be gradually changing, paternalistic employment relations persist in Taiwan and are still influential in managerial styles (Chou, 2002). It is an important characteristic which cannot be ignored in examining industrial relations there.

Questioning how trade unions may develop under the ideology of paternalism, this research goes on to investigate the challenge to the trade unions established by the government and their possible future.

1.4. Changing Industrial Relations in Taiwan

The economic growth and political stability in Taiwan interacted with each other without interruption from any labour concerns (Clark, 1991). The Nationalist government, as we have seen, dominated industrial relations in Taiwan for several decades, enacting all kinds of labour legislation, manipulating the system of trade unions as a supplementary means of authority and intervening further in industrial conflicts.

Scholars in general have three main arguments in their criticism of the silent period of labour in Asia: the Confucianism embedded in the culture and society enshrining some shared values of paternalism and obedience; the rapid industrialisation and economic growth which quickly improved the terms and conditions of individual employment; and the governmental manipulation of industrial relations (Deyo, 1989a: 5-6). Among the critics, Deyo (1989a) believes that the economic and social structural context of these characteristics plays a far more important role in the resulting subordination of labour in Asia.

Nevertheless, it has been the political and economic characteristics, rather than capital-class struggles, which are much more influential than Confucianism; for example, the small family owned companies, and the exclusive control of the KMT which sought to split the mainlanders from the local Taiwanese (Minns and Tierney, 2003). The people were more concerned with ethnicity and individual wealth.

The enactment of the Labour Standards Act (勞動基準法) in 1984 and the lifting of martial law in 1987 were two landmarks of industrial relations in Taiwan in the 1980s. The state began loosening the constraints on industrial relations and also set up the Council of Labour Affairs (勞工委員會) in 1987 (Chen et al., 2003, Kleingartner and Peng, 1991). Before 1987, however, the state treated the legal system 'as a regulatory tool of government rather than as a means of protecting citizens against the state or resolving private disputes' (Cooney, 1996: 3); collective labour legislation was a governmental manipulation of social control, but individual labour legislation was not in the state's interests (Cooney, 1996: 5).

The KMT tended to centralise and control the trade union system as its subsidiary by helping the Chinese Federation of Labour (CFL) to expand as the national labour federation (Chang and Bain, 2006, Chen et al., 2003, Cooney, 1996, Rice, 2006). Therefore, the CFL functioned as the KMT's agent to secure labour support instead of acting as the national representative of labour movements (Ho, 2006a). Unfortunately, labour legislation in Taiwan consists of a variety of labour regulations without actual power or punishment, which have rarely been enforced (Lauridsen, 1995).

In Taiwan, there are four fundamentals of labour law: the 'Labour Union Act', the 'Collective Agreement Act', the 'Act for Settlement of Labour-Management Disputes' and the 'Labour Standards Act'. The former three are the core of the collective labour rights and all of them were announced between 1928 and 1930, whilst the government was established about twenty years later. Still, these laws were not significantly modified until 2000.

The Labour Standards Act, first announced in July 1984 and modified most recently in December 2016, is the foundation and core of national labour legislation in Taiwan. It was enacted to provide minimum standards in working conditions, protect workers' rights and interests, improve relationships between employees and employers and promote social and economic developments. The terms and conditions of any agreement between an employer and a worker should meet the minimum standards provided by this regulation. The initiative of the Labour Standards Act came from the state as a means to 'strengthen the government's paternalistic people-centred image' (Chu, 2001: 457).

Democracy and liberalisation have gradually transformed the industrial relations system as the voice of labour has emerged (Rice, 2006). However, both the KMT and the DPP chose the same approach, state corporatism, to intervene in industrial relations (Chang and Bain, 2006). Reforming the labour legislation has been an ongoing process, whichever party undertook it. After two rotations of political parties in 2000 and 2008, the three labour laws, as the pillars of collective rights, were substantially modified, whilst the amendment of the Collective Bargaining Agreement Act was first passed in January 2008, followed by the Act for Settlement of Labour-Management Disputes in July 2009 and eventually the Labour Union Act in June 2010. These significant modifications

were implemented on 1 May 2011 and are expected to bring in a new era of industrial relations.

The Labour Standards Act, however, was announced in 1984, under international economic pressure led by the United States. It included 86 articles and is now the only basis of legislation for individual labour rights, setting up the minimum standards of working conditions and terms, in such areas as the range of businesses it applies to, the definition and regulation of labour contracts, wages, working hours, child labour and female workers, retirement, and compensation for occupational accidents. Employers or businesses which violate this Act shall be fined. The enactment of the Labour Standards Act in fact protects workers' wages (Tsai, 2004). Other labour provisions or stipulations about individual workers are, therefore, ordained in terms of the Labour Standards Act, for example, the Regulations for the Fixing of the Basic Wage (基本工資審議辦法), the Regulations of the Leave-Taking of Workers (勞工請假規則), the Regulations for Implementing Labour-Management Meetings (勞資會議實施辦法), the Regulations for the Management, Repayment, Collection and Allocation of the Arrears Wage Debts (積欠工資墊償基金提繳及墊償管理辦法), and the Regulations for the Allocation and Management of the Workers' Retirement Reserve Funds (勞工退休準備金提撥及管理辦法).

In recent years, the ruling of the DPP marked a period of abundant legal reforms including labour legislation (Fell, 2007). Several modern labour laws were promulgated, such as the Act for Protecting Workers from Occupational Accidents (職業災害勞工保護法) in October 2001, the Act of Gender Equality in Employment (性別工作平等法) in January 2002 and the Act for Worker

Protection from Mass Redundancy (大量解僱勞工保護法) in February 2003.

There was also a draft of the National Pension Act (國民年金法) in 2002 which was finally passed by the Legislative Yuan in August 2007. The network of protecting labour rights in Taiwan, with these stipulations enacted, seemed to be strengthening, especially respecting individual labour rights.

Moreover, the uppermost executive institution of labour affairs was the Council of Labour Affairs, which was founded in 1987, in order to respond to the demand for greater labour protection. Important labour affairs were divided into six departments, namely, the Department of Labour Relations (勞資關係處) which was responsible for trade unions, works councils, industrial disputes, etc.; the Department of Labour Standards (勞動條件處) for basic labour rights as working conditions and terms; the Department of Labour Welfare (勞工福利處) for labour education and related labour services; the Department of Labour Insurance (勞工保險處) for occupational accident insurance; the Department of Labour Safety and Health (勞工安全衛生處) for labour safety and health training and assessing occupational diseases; and the Department of Labour Inspection (勞工檢查處) for inspecting working conditions in workplaces and reporting contraventions by employers and businesses.

The Council of Labour Affairs was eventually upgraded to the Ministry of Labour (勞動部)⁸ in February 2014, following the amendment of the Organisation Act of the Executive Yuan (行政院組織法), which was enacted in January 2012.

⁸ The Ministry of Labour (勞動部) was set up on 17 February 2014 according to the Organisation Act of the Ministry of Labour (勞動部組織法), based on the Organisation Act of the Executive Yuan (行政院組織法). See the official website <http://www.mol.gov.tw/> for more information.

Nowadays the Ministry of Labour consists of six departments, namely, the Department of General Planning (綜合規劃司), the Department of Employment Relations (勞動關係司), the Department of Labour Insurance (勞動保險司), the Department of Labour Standards and Equal Employment (勞動條件及就業平等司), the Department of Employment Welfare and Retirement (勞動福祉退休司) and the Department of Legal Services (勞動法務司). It also has five subordinate institutions: the Bureau of Labour Insurance (勞工保險局), the Workforce Development Agency (勞動力發展署), the Bureau of Labour Funds (勞動基金運用局), the Occupational Safety and Health Administration (職業安全衛生署) and the Institute of Labour, Occupational Safety and Health (勞動及職業安全衛生研究所).

After 2000, the DPP legitimised the autonomous unions, including the Taiwan Confederation of Trade Unions (TCTU, 全國產業總工會)⁹, the Chinese General Labour League (CGL, 中華民國全國勞工聯盟總會)¹⁰ and the National Trade Union Confederation (NTUC, 中華民國全國聯合總工會)¹¹, along with the CFL (Chang and Bain 2006). However, each organisation still has a close relationship with a different political party; for example, the CFL and the CGL in general support the KMT, and the TCTU has built close ties with each ruling party during different governments. Clearly, both the KMT and the DPP employ

⁹ The Taiwan Confederation of Trade Unions (TCTU, 全國產業總工會) was set up on 1 May 2000 as the second nationwide trade union after the establishment of the CFL, and was the first one recognised by the DPP. Its official website can be found at <http://www.tctu.org.tw/>.

¹⁰ The Chinese General Labour League (CGL, 中華民國全國勞工聯盟總會) was set up on 15 July 2000 as the third nationwide trade union. It had in fact split from the CFL.

¹¹ The National Trade Union Confederation (NTUC, 中華民國全國聯合總工會). Official website <http://www.ntuc.org.tw/> is not accessible in July 2016.

the trade union system to promote social and economic policies in the workplace, and trade union organisations at the national level usually act as a political party's agents, mobilising workers in various elections (Chiu, 2002). Nevertheless, for the first time in history, the DPP let independent labour activists get involved in the decision-making process of governmental policies (Fell, 2012).

The Labour Union Act in Taiwan was first introduced in 1929 and amended in 2000 and 2010; it regulates the establishment, membership, officers, meetings, operational funds, supervision, protection, dissolution, federated organisations, basic organisations and penal provisions of trade unions. According to Article 6 of the Labour Union Act, before the revision enacted in May 2011, two types of trade union are distinguished: industrial unions (產業工會) and craft unions (職業工會). More than 30 employees of the same industry in the same area or in the factory or workshop can form and join an industrial union, whilst workers exceeding the number of 30 without a constant employer but with same professional skills can organise a craft union. At the end of 2010 the rate of organised trade union membership was 37.3%, whilst the organisation rate of industrial unions was only 14.6%; that of craft unions was 53.4% (Ministry of Labor, 2014).

The industrial unions in state-owned enterprises were initially brought into being by the state's industrial strategies. In consequence these enterprises regarded industrial unions as basic to the organisation and also agreed to develop trade unions as auxiliary means for the state and the enterprises (Chen et al., 2003, Shieh, 1997). In addition, if a union legally exists in the enterprise and is registered to the local labour administrative bureau, membership of it is

compulsory, according to Article 12 of the Labour Union Act. When a worker starts working in a unionised workplace, s/he is automatically enrolled in its union. Hence, the industrial unions in state-owned enterprises have been more or less well-organised as well as sufficiently financed by its numerous members.

However, following the modification in 2010 which was implemented on 1 May 2011, trade unions are now of three types, corporate unions (企業工會), industrial unions and craft unions. Corporate unions, in accordance with the Company Act (公司法), are organised by employees of the same industry or workplace, of the same business entity, or of enterprises with controlling and subordinate relationships between each other; or, in accordance with the Financial Holding Company Act (金融控股公司法), by employees of a financial holding company and its subsidiaries. Therefore, most workplace unions which used to be called industrial unions now have to rename themselves as corporate unions. Industrial unions in this latest definition are organised by workers in the same industry and they come close to the definition of industrial unions in Western countries. Craft unions are set up by people with the same professional skills. The government statistics show that at the end of 2013 the aggregate organisation rate of trade union membership was 34.3%, and that there were 884 corporate unions, 101 industrial unions and 4,064 craft unions (Ministry of Labor, 2014).

In 1985, based on the provision of Article 83 of the Labour Standards Act, the Regulation for Implementing Labour-Management Meetings was announced (to be revised in 2001, 2007 and 2014). Article 83 of the Labour Standards Act defines that:

A business entity shall hold meetings regularly to coordinate worker-employer relationships, promote worker-employer cooperation and increase work efficiency, and the rules for calling such meetings shall be drawn up by the Central Competent Authority in concert with the Ministry of Economic Affairs and then reported to the Executive Yuan for approval.

Labour-management meetings (勞資會議) form one official category of the worker representation systems in Taiwan. At the moment, according to government statistics, the implementation of labour-management meetings has gradually increased, especially in the private sector (Ministry of Labor, 2014).

Worker representation systems in Taiwan have been formalised for a long time. The first kind of worker representation systems can be traced back as far as the 1929, at a time when the Nationalist government stipulated the Factory Act initiating 'factory committees (工廠會議)' in workplaces. The factory committee was organised once a month by the same number of representatives of both workers and employers to discuss issues regarding employment relations, such as increasing work efficiency, improving the relationship between factory and workers, assisting the practice of work contracts and factory rules, reforming the terms and conditions of work in the factory, and planning workers' fringe benefits.

In 2000, the DPP government proposed a neo-centrist labour policy, which led to some legal reforms and many labour policies different from those by the previous Nationalist government, in order to emphasise the pro-labour impression that it wanted to create and to show its determination to transform the situation of Taiwanese industrial relations (Ho, 2006c). For example,

industrial democracy and development of autonomous trade unions are fresh policies embodied, for example, in the Protection of Workers against Collective Redundancies Law and the Equal Employment of Gender Law. The DPP also proposed legal amendments of the existing labour laws, such as the Labour Union Act, the Act for Settlement of Labour-Management Disputes and the Collective Agreement Act, which are the three pillars of the legislation of collective labour rights in Taiwan.

Its aim in these actions was to make the DPP itself the real voice of Taiwanese labour rights and the representative of minorities in society. Moreover, the DPP even declared its ambition to build a new 'labour-management partnership' at the workplace level of Taiwanese industrial relations. 'Building [a] labour-management partnership' means practising industrial democracy at work and there are many methods of realising it. According to the legislation on industrial relations in Taiwan, one proposed method is holding labour-management meetings which can act powerfully and efficiently and it also means reinforcing worker representation systems, including worker directors (勞工董事) and other legal councils within workplaces such as employee welfare committees (職工福利委員會).

The KMT continued to reform labour legislation after the DPP lost the presidency and eventually the KMT finalised the amendment of the Labour Union Act, the Act for Settlement of Labour-Management Disputes and the Collective Agreement Act in 2010 and implemented new labour regulations from 1 May 2011. This was a turning point of industrial relations and had a strong impact on the system of trade unions, such as making it easier for trade unions to organise multiple and industry-wide systems, the official prohibition of unfair

labour practices and establishment of a relief system, protection of bargaining in good faith, re-formalisation and fortification of dispute behaviours, and recognition of dispute agents (Chang, 2010b).

Lin (1997) compares industrial relations in different workplaces owned by Taiwanese, Americans and Japanese people, and notes that Japanese enterprises have a higher rate of unionisation, though employment relations in the three ownerships are not significantly different from each other. More to the point, unionised workplaces always implement better health and safety terms and conditions, and enterprises setting up a grievance system in general provide better conditions of welfare and benefits as well as health and safety. In addition, it has been reported that Taiwanese people feel stronger support for trade unions and expect more aggressive unions mainly when the economy is not prosperous and employment relations are not good; and moreover, that it is critical to mobilise service sector workers in order to amplify union power in Taiwan (Chang and Chang, 2010).

On 24 June 2016, the newly established Taoyuan Flight Attendants Union (TFAU, 桃園市空服員職業工會)¹² called a strike from 12 midnight; however, it finally came to a settlement with China Airlines (中華航空股份有限公司)¹³ and cancelled the picket line at 11pm the same day. It was a remarkable milestone for the labour movements, in that it was the first time that a strike had been led

¹² The Taoyuan Flight Attendants Union (TFAU, 桃園市空服員職業工會) was set up in November 2015 as a craft union for all flight attendants but most of the members belonged to China Airlines. More discussion can be found in Chapter 2.3. Trade Unions in Taiwan from May 2011 onward.

¹³ China Airlines (中華航空股份有限公司) was set up in 1959 as a national airline company and is currently receiving indirect investment from the government. Its official website can be found at <http://www.china-airlines.com/>.

by a trade union outside the enterprise. People had been anticipating changes in industrial relations in Taiwan.

As noted above, trade unions in Taiwan were first introduced by the state as a means of serving political and economic purposes. Workers did not organise a union to convey their demands and some may even not have known what a union should do for them. In this situation, whether the trade unions set up by the government could develop independently and represent the collective voice becomes a question to investigate.

1.5. Focus of the Thesis and Research Questions

Most social movements in Taiwan are split into multiple organisations and routes as the labour movement is. Various organisations and groups may cooperate, compete or confront on different issues. Unfortunately, as a result of long-term authoritarian governance, living standards raised by economic growth and sustained discipline from education and the media, Taiwanese people are not easily mobilised (Chiu, 1992b). Chiu (2010) further argues that the format of individual workplace unions is not healthy since it is difficult to establish a labour class and Taiwan's trade unionism cannot withstand the impact of economic globalisation.

It is obvious, however, that industrial relations in Taiwan were transformed after several decades of silent unionism. Following the de-regulation of collective labour rights in 2011, trade unions are facing new challenges whilst newly established unions have to take root in employment relations, at the same time as mature existing unions must look for their niche to regain strength amidst the

current changes. Instead of ambitiously examining the whole system of trade unions in Taiwan, this research focuses only on the strategy and development of the unions that were set up on the traditional basis of supporting the state and management, such as exist mainly in large state-owned or privatised enterprises.

For example, slack union organisation undoubtedly opens up more chances for workers to be organised and protected and provides new possibilities of collective activities, but today's unpractised trade unions have to be equipped to cope with the shifting demands of organising, bargaining and disputing if they do not want to become still weaker. In fact, the trend of legal reformation provides such unions with great opportunities to re-examine and re-develop their methods of organisation to withstand dialogues with the state, employers and most importantly their members.

Trade unions in Taiwan may be catalogued into various types, defined differently in different periods. The focal point of the present research is the workplace-based unions, which used to be called the 'industrial unions' and are now renamed 'corporate unions' under the lately amended Labour Union Act. These labour unions are normally organised within a specific factory or workplace, where all the eligible employees must become corporate union members. They are found in most state-owned and privatised enterprises and in general they practise the tradition of collective bargaining. It is a question whether and how those corporate unions can increase their influence in today's workplaces.

Trade unions used to be supplementary to the state and to capital, so it has long been concluded that Taiwanese unions did not function properly and did

not represent the voice of labour. Following the democratisation and liberalisation of the political economy in the 1990s, privatisation forced many unions in the state-owned enterprises to examine their roles and to stand up for their collective rights. Since 1 May 2011, it is likely that new trade unions, for example, the Taoyuan Flight Attendants Union, may be set up to compete with the old ones for resources and members.

Hence, the research focuses on the old trade unions which now may have to struggle to revive as autonomous entities in the new era. To investigate this specific type of trade union, it should be asked whether and how far paternalism has influenced trade unionism in Taiwan. Apparently, paternalistic employment relations are the outcome of political and economic controls by the government. It seems that the harmonious relationships between employer and employees which are common in Taiwan are quite influential in the workplace. Therefore, paternalism is reviewed and analysed in this thesis.

Trade unions are the main players in this research and the concern is what the transition of trade unionism in Taiwan may bring about. Because trade unions were viewed as not representative of labour in the past, it is a question whether Taiwanese trade unions can ever operate and function as agents of labour rights. Therefore, this research reviews trade unions and examines selected cases in order to set up scenarios for analysis.

Non-union representation is another issue in this research. As the counterpart of trade unions in workplace systems of representation, its competing relationship with trade unions has been researched by many scholars. However, the relationship of the two mechanisms in Taiwan is another question. This research asks whether non-union representation is harmful to trade unions.

The last focus of this research is on collective identity at work. Identity is important to trade union mobilisation. However, Taiwanese people do not have the sense of class identity that Western countries often have. Overall, since identity is personal, this research concentrates on individuals in the workplace. This research asks what kind of collective identity may be found in workplaces and whether there is any chance of building up the class identity of workers. Perhaps different approaches and changes are applicable in Taiwan.

To sum up, this research is constructed of the following questions: first, whether and how the existing (old) corporate unions can wield any influence in today's workplaces; second, whether and how far paternalism has influenced trade unionism in Taiwan; third, whether Taiwanese trade unions may operate and function as agents of labour rights; fourth, what the relationship is between Taiwan's trade unions and non-union representation; and last, what kind of collective identity may be found in workplace and whether there is a chance of building up the class identity of workers. Overall, the old trade unions are the main concern of this research, which discusses some in workplace factors, including paternalism, non-union representation and collective labour identity.

Following these questions, this research provides a very different perspective from existing labour studies in Taiwan, which emphasise the underdevelopment of trade unions and the lack of labour class consciousness in the context of state coercion (Chiu, 2010, Chiu, 2011, Ho, 2003a, Ho, 2003b, Ho, 2008). Instead, this research further points out the possibility of trade union development within such political and economic contexts. Trade unions have been equipped with resources to accumulate power provided that they are aware of manipulating those resources, which is investigated in detail in the

following chapters. Besides, this research emphasises the importance of labour cooperation that is rarely discussed in Taiwanese labour literature. Cooperation with management is an important key for trade unions in Taiwan to develop their organisations and recognition in workplaces, but has been underestimated in previous studies.

1.6. Structure of the Thesis

The rest of the thesis, including the literature review, research methodology, findings and discussion, analysis and conclusion, is set out as follows. Chapter 2 reviews the literature of representation in workplaces, including trade unions and non-union representation. This chapter starts with the Western literature of trade unions, and then reviews changes in trade unions in Taiwan before and after 1 May 2011. The literature of Western non-union representation is also reviewed, following non-union representation in Taiwan including examples of labour-management meetings and worker directors. The last section of the chapter makes some concluding remarks on both trade union and non-union representation in Taiwan.

Chapter 3 reviews the literature on two themes, paternalism and collective identity at work. From the campaign of 'factory as one family', paternalism is an important characteristic of Taiwanese industrial relations. This chapter first reviews paternalism and paternalistic management, which is an important concept to examine later in the chosen case study. Three main characteristics of paternalism in Taiwan, namely authority, benevolence, and morality, have been addressed. Further the concept of collective identity at work is discussed, since identity is essential to labour mobilisation. This chapter concludes that

paternalistic employment relations were influential over the organisation of trade unions in past decades as well as affecting collective identity at work.

Chapter 4 concerns research methodology, the qualitative research of two cases. One primary case, SteelCo, and one supplementary case, SugarCo, were selected for analysis and discussion. SteelCo is a large privatised and unionised enterprise and the research methods included participant observation in its union, Steel-U, in-depth interviews with union representatives and officers, two surveys of union members and documentary analysis of official documents and meeting minutes. SugarCo is a large state-owned and unionised enterprise where in-depth interviews with union representatives took place and limited access to some official documents was gained.

Chapters 5 to 7 contain research findings and discussions about the main themes of this research. Paternalism is still influential in Taiwanese workplaces, and trade unions are usually features of it. However, trade unions and non-union representation do not compete with each other. The collective identity of workers is influenced by the paternalistic tradition and labour cooperation is one approach for trade unions to take within the paternalistic context. Trade unions need different ways of gaining members' identity before mobilisation.

Chapter 5 discusses paternalism in workplaces, its influence on trade unions and how trade unions react to it. From the implementation requested by the government, paternalistic employment relations have shaped the face of the existing trade unions. Workers have been influenced by such paternalistic elements as benevolence, authority and morality, and so have trade unions. Nevertheless, trade unions received quite a few resources from management and gained employer recognition in the workplace. To develop under the

paternalistic ideology, trade unions have to compromise and cooperate with management to some degree to reinforce employer recognition and extend their influence.

Chapter 6 discusses the implementation and influences of non-union representation in the workplace. The practice of labour-management meetings, worker directors on the board, employee welfare committee and labour safety and health committees in the research cases are addressed. Furthermore, this research investigates how general workers and squad leaders who help trade union deliver information to members perceive non-union representation and their labour representatives. In general, only labour representatives engage in the implementation of non-union representation, and workers may not be familiar with the system, so trade unions play a key role in promoting non-union representation. Provided that non-union representation is a practice of paternalistic ideology, it actually provides trade union legitimacy, efficacy and autonomy and facilitates the union's functions of self-fulfilment, economic regulation and job regulation. Implicitly, trade unions generate power by indirectly participating in non-union representation as support for labour representatives. Manipulating non-union representation in the workplace actually helps trade unions obtain additional power and resources to develop its organisation in a fundamental way.

Chapter 7 discusses collective identity at work in terms of three groups of actors: labour representatives of non-union representation, squad leaders and general workers. Following the discussion in Chapter 6, the collective identity of labour representatives is investigated first. Support from trade unions makes labour representatives sense the difference between labour and management. Trade

unions may sustain and support non-union representatives to not only reinforce the implementation of non-union representing mechanisms, but also to strengthen their union recognition in the workplace. Labour representatives may lack collective identity at first, but it follows with experience. Besides, squad leaders are chosen to facilitate the communications between the union and general members so they learn more about trade union operation. In fact, it depends on whether the members are interested in union affairs, even though the trade union has some incentive to encourage their participation. Squad leaders think they are member of the big company family, and trade unions are part of the family as well. Last, trade unions have to actively reach members since they were never organised spontaneously by workers. Providing services and benefits is a good starting point before educating members to know the hard parts of trade unionism, such as collective bargaining. Owing to their history, Taiwanese trade unions have to build up their members' collective identity with them. However, the paternalistic tradition conceals but does not remove labour conflicts in the workplace. Building up members' collective identity is necessary once the trade union has to mobilise members to fight against management in the workplace. The case Steel-U has demonstrated a very successful protest as evidence of trade union's use of paternalism as a tool to further members' interests.

Chapter 8, in conclusion, reviews the research questions proposed in the introduction on the basis of discussion and analysis from the previous chapters, and concludes the arguments of this research. Overall, the transition of Taiwanese trade unions is embedded in paternalistic employment relations. To be autonomous in the workplace, trade unions have to learn to take advantage of things to which they were already entitled, on the one hand, and to mobilise

members' identity as a whole, on the other. The limitations of the research and its future application to practice and policy are also addressed.

Chapter 2. Trade Unions and Non-Union Representative Mechanisms in the Workplace

The issue of representation at work has been a vital debate in industrial relations since the emergence of this discipline. Because of their asymmetrical relationships with management, individual workers need some sort of mechanism to represent them and bargain for their collective rights and interests; it was to fight for fellow-workers that trade unions were formalised. However, in recent decades, the decline of unions has become a worldwide issue in employment relations, and union revitalisation is a concern of the labour movement. Other mechanisms of non-union representation have been proposed to fill the representation gap in workplaces, but questions about the relationships between union and non-union forms of representation continue to emerge.

Representation at work is principally either direct or indirect. Direct representation is seen when employees, either individuals or in group, directly participate in workplace decision-making processes, such as in the quality circles or departmental meetings; but indirect representation implies that workers elect their own representatives to speak out for them, for example, collective bargaining, worker directors on the board, and more important issues being dealt with in this form of representation (Gospel and Willman, 2003: 144). In general, direct representation deals with issues at a lower level of business, such as decisions about daily, routine tasks, whilst indirect representation mainly concerns broader interests.

This research focuses on indirect representation at work, especially by trade unions. Before discussing the trade unions in Taiwan, this chapter first reviews union representation in Western literature, including organisations, types of trade unionism, collective bargaining; and the decline and future of trade unions. The review continues by looking at the similarities and differences of trade unions in Taiwan, and then describes the changes made to Taiwanese trade unions after 1 May 2011, when the latest amended Labour Union Act came into force.

The thesis includes a literature review of non-union representation in Western countries as well, since there has been a debate whether other non-union representative mechanisms might be able to replace trade unions. This review then compares the system of non-union representation in Taiwan. The last section of this chapter comments on some current issues and concerns of trade unions and other non-union representative mechanisms in Taiwan.

2.1. Trade Unions in the Workplace

Representation by a trade union means becoming a member of a trade union which represents the shared interests of its members. Trade unions were organised as a result of the different interests and the unbalanced power existing between employees and employers, so long as employers controlled most of the resources in workplaces. Therefore, as a collective body, trade unions are legitimated to enhance the power of the rank and file and seek their joint interests (Noon and Blyton, 2002: 289-292). Western literature offers a variety of concepts to analyse organisation and power of trade unions.

Salamon (1998) defines an organisation's function as 'the role or task it is required to perform and the means employed to carry it out' (Salamon, 1998: 103); he analyses the functions of a trade union along six dimensions, namely power, economic regulation, job regulation, social change, member services, and self-fulfilment. The functions of a trade union are related to its role and tasks and practised by the decisions and actions of the people in it. Only when the staff and members of a trade union have the same expectations will its function be fully worked out, so a common perspective on the trade union formalises the union's functions and influences its mechanisms.

In general, a trade union's power is revealed by its other functions, and it protects and sustains its members by its collective force and acts as a party confronting the management and also as a pressure group in society. A union's economic justification is to improve its members' employment conditions and wages through the collective bargaining of the employment contract, whilst its function of job regulation is to maintain a mutual decision-making system to protect members from the dictatorial authority of management and to help them take part in decision-making in the workplace. Social changes mean that a trade union stands for the workers' social cohesion; hence, its ambition or political demands, and it may have a 'political role' in its relationships with political parties as well as the government. Providing member services means offering services or benefits to individuals; in addition the union is a channel of self-fulfilment by which members may develop their careers beyond their jobs in the workplace and involve themselves in union decision-making processes such as its 'internal system of government' and 'collective bargaining system' (Salamon, 1998: 103-117).

According to Flanders (1968: 23-40), the organisation of British trade unions falls into these types: first, craft unions, which provide members with the privileges of bargaining power and benefits, as a result of their loyalty and collaboration; second, general unions, which have become used by various types of employment and are able to accommodate different work patterns; third, industrial unions, which arise from the incorporation of smaller unions, none of which can represent the whole of the industry concerned; fourth, non-manual unions, representing the needs of white-collar workers who do not always agree with blue-collar workers and have different interests from theirs; and fifth, the development of industrial federations which has met the demand for a national level of representation in negotiations with employers.

According to UK statistics (Barratt, 2009), the union density in the UK in 2008 is 27.4%, a decreasing 0.6% since 2007, whilst the union membership of female workers (29.2%) is higher than for male (25.6%) and union density in the public sector (57.1%) is much higher than the private sector (15.5%). However, the decline of trade unions has for several decades been a significant issue in Britain, where it is even more severe than in other countries (Machin, 2000, 2003). By analysing the dataset of the Workplace Industrial/Employee Relations Surveys (WIRS/WERS) and measuring union density, union coverage and union recognition, Machin (2000, 2003) argues that, although a range of factors has generated the decline of unions in Britain, age in the workplace is more influential than all other variables.

The 'fracturing of collectivism' has become a challenge to trade unions. Management implements strategies to focus on individual employees in order to weaken the workplace collectivity of trade unions, and at the same time

practises employee representative mechanisms to build loyalty to management.

Trade unions have to develop approaches to support individuals and at the same time to maintain collective representation (Bacon and Storey, 1996).

In the UK, management partnership and organising members used to be the two agenda items of the Labour Party's proposal for union revitalisation but on examination they have been found to contradict one another. Maintaining partnership with employers has resulted in senior union stewards no longer being able to pay much attention to members of their organisation and mobilising them (Danford et al., 2002).

Gospel and Willman (2003) also analyse industrial relations via WIRS/WERS and propose that a multi-channel way of indirectly representing workers, together with information and consultation, has been followed in Britain and will still be practised in the future, but that the worker representation system in the UK is distinct. Direct representation has been increasing and indirect representation through joint consultation has been impeded whilst representation by trade unions has seriously declined.

Commentators have indicated that trade union decline is a universal issue. Challenges to trade unions from a global perspective include decreasing membership, loss of representation, weakening member mobilisation, external changes to organisation, and a shortage of power resources (Frege and Kelly, 2003). Farber and Krueger (1993) point out the decline of union density in the US by analysing a demand-supply framework of unions, since trade unions cannot fulfil workers' demands, but Farber and Kruger do not conclude that there is any demand for alternative representation. In addition, research by Kuruvilla et al. (2002) on the growth and decline of trade unions in Asian

countries, including China, India, Japan, Korea, Singapore, Taiwan and the Philippines addresses the fact that these countries have all suffered the fall of union membership in the 1990s without effective strategies for revitalising the union movement.

In the communist period, Soviet trade unions were sustained by the state and did not act as the agent representing collective labour interests. Instead, trade unions mainly performed the function in charge of social services to all people and continued this role even after the economic transition. Following the reform of economy whilst more industrial conflicts occurred in workplaces, however, trade unions were still not in favour of collective representation and it remained line management dealing with the workplace conflict (Ashwin, 1997).

In post-socialist countries such as Russia and China, trade unions have a dilemma of maintaining the past relations with the state and management or transforming to represent member rights and interests. Existing trade unions have to make sure they successfully survive from socio-economic changes whilst sustainably developing their organisations. Paradoxically, a trend of labour protest led by outsiders instead of those trade unions results from the dilemma (Clarke, 2005).

To discuss the future of trade unions, Hyman (1997) argues that worker representation is the representation of interests with three essential components: autonomy, legitimacy and efficacy. Autonomy refers not only to the degree of sovereignty of a representative committee from the management standpoint, but also the distance of the union from the workers; legitimacy is the way in which representatives are officially permitted to represent the rank and file; and efficacy means the capacity to obtain sufficient information and execute,

as well as originate, proper suggestions. Hence, in order to respond to the changing nature of employment relations, Hyman (1999) suggests that trade unions should adapt to the flexibility of work and the labour market without sacrificing workers' choices, to enhance the security of employment by improving the programmes and policies of employability, to grasp the opportunity to attract new individuals rather than stressing conventional collectivism, to exhibit internal and external democracy, and finally to join the local community linking work with life.

Hyman (2001) argues that different unions have varied identities to structure their activities and he shapes a triangle model of market, class and society to analyse trade unionism in examining the cases of Britain, Germany and Italy. Traditionally, trade unions have to effectively impact the labour market in order to maintain members' interests; the nature of class relations makes trade unions advocate and at the same time trigger class struggle; and the emergence of civil society forces trade unions to participate in social movements.

Therefore, Britain's tradition of 'free collective bargaining' has been challenged by the concept of 'social dialogue' in which trade unions have to re-define their role between employers and workers. The German model of the social market in fact diminishes the union mobilisation of class and slashes unions from the three directions of society, market and class. The 'historic compromise' of Italian industrial relations obscures the solidarity of trade unions that exclude them from social and economic transition. Obviously, different trade unionism experiences various kinds of confrontation and has to rethink its identity, since unionism cannot be defined by any particular dimension but has to evaluate and

put together different needs and challenges from the market, class and society (Hyman, 2001).

The growth of trade union membership often encounters problems such as free-riders, restricted member services and management retribution against member workers; for this reason, trade unions have to gain recognition from bringing members into a condition where they are ready to take part in collective action, persuading employers to get involved in negotiation, and eternally bringing together themselves members and employers to make themselves viable bargaining units (Willman, 2001). Legislative regulation, although not helpful for mobilisation, supports trade unions against 'employer recalcitrance and employee indifference' (Willman, 2001: 114), and supportive statutory stipulations have a positive impact on increasing new collective agreements (Gall, 2004). Moreover, it seems that trade unions encounter a trend of structure shifting from being service oriented to being mobilisation driven, as a reflection of trade union revitalisation (Fiorito and Jarley, 2008).

Boxall and Haynes (1997) analyse four typical formats of trade unionism, namely classic unionism, paper tiger unionism, consultancy unionism, and partnership unionism. Classic unionism focuses on traditional workplace solidarity and wage-work bargaining, strongly against employers. Paper tiger unionism acts as a formal and dependent agent of arbitration without physically powerful relations with the workers. Consultancy unionism practises collective bargaining with the partial cooperation of the management and has inadequate workforce support. Partnership unionism organises labour solidarity and seeks to cooperate with employers in the practice of strategic partnership.

Trade union strategy does not mean that trade unions have to officially sketch out strategies and does not imply that trade unions have to successfully target their problems, because trade unions contain their own structures and methods to reflect and adapt their surroundings (Boxall, 2008). Frege and Kelly (2003) propose four autonomous factors influencing trade union strategies, namely social and economic change, the institutional context, state and employer strategies, and union structures themselves. To act strategically, unions have to subjectively and actively represent the interests of the majority, not only representing those who are already protected by union representation, but also those who are employment disadvantaged and ought to be sheltered by trade unions as well (Hyman, 2007).

To sum up, the literature analysing trade unions in Western countries offers conceptual and theoretical insights which are of general relevance for analysing trade unions' organisation and their development over time. Despite the radical differences in context, many of these themes provide a useful starting point for research into Taiwanese trade unionism, in particular by highlighting the conditions and factors which shape trade union power. Table 2-1 summarises the key insights which I use for my research into Taiwanese corporate unions.

Table 2-1 Analysing the Characteristics of Trade Unions

6 Functions	2 Recognising Bodies	3 Components	3 Identities	4 Formats	4 Autonomous Factors
Power Economic	Members Employers	Autonomy Legitimacy	Market Class	Classic unionism	Social and economic

regulation	(Willman, 2001)	Efficacy	Society	Paper tiger	change
Job		(Hyman, 1997)	(Hyman, 2001)	unionism	Institutional
regulation				Consultancy	context
Social				unionism	State and
change				Partnership	employer
Member				unionism	strategies
services				(Boxall and	Union
Self-				Haynes,	structures
fulfilment				1997)	(Frege and
(Salamon, 1998)					Kelly, 2003)

Summarised by author.

2.2. Trade Unions in Taiwan before May 2011

The state has played the important role of determining the systems of worker representation in Taiwan, including both union and non-union mechanisms.

With regard to trade unions, their decline, with some exceptions, has been expected. The Nationalist government initially brought Taiwanese trade unions into existence to support its industrial strategies, so enterprises regarded trade unions as the basic units in organisations and agreed to develop unions to be auxiliary means for the state and enterprises (Chen et al., 2003, Lee, 1999, Shieh, 1997, Wu, 1999). Trade unions were supported and subsidised by the government and their initial interests were members' welfare and benefits rather than collective labour rights (Deyo, 1989a).

In the early 1960s, however, the United States, as the world hegemony, interfered in labour-management legislation in Taiwan in two important periods of intervention (Shen, 2003): from the late 1950s to the early 1960s, the United States provided financial aid and set up its embassy to implement the principle of free trade to Taiwan; conversely, from 1965, when Taiwan started to expand its exports, to the middle and late 1970s, the United States put pressure to promote labour welfare and the establishment of a labour department in the government. At the time, Taiwan was highly dependent on the United States in terms of economy and military affairs; thus the legislation on collective labour was revised on the basis of the relative strength of the United States government and that of Taiwan.

The United States still played an important role in reforming labour laws in Taiwan during the 1980s due to the expansion of the American labour and human rights movements, besides the menace of enormous export totals from Taiwan (Cooney, 1996). In addition to focusing on collective regulations, the United States at this stage emphasised intellectual property rights, environmental protection and so on, partly in order to increase the production costs of Taiwanese goods (Cooney, 1996, Shen, 2003).

According to the Labour Union Act, which was announced in October 1929 and amended in July 2000, trade unions in Taiwan could be divided into two types: industrial unions and craft unions. An industrial union could be organised by more than 30 employees within any industry, area or factory/ workshop; for example, the Chunghwa Telecom Workers' Union (中華電信工會)¹⁴ and the

¹⁴ <http://www.ctwu.org.tw>.

Taiwan Railway Labour Union (台灣鐵路工會)¹⁵. A craft union was composed of more than 30 workers who did not have a constant employer but share the same professional skills, such as the Taipei Translators and Interpreters Union (臺北市翻譯業職業工會)¹⁶. Compared to the types of British trade unions defined by Flanders (1968), only craft unions seem to have been parallel union organisations. In terms of their levels, trade unions in the same city or county could found a federation of trade unions, above which a general federation of unions could be established at the national level. Thus, a three-tier system of trade unions exists in Taiwan.

According to government statistics (Ministry of Labor, 2014: 36-37), the aggregate union density at the end of 2010 had slightly decreased by 0.5% to 37.3%, compared to the end of the previous year. There were 890 industrial unions with a total membership at 14.6% of union density and 3,818 craft unions with a membership of 53.4% of union density; and, regarding regional and national levels, there were 138 federations of trade unions and 78 general federations of unions.

The decline of industrial unions has become perceptible in the past decade as the aggregate number of industrial union members has gone down; but the craft union density, though also slightly declining, has gradually increased since 2008 as more people have joined craft unions (Ministry of Labor, 2014). The main purpose of joining a craft union is to be covered by the national labour and health insurance schemes (Chen et al., 2003, Kuruvilla et al., 2002, Wei, 2003). To be entitled to the benefits of labour and health insurance systems, people

¹⁵ <http://www.trlu.org.tw>.

¹⁶ <http://www.ttiu.org.tw>.

have to register as employees in a company or a member of a craft union, since enterprises and craft unions are legitimated as insuring units. Unlike the prediction of Kuruvilla et al. (2002) that both industrial and craft unions would suffer more decline due to the today's economic changes, craft unions are attracting more people without a regular employer who need national insurance or who have suffered economic hardship in periods of unemployment. Nevertheless, craft unions act as so-called 'labour insurance unions' (Wei, 2003: 49) and their main function is not to represent members in bargaining with associations of employers. Craft unions are in any case a 'residual category' (Ho, 2006a: 112) for anyone who is not entitled to join an industrial union, so it is quite difficult for craft unions to call for any collective movement.

In addition, before the latest amendment of the Labour Union Act, the membership of a trade union used to be compulsory if one existed and was registered to the local labour administrative bureau. When people started to work in a unionised workplace, they were involuntarily enrolled in its industrial union and typically their membership fees were automatically deducted from their salary. When a workplace was not unionised, workers had the right but not the obligation to establish a union. Moreover, trade unions in state-owned or privatised enterprises are always better organised with sufficient funds and numerous members because of the past state policy of supporting economic development.

Chiu (2011) argues that workplace unions in Taiwan will continue decline since unions organised within a single workplace in fact limit the automatic development of trade unions; however, social movement groups in Taiwan have

enforced the development of trade unions, even though there is competition between trade unions and social movement groups.

Taking the example of the Chunghwa Telecom Workers' Union, which has been one of the leading unions in the Taiwanese labour movement, its collective power comes from the response of the union itself to issues and problems, and members participate in their union mainly out of self-interest, as a result of their own reasoning (Chang and Liu, 2009, Ku, 2008). In order to encourage member participation, a union ought to increase labour consciousness as well as improve members' identity (Chang and Liu, 2009). In addition, union leadership plays an important role in the success of union survival (Ku, 2008).

Government intervention in industrial relations is a fundamental influence on industrial conflict, whilst different industrial relations policies result in different attitudes among labour and management to industrial dispute (Lee, 1997). Ho (2003b) argues that the trade union movement in Taiwan is based on grassroots militarism rather than class identity, but Taiwanese workers did not have much influence on the process of Taiwan's democratisation.

For example, since the enactment of the Labour Standards Act several unions of mass communication have been set up as more employees of the industry have been covered by the law, such as the Kaohsiung Craft Union of Mass Communication (高雄市大眾傳播業職業工會)¹⁷ in 1987 and the United Daily

¹⁷ The Kaohsiung Craft Union of Mass Communication (高雄市大眾傳播業職業工會) was set up in 1987 as the first trade union of mass communication in Taiwan. However, it was dismissed in 2008 by the Kaohsiung City Government due to offences against the Trade Union Act and the Civil Associations Act.

News Worker's Union (聯合報工會)¹⁸ in 1988. However, the trade unions of broadcasting and television corporations, such as the Broadcasting Corporation of China Trade Union (中國廣播公司工會), the Chinese Television System Incorporation Industrial Union (華視產業工會), the Taiwan Television Enterprise Industrial Union (臺視產業工會) and the China Television Company Labour Union (中視產業工會),¹⁹ were mainly set up by the management and did not function well as an independent labour voice (Chiu, 1993).

Another example of craft unions is in Yunlin, an agricultural county with traditional industries in middle Taiwan, where less than one third of the respondents in the research of Hsu (2012) were aware of the organisation and functions of the craft unions they had joined. Over 40% of his research respondents would have liked their craft unions to be involved in their labour dispute if one had arisen. The most important aspect of joining a craft union was receiving welfare and benefits, such as annual souvenirs, labour education activities, members' subsidised trips, and so on, as more than 70% of the respondents attested.

Chang (2010a) points out that trade union system in Taiwan has five main characteristics: first, private sector unions were difficult to set up, very small in

¹⁸ The United Daily News Worker's Union (聯合報工會) is the first industrial union of the mass communication industry, <http://www.udnwu.url.tw/>. It signed its first collective agreement with the employer United Daily News in 1996.

¹⁹ The Broadcasting Corporation of China (<http://www.bcc.com.tw/>, 中國廣播公司, 中廣) was set up in 1928 by the KMT and is now one of the largest broadcasting companies in Taiwan. The Taiwan Television Enterprise (<http://www.ttv.com.tw/>, 臺灣電視事業股份有限公司, 臺視) was set up in 1962 as Taiwan's first television company owned by the state, the China Television Company (<http://www.ctv.com.tw/>, 中國電視事業股份有限公司, 中視) established in 1968 was the second one invested by the KMT, and the Chinese Television System Incorporation (<http://www.cts.com.tw/>, 中華電視股份有限公司, 華視) was set up in 1971 by the government. They used to be responsible for the three main television channels.

scope and with limited resources; second, public sector unions after liberalisation focused only on their own interests and were unable to stand with the private sector unions; third, craft unions were unions for labour and health insurance only, without any of the function of representing craft workers; fourth, industrial unions were in fact enterprise or factory unions which were fragmentary and difficult to integrate with each other; last, most federation unions were only reorganised or rebranded versions of existing unions and did not make any sense to their rank and file.

Collective bargaining is regulated by the Collective Agreement Act, which was enacted in 1930 and then modified in 2008. Accordingly, the trade unions are the only legitimate bodies to negotiate issues to do with specifying employment relations and to conclude written contracts with an employer or an association of employers. However, the coverage of collective bargaining is very limited (Kuruvilla et al., 2002, Wei, 2003). Only 49 collective agreements had been signed by the end of September 2009, though there were 4,735 unions with a total number of 3,162,346 members and the employed labour force totalled 10,278,000 persons (Ministry of Labor, 2014). Hence, collective bargaining in Taiwan may be described as 'rare and underdeveloped' (Wu, 1999).

Wu and Yang (2010: 33-45) argue that under state control collective bargaining before 2000 was only the by-product of economic precedence, so Taiwanese collective bargaining was not a distribution of power and interests between labour and management or the justification of industrial conflicts, but only a managerial control of the sharing of responsibility and obligation. To some extent, the actual practice of collective bargaining in Taiwan became the employer's mechanism of labour management as unions became their means

of urging workers to observe discipline and take responsibility in the workplace. The government retained the power to make decisions, since both management and labour were attached to the state.

According to Pang et al. (2008: 35-36), there is no collective agreement in seven main sectors: accommodation and food service activities, real estate activities, professional, scientific and technical activities, education, human health and social work activities, public administration, and other service activities, because craft unions in most accommodation and food service activities and other service activities have not engaged in collective bargaining, professional workers in professional, scientific and technical activities, education, human health and social work activities, public administration, and real estate activities lack labour and collective consciousness and do not think of themselves as labour, and the government severely restricts collective bargaining in professional, scientific and technical activities, education, human health and social work activities, and public administration.

Approximately 70% of collective agreements apply to the manufacturing sector which has the greatest number of manual workers, and most collective agreements are signed in industry-intensive cities, such as Taoyuan, Kaohsiung, Taipei and Taichung. Over 90% of collective agreements are fixed-term contracts and 60% of them are effective for three years. However, more than 80% of contracts have gone out of date without any renewal, partly because many collective agreements are in fact not genuine agreements between labour and management but a perfunctory response to governmental policy (Pang et al., 2008: 36-41).

Additionally, no collective agreement has been concluded in the science-based industrial parks where high-technology industries are located (Ministry of Labor, 2014). Whilst trade unions are the only legally representative body for workers in collective bargaining, there is at present no trade union in the science-based industrial parks.

During the governance of the Democratic Progressive Party between 2000 and 2008, the logic of collective bargaining had four determining factors: the politico-economic context, political and/or industrial elites, the characteristics and status of actors in industrial relations, and the power relationships and interaction of workers and management (Wu, 2003). Wu discusses the development of a 'human rights oriented' policy of collective bargaining to gain more votes and public support. In pursuit of this the government started in 2000 to modify the three pillars of collective labour rights in Taiwan: the Labour Union Act, the Collective Agreement Act and the Act for the Settlement of Labour-Management Disputes.

Furthermore, the right of collective bargaining used to be statutory but voluntary. Workers and management had to negotiate whether to bring collective bargaining to their workplace before any formal bargaining began. If one side was not willing to negotiate, the other side could not do anything to insist on collective bargaining. In January 2008, the modification of the Collective Agreement Act, Article 6, changed the right of collective bargaining from voluntary to obligatory. If one party called for collective bargaining to take place, the other side could not refuse without reasonable excuse. This suggests that the government is aiming to get rid of unfair labour practices and to encourage bargaining in workplaces in good faith (Huang, 2008).

Like American and British legislations, Taiwan's latest revision of the practice of collective bargaining, according to Wu (2010b), indicates that it will develop so long as the procedural regulation of the Collective Agreement Act works with the relevant disciplining mechanisms. Moreover, Chen (2010) argues that lack of collective bargaining in Taiwan results from the ineptness of labour legislation in the past rather than from the limited power of the trade unions. He suggests that the modification of the Collective Agreement Act will move collective bargaining shift to greater centralisation as bargaining at the business and local levels becomes the new trend and trade unions grow bigger and are centralised in enterprise and local industrial unions.

However, collective labour legislation in Taiwan has been a means for political campaigns to win elections, no matter which ruling party the president belongs to. It is clear that the change of collective labour legislation is mainly driven by political demand rather than a response to labour needs and therefore the reform of collective labour regulations will ineluctably proceed (Wang, 2010).

2.3. Trade Unions in Taiwan from May 2011 onward

The new regulation of trade union organisations implemented from 1 May 2011 defined three official categories of trade union, namely, corporate unions, industrial unions and craft unions. According to Article 6 of the Labour Union Act:

*Labour unions can be classified into the following three types;
however, teachers can only organise and join the labour unions
referred to in Subparagraphs 2 and 3:*

1. Corporate union: a labour union organised by employees of the same factory or workplace, of the same business entity, of enterprises with a controlling and subordinate relationship between each other in accordance with the Company Act, or of a financial holding company and its subsidiaries in accordance with the Financial Holding Company Act.

2. Industrial union: a labour union organised by workers in the industry.

3. Craft union: a labour union organised by workers with the same professional skills.

The organisational district of a craft union in accordance with Subparagraph 3 of the preceding paragraph shall be limited to the municipal city or county (city) where it is located.

Craft unions retain the same scope of organising workers with the same skill or profession and within geographical limits. The previous so-called industrial unions were renamed corporate unions to reflect the fact that a corporate union is actually organised within a specific workplace or factory. Therefore, industrial unions, such as the National Senior High School Teachers' Union (全國高級中等學校教育產業工會)²⁰, finally act according to the definition by Flanders (1968) to cover employees in the relevant industries and beyond the capacity of the workplace, in order to organise workers in non-unionised workplaces. This was the very first time in labour movement history that teachers had been allowed to

²⁰ <http://www.nshstu.org.tw/>.

organise or join trade unions, even though they cannot form a union within a particular school or institution. Moreover, the amended legislation relaxes the limits of compulsory union membership so that workers now had the freedom to join a corporate trade union or leave one. After 2011, only one corporate union was allowed in any workplace.

According to the state report, at the end of 2012 there were in total 5,225 trade unions with a total of 3,387,524 members, including 233 federated unions, 892 corporate unions (537,419 members), 84 industrial unions (51,603 members) and 4,016 craft unions (2,798,502 members). Compared to the end of 2011, there were now 183 new trade unions, including 8 federated unions, 3 corporate unions, 47 industrial unions and 125 craft unions. The union recruitment rate very slightly increased, by 0.1% to 34.9% at the end of 2012 (Council of Labor Affairs, 2012, Council of Labor Affairs, 2013a).

Nevertheless, the latest statistics (Ministry of Labor, 2016a) reveals that the overall union organisation rate dropped from 37.3% at the end of 2010 to 34.8% at the end of 2011, and since then has been almost stagnating: 34.3% (end of 2013), 33.7% (end of 2014) and later 33.4% (end of 2015). In numbers, industrial unions have increased from 37 in 2011 to 158 in 2015, whilst corporate unions have increased a little from 889 in 2011 to 909 in 2015, and craft unions from 3,891 in 2011 to 4,105 in 2015. The number of people covered by an industrial union has expanded from 34,785 in 2011 to 79,217 in 2015, and the members of corporate unions have risen from 529,685 in 2011 to 547,283 in 2015, but craft union members have gone down from 2,757,499 in 2011 to 2,724,020 in 2015.

Based on the official statistics, the decline of union membership in recent decades does not seem an obvious issue, as it has been in other countries. Apparently, it is still doubtful whether the new Labour Union Act would help the development of Taiwanese trade unions although it seems that the industrial unions are currently flourishing.

In 2016, the new Taoyuan Flight Attendants Union (TFAU) called a strike in front of the headquarters of China Airlines in Taipei from midnight of the 24th June. The union eventually made agreements with the company on the evening of the 24th evening and the picket line withdrew at 11pm the same night. The TFAU was established as a craft union in November 2015 by members originally from the Third Branch of the China Airlines Employees Union (CAEU, 中華航空公司企業工會)²¹. The CAEU Third Branch consists of the flight attendants of China Airlines, who had long been dissatisfied with the CAEU for not speaking out on their behalf but acting as a yellow union. In May 2016, China Airlines announced some changes to flight attendants' working conditions

²¹ The China Airlines Employees Union (CAEU, 中華航空公司企業工會, <http://www.ciunion.net/>) was set up in 1988 by the company at a time when the union officials were directly appointed by the management. It currently has six branches, the First Branch (第一分會) of the employees in the headquarters; the Second Branch (第二分會) of the employees, including pilots, in flight affairs and training centres; the Third Branch (第三分會) of the employees in flight services and in-flight supplies including flight attendants; the Fourth Branch (第四分會) of the employees in the engineering and maintenance workshops; the Fifth Branch (第五分會) of the employees in the China Airlines Taipei Branch, cargo and ground services including ground staff; and the Sixth Branch (第六分會) of the employees in the China Airlines Kaohsiung Branch. Following the deregulation of the Labour Union Act in 2011 and given that it still operates as a pro-employer union, the pilots of the Second Branch set up the Taoyuan Union of Pilots (TUP, 桃園機師職業工會, <http://pilotunion.org.tw/>) in May 2014, the engineering and maintenance staff of the Fourth Branch established the China Airlines Maintenance and Engineering Labour Union (CAMELU, 中華航空股份有限公司修護工廠企業工會, <http://www.camelu.org/>) in September 2015, and the flight attendants of the Third and Sixth Branches organised the TFAU in November 2015. All three new unions have been registered to the Taoyuan City Government. The TUP and the TFAU are both craft unions open to all airlines, but the CAMELU registers as a new corporate union within China Airlines. Therefore, the CAEU along with the company have appealed to the Ministry of Labour to judge the CAMELU as illegal and the Ministry of Labour has approved the case. The CAMELU plans to go through administrative litigation to maintain its legality and justification.

to be made from June, which would result in longer working hours which would not be officially recorded in order to keep in line with regulations. After the TFAU members' demonstration on 31 May in front of the Ministry of Labour, the company and the union were still unable to reach any agreement, so the union held a strike ballot for its 2,638 members on 10 June. In the end, over 90% of the crews agreed to strike. The union finally announced on the afternoon of 23 June that they would come out on strike on 24 June. Not surprisingly, the CAEU blamed and suspected the TFAU during the strike process, and then tried to benefit as a free-rider after the TFAU's success. However, this was the very first time that a craft union had legally gone ahead and won after a strike in Taiwan.

The success of the TFAU has certainly inspired people, though it is still a question whether the company will keep its promises. Trade union movements in Taiwan seem to have been transformed. It is very likely that craft unions and industrial unions will progress in the near future to representing their members in negotiations with their employers and that corporate unions may face new challenges from these unions. Therefore, it is important to study these old unions in the new era.

2.4. Non-Union Representation in the Workplace

Non-union representation refers to the participation of employees in some kind of representative committee supported by the company to express their needs and get involved in some of the decision-making procedures in the organisation, such as joint consultation and works councils (Gollan, 2006). It is 'an integral element in providing the diffusion of information provision and employee involvement through consultation as a means to enhance organisational

performance' (Gollan, 2007: 6-7). There are three types of non-union mechanisms differentiated by their initial formalisation: some by the state, some by the management and others by non-profit organisations such as trade unions (Heery et al., 2004: 21-28). Some commentators argue that management are in favour of introducing some kinds of non-union mechanisms because worker involvement and participation would harmonise industrial relations and increase the productivity in the workplace (Baugher, 2003, Lansbury and Wailes, 2008).

Arguing from evidence about enterprises in Minnesota, Han (2005) analyses work teams, quality circles, suggestion systems and joint labour-management committees to conclude that most employees involved in some kind of mechanism or committee in workplace are merely given a restricted degree of control of non-strategic aspects of workplace, such as production.

A classic example of non-union representation in Europe is works councils, which are a promising form of worker representation compared to collective bargaining, and may be categorised by whether they are based on employee or trade union involvement, statutorily required or voluntarily developed, and by the divergences of privileges and responsibilities (Jenkins and Blyton, 2008). Nevertheless, non-union employee representation has been an emerging issue in Europe since the enactment of the European Works Council Directive of 1994, regardless of the opt-out strategy of the UK at the time. A considerable number of journal articles elaborates on the European Works Councils (EWCs) from various perspectives. In terms of the politics, Stirling and Tully (2004), for instance, argue that to achieve the success and effectiveness of EWCs, people have to realise the problems created by the various languages and cross-cultural communication in Europe, since cultural and linguistic barriers reinforce

the power relationships between different interest groups. Stirling and Tully further state that EWCs are usually composed of interest groups with diverse and potentially conflicting interests. Moreover, Gilman and Marginson (2002) address the factors influencing the nature of the 'constrained choices' in concluding agreements for establishing EWCs. The 'statutory model effect' has strong evidence in its favour, but the 'learning effect', 'country effect' and 'sector effect' must all be considered seriously as well. Lucio and Weston (2000) stipulate that as miscellaneous interactions of supranational regulation and international labour constitutions, EWCs have been formalised by the social and political environment, and new forms of transnational employment and industrial regulation have to be acknowledged.

In relation to works councils in France and Germany, Hege and Dufour (1995) stress the complementarity of union and non-union representative structures. Employee representatives provide a channel of information and communication for the union, whilst the union provides material resources and legitimacy for the representatives.

Chen and Pang (2002) compare collective bargaining and non-union representation in Taiwan, the United States, Germany and Japan and conclude four differences. First, the premise of collective bargaining is the confrontation of labour and management. Although unions exert collective power to negotiate with employers, non-union representation focuses on the sustainability of business and maintaining of employment relations so the labour and management can get the same value from cooperation. Second, trade unions and employers or employer associations are the interested parties of collective bargaining, but the persons concerned in non-union representation are all

members, whether unionised or not, and multi-dimensioned, even though the unions may be involved in practice. Third, collective bargaining concerns the content of labour contracts such as wages, hours and so on, but non-union representation consists of aspects outside labour contracts, including business management. However, it is not easy to distinguish the two by considering the items that they discuss: trade unions may nowadays include more issues in negotiation with management, and non-union representation may discuss affairs relevant to collective bargaining. Fourth, concluding a collective agreement depends on all the representatives in both parties agreeing with each other, so the processes of negotiation or arbitration help to come to a conclusion; in terms of non-union representation, it is not possible to gain the mutual agreement of labour and management representatives on many kinds of issue, for example, economic and financial matters; hence some mechanisms may empower only the employee representatives' rights of information and consultation.

To sum up, non-union representation refers to the representative mechanisms mainly supported by the management, even if they are initiated by the government, the employer or the union. Obviously the issues discussed are not as a rule directly associated with core business operations in whatever country. The debate is always on the relationship of trade unions and non-union representation in the workplace. The present research mainly discusses in the following chapters the types of non-union representative mechanisms and how these mechanisms operate.

2.5. Non-Union Representation in Taiwan

Non-union representation has been available in Taiwan for a long time. The first kind of non-union representation in Taiwan can be traced back to 1929, when the Nationalist government enacted the Factory Act as a practice of competitiveness as well as cooperation (Hou, 2005), to create factory committees which were organised monthly by equal numbers of representatives of both workers and employers to discuss issues regarding employment relations, such as increasing work efficiency, improving the relationship between factory management and workers, assisting with the implementation of work contracts and factory rules, reforming the terms and conditions of the factory, and planning workers' fringe benefits. Meanwhile, statutory committees are the main sort of non-union representation in businesses. They consist of four legal committees convened by labour and management representatives in all enterprises, as follows: labour-management meetings, employee welfare committees, labour safety and health committees (職業安全衛生委員會), and supervisory committees of worker's retirement reserve funds (勞工退休準備金監督委員會). The most important one is labour-management meetings because almost all issues in the workplace can be proposed and discussed at this forum. The other three meetings are specified for different areas in the workplace as their titles suggest. For example, labour safety and health committees are the most direct channel for reinforcing health and safety conditions in the workplace (You and Chen, 2007).

Additionally, the implementation of worker directors on the board was first regulated for state-owned enterprises only, and then extended to the private sector. This concept originated from the German co-determination system as a

practice of industrial democracy, but the outcome is not the same because the economic structures and employment relations are different from Germany's (Wei, 2002). However, Han (2004) compares the different experiences of labour representation in Germany and Taiwan; he concludes that social dialogue is an important factor of a successful representative system but industrial relations in Taiwan do not have the basis of social dialogue to facilitate good practice in workers' representation. The case of the Aerospace Industrial Development Corporation (漢翔航空工業股份有限公司)²², which is a state-owned enterprise specialising in aircraft and engine manufacture and maintenance, demonstrates that partnership between labour and management has not yet been achieved in Taiwan (Hou, 2005).

In addition, financial participation, such as employee stock ownership plans in high-tech industry, is quite popular and a key element in economic growth in Taiwan. It is a mixture of profit sharing and employee ownership and is closely related to enterprise productivity and profitability. High-tech companies take it as a means of attracting and keeping employees (Han, 2003). Non-union committees, alternatively, have shed light on industrial democracy.

2.5.1. Labour-Management Meeting

The organisation, structure and issues of meetings of labour and management are regulated according to the Regulations for Implementing Labour-Management Meeting announced in 1985 and amended in 2001, 2007 and

²² <http://www.aidc.com.tw>.

2014. However, these regulations have no teeth and employers who refuse to hold labour-management meetings are neither penalised nor fined (Wei, 2003).

Based on the above regulation, the rights of reporting, discussing and suggesting form the boundaries of labour-management meetings.

Representatives report on the implementation of the decisions made in the previous meeting, labour turnover, production plans and business conditions, and so on; discuss matters relating to the harmonization of industrial relations and labour-management cooperation, matters relating to working terms and conditions, the planning of labour welfare and the increase of labour productivity; and then make suggestions to do with these issues. Decisions taken at the committee should be forwarded by the business to the trade union or to the department concerned with implementation, and should be reported in writing to the local competent authority for reference. Should the decisions taken prove impracticable, they may be referred back to the next meeting for further consideration.

The regulation seems intended as a channel of labour and management communication and as a counterpart of the works councils in Europe, but the paradox is that in practice the rights of representatives are not as 'real' as a system of 'co-determination'. Issues dealt with in labour-management meetings are matters relating to the harmonisation of industrial relations and labour-management cooperation, relating to working terms and conditions, the planning of labour welfare and the increase of labour productivity, but are not the critical issues of working terms and conditions or the enterprise's basic operation. Committees do not have any essential impact on businesses (Chen and Pang, 2002, Cheng, 2000, Huang et al., 2003).

Furthermore, decisions made at the labour-management meeting are not mandatory, even though the meetings may take place regularly and smoothly (Chen and Pang, 2002, Cheng, 2000, Huang et al., 2003, Wei, 2003). If the enterprise were not willing to implement a decision taken by the committee, workers would not be able to ask any unbiased outsiders for conciliation or arbitration, even if they supposed that the enterprise did not think highly of the labour-management meeting. This crucial problem of the institution provides employers with the means to avoid sharing control with workers.

Moreover, Hou (2005) has some conclusions about issues arising from labour-management meetings. First, the regulation of labour-management meetings is in fact a 'public law' which without redress heavily intervenes in the 'private law' area of labour contracts, relying mainly on legislation to override bargaining in good faith. Second, labour-management meetings help peaceful negotiation between workers and management, but both sides will damage the purpose unless they have mutual trust and cooperation. Third, the roles of labour and management representatives are not easy to distinguish in state-owned enterprises, because management representatives are agents of the state and labour-management relations are actually labour-government relations. Fourth, labour representatives may not be able to fulfil their role if they are not backed up by the union, because there is a risk that management will take revenge for their behaviours in meetings when they cease to be labour representatives. Fifth, labour-management meetings may function as the employer's rubber stamp, because some management representatives take these meetings as an extension of regular company administrative meetings and seek approval from the labour representatives in partnership in labour-management meetings as the foundation of industrial democracy. However, voluntary, peaceful

negotiation cannot proceed when management and representatives do not have a basis of mutual trust and only their asymmetric relationship exists.

Furthermore, Chen and Pang (2002) argue that the involvement of the union in labour-management meetings may result only in conflict instead of cooperation between labour and management. If the agenda of labour-management meetings covers matters of collective bargaining both mechanisms may become entangled.

However, labour-management meetings are still a practice of workplace democracy, giving labour representatives the chance to participate with management in work-related affairs. Nevertheless, the practice needs enforcing mechanisms to guarantee its continuance and legislation plays an important role in determining whether industrial democracy may or may not be practised (Huang, 1996). Moreover, in a country such as Taiwan, where trade unions have not yet matured enough to negotiate labour conditions, labour-management meetings are essential for helping mutual agreements to be made between labour and management (Chou, 2011). In spite of the argument that decisions at labour-management meetings are not mandatory, Chou (2011) analyses several court verdicts of courts to demonstrate that labour-management meetings are in fact recognised as legitimate by courts of law. These meetings provide an important representative mechanism until collective bargaining becomes available to all workers.

Chou (2011) further proposes some possible ways of enhancing labour-management meetings, such as upgrading the regulations on implementation to the status of laws, assuring the independence of labour elected representatives,

adding regulations to protect labour representatives, clarifying the powers of labour-management meetings, and so on.

2.5.2. Worker Directors

The issue of having worker directors on the board in Taiwan was initially proposed to the public by the Chunghwa Telecom Workers' Union in January 1996. This union has been the most active in the country since 1996, when its president was for the first time elected from the rank and file. However, the government did not consider the issue at the time. In June 2000, however, the Legislative Yuan passed the amendment to the Administrative Law of State-Owned Enterprises (國營事業管理法), which is the only statute to refer to worker directors in Taiwan; the amendment allowed worker directors recommended by the trade union and appointed by the enterprise to be the representatives of state capital on the board. According to Article 35, the boards of state-owned enterprises have to nominate worker directors to represent state capital, letting each one of these worker directors represent 20 percent of the state capital invested.

Article 35 of the Administrative Law of State-Owned Enterprises (Legislative Yuan, 2011) says,

A director, auditor, trustee or supervisor of one state-run enterprise shall not concurrently hold the same position in another state-run enterprise, except for the purpose of merger or the establishment of holding companies. Under such exceptional circumstances, the director and trustee of one state-run enterprise may concurrently hold

the same position in another state-run enterprise, as well as holding the positions of auditor and supervisor. The director, auditor, trustee and supervisor who hold the same position in another state-run enterprise may be elected as the chairperson or, vice chairperson of the board, or another equal position.

At least one fifth of the directors and trustees of one state-run enterprise who represent state capital shall be recommended by the relevant labour union.

The labour union may replace the recommended directors and trustees who are considered incompetent.

Huang and Lin (2004: 13-17), from a legal perspective, argue that although the worker directors are nominated by the union, their rights, obligations, and qualifications are the same as the other (state-appointed) directors, which may make it difficult to select worker directors. Additionally, the role of worker director is ambiguous because of their relationship with the state-owned business and the state, as well as the union (Wei, 2002: 244-246). Therefore, trade unions in state-owned enterprises have adopted their own regulations on the election and recall of worker directors, mainly focusing on ways to select the appropriate candidates, but also emphasising the obligations on these people to the union and their fellow-workers and indicating the establishment of advisory committees to support worker directors; apparently unions are more cautious than employers about the practice of worker directors on the board (Huang and Lin, 2004: 158-164).

Regardless of the flawed legislation, worker directors have been introduced by many state-owned and privatised ventures, such as the Aerospace Industrial

Development Corporation (state-owned), the Taiwan Sugar Corporation (state-owned, 台灣糖業股份有限公司)²³, the Chunghwa Telecom (privatised, 中華電信股份有限公司)²⁴, the China Steel Corporation (privatised, 中國鋼鐵股份有限公司)²⁵, the Land Bank of Taiwan (privatised, 臺灣土地銀行)²⁶, and so on.

Nevertheless, a few state-owned corporations do not set up worker directors, such as the Bank of Taiwan (臺灣銀行)²⁷, which is the only national bank without a worker director.

Nevertheless, worker directors on the board may play a crucial role in the process of privatisation. Ku (2007) analysed the case of the Chunghwa Telecom Company with its union, the Chunghwa Telecom Workers' Union, and showed that the labour representatives of industrial democracy functioned to connect the company with the union, which in addition earns more support for the union in representing its members' interests.

2.6. Trade Union and Non-Union Representation in Taiwan

The focus of representation at work began with the organisation of trade unions, but then extended to non-union mechanisms as well, since the decline in trade unions has become universal. Suggestions of union revitalisation have been made, but non-union representation is no substitute for unions. The research by Chiu and Han (2005) on the antecedents of supporting representative

²³ <http://www.taisugar.com.tw>.

²⁴ <http://www.cht.com.tw>.

²⁵ <http://www.1st.com.tw>.

²⁶ <http://www.landbank.com.tw>.

²⁷ <http://www.bot.com.tw>.

mechanisms in the workplace finds that the influence of the union is related to the level of workers' support for systems of representation. Thus, the future of worker representation in Taiwan consists of three components: collective bargaining, labour-management meetings, and worker directors (Wei, 2002: 249). Despite the statutory efforts, as Wei suggests, trade unions will play a key role in reinforcing these mechanisms provided that they have better and stronger structures and organisations.

The Taiwanese non-union representation system has mainly been regulated by the government, though any individual entity may set up its own mechanisms. In unionised workplaces, trade unions usually have the privilege of being involved in non-union representing committees with which the unions may compete or cooperate. However, it seems that quite a few enterprises basically follow the state's legal requirements for the sake of compliance, not in order to build good communication between labour and management. As a result, one question to address is whether and how these non-union representative mechanisms function in practice.

As discussed previously, trade unions which used to be called industrial unions are now renamed corporate unions, whilst the state in fact has extended the coverage of the new corporate unions. It has been a long-term argument that Taiwanese trade unions are only 'flower vase' trade unions (花瓶工會), 'capon' labour unions (閹雞工會) or yellow unions, which are nothing more than servile followers of their employers in the workplace and are not organised to serve the workers. Following the enactment of the new Labour Union Act on 1 May 2011, all kinds of new trade unions are very likely to be established. Instead of investigating the new trends of trade unions, the present study looks back at the

corporate unions, formerly the industrial unions. The change in collective legislation also constitutes a challenge to revitalising these old trade unions today. One specific aspect to be discussed in the following chapters is the representation of trade unions compared with non-union representation. This research argues that non-union representative mechanisms provide corporate unions with a platform to interact with the management and fosters their legitimacy and power in the workplace. Trade unions also ensure and improve the regular and sound practice of non-union representation.

Chapter 3. Paternalism and Collective Identity at Work

Paternalism is a predominant characteristic of the work culture in Taiwan, where employers tend to manipulate workers in an authoritarian, benevolent and moral way. It has been a top-down ideology to which workers have been imperceptibly familiarised by the government in order for it to maintain political control and economic development and is still influential nowadays. Under this ideology, employers take care of workers' lives outside the workplace, for instance, their accommodation and education, in order to secure a docile and loyal workforce in return. As a result, it is more familial than dictatorial in nature.

Identity at work emerges from one's various experiences of individual life, work and so on. Each individual has views about him/herself as well as relationships with associated groups, such as identification with their place of work. As a result, identity at work remains a vital element in shaping and changing the nature of employment relations. Therefore, it is important to learn how workers may identify themselves in a unionised workplace, whether they have collective identity or not. Collective identity at work may help trade unionism in that in terms of member recognition it is a fundamental factor of union development.

After reviewing the theme of identity at work in the Western literature on this topic, the focus shifts to the circumstances of identity at work in Taiwan. As briefly addressed in the first chapter, the lack of a collective identity has been a dominant phenomenon of Taiwanese employment relations, for individualism has always been emphasised. In its last section, this chapter reviews the relationship between paternalism, collective identity at work and trade unions in Taiwan. Briefly, paternalism has been an important factor influencing collective identity at work and the development of trade unions and so this research

required a clear view of the background to facilitate further findings and discussions in the chapters to come.

3.1. Managerial Paternalism in the Workplace

‘Paternalistic forms of leadership involve practices by which organizational loyalty is engendered by treating the workplace as an extended family, where workers are nurtured, protected and controlled’ (Rajan-Rankin, 2016: 231). In a paternalistic workplace, employment relations are viewed rather as family relationships which the employer manipulates employees by taking care of their needs in pursuit of a harmonic and sheltered environment. Kerfoot and Knights (1993: 665) argue that paternalistic management adopts a family-like face to look after workers whilst exercising its power and thus reduces strain in the workplace.

Paternalism is predominant in industrial relations in Taiwan, since the government used to promote it as a nationwide policy. Paternalistic employment relations not only impact on trade union organisation and activity but also influence the way in which employees sense and identify themselves in the workplace. Farnham and Pimlott (1995) identify four managerial forms of industrial relations in terms of the various degrees of labour participation that they produce, namely, authoritarian, paternalistic, consultative and participative. Authoritarian management is the traditional management style which sets the employer as the one and only authority in the workplace without or with the least possible employee participation. Paternalistic management may have low employee involvement but holds a pluralistic view of the workplace.

Consultative management warmly encourages workers to become involved in

managerial decisions, yet maintains management as the ultimate decision maker. Last of all, participative management is in general open to frequent instances of labour participation in a pluralistic workplace.

Paternalism may be classified into three types: traditional paternalism, welfare paternalism and sophisticated paternalism. Traditional paternalism applies paternal authority to the workplace and is usually observed in small organisation, where the employer interacts directly as a parent with the employees. Welfare paternalism can be seen when a workplace takes on more workers, making the welfare and benefits on offer more formal and regular. Third, sophisticated paternalism uses official channels and institutions to deal with the sharing with employees of welfare and benefits, yet maintains its devotion to the paternalistic tradition of management (Wray, 1996: 702-704).

Moreover, trade union recognition may be a feature of definitions of paternalism and, in Deaton (1985), paternalistic management offers consultation and information to workers without much recognition of trade unions or the interests of formal industrial relations. Nevertheless, paternalism in general pays attention to individualism; thus, labour's interests are emphasised despite reducing production costs and increasing labour dedication; and, in addition, modern paternalism is concerned to cooperate, so unions have a chance to influence decision making in the workplace (Kessler and Purcell, 2003).

Workers in a paternalistic place of work are usually pledged to their employer and as a result are guaranteed a better chance of remaining employed (Edwards and Wajcman, 2005: 124). Besides, Ashwin (1998) investigates that when experiencing difficulties in the workplace individual workers under the

system of the Soviet paternalism tend to seek for authoritarian leadership which guarantees stronger security for their necessity of lives.

Paternalism means that management not only manipulates work conditions but also provides care for the employees' welfare. Paternalistic leadership is a common characteristic in Chinese organisations, but may exist in other cultures provided that employers and their subordinates are in need of a paternalistic approach (Pellegrini and Scandura, 2008). Deyo (1989a: 152-166) categorises East Asian labour systems into six types: (1) patriarchy in small family firms where patriarchal authority dominates both economic and non-economic activities and close relations reinforce male control, especially in Hong Kong and Taiwan; (2) communal paternalism in large domestic businesses in Hong Kong and Taiwan, where workers receive more non-economic benefits such as training and job security; (3) bureaucratic paternalism, as in Singapore, for white-collar, high status workers in multinational companies, who enjoy job ladders, an internal labour market and so on; (4) patrimonialism in large Korean domestic enterprises, with a dependable and obedient labour force, owing to job uncertainty and enslavement; (5) hyper-proletarian paternalism towards low status female workers in multinational companies or export-processing zones, where workers must totally rely on their salaries; and (6) stable proletarian paternalism towards low status, white collar workers in heavy industries, who in general are entitled to better wages and greater job security than hyper-proletarian workers are.

Some early studies show that paternalistic values may be found in Taiwanese enterprises, including even foreign invested companies and management tends to practise paternalistic management as a way of helping its employees (Chang,

1985, Chang, 1987). Cheng, Farh and their colleagues (Cheng et al., 2000, Cheng et al., 2004, Farh and Cheng, 2000) analyse paternalistic leadership as father-like, dictatorial generous and consisting of three elements, namely, authoritarianism, benevolence and morality. Authoritarian leadership means that management is the single authority and workers have to obey and respect it without hesitation or objection. Benevolent leadership shows individual care for both the life and work needs of employees who are viewed as family members and are grateful to management (Lin and Cheng, 2012). Moral leadership emphasises and practises standards of morality in order to persuade followers to agree and perpetuate the same values. In consequence, paternalistic leadership involves both individual and collective levels in the workplace (Cheng et al., 2010).

In Taiwan, employees under paternalistic leadership have more normative obligations than Western leadership imposes, but benevolent and moral features are much more influential than authoritarian (Cheng et al., 2004). Authoritarian management and benevolent management interact in influencing employee reactions, whilst authoritarian management improves workers' effectiveness and benevolent management helps their strength of mind (Chou et al., 2010). In fact, the interpersonal relationships of managers and their employees in enterprises have an impact on organisational function (Lin, 2010). Taiwanese workers are likely to follow management directions if they understand and anticipate the advantage of these directions (Bu et al., 2001a). Faith and doubt in paternalistic management in fact affect the effectiveness of workers (Jiang et al., 2012).

Paternalism is a capital and labour relationship when management compels its subordinates to exchange their labour for wages and elements beyond this, such as welfare (Chou, 2002). In terms of exploitation, paternalistic management often pay employees more than their output, yet the organisation still earns sufficient revenues (Liu et al., 2010). However, Bae et al. (2011) observe that managerial style in Taiwan has shifted from being paternalistic to something that offers less job security and so on, as a result of responding to environmental changes such as globalisation.

The definition of paternalism for use in this research is that the party in authority, which in the workplace is the employer, rather than having an antagonistic view of its subordinates, the workers in the workplace, may look after their needs and create a culture of harmony and universal values, allowing people in the same workplace to view each other as if in a family and follow the discipline set by the employer. Paternalistic management, as we have seen, has three important characteristics: authority, benevolence and morality. Employers act to exert their power and influence, offer a form of 'parental care', and pursue practices designed to show that the company constitutes a united group. The campaign to have the 'factory as one family' is a symbol of paternalistic management in practice, making employees tame, docile and grateful to their employer.

3.2. Identity and Work

Identity shapes the ways that we act, teaching us how to respond to the environment and differentiating us from others. It emerges from our close relations with specific circumstances which at the same time limit the available sources of definitions and conceptions as well as creating the process of

identity. Sociologically, identity includes concepts of the self as well as concepts of one's roles and reference groups; this sense of identity helps people not only to defend themselves against challenges from external control but also to interact with other people who may help them in this defence. In addition, identity is the foundation on which we can oppose outside control and at the same time empower ourselves to pursue our own interests within the organisation. People struggle to exert control over their environment and in order to sustain their identity fight against pressures from outside agents to define their identity for them (Thompson and McHugh, 2002).

Personal identity comprises the definitions and conceptions that we find in previous experiences and that exactly represent us, whereas social identity emerges somewhere between our personal identity and the definitions and conceptions demanded of us in our present social contexts (Thompson and McHugh, 2002, Watson, 2008). Self-identity and the identity that others attribute to individuals form another duality, where self-identity refers to the way that one builds up the concept of the self (Leidner, 2006, Watson, 1995, Watson, 2007). Alternatively, identity embraces individuality concerning personal lifelong participation and the individual composition of social connections, together with collectivity, which focuses on recognitions, such as class, held in common with others (Leidner, 2006: 426). In general, identity can be defined as having two distinguishing aspects: one aspect is from individuals themselves or from internal, so-called personal identity, self-identity, individual identity; the other, which may be collective in origin, is from the external social contexts outside individuals and from the interaction with others, namely, social identity.

Both sociologists and social psychologists are much interested in social identity; however, sociological analysis, emerging from symbolic interactionism, focuses mainly on its structure, whereas socio-psychological analyses pay more attention to the process of identification (Capozza and Brown, 2000). Watson (2008: 131) in addition distinguishes five categories of social identity: social-category social identities (nationality, class, etc.); formal-role social-identities (including citizenship, occupation) local-organisational social identities (such as is held by all members of staff at the London School of Economics and Political Science); local-personal social-identities (for example, a nice professor at the London School of Economics and Political Science) and cultural-stereotype social-identities (for instance, a diligent student). However, these models are not always clearly separate from each other.

To go beyond the distinction of personal self-identity and social identity, Watson (2007, 2008) suggests that we have to consider both kinds of identity at the same time, because “self identities” are indeed “social” phenomena’ (Watson, 2008: 130). He defines social identity as the combined external cultural occurrences of individuals and as contributions to their personal identity. People normally accept their own identities as true without proof and only when they experience the marginality of their position, such as in encounters with different cultures, will they examine the notion of identity and act as they should (Watson, 2007).

With identity in organisations, two main concerns arise, individual identity and organisational identity. Individual identity is the way that members locate themselves in the organisation, where they behave and interact with others; organisational identity defines the way the way that the organisation identifies

itself (Brown, 2001). However, to better understand identity in organisations, Kreiner et al. (2006) argue that boundary dynamics have to be applied within and between individual and organisational identities. Self-identities in organisations fall into seven types: self-doubters, strugglers, surfers, storytellers, strategists, stencils and soldiers, according to an impressive study by Alvesson (2010) which analyses how individuals research their sense of self. The process of shaping identity can become part of management's control over work in organisations. It may practise different discourse and activity at various levels of intensity to make employees identify with the company and regulate themselves according to organisational requirements (Alvesson and Willmott, 2002).

Work is an important foundation of identity since human beings learn to transform themselves from their own working experiences. Organisations are endless processes of identification and division at work (Koot and Ybema, 2000). Reviewing the interconnection between the sociology of work and identity, Leidner (2006: 431) addresses four theoretical aspects of analysing identity at work. First, different sorts of work in the market involve specific skills and individuality and the individual is usually shown from his/her personal training and development to be an advantageous good on the labour market with reference to these skills. Then, career ambitions become the principle around which people arrange their ways of living and construct their identity, with the result that everyone constantly acquires knowledge of ways to be successful through individual actions. Third, many kinds of culture, compliance and preference build identity through the different people at work, which is a main reason for constructing distinctiveness of others. Finally, one person's roles as both worker and customer should be both close and vague, because

his/her understanding of being a customer may relate to or have an impact on his/her working experience.

From the standpoint of poststructuralism, the foci of the organisational manipulation of labour subjectivity include the following features. First, consideration shifts in some measure from collective identity to the trickier area of individual identity. Second, the resources to maintain a protected and sovereign work identity are generated in settings beyond the workplace, although the latter remains a vital arena of power relationships and of identity. Third, the discussion of workers' subjectivity has been expanded to encompass actions towards management, not resistance to management alone. Fourth, an individual's concern to build an absolute identity is a result of being captured in a power relationship (Leidner, 2006: 446).

Drawing on her conceptual framework from a critique of the sociological and socio-psychological literature, Westenholz (2006) suggests that discussion of work and identity ought to go beyond differentiating between actor and structure, or between micro and macro. Identities are 'socially constructed stories about individuals and their surroundings as they engage in social work practices' (Westenholz, 2006: 1018). The differentiation of actors and structures as well as micro and macro levels is not creative, and the explanations of both pairs rely upon each other. Among IT workers, for example, emerging identities at work arise from meaning arenas which are unstable structures. Each person may at the same time have multiple identities at work derived from the surroundings and contexts and individuals can switch between various identities since they have their own genuine channels from one to another (Westenholz, 2006).

One trend of recent research suggests that work is no longer an important basis of identity but being a consumer is (Bauman, 2005, Beck, 2000). In arguing that work remains a dominant force in identity, regardless of the changing nature of employment relations, Doherty (2009) observed different organisations in Ireland, including a bus company, governmental division, bank and supermarket, which all exhibited contradictory characteristics of work; for example permanent as opposed to temporary workers, full-time versus part-time, blue-collar versus white-collar, and so on. The research evidence showed that workplaces are still the arena where employees gain and fulfil their personal and social identity despite the new forms of employment, but their voice at work is actually a new challenge. Workers may be detached from the organisation and collective representation, especially trade unionism, has to be adapted to the irregular features of work (Doherty, 2009).

One concern of identity at work is whether the identity of knowledge workers is different from that of manual workers due to diverse labour processes. The IT workers of five software organisations in Scotland, for example, mostly clarify their self-identity according to their societal and cultural background, such as the class of their parents, but they may identify their occupation according to their economic circumstances (Marks and Baldry, 2009). Therefore, Marks and Baldry (2009) maintain that the class identity of knowledge workers is not the same as that of traditional workers, since their greater economic prosperity conflicts with their sense of cultural identity. Class identity, it seems, is not to be defined by wealth alone but by a combination of various values.

However, Alvesson (2001) argues that knowledge is a fairly vague concept which makes it complex to protect the identity of knowledge workers. To join a

knowledge-intensive organisation, such as a high-tech company or law firm, a person has to adopt a certain corporate identity to fit its expectations.

Identification with the company is some kind of intellectual control over as well as normalisation of the labour process. Knowledge workers learn to be a member of a company following particular regulations, values and ideologies, especially in reputable and well-salaried work. Eventually, the identity of knowledge workers is managed by their knowledge, which at the same time builds up, manipulates and maintains both their organisational and work identities.

Another attractive theme of identity and work is the identity of workers who participate in some kind of involvement mechanism in the workplace; this is further discussed with the empirical data of the present thesis. Baugher (2003) examined worker identity among those who joined an employee management participation scheme in a General Motors plant in the United States. He considered some classic theories: a Marxist view of participation as a form of political manipulation; another Marxist view of them as workers identifying with management through their quasi-supervisory roles; a Weberian analysis of class established by background and also struggling for collective identification; and a Durkheimian view entailing the construction of a mutual perception between labour and management. According to Baugher's analysis, each employee who participated in management became a 'man in the middle' in the workplace, feeling the tension between upper management and the rank and file. However, more than three-fourths of his interviewees believed that their main responsibility was to represent their team members when they were positioned between operators and management. Eventually, it was found that

the Durkheimian perspective on workplace norms is the most important factor in constructing workers' loyalties (Baugher, 2003).

To sum up, every single person has a variety of identities to differentiate themselves from or recognise themselves with others and to format how they behave or interact with others. Their identities may be self-identity, personal identity or individual identity, generated from their internal view of themselves, on the one hand, or social identity, organisational identity or collective identity, which comes from their external environment and the way that they see themselves socially, on the other. As a result, identity at work remains an important domain of social identity. The way people view themselves at work is influenced by their workplace and at the same time it influences how they do their work as they identify themselves in order to act. Overall, this research defines identity as the way in which individuals view themselves in a group, especially in a working environment. With their identity at work, people behave or react to support and agree with the group they belong to in the workplace, for example, a trade union.

3.3. Collective Identity and Trade Unions

Trade unions are agents of class struggle, since employment relations consist of making the best use of labour and the lack of protection for labour and workers' identity is a component of class consciousness. However, each person has numerous identities and different identities play different roles in different circumstances. Individuals have identities in work and non-work at the same time, but non-work identities such as community identities may weaken class identity. It is difficult to know whether workers will act collaboratively or against

one another. Besides, who to oppose is always not easy to discern (Hyman, 2001).

However, social identification is an important factor in mobilising collective actions. According to John Kelly's framework of mobilisation theory (1998), social identity helps individuals to identify themselves as members of a particular group and a sense of belonging consists of collective interests and values. The behaviour of the group members will be influenced by some stereotypes of the group, since a group is characterised by its own ideologies and values. Social stereotyping results in social attributions, which help members to reassure themselves about their identification with the group so that they can perform collectively. However, whilst collective action relies on social identification, other factors, such as cost-benefit calculations, leadership and so on, determine the eventual occurrence of a collective action (Kelly, 1998).

Collective action by union members is based on individual participation. Kelly and Kelly (1994) surveyed a group of union members in London to examine some of the socio-psychological factors related to collective action, such as group identification, collectivist orientation, outgroup stereotyping, perceived intergroup conflict, egoistic and collective relative deprivation and political efficacy. The sense of 'we' as a particular group, in contrast to 'they' who have different and conflicting interests, is very important to union participation. Hence, Kelly and Kelly conclude that personal identification with the union and individual awareness of industrial relations between labour and management go far to determine the individual's involvement in union activities. Collective action emerges from individual recognition with the union.

Following Kelly's work on the mobilisation of union members (1998), Cregan et al. (2009) conducted a survey of members of an Australian union in order to examine how social identity and transformational leadership, two elements of Kelly's theory, influenced union organising. The social identification of workers facilitates union members' participation in different union activities.

Transformational leadership by the local union representatives influences members' participation and trustworthiness. In addition, Cregan et al. demonstrated that social identity is an important factor of mobilising union members, especially in mediating the influence of the transformational leadership of the union. Social identity and transformational leadership therefore between them generate the mobilisation of trade union members.

Moreover, Blader (2007) discusses the impact of two socio-psychological factors, social identification and procedural justice judgements, on whether workers support the formation of unions, in two empirical studies in the United States. He concludes that identification with the union is an important factor of unionisation in spite of various economic concerns, though identification with broader employment relations has less influence on union certification. Social identity remains a mediating factor of procedural justice judgements in the process of certifying a union, when economic factors have fewer impacts than these two factors.

The union is a platform for collective identity beyond gender, race and so on (Moore, 2011). Based on the experiences of 30 union representatives and activists in the UK, Moore (2011) argues that the diverse backgrounds of union members have helped a new trade union activism to embrace all kinds of minorities; unions are empowered and willing to challenge every kind of issue

related to ethnicity, sexuality and much more rooted in the common identity in the workplace. Trade unions therefore have a mission to enrich and revolutionise society.

To sum up, identity is an important factor of trade union movements. Only if members identify themselves with and support the union will the union be empowered to negotiate and fight for its members. A trade union has to find ways to enhance members' collective identity, too. Therefore, this research pays attention to labour's collective identity with unions and discusses how this kind of identity may be observed in trade union mobilisation.

3.4. Identity at Work in Taiwan

Since the 1990s, grass-roots social movements in Taiwan have reflected the pursuit of a system of universal social welfare from collective action; however, politics of identity of Taiwan within social movements have influenced class issues (Chuang, 2002).

Sun and Hwang (1997) argue that the lack of working class identification in Taiwan is due to the fact that most workers come from a background of farming families, so they do not share in the collective experience of an urban work background and the career of a worker may easily take a turn into self-employment (Shieh, 1989), whether in the industrial or service sector. Therefore, Taiwanese workers are quite different from British ones, whose family, friends and colleagues usually come from the same working class and who generally have fewer opportunities to change their work careers, according to Goldthorpe et al. (1987) (Sun and Hwang, 1997). Besides, during the rapid industrialisation

of Taiwan, most people left their families and their rural homes and moved to urban areas to work in industry. With the newer generations the farming class swiftly disappeared but a non-farm or non-manual class sprang up (Tsay, 1997).

Kuan and Hwang (1997) further point out that Taiwanese people in general believe in inborn attributes, such as intelligence and exertion, as the main explanation for personal success and fail to fully understand the structural influences including job markets, industrial structures and so forth. Therefore, many people may dream of becoming a boss but do not realise the difficulties of crossing the boundary of class, as a result of some mechanisms of socialisation, for example 'black-hands becoming their bosses' (Shieh, 1989). This kind of stratifying belief in Taiwan prevents the existence of structural factors from invoking class consciousness so as to encourage collective movements. Even though the society is not fair and not open, people still believe it to be a fair and open society for the sake of self-fulfilment rather than going down the path of collectivity (Kuan and Hwang, 1997).

In Taiwan, class consciousness may be viewed as people identifying themselves as having, to some extent, a different economic and social status from others, but the new middle class or the professional-managerial class people find it ambiguous and contradictory to identify themselves as working class or middle class, according to a project comparing evidence from Taiwan, Sweden and the United States (Hsiao, 1994). Hsiao (1994) indicates that the formation of a new middle-class in Taiwan is still incomplete, so people are inconsistent and conflicted in their class identity and class consciousness. Still, this implies that Taiwan's new middle-class have some possibility of changing and shaping their ideas.

To understand workers' identity in Taiwan, Wu (1994, 1996) analysed the data collected in 1992 in conjunction with an international project. He studied the sources of class identity and further treated class identification as independent to check its relationship with other features of class consciousness, including class opposition, class totality and the conception of an alternative society. The results indicated a relatively strong identification with the working class, but his respondents identified class mainly on the basis of objective economic terms. Apparently, workers' failure to have a voice was due not to the absence of class identity, but to the absence of a consistent attitude to other aspects of class consciousness.

Wu (1996) argues that worker identity in Taiwan is in reality 'hollow'. People may have a high awareness of class stratification but they do not have class consciousness, mainly because the term 'labour' in Chinese is widely used by the state to regulate workers' welfare. Furthermore, workers generally believe with little opposition in the unfairness of capitalism in society. Most workers are employed in small workplaces where they relate closely with management and are not much aware of industrial conflict. The sense of being working class is raised by social and public policies and not by conflicts between labour and management. The relatively high sense of class identity does not imply class struggle in Taiwan.

In addition, the second cycle of the Taiwan Social Change Survey (Chiu, 1992a) investigated Taiwanese social structures, including occupational careers, class identity, class relations, social justice and so on. Two sets of questionnaires were shared among the respondents (one each) and all were asked to indicate which social class out of the six named ones they belonged to: was it upper,

upper middle, middle, lower middle, working or lower class? In Questionnaire I, with 2377 respondents, the results were upper class 0.6%, upper middle class 7.9%, middle class 39.7%, lower middle class 13.6%, working class 27.9% and lower class 8.2% (Chiu, 1992a: 218). The results of Questionnaire II, which had 1408 responses, were upper class 0.6%, upper middle class 5.7%, middle class 38.6%, lower middle class 10.1%, working class 33.6% and lower class 8.5% (Chiu, 1992a: 242).

Based on the data from Questionnaire I of the survey, Marsh (2002) studied social class identity and class interest in Taiwan. He argued that social class identity is quite unimportant there because people's attitudes to class are not influenced by their class identity and in fact people might not have chosen any of the above classes if they had had the option 'None of the above'. Taiwanese subjective class identification is related to objective factors, such as gender, education, age, occupation, income and so on. In fact, class identification in Taiwan does not relate to attitudes to class issues. For example, those Taiwanese who identify themselves as working class usually approve of cooperation between labour and management instead of conflict (Marsh, 2003). Hence, Marsh (2002, 2003) would expect the development of class identification in Taiwan as changes in one's personal stratum emerge.

Interestingly, Hsiao (1996) reviews the formation of a working class in Taiwan since the 1970s from a series of writings by five authors: Yang Qingchu (楊青矗), Chen Yingzhen (陳映真), Zeng Xinyi (曾心儀), Mo Shangchen (陌上塵) and Zheng Junqing (鄭俊清). They have written many stories about workers, though the tragedy and hesitation of the era are the main concern of the stories rather than the workers themselves. The stories mirror the transition to industrialisation

and liberalisation in Taiwan, in such figures as temporary workers struggling to get a permanent post, rural girls making a life in the city, factory workers' awareness of and failure of unionising, and so on. Hsiao (1996) argues that their writings, albeit not academic in character, still imaginatively reflect features of the Taiwanese working class, for instance, a sense of the disadvantages of being a temporary worker and a female, an unfortunate operator in a factory and the subordination to capitalism as well as a true belief in it.

To conclude, from the evidence of these folk novels, Taiwanese workers have gradually been transformed over decades from individuals to a collective social class. Trade unions have slowly become actors in defence of the working class since the mid-1980s through their awareness and acknowledgement of workers. In addition, the objective societal separations were universally recognised by people without any question or doubt. In the cases of conflict with management, workers sought only to improve their situation within the social constitution but did not refuse or deny it. For this reason, the working class agrees with capitalism and accepts social inequality (Hsiao, 1996).

Comparing his study with that of Burawoy (1979), Shieh (1997) researched subcontracted networks of workers and workers doing piecework in Taiwan and indicated that shaping the subjectivity of labour is a dynamic process of development. Piece-work implies the complete commercialisation of labour. Workers and employers have a common view of labour and the labour force of piece-workers as real commodities. Employers simultaneously doing piecework alongside piece-workers regard them as co-workers or partners and consider that there is a pure bargaining relationship of prices between them. Piece-work labourers believe that the work-wage relationship is only something to

exchange on the commodity market rather than the labour market and agree not to be paid additionally for weekends or holidays. As a result, workers are not aware that an employment relationship exists until a labour dispute occurs (Shieh, 1997).

Shieh (1997) introduced the notion of the piece-working consciousness resulting from piece-work, which has four aspects. First, workers view themselves as 'small bosses' taking charge of their own risks. Second, the 'labour only' consciousness makes workers regard their labour as a pure commodity. Third, workers come to the factory when there is work but go home whenever there is no work, moving freely in theory but in fact standing by at times without pay. A virtually free consciousness is constructed. Fourth, the blurring of the employment relationship results in a specific class consciousness in which piece workers believe that all the contributors to the workplace are themselves partners in the business, rather than the managers and employers.

Industrial relations in Taiwan were extraordinarily peaceful without the input of labour voices before the lifting of Martial Law in 1987, when the state manipulated trade unions as creatures of its political propaganda (Chen et al., 2003, Lee, 1999). Companies managed employees using various contrivances and limited only by national regulations. Workers were subordinated to capitalism as well as to the state. In contrast, after the lifting of Martial Law, plant closures and labour disputes emerged rapidly, whilst the state passively intervened and some cases failed to intervene at all in an attempt to escape from the disputes. However, the absence of government involvement resulted in more despotic employers and more exploited labourers (Shieh, 1997).

From an anthropological standpoint, Simon (2000, 2005) observed the changing labour process of the tanning industry in Taiwan with two concepts: technical divisions and gender divisions. The tanneries used to be family-owned, small and manually-oriented, in which the men did the more sophisticated work such as splitting leathers and wet tanning, whilst the work of the women and children was less skilled, for instance, drying hides. Apprenticeship was part of the system of production, but masters always hesitated to give apprentices high-skilled tasks, to avoid mistakes and waste of materials. At the time, the class identity of tanners was implicit, because the division of masters and trainees came from the ownership of skills.

Later, due to the development of technology and machinery, the tanning industry became capital dominated. People could simply buy machines and employ skilled workers to set up a factory; even the owner had little knowledge of tanning and few skills. Former masters were hired to work with common workers and a management class above theirs was created. The masters viewed themselves as professionals, unlike either management or the common workers, but they experienced a process of proletarianisation. However, a collective identity could not emerge among the skilled and common workers, simply because they did not view themselves as a unitary class (Simon, 2000, Simon, 2005).

In terms of gender division after factorisation, the women who used to help their husbands had either stopped working because the use of machines was more dangerous, or had started to take over soft management functions, such as the finance of the factory if their husbands were owners; or they had become temporary workers to help their families. Similarly, women did not see

themselves as the same class as men in the factory since they were not professional or permanent workers. Male and female workers did not have a mutual sense of each other at work, so once more class identity could not develop. Eventually, worker identity was 'hollowed out' although the relationship of capital and labour existed (Simon, 2000, Simon, 2005).

Ho (2003a) argues that solidarity within factories is generated from the workers' labour process which has been transformed so as to look like distribution and moral economy. Workers shift from a workplace culture to working class solidarity and bring in an unofficial class culture to transfer their confrontation with management, which eventually emerges in their participation in collective actions.

Therefore, there is no class identity rooted in the autonomous labour union movement in Taiwan, which in fact 'originated in the "rank-and-file" workers' brotherhood' (Ho, 2008). In Ho's (2008) observation, brotherhood is a subculture in the workplace that enables manual workers to set up an image of themselves and their fellow workers as a group of mutual helpers in their daily interaction, hidden normal values and need for mobilisation. It excludes some union members including females, clerks and high-level union officials and supports all issues related to brotherhood such as areas of their private life, resulting in a movement beyond the limits of class identity. However, brotherhood without a solid border of collective identity in the end causes the confrontation of different subgroups of 'brothers'. Hence, a workers' movement based on brotherhood may not go far, failing due to the lack of internal unity.

In Ho's later analysis (2006b, 2011), the trade union movement in Taiwan is a representation of masculinity that results from the lack of collective radicalism

as well as from the class division in state-owned enterprises where male workers are stifled at work. Taiwanese workers rely on this concept of manhood to build up their class solidarity; participating in a trade union becomes the privilege of male workers and also a means to maintain male dignity. Eventually, an independent Taiwanese trade union movement emerges from male domination. However, it may exclude female participation in the union and union officials are often opposed by their spouses because union activities often express male-oriented sociability.

Obviously, the literature has represented the fact that Taiwanese worker identity does not originate in class struggle or industrial conflict. Therefore, workers do not have a strong sense of labour-management conflict which may be undermined in the workplace. A fundamental problem is that people take the relationship of employees and management for granted, so that employment relations are obedient and lack the labour voice.

3.5. Paternalism, Collective Identity at Work and Trade Unions in Taiwan

From the above, it may be said that paternalism has been an important characteristic, practised top-down in society by the KMT government, which propagandised harmony in employment relations in order to manipulate the disciplined and obedient labour force in the interests of government and management. People were coerced into contributing to economic growth without much collective consciousness and consequently did not take trade unions as protectors of their working rights during the period of Martial Law.

However, historical factors including the Japanese invasion and the White Terror in the 1940s also contributed to people's patience and loss of hope under the KMT regime until the 1980s (Peng, 2006).

Consequently, the tradition of paternalism was strengthened by the government during the process of developing the economy. The policy of 'the factory as one family, factory as one school' used to be a governmental requirement for practising paternalism in the workplace. It has been clear that paternalistic practice is not simply a product of the cultural background, but even more an artificial product of the political and economic context. These political and economic demands enforced the silence of the labour movement, because workers passively acted in the system of industrial relations without a so-called 'class identity' as investigated and discussed in Western society and its academic literature.

Discourses of paternalistic employment relations eliminate or obscure the opposing positions of capital and labour in practice, but they never vanish, and therefore employees have very little or no sense of labour conflict, but instead follow the logics of paternalism to act as members of their virtual family in the workplace. Workers may identify themselves as members and employees of their work institutions, as working at certain jobs or tasks and with different kinds of objective definition, but they rarely, possibly never sense themselves as subjects of the labour and capital relations in Taiwan.

Fortunately, a system of trade unions has been established by the state, even though the initial purpose in doing so had nothing at all to do with collective representation in the workplace. Rather, the implementation of trade unions has fitted into the paternalistic ideology of the workplace to serve the interests of the

state and capital, so the system of labour unions has been in general acknowledged by the state, employers and employees, even though its function may have been in doubt.

From the formation of a trade union to the mobilisation of union members, identity is a fundamental element throughout all union activities. Before we consider mobilising collective action, it is important to discuss collective identity with a trade union. Compared to research on other social movements plus questions of identity, research on the combination of collective identity and trade unions in Taiwan is relatively scarce (Chiu, 1996). From the literature reviewed in the previous sections, it is clear that paternalistic employment relations shape and influence trade unions as well as collective identity at work. Following all kinds of legislative reform to revitalise and reinforce labour regulations in Taiwan, the question now arises of how far the reform has collided with paternalistic employment relations, identity at work, trade unions and non-union representation in the workplace.

Nowadays, it seems that paternalistic trade unionism based on the paternalistic tradition informs the employment relations in unionised workplaces. Trade unions seeking for autonomy and independence may not undervalue the importance of recognition by members and employers which eventually contributes to trade union power. Therefore, because trade unions cannot escape from the contexts of paternalism and lack collective identity, it becomes more important for them to develop and organise from the paternalistic tradition. Overall, this research goes on to examine how previously set-up trade unions within the paternalistic contexts seek to make the transition by generating and gathering together the collective identity of their members.

Chapter 4. Research Methodology

To investigate corporate trade unions in Taiwan, this research qualitatively approached two cases; the primary case SteelCo is discussed throughout the whole thesis, and the supplementary case, SugarCo, is addressed as necessary. Both cases are unionised, the first with the union Steel-U and the second with Sugar-U. SteelCo was first approached with participant observation in summer 2003 whilst Steel-U offered summer internship for students. Later in-depth interviews, surveys and documentary analysis were followed up for further data collection until the winter of 2015. SugarCo was investigated in 2007 using in-depth interviews with union officials.

4.1. Qualitative Research and Case Study

Qualitative research, or field research, involves researchers working to understand and interpret the world and social realities from daily life and activities; they may participate in, observe, or interact with the research objects to discover inner knowledge rather than to express the quantity of things (Babbie, 2007, Bauer et al., 2000, DeWalt and DeWalt, 2011, Singleton and Straits, 1999). Case study is a particular kind of field research focusing on the description and explanation of some social occurrence or specific instance such as a group, a community, an organisation, and so on (Babbie, 2007, Singleton and Straits, 1999). A case study may be generalised to its representing group, or simply an extraordinary case to look at in itself (Gomm, 2009: 40).

Case studies in social research are important for understanding a precise occurrence, situation or experience, and researchers have to keep as open and

curious as possible in a case study because there may be much deeper meanings and understandings than the appearance of the case would suggest (Mabry, 2008).

Many scholars have examined the macro level of the labour movement in Taiwan (such as Chiu, 2010, Chiu, 2011, Ho, 2005, Ho, 2008, Lee, 1996, Lee, 1997, Shieh, 1997, Son, 2012, Wang, 2010, Wei, 2001, Wu, 1999 and so on). Most of them pay attention to the national policies, legislation and industries, but relatively fewer focus on micro cases. Therefore, to take a different approach in order to understand more deeply the basis of the labour movement, I examine specific cases to analyse some extraordinary findings.

4.2. Selection of Cases

Social researchers may select cases on the basis of their own interest in a special phenomenon, or from the cases available in order to contribute to a theory, a problem, and so on (Mabry, 2008). This research selected two cases for analysis and a discussion of the research themes. The criteria of selection are based on the fact that each of them has regular and continued occasions of employee representation, and also that these cases represent different kinds of enterprise ownership in Taiwan, namely, privatised and state-owned. Both of them are large enterprises. With different levels of access to the fields, the cases were SteelCo, the primary case that involves all the research themes and questions, and SugarCo, the secondary case, which is brought into this research for the sake of comparison. Each case is introduced below.

4.2.1. SteelCo

SteelCo is a steel corporation based in southern Taiwan, which was established in December 1971 as a privately-owned corporation, but it came under state ownership in July 1977. SteelCo was again privatised in April 1995 following the international trend of privatisation (Shieh, 2006), by a sale of stock shares, but the Ministry of Economic Affairs, the government agency responsible for industrial affairs, has been its main shareholder so far. SteelCo had established a strong reputation as a model state-owned enterprise. After its privatisation, as a well-managed corporation it kept up its reputation and its managing strategies have been widely researched by many Taiwanese scholars, such as Chi and Uen (2012), Lee and Chang (2002), and Cho et al. (2012).

In April 2016, SteelCo had a market capitalisation of approximately 3,572 hundred million NT\$. Its main products include steel plate, steel bar and wire rods, hot-rolled steel, cold-rolled steel, and coated steel products; 67% of its production supplies the domestic market and 33% is exported to other countries, such as China and Japan. It is the largest steel company in Taiwan with a share of over 50% of the domestic market and employs more than 10,000 people, mostly male production workers. Less than 2% of the employees are female and over 50% are operatives. Workers have two types of working time: one is regular time, from 7:30 to 16:30 Monday to Friday, with one hour's break between 11:30 and 12:30; the other is shift working, since steel production operates 24 hours a day. There are three shifts, from 07:00 to 15:10, from 15:00 to 23:10, and from 23:00 to 07:10; between every two shifts there is a 10-minute period for work handover. SteelCo has long experienced a very stable labour force, with an annual labour turnover rate of less than 1%.

SteelCo has a mix of characteristics from the public sector and heavy industry, which are the same as Deyo (1990) analyses; for instance it is male-intensive, with a strong occupational commitment, bureaucratic paternalism 'iron rice bowl', job security, stable labour solidarity, political control, and so on.

Steel-U, the labour union of SteelCo, was founded in December 1980 and its 10,000 members make it the country's largest single-plant trade union. Steel-U is located within the workplace in the Welfare Building of SteelCo, where cafeterias, a grocery shop, a book store and exhibition area, a laundry, a post office and a bank are also located. Steel-U uses the office free of charge under an agreement between the union and the corporation, and it may hire five full-time officers seconded from their original departments, namely, the union president, chief secretary, and the three executive secretaries. These full-time staff members are still on the SteelCo payroll and SteelCo may recall the chief secretary and the three executive secretaries if necessary. In addition to these secondments, Steel-U independently employs four full-time secretaries of its own for daily operation. The chief secretary, three executive secretaries plus four secretaries organise the Steel-U secretariat.

All SteelCo employees, except top management – the chief of the Appointing Section of the Human Resources Department, the chief of the Corporate Relations Section of the General Affairs Department – and contractors, are qualified to be Steel-U members entitled to all rights and obligations. Steel-U held its first direct presidential election in November 2001, the earliest of its kind in Taiwan. It is regarded by members as a union that looks after its members and their families, offering various welfare and fringe benefits, from pension schemes to children's scholarships.

Table 4-1 Basic Information about the Case Steel-U

Set up date		December 1980		Office		Kaohsiung City	
Members		10,000		Full-time staff		8	
Members of Board of Directors	27	Members of Board of Supervisors	9	Officials' location in union office	President: full time Standing members of board of directors: half time		
Official leave	Boards of directors and supervisors entitled to 50 hours per month Union representatives and other officials entitled to official leave for union meetings or activities						
Sources of expenditure	Initiation fees: 582NT\$ (approximately £15) Regular membership dues: 194NT\$ (approximately £5) per month per person Subsidies for labour education and training: 3/5 paid by SteelCo according to the collective agreement Government subsidies: competent authority for labour day activities Interests: Steel-U buying SteelCo stock share with 20% annual interest Salary of worker directors: Steel-U's secondary source of expenditure Other: external donations						

Modified from Wu and Yang (2010: 77).

Initially, Steel-U was founded as a model union to assist the government in implementing labour legislation in the workplace and a means of supporting the nation and industrial development. In May 1993, Steel-U for the first time joined the national demonstration of state-owned enterprises. It has transformed itself into an effective union, which plays a prominent leadership role in Taiwan's labour movement. Although trade unions have played the weakest part in the industrial relations system in Taiwan, Steel-U has been an outstanding model for shedding light on the autonomous development of trade unions. Analysis of the Steel-U shows how a stronger Taiwanese union may act to gain recognition in the workplace.

I initially started working with the Steel-U in 2003 when I was conducting research for a master's degree as an intern student and have kept a close connection with it. Steel-U provides me with full access to its resources so I can collect as much data as I need. So far I have observed Steel-U under three different presidencies. I discuss this case throughout the thesis.

4.2.2. SugarCo

During its occupation of Taiwan (1895-1945), the Japanese set up many sugar corporations to export to Japan. After WWII the National Government merged four former Japanese-managed sugar factories to form SugarCo as a state-owned enterprise in 1946. Sugar was the major export product in Taiwan in 1952-64, at a time when SugarCo was the largest state-owned business. Producing sugar not only helped agriculture to prosper but also led to the

development of industries at the time. SugarCo started an organisational restructuring in 2003-04 in order to expand its business in several markets and also to increase its income. It created eight business divisions reflecting the range of its products: Sugar, Hypermarkets, Biotechnology, Agriculture, Animals, Petroleum, Leisure and Marketing. Moreover, it set up its Land Development Centre and Property Management Centre in 2004 to increase income by leasing real estate to the public, since it is the biggest property owner in Taiwan.

In 2006, the Executive Yuan approved the segregation of SugarCo's divisions and land during privatisation, so that both could be transferred, whereas non-division land, the headquarters and the Sugar Division would remain state-owned. The state has been keen to privatise many state-owned businesses in this decade and a policy of privatisation was also proposed at the end of 2007 to privatise parts of SugarCo, including the Hypermarkets, Agriculture, Petroleum and Biotechnology Business Divisions. This would affect a quarter of its workers and SugarCo's revenues would be diminished by one third. In 2007 it had 4,370 employees whose average age was 47 years. The employees were either members of the civil service in status or pure workers. However, proposals to privatise each division still await the Executive Yuan's approval, so SugarCo remains state-owned without a clear timetable for its privatisation.

According to Deyo (1990), SugarCo remains a good example of the 'iron rice bowl' for its employees, exhibiting bureaucratic paternalism, job security, workforce stability, union acceptance, and so on.

Sugar-U, the federation of sugar workers' unions was set up on 26 June 1955 following the establishment of 27 sugar workers' unions in 1954. The first union of sugar workers in Taiwan was founded in a sugar factory of SugarCo in 1952.

However, following the organisational readjustment of SugarCo in 2003-04, the structure of this federation was also reorganised in 2005. The member unions were remodelled from workplace unions to regional unions. The number of member unions went down to 12, with each member union covering all branches of the different business divisions within a region.

Table 4-2 Basic Information about the Case Sugar-U

Set up date	June 1955		Office		Tainan City	
Members	4,189		Full-time staff		9	
Members of Board of Directors	21	Members of Board of Supervisors	7	Officials residence in union office	No	
Member unions	12, namely Taipei, Taichung, Changhua, Yunlin, Chiayi, Tainan City, Tainan County, Kaohsiung City, Kaohsiung County, Hualien, Taitung and Pingtung sugar unions.					
Official leave	Boards of directors and supervisors entitled of 50 hours per month Union representatives and other officials entitled of official leave for union meetings or activities					

Modified from Wu and Yang (2010: 179).

SugarCo is a supplementary research case that I investigated in 2007 when I conducted some interviews with Sugar-U officials. I mention this case in discussions of non-union representation vis-à-vis the trade union, when its experience is compared with that of the primary case.

4.3. Participant Observation

Participant observation involves researchers actively participating in the activities and daily lives of the research objects; they are accepted as a member by the group or community and can have informal conversations with people who share their experiences (Babbie, 2007, DeWalt and DeWalt, 2011, Singleton and Straits, 1999).

I started participant observation in SteelCo in July and August 2003. I gained access through the union, which offers summer internships to university students majoring in industrial relations or human resources management. In July and August 2003, I worked as an intern in the union with two other students to learn about and help with Steel-U's routine operations, to interact with visiting members and to get involved in some events, such as a protest in the factory on the first day of my internship, and the off-site training camp for elected officers. In this period I worked with the union president CPW, who is introduced in the next section. I visited the manufacturing areas in the company of union officers, to learn about production process and working conditions. At the same time, I lived in the employees' residential hall and participated in the social life of the workplace. SteelCo provides all kind of on-site entertainment and leisure facilities, including a cinema, a gym, a swimming pool, tennis courts, and so on.

Later I continued to visit the union for further data collection and carried on participant observation again in spring and summer 2007 and winter 2010. I met the second president STW who used to be a member of the board of directors in CPW's presidency. During each visit I spent a few weeks living in the company accommodation and working as a volunteer in the union office, as I

had done when I first joined. As I was well-known to the union officers, I was always made welcome, like someone 'coming home'; and I used to be updated with details of things that had gone on whilst I was away.

In autumn and winter 2015, I repeatedly visited the union to collect data, observe and interview. There was the third president CCW to meet and there were also some changes to the secretariat.

4.4. In-Depth Interviews

The narrative interview is used here to encourage and stimulate interviewees to tell stories about their experiences and the significant events for worker representation systems (Jovchelovitch and Bauer, 2000). In-depth interviews are usually the main technique accompanying participant observation, but either participant observers or other researchers may use the tool (Babbie, 2007).

Following my participant observation in Steel-U, I held several interviews between October 2003 and August 2007 in the Steel-U office with the union president, the union chief secretary, three labour representatives and the administrator from the SteelCo Human Resources Department. I also had some interviews in February 2014 and December 2015 in the SteelCo Human Resources Department office with a former union chief secretary and the corporation's assistant general manager. The interview questions were generated from my participant observation and focused on the operation, problems and difficulties of the trade union, the implementation of non-union representative committees, the roles and responsibilities of labour representatives, and so on. All the interviews were recorded and conducted in

Chinese or Taiwanese. I briefly explained my purposes at the beginning of the interview but I did not provide interview questions in advance, and I let the interviewees tell their stories in their own way. The eight interviewees in SteelCo are introduced below and their details summarised in Table 4-3.

The first interviewee CPW was the key person and gatekeeper for my access to Steel-U. He was the Steel-U president and represented the union as the worker director of SteelCo when I was observing it and holding interviews. Later after his two terms of presidential office in Steel-U, he was elected president of the Kaohsiung City Confederation of Trade Unions²⁸, defeating the strong candidate from the Chunghwa Telecom Workers' Union. SteelCo agreed to his secondment to the confederation and therefore he did not need to come in to work at SteelCo. However, during his term of office in the confederation, after his day's work finished, he still visited SteelCo every afternoon. He was re-elected president of the Kaohsiung City Confederation of Trade Unions and after these two terms as president, he was chosen to act as the director-general of the Labour Affairs Bureau of Kaohsiung City Government. CPW eventually retired from SteelCo when he left his job with the Kaohsiung City Government, and became Steel-U's unpaid voluntary consultant.

The second interviewee, HCC, had just begun as Steel-U's chief secretary in November 2003, when he gave his first interview. Therefore, I did not meet him before the period of participant observation. He used to work in the Human Resources and General Affairs Departments and has worked in SteelCo for over 20 years. As a degree major in labour relations, he was an expert in

²⁸ <http://www.kcctu.org.tw>. The Kaohsiung City Confederation of Trade Union was founded on 21 March 1997, and has 75 trade union members, adding up to 47,000 individual members in 2016.

employment relations in SteelCo. He played the key role of communication channel between the union and the company because his position was created for the benefit of both sides. He later completed a master's degree in business management before my second interview in August 2007. When I revisited the factory in 2015, he had been promoted to chief of the Training Section of the Human Resources Department.

Third, HHC became an engineer in the Steel and Aluminium Research and Development Department when he joined SteelCo some years ago as a graduate in mechanical engineering; he participated in quite a few Steel-U activities. He was appointed as the convenor of nine labour representatives in the SteelCo labour-management meeting at the time of his interview in April 2007 and had been the meeting's labour representative over several terms of office. In order to improve his professional knowledge of employment relations, he completed a bachelor's degree in law with the Open University after work. As an experienced labour representative, he provided his insider's view of the implementation of meetings and gave examples from his participation in the meetings as well as the union.

CCL was a mechanical engineer in the Equipment Design Section of the Plant Engineering and Maintenance Department for ten years. He did not take an active part in the union until he was elected as a labour representative for the SteelCo labour-management meetings. He admitted in his interview in August 2007 that he was not clear about all Steel-U activities due to his lack of participation in the past. However, he started to learn about labour-management relations in SteelCo and became more familiar with labour-related issues.

CHH was acting as the convenor of labour representatives to the employee welfare committee at the time of his interview in August 2007. He was quite active in Steel-U and was previously a labour representative on the safety and health committee and a member of the board of directors of Steel-U. He had been working in SteelCo for 30 years and was a technician responsible for controlling the engineering process in the Rolling Mill Department III (Cold Rolled Products). In December 2015 he was about to retire.

HMW was responsible for minute-taking and administration at SteelCo's labour-management meetings for over 5 years at the time of his interview in August 2007. He had worked in the Human Resources Department for over 20 years going through several job rotations within three Human Resources divisions. He had a close relationship with Steel-U as a result of his work. He was quite supportive of Steel-U, but at the same time he provided a more balanced view from his role as one of its human resources administrators. During my visit in December 2015, he was chief of the Employment Relations Section of the Human Resources Department.

KFC used to be the union chief secretary during CPW's presidency and then was recalled to the Human Resources Department when HCC took up the post of union chief secretary. After years of job rotation within the SteelCo Human Resources Department, he was first sent abroad to SteelCo's Vietnamese branch and then promoted to assistant general manager of the Human Resources Department of a SteelCo group member corporation in Taichung. With his working experience in both SteelCo and Steel-U, he provided views on the relationship between the two.

The last interviewee, HJT, was the assistant general manager in the Human Resources Department. KFC introduced me to her because she used to be his line manager. HJT had been in SteelCo for over 20 years, mainly in the Human Resources Department with job rotations. She worked in KFC's post in Taichung before taking up her post as SteelCo's Human Resources assistant general manager. She provided her overall view on the human resources affairs in SteelCo and also commented on Steel-U's development.

Table 4-3 Interviewees in the Case Study of SteelCo

ID	Position at the time of interview	Foci of interview	Date	Length of interview (minutes)
CPW	Union president	Union operation Problems and difficulties in the workplace	October 2003	90
HCC	Union chief secretary Used to work in the Human Resources Department and the General Affairs Department	His change of role as union secretary and HR specialist Union operation Relations between union and company	November 2003 August 2007	120 75

HHC	<p>Labour-management meeting convenor of nine labour representatives</p> <p>Engineer in the Steel and Aluminium Research and Development Department</p>	<p>Implementation of labour-management meetings</p> <p>His role and responsibilities</p>	April 2007	150
CCL	<p>Labour representative at the labour-management meetings</p> <p>Mechanical engineer in the Equipment Design Section of the Plant Engineering and Maintenance Department for 10 years</p>	<p>Implementation of the labour-management meetings</p> <p>His role and responsibilities</p>	August 2007	150
CHH	<p>Convenor of the labour representatives at the employee welfare committee</p> <p>Previous labour representative on the safety and health committee and a member of the board of directors of Steel-U.</p> <p>Worked in SteelCo for 30</p>	<p>Implementation of the employee welfare committee</p> <p>Implementation of the safety and health committee meetings</p> <p>His roles and responsibilities</p> <p>Comparison of the employee welfare</p>	August 2007	90

	years and was responsible for controlling the engineering process in the Rolling Mill Department III (Cold Rolled Products)	committee and the safety and health committee.		
HMW	Minute-taking at and administration of the labour-management meeting for over 5 years Worked in the Human Resources Department for over 20 years with job rotation in three Human Resources divisions	Implementation of the labour-management meetings His role and responsibilities	August 2007	80
KFC	Assistant general manager in the Human Resources Department of a SteelCo group member corporation	His view of the relationship between SteelCo and Steel-U	February 2014	120
HJT	Assistant general manager of the Human Resources Department	Her view of SteelCo's human resources and Steel-U	December 2015	120

In addition, I conducted a few interviews in SugarCo in April and August 2007.

Here, the interview questions were given to some interviewees in advance

because they wanted to prepare. In order to get insights into SugarCo employment relations and their practice of representative mechanisms, I asked interviewees about their history of employment in SugarCo; why they participated in the union and/or some kind of worker representation; how they experienced being labour representatives; whether they had any suggestions for non-union representative mechanisms; and if they had any experience in SugarCo and Sugar-U that they wished to share with me. Most interviews were conducted and recorded in the union office located in the company headquarters site, but one interviewee invited me to spend the day at his home and told me the whole story of his life in SugarCo. The language used in the interviews was Chinese or Taiwanese. Details of the four interviewees in Sugar Co are summarised below and listed in Table 4-4.

CWC helped me to gain access to SugarCo and Sugar-U. He had been an administrator of the Industrial Relations Section of the Human Resources Department at the SugarCo headquarters for over 10 years. At the same time he had been elected one of Sugar-U's 20 directors and was appointed by Sugar-U as one of the consultants for Sugar-U's worker directors as well. Before joining the Human Resources Department, he had been a technician in the Animal Division for several years. He provided practical details of SugarCo's representative mechanisms and talked about relations between SugarCo and Sugar-U.

CTW was the Sugar-U executive secretary at the time of his interview in April 2007. He provided details of Sugar-U's organisation and its interaction with SugarCo. However, when I visited Sugar-U again in August 2007, he had left

the office on his promotion to the post of deputy manager of SugarCo's Yunlin branch.

HML was a member of Sugar-U's board of directors and the chief of Sugar-U's Welfare Division when he was interviewed in August 2007. He started his career in SugarCo in a sugar factory in Taichung and then moved to the Secretary's Department at headquarters. He acted as a worker director from July 2001 to September 2003.

CCH invited me to visit his home in a village so I spent one day listening to his story. He was an administrator of the Civil Service Ethics Department at the time of his interview in August 2007, had been a SugarCo worker director since 2003 and was quite experienced in the implementation of worker directorships in SugarCo.

Table 4-4 Interviewees in the Case Study of SugarCo

ID	Position at the time of interview	Foci of interview	Date	Length of interview (minutes)
CWC	Administrator of the Industrial Relations Section of the Human Resources Department	Representative mechanisms	April 2007	120
	Consultant for worker directors of Sugar-U	Relations between union and company	August 2007	90
	Technician of the Animals			

	<p>Division before working in the Human Resources Department</p> <p>one of the 20 directors of Sugar-U</p>			
CTW	<p>Sugar-U executive secretary</p> <p>Later promoted to deputy manager of Yunlin Branch</p>	<p>Union operation</p> <p>Relations between union and company</p>	<p>April 2007</p>	180
HML	<p>Chief of Sugar-U Welfare Division</p> <p>Experiences in a sugar plant in Taichung and then the Secretary's Department at headquarters</p> <p>Worker director from July 2001 to September 2003</p>	<p>Experience as worker director</p> <p>Union operation</p>	<p>August 2007</p>	180
CCH	<p>Worker director since 2003</p> <p>Administrator of the Civil Service Ethics Department</p>	<p>Experience as worker director</p> <p>Professional life in SugarCo</p>	<p>August 2007</p>	420

4.5. Surveys

The purpose of a survey may be descriptive: to reveal some characteristics, behaviours or understanding of a population using uncomplicated analysis. It may be explanatory: to elucidate relationships between different variables in terms of causality; it may be an integration of the two (Singleton and Straits, 1999: 243). To conduct a survey, a self-administered questionnaire is convenient for respondents since it allows them enough time to think and answer with privacy and anonymity (Singleton and Straits, 1999: 258-260).

To design a survey, open-ended questions and closed-ended questions have to be considered. Open-ended questions (with free responses) allow respondents to express their opinions and thoughts without restraint, but make it more difficult to code and analyse the data; contrariwise, closed-ended questions (with limited choice) restrict possible answers but ones which are easier to analyse. However, respondents may not be able to express their views accurately if the choices provided are not wide enough (Singleton and Straits, 1999: 281-284).

I conducted two surveys in SteelCo, the main research case, in order to collect more data relating to individual union members' understanding of and experience with Steel-U.

4.5.1. Survey I

The first survey took place in December 2007 when I visited Steel-U and stayed at the company accommodation for one week. A questionnaire was designed with a view to understanding the identity of ordinary workers and their

relationships with the representative system as well as their interaction with the union. 21 questions were asked, 12 fixed-choice questions and 9 free response questions. The questionnaire was reviewed by the union secretary before distribution to make sure that the terms used were clear and understandable to the workers. 200 copies were randomly given out to members visiting the union office and most of them answered during their visit but a few brought them back to their office. Finally 126 questionnaires were completed and returned.

The respondents comprised 124 male workers and 2 female workers. Their average age was 48.24 years, whilst the eldest of them was 60 and the youngest 28. The length of experience in SteelCo (which included the state-owned period) was on average 22 years and 7.5 months, and the most senior worker had been in the company for 34 years, whereas the most junior had joined only 5 months before. In terms of education, 11 people had a post graduate degree, 12 had a first degree, 20 graduated from junior college, 78 finished senior high or vocational school, which is the main level of education in the company, 4 had gone through junior high school, and 1 did not answer.

63 people worked normal hours, but 51 worked on shifts, and 12 did not answer. 101 workers had such basic positions as foremen, technicians or operators, 13 held professional positions, including engineers, specialists or researchers, 11 were at managerial level, and 1 did not answer. In terms of working departments, 107 employees were in the Production Division, 7 in the Commercial Division, 6 in the Technology Division, 4 in the Corporate Planning Division, 1 in the Engineering Division, and 1 did not answer.

The findings of Survey I are investigated in Chapters 6 and 7.

4.5.2. Survey II

The second survey was distributed in December 2010 when I visited the union for one week and I collected the data until February 2011. This survey targeted a specific group of union members, 801 squad leaders. The questionnaire consisted of 47 questions: 36 closed-ended questions and 11 open-ended, and was reviewed beforehand by the union president, the union chief secretary and the union executive secretary. The reason for this was that the union had just held a presidential election so they felt that the timing was a little sensitive. However, the union distributed the questionnaire on my behalf which was appended with a union president's memorandum to all squad leaders at the time; it explained the purpose and encouraged them to respond. The response rate was 28.83%; in all, 231 questionnaires were returned. Of these, 16 were invalid because one respondent was not a squad leader and 15 had half their questions unanswered. The background of the respondents is summarised below.

The majority were male and only 4 were female squad leaders. The average age of the respondents was 48 years, the eldest being 64 years old and the youngest 28. The average length of experience with SteelCo was 21 years and 9 months; the most senior person had been in the company for 39 years, whereas the most junior squad leader had joined the company only 30 months before. Over half (55.8%, 120 people) of the squad leaders had finished some kind of higher education. 23 people held a post-graduate degree, 52 had a first degree, 45 had graduated from junior college, 90 had finished senior high or vocational school, which is the main level of education in the company and 3 had gone through secondary school.

In terms of their positions in the company, 75.81% (163 people) held a basic position as a foreman, technician or operator, 19.06% (41 people) were professional workers such as engineers, specialists or researchers, and only 3.72% (8 people) were at the managerial level. Regarding their working shifts, 128 people worked normal hours, but 74 worked on shifts. Most people came from the manufacturing departments, 170 of them in the Production Division, 17 in the Technology Division, 9 in the Engineering Division, 4 in the Commercial Division, 4 in the Finance Division, 3 in the Corporate Planning Division, and 1 in the Administration Division.

The findings of Survey II are discussed in Chapters 6 and 7.

4.6. Documentary Analysis

Documents are defined as “[u]sually written or printed texts and their illustrations, but sometimes extended to cover film, TV and radio productions” (Gomm, 2009: 99).

I continuously collected meeting minutes, official letters and internal documents from SteelCo for documentary analysis between July 2003 and December 2010 in my regular visits to the trade union and gained full access to all Steel-U’s documents.

I also had limited access to some official documents from the SugarCo Human Resources department but I was not allowed to acquire any minutes of meetings.

4.7. Research Rationale

In theory, trade union revitalisation has been a worldwide phenomenon for the future of trade unions. In Taiwan, however, the new labour legislation enacted in 2011 actually seems to offer trade unions a broader space to develop because several restrictions have been relaxed. The change of collective statutes has impacted on the existing trade unions which were brought into the industrial relations system following the logic of authoritarian, paternalistic and manipulative governance. At present, they may be facing the challenge of becoming revitalised in the process of legal transformation.

This research pays no attention to the new trade unions being constructed in Taiwan, but rather follows with interest the trade unions which may (or may not) have to revitalise themselves as a response to the shifting environment of industrial relations it seeks to understand and investigate further if they have to do this in their own interests and how they will do it.

As a result of weak trade unionism, it is necessary to examine those labour unions which have already been predominant in the labour movement so that their lessons may be addressed and applied to other developing unions in Taiwan. This research chooses the route of a case study rather than an overview of general trade union organisation and development, because such major unions have always played the role of pioneers in Taiwanese labour history and hence may have striven to ensure the representation of their members in the workplace. Steel-U, the labour union of the case SteelCo, is one of these significant trade unions and so may shed light on the renewal of the old Taiwanese unions.

Nevertheless, the supplementary case of SugarCo represents a characteristic type of state-owned enterprise, paternalistic and unionised, and thus a slight contrast with SteelCo. Its labour union, Sugar-U, although structured differently from Steel-U, reveals a kind of paternalistic unionism consisting of its similarity and differences from Steel-U, worthy of some comparison between the two.

To start discussion and analysis, the influence of paternalism in the workplace sets the beginning of the research. Non-union representative mechanisms are chosen as variables to compare between the cases. The focal points then shift mainly to SteelCo and Steel-U, in order to provide in-depth materials and findings of change in trade union organisation, interaction between the trade union and members, and so on. A specific group of Steel-U members, so-called squad leaders, is discussed to help solve the dilemma of work identity under paternalism.

Chapter 5. Paternalistic Employment Relations

In Taiwan paternalistic employment relations have for decades been of the essence. Managerial paternalism seems quite influential even now, whatever the impression is given. This chapter investigates some characteristics of paternalistic employment relations, mainly benevolence, authority and morality; and discusses how trade unions have developed and responded in this situation. In unionised workplaces, it has perhaps become an advantage to have developed trade unions. Employers had less hesitation in accepting trade unions, as a result of governmental policy. Old trade unions used to be under the umbrella of the state and capital in fact gained plentiful resources thereby, such as financial support and employer recognition. The research cases reveal that trade unions may be able to redevelop provided that they have the capacity to take advantage of what they have already secured.

5.1. Managerial Benevolence in the Workplace

Benevolence is a key characteristic of paternalism; the employer contributes concern for the employees and supports their needs as far as possible. It is quite common for all kinds of facilities and services to be set up in a workplace for workers following the policy of 'factory as one family and factory as one school'. Moreover, it is also interesting to know that the employer may offer quite a few benefits and support for trade unions as well as practising the same ideology.

5.1.1. SugarCo

SugarCo, as a state-owned enterprise, has in general followed all the orders and directives from the government and has been a model of practising the 'factory as one family, factory as one school' policy up to the present. An important element of the 'factory as one family' campaign is employee housing, which is located within each sugar factory. Within the housing area there are also such facilities as a convenience store, a barber's, playground, and so on, so workers and their families can live together close to the company with all their immediate needs supplied.

Historically, SugarCo used to practise 'the factory as one school' ideology by offering educational opportunities to the children of their employees. SugarCo ran its own primary and secondary schools for several decades until the 2000s, providing the basic education and vocational training that its business required. In the end, those graduates were not only educated but also had more opportunity to be selected for jobs in SugarCo and eventually it became a tradition that the majority of SugarCo workers was a gang of SugarCo secondary school alumni.

As a result, SugarCo employees were quite familiar with the setting; the second generation came from the same background and worked together under the same employee welfare system. However, some people still joined the company after passing the open recruitment test. The interviewee CWC, for example, did not graduate from SugarCo's secondary school and found it quite common for colleagues to wonder whether someone was from the same school. Indeed, people felt it was a privilege to be a graduate of the school who had

gone on to work in SugarCo. People even spontaneously took care of the new employees who were the children of their colleagues.

When the interviewee CCH talked about his campaign of running for election as a worker director, he said,

“People from the gang of the SugarCo secondary school could always easily win a union election simply because most colleagues were fellow alumni. They had a feeling that “we should help ‘our’ people”. However, I did not go to the SugarCo secondary school but took the recruitment exam to join the company and I found it was more difficult to gain support from those people so that I had to spend more time mingling with them in order to get them familiar with me and finally consider supporting me. It seems your campaign manifesto is not the most important but your background is.”

Obviously the ‘factory as one family and factory as one school’ policy has helped to shape some kind of labour identity in the company, which might be attributed to loyalty to the workplace. Most people identify themselves with their workplace based on the privileges received by their parents.

In terms of the benevolent strategy to the trade union, SugarCo’s approach to Sugar-U is overall very open and pleasant on the whole, since establishing labour unions in workplaces used to be the state policy. As a result, SugarCo has been providing quite a few resources to Sugar-U without charge. Sugar-U has its head office based in the SugarCo headquarters and each of the Sugar-U member branches also has its office in each SugarCo branch. The union is allowed to use most of SugarCo’s facilities without charge and is subsidised by the company to hire a few staff for its routine business.

There is an interesting aspect of SugarCo and Sugar-U's relations, in terms of Sugar-U's official website. It is easy to see on SugarCo's official website that, in its exposition of SugarCo's structure, Sugar-U is listed as a peripheral organisation of the company. Moreover, Sugar-U's official website is hosted and maintained within SugarCo's company website. Information published by Sugar-U includes its organisation, structure, activities and some basic details. Nevertheless, the interviewees CTW and HML in Sugar-U did not think it was a problem.

CTW thought that the union is not specialised in any information technology and does not have any staff responsible for maintaining the website, so it is quite convenient for the union to have the website running in this way. HML stated that,

"The union website hosted by the company is not a problem for us, because we do not have to manage the server on our own and it saves us a lot of money. In addition, we are not as professional as the SugarCo Information Technology Department, so it is nice that the company wants to support it. We are very happy that the company wants to offer it."

Put simply, the union treated the company's provision of free resources to them as a way of keeping their costs down and helping their development. However, the company's gesture implies the risk that, for example, the website contents might be filtered and controlled by SugarCo under cover of maintaining their corporate image to the public and in the end the union might find itself acting in support of the company regardless of its inclinations, since the union seems quite dependent on the company's resources.

5.1.2. SteelCo

The national model enterprise SteelCo, whether state-owned or privatised, also had a workplace setting which implemented the 'factory as one family' policy. As one goes in by SteelCo's main entrance, the administrative building is on the left and the welfare building on the right, with a number of parking spaces around both buildings for employees and visitors. There are also some accommodation halls to the right, so the employees who live there can access the restaurants, convenience store, laundry, bank, post office, book shop, travel agent and so on in the welfare building quite easily. Going straight ahead to the workplace, there is the second accommodation area which contains a medical centre, a gym and swimming pool, additional restaurants, etc., only a five-minute walk from the welfare building. Before reaching this second area, one passes SteelCo's auditorium with a plaza on the left-hand side, where cinemas and company-wide activities can be found. Most SteelCo members use the main entrance every day and may stop by the welfare building for different reasons. Most of them visit the welfare building more than once a day.

Steel-U is located on the first floor of the welfare building, which means that workers and visitors can easily access the Steel-U office. At the same time, Steel-U officials and officers can approach their members without difficulty. During opening hours every day, the same times as the company's normal working day, union members come into the office all the time. Union officers are always ready to greet people, no matter what time they call. In addition, quite a few workers may be dropping by for different purposes at the same time.

Steel-U was set up at a time when the government was encouraging all state-owned enterprises to help establish workplace labour unions, so it has had an office free of charge since then. In the meantime, it has been officially written in the collective agreement that the company should provide the office and other necessary facilities free of charge. As a result, the infrastructure of Steel-U office is provided and managed by SteelCo, since it is part of the welfare building. SteelCo mentions Steel-U on its official website as part of its corporate social responsibility and views it as a subsection of the 'employee and contractor management' section to demonstrate its harmonious employment relations. SteelCo set up its website of corporate social responsibility in 2012, as a result of its announcement of its own corporate social responsibility, following the sustainability reporting guidelines of the Global Reporting Initiative²⁹ in 2011. SteelCo laid emphasis on cordial relations with Steel-U on its website by giving examples of collective agreement, worker directors on the board and so on. Clearly, SteelCo's position vis-à-vis Steel-U is welcoming and positive in most cases.

Unlike Sugar-U, Steel-U set up its own website which is hosted outside the SteelCo servers, though SteelCo's website currently provides a link to it. In addition to the use of free company telephone lines and broadband, Steel-U also rents its private telephone line and broadband from a third party to maintain the independence of its site because the SteelCo information technology department monitors all company lines and may be a latent threat to union organisation and activity. As the union president CPW said,

²⁹ <https://www.globalreporting.org>. The Global Reporting Initiative (GRI) is a non-profit organisation to promote reports of sustainability in order to help organisations to develop sustainably.

“In general SteelCo seems supportive of the union’s routine business and we feel thankful, but it never does any harm to be more cautious as we understand the company may not always agree with the union. Essentially there are still conflicts between labour and management, so we have it written down since our first collective agreement what resources the company offers free to us to avoid further arguments about using them. In terms of our website, we know we must have our own independent site as we do not wish to be completely monitored by SteelCo. We still have our independence to keep as far as possible.”

It is always pleasant to hear that trade unions get complimentary resources to develop, since trade unions are usually short of resources. However, it is worth a second thought before accepting anything from an employer without charge. Undoubtedly, no matter how friendly and kindly management is, there may still be some hidden threats as the corporation still holds an authority which is neither avoidable nor negligible.

5.1.3. Summary and Comparison

Paternalistic benevolence offers workers a good deal of care for their lives in the workplace and convenient living conditions. Moreover, in the past it supported the growth of trade unions in the workplace by offering recognition, financial support and resources. As a result of Taiwan’s state policy, it is likely that the management in state-owned and privatised enterprises does not hold an antagonistic view of trade unions and providing the necessary resources has become a means for workplace trade unions to develop.

Comparing the cases of Steel-U and Sugar-U, Steel-U has more consciousness of the value of autonomy in the workplace, whilst Sugar-U simply enjoys the resources offered by SugarCo. This results from the differences between state-owned and privatised workplaces.

It has been argued that trade unions never used in the past to be autonomous, but in fact they have been gradually expanding their territory as officially encouraged by the state. As a result, the old labour unions became less dependent after the experience of privatisation and continued to grow towards their present level of autonomy. In general, the reinforcement of paternalism by the government gradually helped the trade union organisation and its development in state-owned and privatised workplaces alike.

5.2. Managerial Authority in the Workplace

Authoritarian management is a feature of paternalism whilst the employer wields his/her power to manipulate the workplace. The example of the selection of Steel-U's chief secretary may be enlightening.

In terms of staffing, Steel-U's union president, chief secretary, executive secretary and two daily secretaries are on secondment from SteelCo but with different conditions. All seconded staff members working in the union receive their salary from SteelCo based on their salary before they joined the union. In terms of their annual performance review, the process is a little different for each role. The performance of the executive secretary and two secretaries is reviewed by the chief secretary whose performance is then reviewed by the union president, but that of the union president is reviewed by his original line

manager in SteelCo. However, as the president does not actually work with this line manager, the performance review becomes a kind of formality.

In general, all the seconded staff will return to their original departments if required. Depending on the election result, the union president has a fixed term in office of four years and no president may serve for more than two terms. The decision of who is to be the chief secretary is based on the consensus of Steel-U and SteelCo's Human Resources Department, so the person may be recalled by SteelCo after a few years. The executive secretary and two of the ordinary secretaries are selected by Steel-U and approved by SteelCo's Human Resources Department, which rarely opposes Steel-U's decision; these secretaries may go on working in Steel-U for a considerable time provided no-one objects to their secondment.

However, the agreement between SteelCo and Steel-U on who holds the position of union chief secretary is in fact the result of paternalistic authority in the workplace. Following paternalistic ideology, the company still would rather have a certain degree of control over the union's affairs than giving it complete freedom to organise, especially when it is offering so many resources to the union. The union chief secretary, HCC, explained,

"The company asks for the privilege of deciding who should be the union chief secretary, the one in charge of most of the union's routine affairs and reporting directly to the union president. The candidate normally comes from the Employee Relations Division and is proposed by the company and the secondment usually has a fixed term of three years, possibly extended to a second term. Generally, the company seeks agreement from the union, whilst the union rarely

objects the company's suggestion. It sounds ridiculous that the company should be allowed to interfere like this in union affairs, but the union accepts it as a survival strategy."

Another interviewee, KFC, the previous union chief secretary added,

"Being the union chief secretary is quite challenging. You actually work for the union and the company at the same time. From the union's viewpoint, you are expected to seek more welfare and benefits for members. From the company's viewpoint, you are still part of the Employee Relations Division so your work is about employee relations. The mutual expectation is that you are the man in the middle who has to strike the balance between. Overall, the union chief secretary should consider the union more, whilst bearing in mind the company's baseline and try his best to make both sides happy, or at least not unhappy, with each other."

The union president, CPW, added,

"Of course we would be able to hire an independent chief secretary from outside to reduce SteelCo's control over the union and we would be happy to do so, but we decide not to do it. Instead, we agree with the approach the company takes. We know that the chief secretary holds the key position between the company and the union. We may be able to hire an excellent outsider, but if the person has never worked in SteelCo, he will not truly understand the workplace culture here. There are occasions when the union president should not talk directly to the company, for example, when the union is at the stage of initiating an issue. The chief secretary, who is familiar with

the Human Resources Department, plays the role of informally communicating from one to the other so that both sides need never simply confront each other directly. Therefore, this agreement helps us to maintain a certain degree of good communication with the company.”

Overall, it is inevitable under the paternalistic aegis for managerial authority to be wielded in the workplace and even for management to make an effort to intervene in trade union affairs. As far as the union is concerned, it treats the action as a survival strategy and an opportunity to understand the company better. Steel-U understands that confrontation between labour and management is not always preventable, but what they like is to try to reduce the possibility of conflicts, since their resources are limited and they have to win whenever conflict occurs.

It seems, then, that SteelCo retains a certain degree of control over Steel-U's affairs and it may be doubted whether Steel-U is altogether independent from SteelCo. Nevertheless, the paternalistic style of employment relations in SteelCo provides Steel-U with a helpful foundation on which to develop its own organisation and strategy.

5.3. Managerial Morality in the Workplace

Paternalistic morality can refer to the desire of management to act in a moral way to gain respect from the workers. Morality implies universal values in the workplace so management behaves in a good way that can be judged by workers and even by the society. Moral behaviours, which are normally not

required by law or the government, in fact play an important role when workers judge management as good or not. Therefore, the example of management wearing the same uniforms at work represents themselves acting in the same way as workers in SteelCo, dissolving the gap between labour and management in a symbolic way.

It is quite common in state-owned and privatised enterprises in Taiwan for people to wear uniforms at work. When they start work, employees normally receive one summer uniform and one winter uniform. Some corporations may offer new uniform routinely, whilst others replace old items when requested. Rucker et al. (1999) note from the literature that manual workers mainly care about how hard-wearing their uniforms are and whether they help productivity.

Uniform is useful to distinguish between insiders and outsiders, to help people identity their role in an organisation and to overlap of roles among group members. It is an important symbol of collectivity and regulation, which may point to external judgements of a firm and its employees (Joseph and Alex, 1972).

The former chairman of SteelCo was very proud of the uniform in the firm's culture: everyone in the workplace, including the executive board and himself wears the same grey-blue uniform, no matter what job title people have (Wang, 2002, Wang, 2006). He believed that SteelCo would like to create a corporate culture, the SteelCo spirit, which would lead every person there to be treated the same, without distortion by hierarchy or clique, although each has a different task or responsibility (Wang, 2002). Wearing the same uniforms brings in the image of 'us' as a group and implies the sense of fairness, which is a moral value demanded by many people.

In 2003, however, the chairman of SteelCo proposed a change to SteelCo's uniform in order to give a better social impression of the firm. The management came up with a new design and colour for the clothes, but they did not know whether the employees, the main people wearing it every day, would agree with the initiative. Therefore, the company approached Steel-U to seek their help in order to put the new uniform policy into practice gently. First of all, the representatives from the Human Resources Department met the members of the union's boards of directors and supervisors to discuss the idea and demonstrate the sample uniform. They met and responded to the union's comments whilst emphasising their request that the union should advocate the change as well as collecting employees' opinions.

The union agreed to help because it had more frequent and direct interaction with members than the company. In addition, they treated this initiative as positive workplace recognition by the company. The president, CPW, said,

"When the company got in touch over helping with the introduction of the new uniform, we thought it was a good idea to have us involved. In fact, our members are much more familiar with us than with the Human Resources Department and it is easier to visit the welfare building than the administrative building. We discussed the process with the company and then rolled it out very well. In addition, we are always happy when the company asks for our help, because it means that the company thinks of the union as a helper rather than an enemy."

After meeting with the management, the union set up a display area in the union office for a couple of weeks to advertise the new uniform and to provide some

explanations to the union members. Steel-U also publicised the news in its periodicals to encourage members to have a look at the display and give as much feedback as possible, emphasising that the style of uniform would not be changed on a regular basis, but that everyone would have to wear the new one when on duty.

Eventually, after Steel-U's efforts to introduce it to the workers, SteelCo introduced its uniform without much opposition. The company was happy to consult with the union this time, since a change in the uniform was not a major issue or one influencing managerial authority and it was aware that employees regularly interacted with Steel-U. In addition, it should be noted that, because the workers trusted the union, securing the union's approval helped the policy to be accepted more easily. In the end, all the stakeholders were satisfied with the new uniform without much difference of opinion and each party got its needs and concerns satisfied. This is also an example of the union's collaborating with the company in the workplace.

5.4. Paternalistic Trade Unions and Employer Recognition

In labour force general, the ideology of paternalism has helped the state and capital to tame the labour force into stable docility by providing personal welfare and benefits, with the wider purpose of sustaining economic growth and political peace. In addition to authoritarian management, paternalism values morality because it presents an authoritarian party as a good and feasible employer respected by the workers. It has even further supported the growth of trade unions, though initially not for the sake of their autonomy but for the same purpose of national economic and political development.

Paternalistic benevolence is quite important since it provides, with few obstructions, a foundation for corporate trade unionism in the workplace. It may also create the phenomenon of trade unions being affiliated to the employer because of the variety of resources that they receive from it, as in the case of Sugar-U and SugarCo. However, leaving aside the question of union autonomy, paternalism offers an opportunity to develop the organisation of trade unions in the workplace, which allows the development of corporate trade unions to begin without frequent resistance from the management.

Nonetheless, paternalistic authority is never avoidable since the management always holds a certain degree of authority in the workplace. Employers want their workers to be obedient and silent and expect trade unions to act accordingly. As a result, trade unions may have to take on the requirements of the management, even though some of these requirements may ask a great deal of the unions. Trade unions evaluate the circumstances to decide whether to follow everything the management asks or negotiate with them and do the best to maintain such autonomy as they have.

Paternalistic morality tolerates, even welcomes, cooperation with trade unions as it is presumed that management is doing what people see as the right things. It helps the employer to gain a good reputation which shapes the desired impression of being good parents. Given this presumption, the employer may see trade unions not merely as obstacles in workplace, but rather to be treated as his affiliates. Therefore, seeking the help of trade unions is not a bad move and an employer may gain some advantage from their help.

According to the participant observation in December 2015 when Steel-U held its two-day annual meeting of union representatives, SteelCo offered the venue

and necessary facilities without charge. When the representative meeting opened, some of the senior management in SteelCo were presented, including the chairman of the board; the vice president of the Administration Division, who is in charge of human resources, general affairs and public affairs; the general manager of the Human Resources Department; and the assistant general manager of the Human Resources Department, HJT. The Administration vice president, the Human Resources general manager and the assistant general manager are the highest-ranking managers of SteelCo's human resources management.

The chairman of the board gave a short opening address to wish the meeting success and then had to leave early to travel to other businesses. Each of the three human resources management representatives also spoke a few words and all stayed until the end of the opening session to show their respect for union affairs. They also took the opportunity to answer questions from the trade union representatives. For the rest of the two-day meeting, one representative of the Human Resources Department was always present, mainly from the Employment Relations Division that is mainly responsible for union affairs in SteelCo. This representative usually sat in the meeting as a guest, not intervening in any discussion unless Steel-U asked him to comment. He sat beside the trade union officers and usually chatted with them.

From the standpoint of SteelCo, sending a representative from the Human Resources Department is a habitual way of understanding what Steel-U does and how it acts. Its purpose is also to monitor whether Steel-U carries out its function when asking for company resources. For example, the company gives each union representative two days' paid leave for union affairs and would like

to make sure that the union does not abuse these rights. Besides, attending some union meetings gives the company the chance to discover whether Steel-U has any complaints or views that may be discussed by SteelCo and resolved at an early stage. Thus the intention is not only to show how much the company values union affairs but also to make sure that the communication between itself and the employees is clear.

The interviewee HJT who has been working in SteelCo for over twenty years, mainly with responsibility for human resources affairs, made the following observation on Steel-U:

“The relationship of labour and management is like dancing the tango. When one side steps forward, the other side steps backward. The two sides have to watch each other’s steps and act in concert with each other so they can keep dancing without stepping on each other’s feet. SteelCo is responsible for the way that Steel-U acts nowadays. In fact, we allow them to be what they are and offer them the chance to declare themselves, so we cannot complain too much if they are too demanding. We have to remember that the union was originally created by us. Frankly I quite admire Steel-U. They do not insatiably ask us to give them everything without good reason. Instead they have made lots of effort to communicate with SteelCo and they work very hard to make themselves better at fully representing the workers.”

Clearly HJT felt that the company was responsible for the inception of Steel-U but the current status of Steel-U mainly comes from its own efforts. This is an

expression of paternalism in management, which gives her a less hostile view of trade union development.

For trade unions, paternalism in fact offers them employer recognition, which is fairly important in the workplace. Management gives respect and talks to trade unions only once it has recognised them. However, this recognition implies some mutual compromise and makes trade unions moderate their aggression in the paternalistic context. Nonetheless, it is more important for corporate trade unions to be recognised by employers so they may be empowered to negotiate with the company. Trade unions nowadays may have fewer barriers to the development of their functions and organisation. To what extent a corporate trade union acts as the agent of its members and successfully mobilises workers will be addressed in the following chapters.

More sophisticated paternalism institutionalises more in order to formalise the workplace further. It helps management to manipulate the workplace ceremoniously. A good example of this comes from the various kinds of non-union representation mechanism. As required by the government, SugarCo implements labour-management meetings, the employee welfare committee, the labour safety and health committee, the committee supervising the labour retirement reserve funds and worker directors on the board. SugarCo also offers branch meetings to give all branch employees the chance to discuss and give feedback to management. Moreover, Sugar-U is another communication channel for SugarCo to express its paternal care as a listener welcoming the workers who talk to him.

At the same time, SteelCo puts the required statutory committees into action as well, including the labour-management meeting, employee welfare committee,

labour safety and health committee and supervisory committee of the labour retirement reserve funds. A place on the directorial board for worker directors was initially requested by Steel-U. Moreover, SteelCo has initiated other channels of communication to mark their caution on behalf of employees, namely, the awards and punishments committee, employees' stock ownership trust committee, sexual harassment prevention committee and departmental meetings. With all kinds of non-union representation and the existence of Steel-U, SteelCo, under the ideology of paternalism, still acts as a parent trying every means of listening to and understanding its workers. Further discussion of non-union representation can be found in the following chapters.

5.5. Conclusion

Paternalism begins by looking after the relationship of management with individual workers and provides them with welfare and necessary care, acting as a parent with authority, benevolence and morality. Apart from having workers simply obedient, it seeks in advance ways to make workers feel wholeheartedly loyal, so management puts thought into moral behaviour on its part to win more respect. Paternalistic management offers the illusion that the employer spares no effort to look after his employees. What it wants in return is for all workers to sincerely work hard and follow management's bidding.

However, following the governmental policy, paternalism covers not only individual workers but must also embrace trade unions. Trade unions were introduced by the state to help the growth of capital and itself, so their duty was not help labour voices to be heard or workers' rights to be upheld. This premise resulted in a very quiet labour movement lacking aggression and militancy. At

the same time, nevertheless, management did not view trade unions reluctantly, but more or less welcomed them. Trade unions could take a soft approach, therefore, and gained space and resources to develop in the workplace.

The three characteristics of paternalism, namely, authority, benevolence and morality, differentiate paternalistic management from absolutely authoritarian or dictatorial management. The paternalistic employer is authoritarian, benevolent and moral, because he would like to make people feel all in the same boat and win over his subordinates by his virtue. Benevolence and morality make paternalistic management stand out from autocratic management. These factors provide trade unions with a space to take root in the workplace, especially in state-owned and privatised enterprises.

Unfortunately paternalism inescapably generates a docile labour force and silent trade unions since management has the initiative of offering welfare and benefits to meet labour needs and goes on to terminate labour conflicts before they can materialise. It is not surprising to learn from history why the state chooses to enforce paternalism in order to sustain politics, the economy and society. In spite of taming workers and trade unions, however, it must be remembered that trade unions serve some vested interests by paternalism, namely, employer recognition. With this, corporate trade unions have easier access and fewer obstacles to interacting with employers and surviving in the workplace.

To conclude, this research argues that paternalism has made a setting in which trade unions have been calm and still for the past few decades, but at the same time paternalism has provided trade unions with fairly fertile ground in which to organise and develop. The employer offers various resources to trade unions,

such as physical offices, staff, funds and employer recognition. All these help trade unions to set themselves up at first. The rest depends on whether trade unions are conscious of union autonomy and further develop a strategy to survive. These topics are further discussed in the following chapters.

Chapter 6. Non-Union Representation in Workplaces

Non-union representation in Taiwan's workplaces was originally required by the government. It is in fact a practice of paternalism as evidence that employers listen to and care for employees. Besides, non-union representation promoted by the state is a fertile basis for reviving trade unions in the workplace.

Selecting labour representatives of non-union representation provides trade unions with further legitimacy and reveals the union function of self-fulfilment for workers. Indirectly engaging in non-union representation helps trade union functions of economic regulation and job regulation, and demonstrates trade union efficacy. Non-union representation may enhance trade union power, provided that the union takes advantage of indirectly participating in non-union representation by supporting labour's representatives. Trade unions are authorised by the government to intervene in non-union representation and further gain additional power and resources following their manipulation of non-union representative mechanisms. The following chapter discusses and compares the implementing of labour-management meetings, worker directors on the board, employee welfare committees, and labour safety and health committees in the research cases of SteelCo and SugarCo. It is noted that trade union involvement in non-union representation not only facilitates a good practice of non-union representation mechanisms but also reinforces the influence of trade union in the workplace.

Furthermore, the focus shifts to investigate how general workers and their squad leaders view non-union representation. Squad leaders, who are described more fully in the next chapter, are people who help the union to communicate with members. Apparently legislation, current issues and trade

unions influence people whether they are aware of non-union representation or not. Although non-union representation seems important in the workplace, most people may not have much understanding of it. Trade unions, however, play a key role in promoting non-union representation.

6.1. Labour Representatives of Non-Union Representation:

Legitimacy and Self-Fulfilment of Trade Unions

Non-union representation is an important area of employment relations because the state governs a few mechanisms which must be implemented in all workplaces. Worker representatives participate in various meetings with management representatives and represent their fellow workers in discussing relevant issues. This represents the paternalistic ideology under which employers want to communicate positively with their employees.

As mentioned in previous sections, four statutory committees, namely, labour-management meetings, the labour safety and health committee, the employee welfare committee and the supervisory committee of workers' retirement reserve fund, must be convened in each workplace, whether unionised or not. Employee representatives on these statutory committees are usually elected by the direct election of all workers when a union does not exist, or, when one has been legally set up, are elected by all union members or all union representatives. The legal rules are as quoted below.

Article 5 of the Regulations for Implementing Labour-Management Meeting (Ministry of Labor and Ministry of Economic Affairs, 2014):

In a business entity with a labour union, representatives from the labour side in the labour-management meeting shall be elected by union member or member representative meeting; in the business entity without a labour union, they shall be directly elected by all employees.

Article 11 Paragraph 4 of the Regulations for Occupational Safety and Health (職業安全衛生管理辦法) (Ministry of Labor, 2016b):

The number of labour representatives of the provisions of Paragraph 1 shall be more than one third of the committee members. Labour representative refers to the representative designated by the labour union in the enterprise; if the enterprise is not unionised but has a labour-management meeting, the labour representative may be appointed by labour representatives of the meeting; if the enterprise is not unionised and has no labour-management meeting, labour representative may be appointed by all labour through direct election.

Article 4 of the Organisational Regulations on Employee Welfare Committee (職工福利委員會組織準則) (Council of Labor Affairs, 2013b):

The Committee may appoint one of the committee members as the ex officio member. All other members are determined as described below:

1. The method used to elect committee members shall be determined by the business entity and the union separately. The elected committee members of the union should elect at least two-thirds of the committee members.

2. For business entities without a union, the committee members are determined by the business entity and the welfare committee. In this case, the method used to select members is determined by the business entity. Labour representatives are elected by all employees.

Substitute members should be also elected at the same time. The number of substitute members shall not exceed one-third of all members.

Article 4 of the Rules Governing the Organisation of the Supervisory Committee of the Business Entities' Labour Retirement Reserve (事業單位勞工退休準備金監督委員會組織準則) (Ministry of Labor, 2015b):

Workers' representatives of the supervisory committee shall be elected by the labour unions. Where a labour union does not exist, they may be elected by workers by direct election among themselves. Substitute members may also be elected.

It is clear from all the legislation that a workplace union may engage in the practice of non-union representation since the union is empowered to legitimately elect worker representatives. In general, trade unions in businesses have the legal right to engage in the election of employee representatives, so these elections may become part of their usual business. For instance, Steel-U has passed its own rules to regulate each election, namely, the Election Rules of Steel-U Officials, in order to smooth the progress of employee representation in SteelCo. As a result, labour representatives of the SteelCo labour-management meeting are elected by the union representatives, but the employee representatives of the employee welfare committee, the labour safety

and health committee and the supervisory committee of workers' retirement reserve fund are all elected by the union directors. However, every worker in SteelCo can register to be a candidate of some representative committee.

Before each representative election, Steel-U officers may actively approach some members who may or may not participate in union activities but are recommended by other members or union officials. The union encourages those members to stand for election as worker representatives. In fact, these members may never have thought of doing such a thing until they get the chance to join a committee. The labour-management meeting representative CCL explained how he became a labour representative,

"I started to act as a worker representative of the labour-management meeting because the union president CPW came to persuade me. I had been working as an engineer in our company for several years but I took no enthusiastic part in union activities before taking up this role. I simply thought I was too busy to take part, but CPW was thoroughly sincere and supportive, so I decided to try. In addition, being a representative does help me to understand the company, the union and our colleagues better."

In the participant observation, I noticed that people working in professional positions, such as engineers, specialists or researchers, could be less interested in participating in the union than those in basic positions, such as operators and foremen. However, Steel-U has both basic and professional employees, so it would like to learn a range of views on workplace issues to avoid bias and also to encourage as many members as possible to participate to exemplify the union function of self-fulfilment.

On their side, some worker representatives are volunteering to mount a campaign for a new post, because they want to show their ambition to improve the departmental structure or to advance their own careers. The union provides a platform for this kind of self-fulfilment. Another representative of the labour-management meeting, HHC, said,

"I joined the union after I started my job in SteelCo when I could sense a problem between workers and managers in my department. I was desperate to change it so I actively asked for support from the union and joined the candidates for election. So far I am pleased with what I have done and I truly believe that I am doing something right and good for all Steel-U members."

Moreover, the general survey for union members includes three questions especially for those who have been or are employee representatives. In total 22 of 126 respondents had had the experience of representing their colleagues in labour-management meetings or those of the employee welfare committee, safety and health committee and supervisory committee of workers' retirement reserve fund, awards and punishments committee, or employees' stock ownership trust committee. To explain why they had become a worker representative, most people said that they wanted to serve fellow members, fight for labour rights and welfare in the workplace and supervise the company. A few people mentioned their interest in relevant affairs such as safety and health, and their specialism in such issues. Self-fulfilment via a trade union seems an important motive for workers to participate in non-union representation.

Second, the respondents were asked to define their roles in the company. Most of them saw themselves as striving for welfare, protecting rights and acting as the communicating bridge between labour and management. One respondent said, “employees first.” It seems people who have been or are worker representatives generally understand their duties well, but the survey did not ask how or why they had learnt these ideas.

Asked about their satisfaction with their achievement in meetings, 10 of the 15 respondents felt satisfied because they had worked hard and received quite positive feedback from their fellow members. Four people thought their achievement was about right but their professional abilities were not good enough and should be improved. One person was not originally satisfied because he felt that the mechanism of labour representation was not enough to protect workers in the workplace. Overall, no matter why a member decided to serve as a labour representative in a representing mechanism, it seems the trade union helped them to achieve self-fulfilment in the workplace.

The following section starts by citing the practical experiences of some official workplace representatives from the cases under study, which is followed by comparison and discussion.

6.2. Non-Union Representation in Practice

Following the review of relevant regulations to give an overall understanding of the non-union representation system which formalises the legitimacy of trade unions, this section examines the actual practices in the non-union representation of the cases studied. Trade unions support their labour

representatives and gain efficacy in the workplace. Helping the implementation of non-union representation further aids the union functions of economic regulation and job regulation.

6.2.1. Labour-Management Meetings

Labour-management meetings are the main non-union representative committees in most businesses, but the operation and outcome may vary in different enterprises. This section describes the experiences of SteelCo and SugarCo workers and then briefly compares them.

6.2.1.1. SteelCo

SteelCo called its first labour-management meeting on 18 December 1985 after the statutory announcement of Regulations for Implementing Labour-Management Meeting in May 1985. As the model state-owned enterprise at the time, SteelCo had the responsibility of implementing all new regulations. Nowadays this meeting brings together nine labour representatives and nine management representatives and takes place over a full day every month in a company conference room. The labour representatives are elected by the union representatives who are elected by all union members, but every employee can register as a labour representative candidate. Management representatives are usually senior directors and chiefs who take it in turn to attend. Unlike other representative committees which the company president attends ex officio, the highest management representative in this meeting is the vice president of the

Administration Division, who is unable to make a final decision during a meeting.

The labour representative CCL said,

“The company president does not like labour-management meetings at all and is unwilling to participate. He thinks the labour representatives in this meeting are always too aggressive and too demanding, so he would prefer to be a temporising outsider without direct involvement.”

After the election of labour representatives, all labour representatives decide on a convenor among them to coordinate and represent the whole body. Before a formal meeting, the convenor calls a pre-meeting to integrate the labour opinions and at the same time to collect items to propose to the Employee Relations Division which is in charge of the administrative affairs of the labour-management meeting, including minute taking. Labour representatives propose all kinds of issues concerning employment relations, but management never submit any item for the agenda. During the formal meeting, the representatives chair in turn, but the person taking minutes is always an administrator from the Employee Relations Division. Approximately one week after the formal meeting, whoever chaired it confirms and signs the minutes which are then distributed to all the meeting representatives, the union, all sections and units, and senior managers.

In terms of agenda, at least three or four new issues or problems arise in each monthly meeting whilst at the same time a fairly long list of unsolved issues are carried over. One item usually involves departments or divisions which have no representatives on the committee, and therefore it cannot be concluded until the relevant managers or officers have been invited to attend and are willing to do

so. Most items focus on specific issues and may not be brought to a conclusion until several meetings have passed or may even be even be passed to the next meeting group. Taking the seventh labour-management meeting (from December 2003 to November 2006) as an example, the aggregate number of items proposed for the meeting agenda was 204. 49 items were adopted without change, 75 items were accepted in part, 34 items were rejected and 46 items were left pending until the eighth meeting.

One of the pending items, for instance 13-1 (December 2004), suggested that the company should provide a specific allowance to employees working in hazardous environments. This item could not be concluded with mutual agreement. However, only two labour representatives at the seventh meeting remained in post at the eighth meeting, and this may have been a problem for the labour side, since there were still many pending issues which could be dismissed by the management if no one followed them up. The labour representative CCL said,

“Fortunately, the convenor of the two meetings was the same person who is very positive and willing to carry out the duties for the labour-management meeting. Besides, a new labour representative is sitting in the union seat of the current board of directors. This helps to improve the company’s recognition of the labour-management meetings.”

In order to improve the efficiency of the meeting, three or four representatives (including both labour and management representatives) may organise an ad hoc group within the meeting to take responsibility for a few specific items.

Otherwise, it is not possible to discuss all the new and remaining items within

one-day session. Sometimes the company may try to ignore some issues, but the labour representatives will report to the union, which may make further efforts to force management to tackle the issues. However, the meeting administrator HMW felt that the labour representatives usually raise an issue without providing any solution and wait for the management response. He wanted them to approach the departments concerned before the meeting, especially if they were departments without representatives, to allow both sides to reach mutual understanding more easily and improve the efficiency of the meeting. Besides, HMW mentioned,

“Issues discussed should be more general instead of the specific cases which could be submitted to the departmental meeting instead. Although all kinds of issues can be submitted according to the statute, some issues such as safety and health should go to the relevant committees, which would also improve efficiency.”

However, this reflects the essentials of the labour-management meeting that almost all kinds of workplace issues may be brought to the platform.

Nevertheless, the interviewee HJT commented on the labour representatives at the meetings,

“Steel-U works very hard to push the labour representatives. As you may be aware, they propose new items of agenda every month and there are already other items on the agenda, so the list keeps growing. It is very surprising that they can always find something to draw attention to and it is good to know that people care about the workplace.”

6.2.1.2. **SugarCo**

Unlike SteelCo, SugarCo has several branches in different cities so each branch holds its own labour-management meeting. Altogether, 25 labour-management meetings are set up within SugarCo and each meeting should take place every three months and send its minutes to the Industrial Relations Division of the Human Resources Department at headquarters. Every meeting involves 10 to 18 representatives with the same number of representatives of management and labour. The company directly appoints the management representatives and the representative with the highest position is the deputy chief of each branch. The union members or all the workers in a branch elect their worker representatives who are elected pro rata in each department. When a branch has a local union, its standing directors become ex officio representatives and the labour-management meeting has to report to the union as well. Some meetings have two fixed chairs with one management and one labour representative, but most meetings have all the representatives taking it in turn to chair the meeting.

All the representatives have to send any issue they wish to discuss to the person administering the meeting in the Human Resources Sector of each branch some time before the formal meeting; the administrator is also responsible for taking minutes at the meeting. Nevertheless, both sides may propose items for the agenda. The management may take the labour-management meeting as an opportunity to announce new policies, safety and health issues, or statutory changes. Moreover, should no item be proposed by the labour representatives, the administrator may propose a few issues on behalf of the management representatives to make sure each meeting has a proper agenda. The labour-management meeting is an important item for the

Human Resources Department at headquarters and the Human Resources Division of each branch aims to ensure that the meeting is held regularly, since the implementation of the labour-management meeting is always an important item in many external investigations or assessments by the government or non-governmental organisations.

Representatives generally aim to reach agreement before the meeting ends and normally keep away from taking a vote. Sometimes if the management feels an issue is quite controversial, the Human Resources Sector may hold informal discussions with the labour representatives before the formal meeting in order to avoid any overt conflict. When it is too difficult for the two sides to agree with each other, the branch will defer the issue to the next meeting or pass the item to headquarters for final judgement or a recommendation. In general, the responsible units or sectors will carry out the decisions of the meeting and moreover the Human Resources Department at headquarters pay most attention to health and safety issues which have to be resolved before long and reported back to the Human Resources Department.

In the view of the administrator, CWC,

“Statutory committees in a company are a purely representative system which results from different representatives’ views and knowledge. Labour-management meetings should be very important in a non-unionised workplace, but they may be weakened if a union is operating well and labour self-awareness rises. The agendas of labour-management meetings are always similar to the agendas of meetings of union boards of directors and supervisors. However, we have to implement labour-management meetings since they are

statutory. We in the Industrial Relations Division try our best to be neutral and pull both sides to a point of balance, so both sides are very likely to expect too much from us and feel unsatisfied.”

Apparently, SugarCo has the view that non-union representation is unnecessary in a unionised workplace like itself and puts it into practice more or less out of obedience to the government’s requirement.

6.2.1.3. Comparison

Obviously, labour-management meetings appear to be important and to be very similar in SteelCo and SugarCo, such as having legal regulations for the structure and organisation of meetings. However, the major difference is made by the effect of involving the union in the meeting. The practice of labour-management meetings in both cases is summarised in as Table 6-1. SteelCo experience shows that union assistance in fact helps forward the practice of holding meetings.

Table 6-1 Labour-Management Meetings in SteelCo and SugarCo

Company	SteelCo	SugarCo
Frequency of meeting	Monthly	Every three months
Number of representatives	18	10-18
Most senior management representatives	Vice administrative president	Branch deputy chief
Chairperson	All representatives in turn	Fixed to two or all in turn

Responsible department	Employment Relations Division	Human Resources Sector
Proposals for agenda	From labour only	From both sides
Labour pre-meeting	Yes	No

In both cases, the most senior management does not engage in the practice of labour-management meetings in order to avoid formal confrontations between management and labour. Management always takes a passive part in meetings, such as not submitting agenda items or taking it as another opportunity to promote policies, rather than debating issues which are more relevant to employment relations as a whole.

Majority decisions are always avoided because both sides believe it may make the situation worse or result in conflicts between representatives. Whether union supports a delegate or does not differentiate the participation and efforts of any labour representative from any other, the candidates who are backed by the union seem more dedicated to meetings and better organised.

The practice of holding labour-management meetings is a paternalistic stage on the road to union maturity, which allows workers to express their needs and requests. The union is an important factor in ensuring the regular implementation of such meetings. The other factor is the great variety of external assessments to check the legal implementation of committees as significant evidence of a well-established enterprises. External assessments urge businesses that want to be certified as good companies to arrange for non-union representation whether or not businesses are interested in such

committees. What those enterprises are interested in is their reputation in society, including credit for looking after their employees properly.

6.2.2. Worker Directors on the Board

The only statute referring to worker directors on the board is Article 35 of the Administrative Law of State-Run Enterprises (Legislative Yuan, 2011) which requests state-owned businesses to set up worker directors to represent at least one fifth of the state's capital. SugarCo currently has three seats for worker directors on its board, who are elected by the assembly union representatives. In contrast, SteelCo worker directors are set up according to the stock shares of union members, though the state is still the biggest shareholder of SteelCo.

6.2.2.1. SteelCo

After the privatisation in 1995, the fifth Steel-U representatives suggested to SteelCo that a worker director should be a member of the board, but the company tended to appoint someone of its own choice. However, neither side had acquired enough stock to sustain a labour director, but labour and management did not reach a compromise, due to severe internal conflicts between the parties at the time.

In December 1997, the sixth union board of directors and supervisors negotiated with the company again, since a seat for a worker director needed 6% or more of shareholdings. The company collected 4% and the union collected only 2% of the shareholders' letters of consignment. Eventually they

came to an agreement that one seat for an employee director would be set up as a legal person with the union's choice occupying it in the second year of the three-year term of office and the company representative doing so in the first and third years. Following this agreement, the union started to collect shareholders' letters of consignment from members and the employee representative was elected as a director at the shareholders' meeting in December 1997, three years earlier than the passage of the statutory revision. Furthermore, Steel-U passed its Rules for the Election of Employee Directors and Labour Advisory Committee in February 1998, so the union elected four advisors of the committee in the assembly meeting of union representatives and one employee director was elected from these four.

Later, the union negotiated again to fully represent the employee director rather than sharing the term of office with management. The company finally agreed and authorised the union to collect the stockholders' letters of consignment on behalf of the company as well. The seventh union helped members to draw gifts at the general shareholders' meeting and collected 3% of the shareholders' letters of consignment in May 2001. It elected one worker director in the same month whilst the union president was elected as a legal person. The union at last obtained the sole right to appoint someone to occupy the seat of the employee director.

In June 2003, the Legislative Yuan passed a law saying that privatised enterprises should have at least one labour director when the state capital remains at 20% or more. However, Steel-U did not ask for an extra seat on the basis of this bill. The union president, CPW, who was also the worker director, said,

“For the union, it does not make much differences if there are one or two worker directors. If we asked for another seat for a director simply based on the shareholding of the Ministry of Economic Affairs, how could we retain the seat if one day the Ministry of Economic Affairs held less than 20% stock? Besides, the company might think we were too greedy, so then the function of the labour director would not work well, which would be more a loss than a gain; at the same time, we have to consider whether we are powerful enough to support two directors’ seats. However, having one worker director is totally different from having none, because one employee director gives the union and workers an opportunity to supervise the operation of the company. Why the union struggled to have the union as the legal person of the labour director is to make sure that this seat would not become a way for a small number of people to gain fame and wealth or for a nominal director with no actual function to be a token member of the board. We act on the premise that we work together with the company for sustainable operation.”

The union actively pushed forward the mechanism for having labour directors on the board and regulated its support to the representative in order to be sure of having the only seat based on the stock shares of members and of exercising its function as the voice of labour on the board of directors. It is vital that the union should define the mission of its labour directors and be knowledgeable and professional enough to support its representatives.

6.2.2.2. **SugarCo**

SugarCo operates a board of 15 directors three of whom have been labour directors since 2001, according to the legislation. The normal term of office of directors is two years, but each worker director has a term of three years on the board. SugarCo and Sugar-U have agreed with this arrangement and do not regard it as a problem to operate. The meeting of the boards of directors and supervisors takes place every month. Three subgroups are set up within the board of directors responsible for different issues, including investment, property planning and regulation and budgeting. Each director has to participate in one subgroup and each subgroup has its own individual meetings before the formal monthly meeting.

According to the Election Rules of Worker Directors passed by Sugar-U, labour directors are selected in such a way that every worker can register to be a candidate but only Sugar-U representatives have the right to vote. Therefore, "it is an indirect election so the candidates whom union members favour may not be elected," commented the administrator CWC. Besides, individual background of candidates may be influential, since union representatives usually vote for people who graduated from the same high school which used to run a sponsored programme with SugarCo. CWC said that the labour director CCH always had a difficult campaign because he was not from the same high school so he had to work hard to secure a majority without a union cadre position.

There is no limitation to the terms of office of a labour director, so it is possible that some people may hold a seat forever and this may be a blind spot of the regulation. At the time of my interviews, one worker director had survived three

terms of office and another had survived two terms. Two of the worker directors apart from CCH were also union directors, who might confuse their roles as labour director on the board and union director. CWC commented,

“Worker directors should not become the union vice-director, but should pay attention to various labour issues indirectly affected by changes of management and investment. They have to create employment opportunities through management and investment and members take priority in these employment opportunities.”

The employee directors define themselves as canvassers seeking to persuade other directors because they are in a minority on the board, who are unable to take the lead on any issues in meetings. The meeting rules of SugarCo board regulate that any issue could be postponed if two or more members agree, so worker directors have some chance to lobby other directors as long as someone supports them.

Sugar-U passed its Rules of Labour Directors according to Article 35 of the Administrative Law of State-Run Enterprises to regulate the selection and obligation of worker directors as well as the second term for worker directors. The seats of the Consultative Committee of Worker Directors consists of the union president, standing directors and supervisors and external professional advisors. Labour directors usually meet committee members before any formal meeting or every time an issue arises which is related to company governance. When the labour directors want to propose an agenda item, they usually discuss it in advance with the Sugar-U board of directors rather than proposing it on their own. The former worker director HML explained,

“Most issues are related to business overall or employees’ rights as a whole, so worker directors and the union want to support each other. Items to do with union boards of directors and supervisors and the meeting of union representatives will pass to labour directors in writing, as they do when the union wants them to be addressed in the board of directors’ meeting.”

The worker director CCH also said,

“What is a worker director? It puts ‘worker’ always in front of ‘director’, so we have to think of workers before considering directors. A worker director is responsible for representing all workers on the board.”

6.2.2.3. Comparison

Worker directors so far have existed only in state-owned businesses or enterprises which are invested by the government according to the legislation. SteelCo is something of an exception since its labour director was set up taking a different approach. Table 6-2 summarises the practice of worker directors in both cases.

Table 6-2 Worker Directors in SteelCo and SugarCo

Company	SteelCo	SugarCo
Number	1	3
Origin	Union members’ shareholding	Legal requirement
Term of office	3 years	3 years

Consultative committee	Yes	Yes
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In general, worker directors are in a minority on the board and may not be able to dominate many issues. The setting is union-related but is sometimes symbolic rather than essential if worker directors have less support from the union. However, for seats guaranteed by the state capital, a potential threat is the loss of seats if the state decided to privatise or reduce its investment. In terms of employees who hold the position, it is in question whether they might have conflicts of self-identity in workplace because their own jobs could be quite distinct from their work on the board of directors. As a result, trade unions have to support worker directors and plug the gaps in their knowledge by their own consultative committees.

6.2.3. Employee Welfare Committee

The Organisational Regulations of Employee Welfare Committee (Council of Labor Affairs, 2013b), announced on 23 October 1943 and modified on 17 October 2013, regulate employee welfare committees in enterprises. This is a very clear practice of paternalism to demonstrate employers' care for employees' work and lives.

6.2.3.1. **SteelCo**

SteelCo employee welfare committee is in charge of the welfare of all the employees in the SteelCo business group; it has 27 members, 20 representing

labour and 7 management. The management representatives are non-union members appointed by the company and the company president is both an ex officio committee member and its chairperson. Employee representatives are elected by the union board of directors and every member can register as a candidate. Each representative remains on the committee for three years. According to the Organisation Rules in SteelCo, the committee appoints a chief executive to carry out the daily business without pay, a position held by the head of the General Affairs Department. The funds come from 40% of the sales of leftover materials, 0.15% of the company's operating income 0.5% of employees' salaries. A cooperative store is set up by the committee for the convenience of the workers.

The missions of the committee include the discussion of welfare affairs, administration of welfare funds, business of the cooperative store and any issues related to welfare and benefits. Regular meetings take place every two months and any members of Steel-U Welfare Division may attend as observers. The convenor of labour representatives usually calls a pre-meeting to conclude common views of the agenda in advance. Agendas of formal meetings are generally concluded without much argument according to what the labour representatives have agreed in the pre-meetings. Therefore, representatives never vote but try to organise as peaceful and effective a meeting as possible. The convenor of labour representatives, CHH, said,

"We never put things to a vote in a meeting, because voting results must be what we want since labour representatives are the majority of the committee. However, we also have discussions with the Welfare Division of the General Affairs Department and the chief

executive of the committee in pre-meetings to gain common consensus.”

The Welfare Division of the General Affairs Department is responsible for administering the employee welfare committee, including taking minutes of meetings, inviting relevant businesses to tender, and so on.

The union president has sometimes urged the convenor to be more aggressive as worker representatives at the labour-management meeting, but the convenor has disagreed, since the nature and mission of the two meetings were not the same and he looked only for an efficient committee from which workers could receive the welfare and benefits they indeed needed. The convenor, CHH, remarked,

“It is said that the past labour representatives of the employee welfare committee were very antagonistic, but I wanted to be tactful and give members the maximum welfare and benefits, avoiding any strained situations, since everyone in the company, including management, would benefit. Now I am the convenor of the labour representatives, but it is very exhausting to reach a conclusion when there are 16 people, the union board of directors and then the company president.”

CHH further commented on the selection of labour representatives,

“I was approached before to be a representative on this committee but I refused at the time. I know it is very difficult to deal with welfare because everyone has different needs and it is not possible to satisfy everyone. This time only six representatives had had experience on

the previous committee, because welfare became the target of the last union election and most representatives were replaced. When you deal with welfare, you become the target; people see you with peculiar views. However, some people like this position as it gives them more or less a chance to make contact with the bidding companies.”

6.2.3.2. SugarCo

Owing to the structure of SugarCo, the employee welfare committee was set up as a foundation constituted as a legal person with 13 branches. It has 21 representatives: 14 workers and 7 from management whose term of office is ways three years. The company president is the ex officio member and 6 management representatives are elected from the employees who are not union members. The administrator, CWC, said,

“We usually provide a reference list which is discussed by senior management and election is by secret ballot. The result is usually similar to the reference list though the votes for individuals are often different from what was predicted. All ballots are anonymous and members of the Ethics Department, chiefs of Human Resources and local units have to supervise the process,”

Labour representatives used to be chosen by Sugar-U and then put forward for election by the Sugar-U representatives who suggested them, but now they are chosen again by each branch nominating one person and the rest of the quota being shared by the bigger branches. All employee representatives have to be

confirmed by the Sugar-U boards of directors and supervisors before their names are announced. The chief of Sugar-U's Welfare Division, HML, said,

"In general, members are more interested in participating in the employee welfare committee since welfare is the most important thing to them. Each member union usually nominates the member with the highest reputation. However, members pay less attention to other committees in the company."

Committee meetings take place every three months whilst a chairperson, who convenes the regular and provisional meetings, is elected from all the representatives. A chief executive is appointed to look after daily business without pay. The funds come from 20%-40% of sales of leftover materials, 0.12% of the company's operating income and 0.5% of employees' salaries. Cooperative stores may be set up in all branches. Sugar-U's welfare chief, HML, said,

"The principal task of the committee is the way to use the welfare funds, since the source of funding is quite stable. For example, the committee has an income of approximately fifty million dollars per year, so every member is entitled to about ten thousand dollars. It is more appropriate for the committee to give vouchers or products to the value of eight thousand dollars or so to each employee, so people will feel more or less satisfied."

CWC commented on the relationships with outside providers:

"Because of the pressure from our business divisions, it is difficult for outside providers to offer products to us; insurance companies may

be the only exception. We have had a large variety of products and even our employees may not be aware of everything ... We used to have a cooperative store and common room and rented out corridors to outside providers when the headquarters were in Taipei, where we used to have a single building. Their products had to be different from ours and the employee welfare committee was able to receive the rents.”

6.2.3.3. Comparison

Employee welfare committees, then, are very popular among workers; welfare is related most directly to people, whether they have a union or not. Its issues are simpler than those discussed at labour-management meetings, so its representatives may act differently. The union may have a welfare division and so may management, but both of them may relate to the implementation of an employee welfare committee. Table 6-3 summarises the practice in the research cases of the employee welfare committees.

Table 6-3 Employee Welfare Committees in SteelCo and SugarCo

Company	SteelCo	SugarCo
Frequency of meetings	Every two months	Every three months
Number of labour representatives	20	14
Number of management representatives	7	7

Most senior management	Company president	Company president
Chairperson	Company president	Company president
Responsible department	Welfare Division of General Affairs Department	Welfare Division of General Affairs Department
Labour pre-meeting	Yes	No

Welfare is a key concern of paternalism also, because it reflects how management looks after employees in the workplace and beyond. The setting of the employee welfare committee makes it a platform of less conflict in labour and management communication, partly because most of the committee represent labour. Besides, the Employee Welfare Fund Act (職工福利金條例) (Ministry of Labor, 2015a), which is the parent legislation of the Organisational Regulations on Employee Welfare Committee, has regulated the funding resources for the committee, so it makes the committee run smoothly without worries about money.

6.2.4. Labour Safety and Health Committee

Health and safety form a vital issue in heavy and manufacturing industries and both case enterprises have paid much attention to it, even though the state has stipulated a committee co-organised by labour and management representatives.

The labour safety and health committee in SteelCo is chaired by the company president and consists of 15 management representatives and 15 employee representatives. Management representatives are appointed by the enterprise and labour representatives are elected by the union board of directors. In general, most agenda items are proposed by the worker side. The labour representatives may call a one-day pre-meeting devoted to discussion in the morning and inspecting the field in the afternoon.

It is seldom that labour and management representatives have conflicting opinions in a meeting, for health and safety cannot be ignored. Therefore, the employee representatives feel powerful since their views are taken seriously. The interviewee, CHH, who had previously participated in both the employee welfare committee and the labour safety and health committee said about the latter,

“I found more fulfilment being a representative on the labour safety and health committee than the employee welfare committee or labour-management meeting, because health and safety is the target for both sides. If we said something was not safe enough, the company rarely rejected our view.”

6.2.5. Efficacy, Economic Regulation and Job Regulation of Trade

Unions

Even without paternalistic ideology, non-union representation would give trade unions efficacy in that it gives them more chance to collect information and give opinions. Non-union representation does not take the place of trade union

membership but offers trade unions a platform from which to participate in workplace affairs in an indirect way.

Trade unions may practise the functions of economic regulation and job regulation within non-union representation as well as for their members whilst relevant issues may be brought into discussions by non-union representatives. For example, the labour-management meeting may bring in issues relevant to economic regulation and job regulation and the employee welfare committee may contribute slightly to economic regulation. Overall, the autonomy and power of trade unions may be increased provided that trade unions actively engage in non-union representation.

6.3. Workers and Non-Union Representation

Labour representatives of non-union representation are only a small group of people elected to represent the whole, so it may be asked whether general workers feel they are represented or not. Survey I asked some open-ended questions to find out.

To assess the ease of access to a worker representative, 75 survey respondents provided their experiences of reaching a labour representative. 48 people said it was quite easy to find a representative whenever they needed to, mainly because most of them work in the same department as a representative or more than one. 9 workers felt it was possible to see a representative whenever they wanted, as they usually worked in the same division or department, or they had known each other well.

In contrast, 18 respondents thought it was very difficult to approach a representative because they had no representatives in the office or department and they did not visit the union frequently. Some found they did not have a chance to get in touch with their representatives.

Even though 76% of the valid responses show the accessibility of representatives, only those who happen to have colleagues as representatives or who contact the union can easily speak to a representative. It is hard for workers to interact with representatives if they do not know any and at the same time rarely get in touch with the union. Overall, workers tend to be aware of who their representatives are, but they might not be able to contact their representatives. Employee representatives in meetings represent the rank and file as a whole, but they are only able to interact with a limited number of workers. The union therefore becomes an important mediator in encouraging relationships between members and labour representatives.

6.3.1. Awareness of Non-Union Representative Mechanisms

Non-union representative mechanisms have existed in SteelCo for a long time, but whether workers are aware of the whole system is a question. According to the labour legislation, all the statutory committees are formalised, namely, the labour-management meeting, the employee welfare committee, the labour safety and health committee and the supervisory committee of workers' retirement reserve funds. One worker director's seat on the board was set up under an agreement between the company and the union in 2001 and is now occupied by a union member. In addition the company itself institutes the following mechanisms: the awards and punishments committee, the employees'

stock ownership trust committee, the sexual harassment prevention committee and departmental meetings.

Therefore, the mechanisms of non-union representation in SteelCo comprise the Labour-Management Meeting, the Employee Welfare Committee, the Labour Safety and Health Committee, the Supervisory Committee of Workers' Retirement Reserve Funds, the Worker Directors, the Awards and Punishments Committee, the Employees' Stock Ownership Trust Committee, the Sexual Harassment Prevention Committee and the Departmental Meeting.

To examine workers' understanding of the SteelCo non-union representation, respondents were asked to indicate which mechanisms they had ever heard of. The result is shown in Table 6-4 in the order of people's awareness. In spite of the variety of representative mechanisms, workers do not know all of them and may feel the some are not relevant to themselves.

Table 6-4 Awareness of SteelCo's Representative Mechanisms

N=126

Mechanism	#	%
Employee Welfare Committee	105	83.3
Labour-Management Meeting	92	73.0
Labour Safety and Health Committee	87	69.1
Supervisory Committee of Workers' Retirement Reserve Fund	76	60.3
Employees' Stock Ownership Trust Committee	69	54.8
Worker Directors on the Board	64	50.8

Departmental Meeting	60	47.6
Awards and Punishments Committee	53	42.1
Sexual Harassment Prevention Committee	20	15.9

The survey result shows that workers are more aware of the four statutory committees than of the other mechanisms initiated by the company or the union. Over 60% of respondents know of these four meetings, but less than 50% is aware of some company-originated mechanisms such as the awards and punishments committee and the sexual harassment prevention committee. About half of the respondents are aware of worker directors on the board. It seems that legal requirements are more influential than others in the workplace, where legislation matters.

However, it is interesting to find that departmental meetings, which are a direct channel offered by the company for speaking to management, do not work particularly well. Evidently, the employee welfare committee, the outcome of paternalistic industrial relations, remains the important factor in the workplace.

The issues focused upon in each mechanism may account for the different degrees of workers' awareness. The most renowned mechanism of non-union representation in the company is the employee welfare committee, which affects the quality of the workers' everyday life at work. Its main function is to agree to and carry out all kinds of welfare and benefits provided by the company, such as the annual bonus of stock sharing, holiday gifts at the Chinese New Year, the Dragon Boat Festival and the Mid-Autumn Festival, yearly subsidies for family trips, grocery shops, cafeterias, gyms, cinemas and

entertaining facilities, the provision of accommodation halls and so on. Workers always keep an eye on the things offered by the committee, since welfare is one of the incentives for working.

The second popular institution is the labour-management meeting, which discusses issues of working conditions, production, personnel systems and most agenda items related to the workplace. The labour safety and health committee also seems important because most workers in the case company are operating workers in the field of production, whose safety and health are of great concern.

However, the sexual harassment prevention committee is the least known mechanism, perhaps not surprisingly. Some of those who answered the questionnaire whilst visiting the trade union asked me, "Sexual harassment prevention committee? Are you sure? Do we have that?" Most of the respondents, who are manual workers with no female colleagues in the factory, only meet the few women who work in the welfare building where the trade union, cafeteria, grocery shop and the office of the employee welfare committee are located. Some of these females are subcontracted workers.

Apparently, people pay attention to the issues which they feel are important, but they may not know much about issues that do not directly affect their work or their life.

People receive information about non-union representation from different sources, such as the union, management, colleagues and so on. The responses (see Table 6-5) show that the union is the main channel of information about non-union committees: more than 85% of respondents have heard about them from union officials or periodicals. An example of this is the

monthly union periodical; it reports the working progress of each committee so as to help members keep up with the issues that are on-going or have been resolved, especially at the labour-management meeting.

Table 6-5 SteelCo's Channels for Understanding Non-Union

Mechanisms

N=126

Channel	#	%
Union officials or periodicals	108	85.7
Fellow workers, word of mouth	51	40.5
Employee manuals or internal documents	45	35.7
Line managers	14	11.1

Workers also understand representative systems from what their colleagues say or what they read in internal documents, but these mechanisms have far less than the union's. Moreover, it is interesting to find very few people have received such information from their line managers. If the company gives more support to non-union representation which may in time replace the union, management seems not keen to encourage it.

Therefore, it is up to the union to play the very important role of publicising non-union representation; management does not put as much effort as the union does. Apart from the union's efforts, legislation and particular issues affect whether workers may be aware of representative mechanisms.

6.3.2. Understanding of Labour Representatives' Responsibilities

Apart from understanding non-union representation mechanisms, it is interesting to know whether workers understand the responsibilities of the non-union labour representatives. 67 respondents commented on whether they knew the duties of worker representatives; 48 of them believed that they knew and gave examples of the way in which representatives and supervising management on behalf of labour expressed their opinions, whilst 4 people said they might know some of their duties. Most of these people said they received information about representative committees from the union. Overall, members had a sense of what labour representatives were supposed to do but could not easily describe their responsibilities in detail.

In fact, 14 respondents were not clear about what representatives did, whilst at the same time quite a few of these were the ones who felt it was hard to approach a representative at work. Lacking interaction with labour representatives might result in lack of awareness of their representative duties.

Briefly, people's understanding of the representatives' responsibilities reflects their relationships with the union and their representatives. The union is vital to helping members to understand what their representatives do when most members cannot take part in most mechanisms.

6.3.3. Evaluation of Labour Representatives' Efforts

An indicator that workers feel that they are represented is their evaluation of how well their representatives reflect their needs. To answer the open-ended question, 73 members gave their evaluation of representatives' efforts and most

of them agreed that non-union representation ensures that their needs and demands are addressed in the company.

However, 6 respondents were sceptical and still did not agree that those representative mechanisms can make their voices sufficiently heard by management.

The final question asked people to give any comments or suggestions they wished. Most respondents suggested that the system is good overall because employment relations can benefit from it, but it needs people to implement it properly and worker representatives should be professional and improve their skills and knowledge in negotiating with the company. Workers wanted to have more information about the system, which can be conveyed through regular staff briefings, intranet, or company magazines. In addition, the union should encourage members who are interested and knowledgeable to participate in non-union representation.

6.3.4. Willingness to Serve as a Labour Representative

Workers are the majority in the workplace but only very few of them may become labour representatives. 104 respondents said they had never worked as a labour representative, but only 17 of them wanted to become a representative in the future, in spite of the fact that representatives are not always approachable to everyone.

It seems that workers who want to become representatives think it is very helpful for self-development as it will give them different experiences from their work. Besides, people may be interested in becoming a representative out of

dedication to their fellow workers. Clearly becoming a labour representative may provide people with a channel for self-fulfilment.

Among those who would not consider becoming representatives themselves, the main reason is they do not have enough spare time. Some feel they lack relevant abilities and skills and a few are not interested at all. It implies that these people may not have a strong feeling of engagement in collective representation.

In general, most workers are not willing to participate as representatives and think their colleagues can do it better. They also feel that they are too busy in the workplace to do this extra work. However, people who wish to be a representative in the future believe that it is a good chance to enhance their capabilities and to develop their careers, but they understand that being elected is quite competitive.

Furthermore, members have a feeling that worker representation is somehow a 'professional' position; understanding the relevant issues and affairs and meeting the management calls for professional skills, usually unlike their own professional requirements at work. Those both willing and unwilling to contribute have the same concern about their abilities, though different perspectives: either they are unenthusiastic and feel not capable enough of representing their group or they are enthusiastic members who hope to become more capable through participation.

Apparently, being a labour representative of non-members of a union can enhance the union function of self-fulfilment, which seems to attract many people if they hold a basic position in a relatively large workplace.

6.4. Squad Leaders and Non-Union Representation

The squad leaders form a group of union members who deliver union messages to fellow workers and feedback to the union at the same time. It is a method of widening members' participation in the union. Details of the situation of squad leaders are discussed below in section 7.3. Trade Union Squad Leaders.

This research asked the SteelCo squad leaders to rate four perspectives on non-union employee representation, namely, their awareness of each mechanism, their views of the importance and of the effectiveness of each mechanism and their suggestions or comments. Comments on each set of replies is given below.

6.4.1. Awareness of Each Non-Union Representative Mechanism

In rating their awareness of non-union representation as shown in Table 6-6, 1 indicates least, 3 partial and 5 greatest awareness. The scores for each mechanism and the average scores may be found in the table below. In general, squad leaders shared their degree of awareness of most mechanisms. The Employee Welfare Committee was the most familiar, whereas the Sexual Harassment Prevention Committee was the least known.

Table 6-6 Steel-U Squad Leaders' Awareness of Non-Union Representative Mechanisms

Unit: N

	1	2	3	4	5	Average
Employee Welfare Committee	9	13	76	65	29	3.5
Labour-Management Meeting	9	22	90	55	19	3.3
Labour Safety and Health Committee	7	26	85	52	22	3.3
Employees' Stock Ownership Trust Committee	8	37	81	49	17	3.2
Departmental Meeting	16	22	77	57	22	3.2
Supervisory Committee of Workers' Retirement Reserve Fund	11	46	79	37	17	3.0
Worker Director	15	51	66	39	21	3.0
Awards and Punishments Committee	18	50	85	22	16	2.8
Sexual Harassment Prevention Committee	28	59	70	21	10	2.6

Squad leaders are supposed to have a better understanding of non-union representation than other union members, being in between them and the trade union. Overall, they have a fairly good understanding of non-union representative mechanisms but their level of awareness is still similar to the general level of workers' awareness. It is interesting that the Employee Welfare Committee as a good practice of paternalism has always attracted people.

6.4.2. View of the Importance of Each Non-Union Representative

Mechanism

The importance of each mechanism in Table 6-7 is rated as 1 for the least important, 3 for more or less important and 5 for most important. Numbers of counts and averages are listed in the table. All mechanisms are viewed as fairly important, but the Sexual Harassment Prevention Committee is the least important of all. The Labour-Management Meeting and the Employee Welfare Committee are both the most important of all for all respondents.

Table 6-7 Steel-U Squad Leaders' View of the Importance of Non-Union Representative Mechanisms

Unit: N

	1	2	3	4	5	Average
Labour-Management Meeting	5	3	16	49	123	4.4
Employee Welfare Committee	3	3	20	50	116	4.4
Labour Safety and Health Committee	2	7	31	61	89	4.2
Supervisory Committee of Workers' Retirement Reserve Fund	2	7	27	62	93	4.2
Employees' Stock Ownership Trust Committee	4	4	31	69	85	4.2
Worker Director	5	9	39	43	97	4.1
Awards and Punishments Committee	3	7	50	60	69	4.0
Departmental Meeting	6	8	41	67	72	4.0

Sexual Harassment Prevention Committee	7	26	45	57	57	3.7
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In general, the legally backed mechanisms are quite important to squad leaders and the remaining mechanisms also have some importance.

6.4.3. View of the Effectiveness of Each Non-Union Representative Mechanism

In evaluating the effectiveness as shown in Table 6-8, 1 is the least effective, 3 reasonably effective, 5 the most effective. From the table, it appears that all the representative mechanisms are reasonably effective, but once again, the Sexual Harassment Prevention Committee emerges as least effective of all. The most effective committees are the Labour-Management Meeting, the Employee Welfare Committee and the Labour Safety and Health Committee.

Table 6-8 Steel-U Squad Leaders' View of the Effectiveness of Non-Union Representative Mechanisms

Unit: N

	1	2	3	4	5	Average
Labour-Management Meeting	5	9	67	64	46	3.7
Employee Welfare Committee	8	10	55	67	48	3.7
Labour Safety and Health Committee	3	13	56	73	42	3.7
Supervisory Committee of Workers'	4	18	65	64	37	3.6
Retirement Reserve Fund						

Worker Director	8	17	65	54	42	3.6
Employees' Stock Ownership Trust Committee	5	19	58	68	40	3.6
Departmental Meeting	7	10	66	71	35	3.6
Awards and Punishments Committee	6	27	67	57	29	3.4
Sexual Harassment Prevention Committee	8	27	76	51	23	3.3

The effectiveness of non-union representation reveals that squad leaders find the official committees fairly effective, but not impressively effective in their view.

6.4.4. Comments on Each of the Non-Union Representative

Mechanisms

Regarding the squad leaders' comments on each mechanism, only a few of them provided any, but their comments still reflect some major issues in the workplace. The comments on each mechanism are summarised and listed below for discussion.

6.4.4.1. *Labour-Management Meeting*

The Labour-Management Meeting receives most comments – 28 people gave feedback on it. Basically, respondents wanted to know more about the committee and wanted to know what it implemented and with what results.

Some people raised concern over new staff members who seemed not to pay

much attention to many issues. A few respondents were sceptical about the outcome of the mechanism because of the lack of transparency.

The findings are that the labour-management meeting is the most famous mechanism among squad leaders, but it still shows that even squad leaders, who are supposed to have a closer relationship with Steel-U than other union members do, are still not very familiar with the outcome of labour-management meetings. Squad leaders wanted more information to be published.

6.4.4.2. *Employee Welfare Committee*

19 respondents expressed their thoughts about the committee. Overall, people were not happy with the welfare provision and wanted to see an open and transparent procedure of decision making. Current welfare did not suit their needs, especially new staff and employees working on shifts.

Respondents raised their concern about improving the welfare provision and looked for better and more suitable welfare. Some people even believed that welfare provision was getting worse. Because welfare is always an important aspect of paternalistic employment relations, people always care about what benefits they can receive and want to be more informed in advance about welfare and benefits.

6.4.4.3. *Labour Safety and Health Committee*

11 squad leaders provided their perspectives. It seems this committee has not done very well, for various reasons. For example, the committee members did not regularly report to members about their progress, so transparency was an

issue. Besides, some respondents had a feeling that the committee did not function in an efficient and proactive way to prevent occupational accidents in the workplace.

Safety and health are highly important in heavy industry and it is not exceptional in SteelCo. Respondents would like to demand more on safety and health to make SteelCo safer to work for.

6.4.4.4. *Supervisory Committee of Workers' Retirement Reserve Fund*

12 people gave their comments. Some people mentioned that the new pension system implemented by the government recently may cause some problems for this committee. Most workers will retire in a couple of years but the new employees have to accept the new pension scheme, so the committee may become less and less important in the future.

A new national pension system is gradually replacing the old one, presuming that SteelCo is hiring more new employees who may not be qualified for the old scheme. However, the old format of pension is still available for the majority of SteelCo employees who have been in the company for a long time. This committee will still be in place for a while until all old employees have retired.

6.4.4.5. *Worker Director*

18 respondents expressed their opinions of the worker directors but many of them are quite pessimistic. They feel the worker director is not strong enough to stand up for workers' rights and interests so they might need more than one

seat for worker directors on the board. The representative person should bear in mind the essential role of speaking for labour.

Worker directors in general may have more authority than other types of labour representatives, so people wanted to see the role become more powerful.

However, it reflects the literature review that worker directors are a minority on an enterprise's board of directors.

6.4.4.6. *Awards and Punishments Committee*

Only 10 people gave their suggestions to this committee, but the main issue is the transparency and fairness of awards and punishments. People are not convinced of the results. Awards and punishments are usually related to workers' merit so transparency is far more significant for this committee.

Workers would like to demand openness and fairness from this committee as awards and punishments are related to their salary, bonus, merit and welfare. SteelCo had to consider how to improve the channel to truly reflect workers' performance at work.

6.4.4.7. *Employees' Stock Ownership Trust Committee*

It should be noted that the process of SteelCo's privatisation involved employees purchasing stock shares; this committee was set up to supervise the management of their stock ownership trust.

19 squad leaders raised their apprehensions. The ratios of trust bonuses and purchasing quota are quite important to them and they wanted to see increases

in both. Being in a privatised corporation when the government remains the main shareholder, squad leaders are also concerned about the money in their stock trust being used to support the market whenever the government asks.

6.4.4.8. *Sexual Harassment Prevention Committee*

18 responses were received. Most people were not aware that this mechanism existed and they thought the committee was quite unimportant in such a male-dominated workplace. More publicity was suggested to raise awareness of it. This committee seems little more than symbolic in SteelCo, due to the numerical domination of male workers.

However, sexual harassment prevention has become an important issue promoted by the government. SteelCo, as a model enterprise, has the responsibility to practise governmental policy. Following these years of my observation, there is a slow increase of female workers in SteelCo. Sooner or later, SteelCo has to take an efficient way to deal with this issue.

6.4.4.9. *Departmental Meeting*

13 respondents commented on the departmental meeting in the company. The main concern was that this kind of meeting does not function well, because employees may not have a chance to participate. As usual, departmental meeting implies the concern that suitable employees may not be available to address their needs and issues.

6.4.4.10. **Summary**

A follow-up question asked how people view the relationship of the union and non-union mechanisms. 185 squad leaders agreed that the union has played an important role in the operation of non-union representation. They thought the union was professional and knowledgeable and represented all workers as a unity. Employees needed the union to watch the company and to demonstrate the power of labour. They also supposed that the union was necessary to balance the employment relationship in the company.

However, to examine each mechanism, it is easy to see the Sexual Harassment Prevention Committee is the least regarded committee in the company. Fundamentally, the nature of the company makes the committee a purely symbolic icon rather than an essential entity. Most workers do not think gender is an important issue and wonder why the committee exists.

The Employee Welfare Committee, the Labour-Management Meeting and the Labour Safety and Health Committee are three fairly important and well known mechanisms, in the squad leaders' view.

Two issues arise from the respondents' comments and suggestions. One is the needs of new staff, who are currently a minority in the company but may desire different benefits and welfare from those who joined the company a long time ago. The other is the opposition between operational workers and professional workers. They may have different experiences in receiving rewards, attending departmental meetings and so on. Professionals tend to have better opportunities.

Nevertheless, it is likely that only the squad leaders who were dissatisfied with the representative mechanisms declared their opinions and comments about

non-union representation, so most comments were in general negative. Overall, squad leaders have a fair understanding of non-union representation and have a similar awareness to that of general workers. Legislation and issues still matter when it comes to knowing the different mechanisms.

6.5. Conclusion

Labour representatives of non-union representation are elected by all workers but union members or union representatives have the right of election to those positions when a union is legally set up. Therefore, the labour representatives in SteelCo and SugarCo are elected according to each union's internal regulations. The numbers of labour representatives in the workplace are relatively low, so they may not be close to ordinary workers who do not work in the same office. Moreover, not everyone can be elected a labour representative. People who have a better chance are usually supported by the union or the company, otherwise it is not easy to gain votes from most employees or union members. Besides, the position of labour representative is usually seen as 'professional' so people may not consider taking them. People think they need more skills than their own working techniques to become labour representatives. Working as a labour representative can be self-fulfilling since workers become 'professional' and learn new things.

Trade union support influences the way in which labour representatives act in committees. When there are internal pre-meetings of labour representatives, they can integrate and consolidate opinion from the labour side. The union has an important role in ensuring the proper implementation of worker

representation, especially when the state legitimises various representative committees without providing a fine or penalty for management who do not implement them.

The survey result shows that employees have fairly good understanding of non-union representation as a result of the union's efforts. The union works hard to deliver information on non-union mechanisms to members and to internalise non-union representation in its own structure. The union is key to understanding non-union representation in the workplace because those mechanisms are not directly related to workers who may not be close to their labour representatives.

Accordingly, the implementation of non-union representation is a practice of paternalistic ideology. It offers trade union legitimacy to indirectly engage in non-union representation. Mechanisms of worker representation regulated by the state are commonly found in all types of business whilst trade unions always formalise internal committees to support their worker representatives. The practice of non-union representation helps the economic regulation and job regulation by trade unions whilst trade unions gain efficacy at the same time. Trade unions also provide a platform of self-fulfilment for members as labour representatives.

Chapter 7. Collective Identity with the Trade Union

Workplace is a domain in which to shape individual identity. The way that people see themselves at work is influenced by the workplace and influences how they act there. When people recognise their collective identity with the trade union at work, they react by supporting and agreeing with the trade union. The labour representatives using different non-union representation mechanisms have different experiences in the workplace through encountering different issues and situations. Originally people under the ideology of paternalism believe that there is not much difference between management and labour. However, having confrontations in meetings makes labour representatives rethink their status and that of their colleagues in the company and realise that workers and employer having conflicting interests. Support from the trade union helps labour representatives to face this difficult situation and respond logically.

In SteelCo, a large workplace with 10,000 members, the trade union has divided them into small squads to reach each individual more efficiently. Squad leaders are appointed to deliver information from the union to members. Therefore, the trade union has to familiarise the squad leaders with the organisation and function of the union. Squad leaders in general have a fair understanding of their union, but they still express paternalism in their identity. That is, people feel they are members of the company family and the union is part of this family, too. This reflects the paternalistic view of the trade union but also implies that the corporate trade union exists only when the corporation exists.

Ordinary workers are the majority in workplaces and first approach their union as the source of some kind of service or benefit. The trade union offers a variety of services and welfare to attract members to visit the union office before they can understand the mission that their union has. Being a service provider helps the union to be recognised by members and generates their identity as a function of their participation in the union. Existing trade unions in Taiwan take a soft approach to achieving the goal of independence, because collective identity at work has not been established on the basis of class conflict. Trade unions need other methods than conflict to take root in the workplace.

Paternalistic traditions and labour cooperation offer trade unions resources in the workplace, but labour conflicts are concealed rather than disappearing. If necessary, trade unions must mobilise members to demonstrate their power and organisation, such as protests in the workplace. Steel-U had a successful mobilisation to enable it to use paternalism as a tool to further members' interests. These kinds of occasions are important to prove that trade unions have accumulated resources and developed their organisations based on the foundation of paternalism, and further acted as the agent of collective labour in the workplace.

7.1. The Changing Identity of Labour Representatives

Identity may be affected by one's range of experiences and roles in the workplace. Apart from their original job, people who represent others in non-union mechanisms may experience a sphere completely different from their work. For example, the SteelCo interviewee, CHH, held a basic position in the company as a technician responsible for controlling the engineering process of

cold rolled steel products. He also had to take shift rotations with fellow workers because production continued around the clock. When he was presented as the convenor of labour representatives at the employee welfare committee, he had to deal with welfare issues in the workplace, understanding the welfare fund, reviewing public tenders for welfare business, etc. For CHH, the two roles composed his life at SteelCo and contributed to his identity there.

Workers representing others in different non-union mechanisms may behave differently from each other due to their different experiences. For example, as mentioned in the previous chapter, CHH felt much fulfilled when acting as a labour representative of the labour safety and health committee, because safety and health issues had more at stake and were more serious, so the labour had fewer rejections of their proposals than in other committees.

Thus, whilst some representatives experience more confrontations, others may have smoother conversations with management. The interviewee, CCL, who was the employee representative of SteelCo labour-management meeting said,

“The company president always claims publicly that there is no labour-management relationship in SteelCo because everyone is treated in the same way and wears the same uniform. However, the positions of labour and management representatives are quite distinct from each other in meetings. It is quite common for both sides to find a mutual consciousness hard to achieve.”

As a result, labour representatives are sometimes not satisfied and feel an atmosphere of conflict between themselves and management at meetings due to too many unresolved issues. They may never have thought of themselves in a workplace confrontation before they actually became a representative. The

interviewee, HHC, who was the labour convenor of the SteelCo labour-management meeting, described it in this way,

“I found that we usually have different needs from the company and that is why we are in a labour-management meeting, but I had never thought of the huge differences between labour and management before I had the chance to join the committee. I always thought the company and ourselves should be a big family and I could not believe the first time when I had some argument with the management representative ... In fact, no issues would ever arise and be defended if no confrontation ever took place between labour and management.”

The experience of being a labour representative apparently transforms experience from not being consciousness of the distinctive nature of workers' interests to identification with the inferior status of labour. Sometimes labour representatives are surprised at this kind of change going on in their mind, but then they understand this this is the fundamental character of the workplace, which they are cannot deny.

Interestingly, in their interviews administrators from both cases held similar views on labour-management meetings. The SteelCo administrator, HMW, said,

“We must have the most intensive labour-management meeting in Taiwan, because we have too many issues to discuss in depth. However, we already have many kinds of channels in the company so they should not raise all issues at the labour-management meeting. Instead, quite a few cases can be discussed in departmental meetings when employees can directly relate to their

managers. Some cases in particular, that are not general, should be dealt at department level, because department managers would understand them better. Representatives of the labour-management meeting might not know those specific situations so any discussion there would only be a kind of waste of time.”

HMW actually had a close relationship with the union; in the observation he could often be found around the union office, but he may not always have agreed with labour representatives. As the person in charge of the administrative affairs of the meeting, he seemed to care more about his business than about the functioning of the meeting.

Besides, the SugarCo administrator CWC had the feeling that their own employee engagement meetings in each branch operated better than the official labour-management meetings. CWC stated,

“We have started employee engagement meetings once a month when branch head and managers speak and listen to employees. It is also an opportunity for the company to announce any policies. Employees can raise all kinds of issues; some ask questions, some make complaints and some even give constructive suggestions which can be applied immediately. For example, a fingerprint check-in system, paperless office, electronic leave system, etc. are issues which have been discussed in the past. It is two-way and instant talk to basic employees. All meeting minutes are sent to the Human Resources Department for the record and uploaded to the intranet where employees can read and search. Human Resources administrators from the headquarters visit each local branch every

three months and the meeting attendance is better when we visit them. Employees feel respected because generally if they are not union officials they cannot often meet higher management. It usually takes a trigger, such as a roundtable meeting or a meeting room with sofas, nibbles and drinks provided and so on.”

CWC at the same time was acting as a consultant of Sugar-U since he was also a union member; he tried to strike a balance between SugarCo and Sugar-U.

Apparently, the company administrators from their perspective viewed those statutory committees as among their duties and attended them among their other tasks, such as departmental meetings and so on. They put their assigned duties first and looked at representative mechanisms from a more managerial standpoint, so both of them suggested that the channels set up by the company were better than its legal requirements. This is clearly a reflection of paternalistic management.

In addition, issues to do with committee membership may influence the identities of representatives whilst controversial items may enforce division between labour and management. Involvement in committees seems to generate multiple identities for labour representatives. Some labour representatives stand for election because they want fulfilment in their personal careers or to pursue higher social status, whilst others experience inequality in their work and so look for a way to remedy it. There are also some representatives who are actually persuaded by the union to participate in committees. Support from the union is a factor in the identity generating process and at the same time a stronger union can result in stronger representation for labour.

Labour representatives have quite different experiences in representative mechanisms since they have different labour processes. Some representatives may feel more powerful than others, such as those on safety and health committees. Some may have unpleasant feelings from their interaction with management, for example, at labour-management meetings. Their identities in the workplace are shaped not only by their original working environment, but also changed by their experience of representing others in the workplace.

7.2. Union Support to Labour Representatives

Corporate trade unions have the legitimacy and privilege of engaging in the selection of labour representatives as the legislation guarantees. Therefore, Steel-U and Sugar-U take advantage of the election of employee representatives. Steel-U tries to urge those members who may act helpfully to the company and the union on a representative committee to stand for election, regardless of whether they have been active in trade union duties. Undoubtedly, this implies that what Steel-U would like to see is 'appropriate' labour representatives on committees; this would make better use of the system than offering such people the bribe of a sought-after position.

As a result, employee representatives have to be knowledgeable about issues related to their committees, so they can speak and discuss properly with management representatives in pursuit of consensus. In both research cases, most employees are blue-collar operational workers and may not be equipped with enough knowledge before being elected as labour representatives. Hence, Steel-U and Sugar-U provide necessary consultation and support to their employee representatives to help them deal with workplace issues. In Steel-U,

a pre-meeting of all the formal representatives takes place to reassure them that labour concerns are being clearly investigated and integrated from the labour side and to help employee representatives to address any issues requiring further assistance.

In formal meetings, employee representatives express their opinions confidently, conscious of full support from their union. If any issue remains unresolved, they bring it back to the union for further discussion. As representative committees sometimes may not have any actual effect on matters closed due to management reluctance, the union then plays another important role in backing up worker representatives. This combines with the trade union power of collective bargaining to force employers to treat each mechanism seriously and to provide employee representatives with a protective environment in which to carry on their responsibilities.

Non-union representation is helpful for trade union activities and sustains union power. Following the good tradition of collective bargaining in SteelCo, Steel-U uses the labour representatives at the labour-management meetings as ex officio negotiators in collective bargaining. This setting offers consistency in discussing bargaining issues. The union chief secretary HCC observed,

“As you may have noticed, we run the labour-management meeting each month and we have new items on the agenda every month as well. It means the labour representatives of the meeting have to deal with all kinds of issues in our company. In addition, we have collective bargaining every three years to renew the collective agreements and it always takes plenty of official meetings before we can conclude an agreement. Instead of organising a new group of

people every three years only for collective bargaining, these labour representatives are the best people to take on the responsibility. They have experience negotiating with the management and they have an ideas of current issues. The union president and the executive directors of the union board are part of the negotiating team too.”

Through the whole process of practising non-union representation, union support to labour representatives may be a key element to the practical and successful representation of non-union mechanisms. Trade union support and backup are very important performance of labour representatives and their understanding when they attend the designated meetings. Worker representatives who are supported by the union tend to be more confident in speaking out on behalf of fellow members when they confront management. The identities of worker representatives gradually changed over their period of participation in the worker representation systems, from unconsciousness to identification with their class as workers.

In addition, sustaining labour representatives indirectly gains recognition for the union from management. The union also plays a crucial role in the implementation of the mechanisms of representation. The legislation has by now provided workplace unions with a legitimate vantage-point from which to embrace the non-union representing mechanisms. What trade unions have to do is take the initiative in supporting and sustaining labour representatives to deepen their involvement in the workplace and reinforce their union recognition by the employer.

7.3. Trade Union Squad Leaders

The Labour Union Act, before its amendment in 2010 which took effect on 1 May 2011, used to regulate that a union could set up affiliates, branches and squads within its organisation. A squad usually consisted of five to twenty members, a branch consisted of three or more squads and an affiliate consisted of three or more branches. Members in a squad voted for their own squad leader and deputy leader, who each held office for a year and could be re-elected. Nevertheless, in order to boost the autonomy of trade unions, the new Labour Union Act removed these rules and deregulated the organisation and structure of trade unions; however, most existing trade unions still keep the structure.

Following its establishment in December 1980, Steel-U passed its Organisational and Operational Rules of Squads in January 1981 and set up union squads according to the company's business system, together with a distribution of members among departments and working shifts. Squads are directly supervised by the union's board of directors; the squad leader is in charge of daily business and is assisted by a deputy, both being voted in place by the squad. Both squad leader and deputy leader remain in office for two years and can be re-elected. However, members who serve as union officials, such as members' representatives or on the board of directors or supervisors, should not act as a squad leader nor his deputy.

Every year the union runs a two-day off-site training session for squad leaders to help them understand their responsibilities and roles as well as the union's operation and organisation. The union asks the company to give official paid leave for attending and this make it mandatory. In order to encourage and

recognise members' participation and dedication, a squad leader who has served five (not necessarily continuous) terms in office is given an award during the training session. Each squad leader is entitled to this award once, to encourage members to take part in more union activities and the squad leaders to take their role more seriously and carefully.

7.3.1. Experience as a Squad Leader

Using the results of Survey II, this section first examines the personal experience of being a squad leader. The average term of office in this survey was 4.5 years and the longest term of office reported was 27 years. 129 people had served as a squad leader for less than 5 years, whilst 41 of the respondents were in their first term of office. Another 60 squad leaders have served 5-9 years and 20 have been in this position for 10 years or more. 69.3% (149 people) had no previous experience of any position in the trade union, 57 people had first been a deputy squad leader and 18 respondents had been a trade union official of some kind of, such as a member representative, a representative of the Employee Welfare Committee or the like. A few of them had filled more than one role in the union.

Most respondents (184) said that the main reason for becoming a squad leader was being elected by fellow members, whilst 57 people said that they had been keen to serve, 46 want to help the operation of the trade union, 25 had had an interest in the position and 17 had alluded to the rotation of duties in the squad. As a squad leader, 92.1% (198) agreed that the function of this post was to pass information about the trade union to the members and 88.4% (190) said that expressing members' needs and opinions was fairly important. 76.3% (164)

thought they were the bridge linking the trade union with members and 60.5% (130) defined the function as assisting the business of the union.

The Steel-U Organisational and Operational Rules of Squads regulate the duties of squad leaders, which were used for the self-assessment of their performance by the respondents to Survey II. They distinguished what they had done very well from what required improvement and the results are shown in Table 7-1 below.

Table 7-1 Results of Steel-U Squad Leaders' Self Evaluation

Unit: number

Duty	Done very well	To be improved
Uniting members to concentrate on production	45	65
Executing trade union decisions	96	56
Carrying out squad activities	132	47
Suggestions for improving labour efficiency	31	72
Suggestions for improving labour conditions	48	109
Suggestions for welfare and other union affairs	119	94
Carrying out surveys	62	16
Recommendation of outstanding members	62	37
Mediating in members' disputes	12	50
Expressing the union's sympathy in connection with a member	95	16

Reporting changes of membership	78	13
Promotion of labour regulations	89	36
Expressing members' difficulties	126	28

From their own reviews, it appears that the three best performed tasks were carrying out squad activities, expressing members' difficulties and making suggestions for welfare and other union affairs. Only 12 people thought they have done well in terms of mediating member disputes and only 31 respondents were satisfied with their suggestions for improving labour efficiency.

Among the duties which they thought they could have done better, the three main items are were suggestions for improving labour conditions, suggestions for welfare and other union affairs and suggestions for improving labour efficiency. The least important thing they thought should be improved was reporting changes of membership and the second least was either carrying out surveys and expressing the sympathy of the union in connection with a member.

It is interesting to see that many squad leaders believed they ought to offer more suggestions about issues in the workplace. Suggestions for welfare and other union affairs seem to have gone especially well for some but needed to be improved by others at the same time. The same variation occurred over suggestions for improving labour efficiency. Overall, however, it seems that most squad leaders have clearly understood the duties requested of them by the union and have done a fair job as squad leaders in the workplace.

7.3.2. Relations with the Trade Union

As the channel of communication between the trade union and fellow workers and supposed to have more interaction with the trade union, most squad leaders do not visit the union office very often. 88 leaders said they visited once every two or three months, 60 visited two or three times a month and 32 almost never. Only 11 leaders visited it once a week and 6 visited two or three times a week. Their purposes in visiting the union were mainly to submit insurance applications (136 counts), submitting minutes of meetings (121) and helping members to make applications (110).

If squad leaders need to make a complaint or raise any concern with the union, 187 of them usually speak to a union representative. 52 respondents might go directly to a union director or supervisor, 30 would go to a union secretary, 11 would contact the union chief secretary and 9 would talk to the union president. Only 10 respondents mentioned the worker representatives at the labour-management meeting and 3 chose the labour representatives of other representative committees.

Questioned about the trade union's efforts in the workplace, 189 squad leaders agreed that the union had played an important role in maintaining harmonious labour relations in the company, because it was the union's duty and the union was strong enough to fight for labour rights. Workers needed the union to supervise management and the union ought actively to defend members.

In terms of participation in Steel-U labour movements such as strikes, protests or other collective events organised by the union, 33 respondents participated every time, 62 joined most of them, 56 occasionally attended, 35 rarely took part and 20 were never present at any of them. With regard to social events

organised by the union, such as family trips, mountain climbing, soccer contests and so on, 21 people attended all events, 56 took part in most of them, 72 occasionally showed up, 40 seldom participated and 18 never joined. However, 199 squad leaders encouraged their members to join in union activities or events, although they thought only about half the members were interested.

Moreover, squad leaders were asked whether they were interested in becoming a union official such as a member representative, director or supervisor, and also in representing non-union committees. Most of them were not interested in the prospect of being a union official, and only 36 said they would like to serve if they had the chance. In most cases, people were too busy, not knowledgeable enough, or simply unwilling. Quite a few of them people wanted to see the younger generation becoming union officials; they could be expected to bring in new ideas and more energy. Importantly, some respondents mentioned that being a union official would conflict with their duties and line managers.

50 squad leaders would be interested in being a labour representative in the future, slightly more people than wanted to serve as a union official. Most of them believed that it would be a good opportunity to learn something new and understand the implementation of representative committees. They would also like to fight for themselves and their colleagues to get better working conditions and welfare. Those who were not interested expressed similar concerns about their availability, capability, knowledge, and so on.

It seems that the squad leaders imagined that acting as a union official or a labour representative of the non-union representation would be different. As they saw it, participating in the non-union mechanisms would be more helpful

than in union activities. This reflects the paternalistic ideology of preferring direct interaction as a better way of encountering the management.

7.3.3. Interactions with General Members

The important responsibility of squad leaders is to interacting with their colleagues. In order to deliver union messages to other members, the most common way is face to face in speech (156 respondents). Office bulletin boards (113) and circulars (108) are useful as well, but only a few squad leaders use emails (52). In fact, even though everyone has a business email account, most members are not used to the company email system, and not all operating fields and factories have internet access.

Asked about the content of messages, from squad leaders' point of view, the most useful messages for members concerned welfare issues (204 leaders) activities (120), union business reports (84) and union welfare commodities (82). Apparently, welfare is the most important issue in the workplace, following the trend of workplace paternalism.

Each squad had to convene a members' meeting every two months according to the union's Organisational and Operational Rules for Squads; the meetings could involve either an individual squad or several squads in the same working area, and the union subsidises each member who attends with 40NT\$ for drinks and refreshments. To claim the subsidies, squad leaders have to pass minutes of these meetings to the union in the first fifteen days after the meeting. The data show that 192 squads held meetings regularly and 63 of them had joint meetings. Apart from discussing union affairs and proposing suggestions, some

squad leaders take it as a chance to chat and mingle with members as well. A few squads hold members' meetings along with their official division or group meeting, since all the members work in the same unit.

Some squad leaders think that joint meetings are beneficial, because squads wanted to make good use of union resources (35 respondents), to accommodate the availability of the invited delegates (30), to interact and communicate with other squads (25), or to discuss similar work-related issues (19). 29 squad leaders said they usually held a joint meeting with another squad, 3 squads organised a joint meeting of 12 squads and 1 squad joined a joint meeting of 14. However, 19 leaders did not call meetings regularly, mainly because their members did not work in the same field or shift and everyone was too busy.

All union officials including member representatives, members of the boards of directors and supervisors and the union president and chief secretary may be invited to attend a squad meeting. A squad leader or a union member representative is entitled to convene a squad meeting. The survey showed that 189 squad leaders organised their own meetings and 14 squads had member representatives to convene meetings. Regarding guests, most squads invited member representatives (171 counts), some invited union directors and supervisors (80), but only a few invited other union officials, such as managing directors and supervisors (35), the union president (17) and the union secretaries (4), or departmental managers (12). The main reason to invite delegates is to facilitate communication between the squad members and the union or the company.

Most squad meetings take place during working hours (183 respondents) and meetings usually last one hour (162 counts). 130 squad leaders are responsible for taking the minutes of their meetings and only a few squads ask a deputy leader or member (the same person always or members in turn) to do it. The most popular agenda items are welfare suggestions (191), the delivery of union messages (187) and discussion of internal events (115).

The last questions about interaction with members asked whether they organised casual events for members and whether they had any personal tips or tricks in organising members. Only 69 squad leaders said they organised informal events for members, such as dining out together, playing baseball, going bowling and mountain hiking, to bring members closer to each other. Most people mentioned that having enough people available, unfortunately, made it difficult to organise such events. In order to organise members, squad leaders believed that the key lay in being enthusiastic, friendly, concerned and honest, caring for members' needs, providing important information, wanting to communicate and wanting to serve.

Overall, squad leaders passed messages to their members face to face at work and the most important and interesting messages were still welfare affairs. It is easier to organise squad meetings and other events in the working day, because outside work everyone's availability was different. Because squads are a spontaneous structure of the union rather than an entity formally regulated by the law, the union has to offer more encouragement and inspiration if it wants to involve squad leaders. Having squad leaders gives more members the chance of self-fulfilment in trade union activities in such a large workplace.

7.3.4. Collective Identity of Squad Leaders

Squad leaders are a special group in Steel-U. They are not official union representatives whose rights and obligations are protected by the Labour Union Act, but they help to link the union and the members. Steel-U is a single plant union with numerous members, unlike Sugar-U which organises its members in various branches in local companies. In order to improve communications and interactions with the members, Steel-U facilitates the mechanism of its squad leaders. The union provides some incentives to encourage and help squad leader involvement, such as off-site training and five-term awards. However, their understanding of non-union representation, their interaction with squad members and their relationship with the union are examined, they turn out to depend on whether each squad leader is in favour of these actions. An interesting finding about their identity reflects the ideology of paternalism: they identify themselves first as a SteelCo employee before identifying themselves as a Steel-U member and they agree that they are a member of the big SteelCo family. The 'factory as one family' is still a common axiom among workers. However, for the sake of the union, equipping squad leaders with a package of training and support helps in organising members.

Survey II asked each squad leader to define his role in the workplace by giving a number to each of six roles: a SteelCo employee, a Steel-U member, a squad leader, a member of the big SteelCo family, a member of a department at work and a worker. A score of 1 showed the most important role in the company and 6 the least. In order to compare them, the items rated as 1 are weighted as 6, so items rated as 6 get a score of 1. Then, each role was assessed on the weighted index (see Table 7-2).

Table 7-2 Identity of Steel-U Squad Leaders

Unit: number

	1	2	3	4	5	6	Weighted Index
A SteelCo employee	119	30	19	2	6	1	5.42
A member of the big SteelCo family	41	35	72	47	15	3	4.18
A Steel-U member	14	72	41	28	18	4	4.14
A member of a department at work	23	25	26	29	32	4	3.76
A squad leader	6	10	54	32	40	22	3.05
A worker	9	4	8	10	18	70	2.03

From the survey result, it seems that being a SteelCo employee is the most important role of all. A few respondents commented that the union exist only when company existed, so being a SteelCo employee was more important than being a SteelCo Union member. A big SteelCo family is a very traditional way to describe SteelCo – as a kind family taking care of its dependants. Most businesses wanted to use ‘neutral’ terms to conceal the implicit labour conflicts and to persuade workers to ‘love’ the company.

A respondent gave his interesting explanation for his rating:

“Being a SteelCo employee is the duty, being a member of the department is the responsibility as a line manager, being a member of the big SteelCo family is to cooperate and to assist, being a Steel-

U member is to protect myself, being a squad leader is to serve others and being a worker is the minimum requirement.”

Again, the paternalistic ideology is not simply adopted by the management, but in fact is rooted in the minds of the employees who have been influenced by their working environment to shape their identification of themselves in this way with others. The deepest threat for corporate trade unions is that they only legally exist if the corporation that they represent exists. Squad leaders share this sense of their contingency and acknowledge the importance of being a company employee.

People were next asked if they had encountered any conflict between these different roles and, if so, how they had tried to resolve it. 166 people said no. Unfortunately, some squad leaders misunderstood the question and answered the question whether they had encountered any conflict in the workplace. Nevertheless, a few respondents still gave some good examples:

“My duties are working as management, but I am in fact a worker.”

“Being a SteelCo employee and being a Steel-U member are both good to the company.”

“The line manager has always warned me about getting involved in militancy.”

“I am pleased to serve members and carry out the squad leader’s role and duty, but the line manager is sometimes unhappy because he thinks I go beyond my proper responsibility at work.”

Under the paternalistic ideology, management is still authoritarian and expects loyalty and docility from its workers. Any antagonistic or adverse action is

unwelcome in the workplace. People are expected to do their own job and do not go beyond their working domain. Therefore, instead of waiting for people to discover it for themselves, trade unions have to actively offer the chance for people to understand issues beyond their responsibilities at work.

7.3.5. Discussion

The function of squad leaders is to widen members' participation in the union and to improve communication between the two. Ideally every worker has a chance to become a squad leader or a deputy squad leader since each term of office is two years and the union also sets up an award to encourage members to serve five times as a squad leader. From the background of survey respondents, it can be learned that 129 of them had served as a squad leader for less than 5 years and at the same time that 20 had had 10 years of experience or more. It is actually good to see new people serving in this position, but at the same time some experienced squad leaders still dedicate themselves to the union.

Most people start serving as squad leaders simply because they are elected by their colleagues. However, this is a good chance for them to get familiar with the union. Every year the union offers all squad leaders two days of off-site training which usually takes place in a tourist spot and includes courses on union organisation and operation delivered by union officials as well as external academics and practitioners. Afterwards, squad leaders are the main contacts in the workplace when the union has to spread information to or mobilise its members.

Squad leaders mostly feel they have done very well at suggesting welfare and related affairs, but at the same time they feel they could offer more and better welfare suggestions. Welfare is the main issue in the workplace and seems from the views of squad leaders to be more important than other affairs. In terms of agendas of squad meetings, the discussion of welfare remains the main item. Apart from their duties, squad leaders also care for the welfare of members of the union and their representation. In general, welfare is important and direct to workers. Improving welfare means that people's needs and concerns are valued and considered, no matter where the welfare and benefits come from.

Welfare-related issues of non-union representation attract squad leaders as well, but squad leaders in general have a fairly good understanding of non-union representation and agree that the union plays an important role in the implementation of non-union representative mechanisms. Issues still matter since squad leaders feel that these statutory committees are more important than other mechanisms. Like the ordinary workers, the squad leaders find the sexual harassment prevention committee to be the least important.

According to the responses, most squad leaders (187 of 215) speak directly to union member representatives when they need to raise any concerns or make any complaints, but very few would talk to non-union representatives at the labour-management meeting or at another committee. Most squad leaders visit the union office though not very frequently, but 32 respondents almost never visit. However, approximately 70% of respondents take part in union-led events, whether labour actions or social gatherings. Most of them (93%) also encourage

their fellow workers to participate, though they think only about half the members are interested.

Squad leaders were asked explicitly about their identities in the workplace. An interesting result is that their identification with the enterprise outweighs identification with the union. This implies a problem of workplace unions because a union is localised in a workplace rather than an industry or an occupation. Therefore, should the enterprise not exist, the union would not legally exist. In this sense, workplace unionism is quite limited.

7.4. General Member Participation in the Union

Steel-U is a large labour union with 10,000 members, as a result of the former policy of compulsory union membership. The change of the Labour Union Act to free union membership has not resulted in any membership decline in Steel-U. However, it is not easy for Steel-U to reach out to every individual member, for union staffing is very limited. In order to make members aware of its trade union functions, the direct and efficient way is to provide various regular welfare benefits and services which closely connect the members' everyday lives with the union. In general, Steel-U offers a variety of non-financial services and member benefits to attract members to itself.

7.4.1. Non-Financial Services

Steel-U provides quite a few non-financial services to deal with members' daily anxieties and problems beyond their work, including a mediation committee, legal consultation and property insurance desks in the trade union office.

For the many cases such as car accidents, contract disputes and so on which arise and sometimes influence the daily work and lives of union members, Steel-U has set up a mediation committee to assist members in navigating their way out of their difficulties. There are 17 members of the mediation committee who are recommended by the Steel-U board of directors as well as its board of supervisors. These committee members are usually people who are famous for their justice and power of argument. Members can contact Steel-U to arrange free mediation appointments whenever they need professional assistance.

In addition, the union has appointed two lawyers as legal counsellors who offer free legal advice and consultation every week to members of the trade union. One lawyer is in the office every Monday afternoon from 13:30 to 16:30 and the other attends every Friday morning from 8:50 to 11:30. Members usually make appointments before meeting a lawyer. However, members can ask for other extra legal assistance for which the lawyers may charge. If they do, the union is not involved in paying their fees.

In addition, some private insurance companies are interested in offering discounted products to employees in SteelCo because it is potentially a large market with thousands of families. Therefore, Steel-U rents part of its office out to three different insurance companies which provide discounted life insurance packages or insurance for health, cars, property and so on. Trade union members can handle their insurance affairs without having to leave work early

and moreover, they can easily observe the trade union functions whilst they are waiting.

Overall, Steel-U offers these services and assistance with a view to saving the time and effort of members dealing with personal or private issues that may distract them at work. Steel-U acts as a free service provider in order to link up with members' general needs so its members may gain something more easily and quickly through their connection with the union.

7.4.2. Members' Benefits

Apart from non-financial services, Steel-U offers other welfare benefits, including two kinds of financial assistance covering solatium and also mutual financial help, children's scholarships and commercial goods exhibitions to members.

Steel-U set up its compensatory pension fund to help and support members and their families if accident, natural calamity or fire should lead to death, handicap, hospitalisation or long-term outpatient care. This fund comes from regular membership fees and every member is eligible to apply.

SteelCo is in heavy industry and sometimes a worker passes away as a result of industrial injuries, so Steel-U set up mutual help funding in 1981 soon after the union was established. According to its rules, each individual who agrees to join the funding group pays approximately £5 when a member dies.

Moreover, Steel-U provides children's scholarships every two years to offer encouragement and motivation to members and their children. Members are

always very keen to apply to this fund since obtaining a scholarship means that their children are honoured and approved by others.

Displaying goods for sale is a way of striking a balance between union, members and external commercial suppliers. Like those insurance companies who occupy a desk in the union office, external suppliers have been very interested for some time in the potential market of consumers that SteelCo represents. Therefore, Steel-U made a decision to manage what could be sold. Goods of any kind of goods can go on display and be sold in the trade union office, e.g. credit cards, books, mobile phones and clothes, as long as suppliers agree to offer discounts for Steel-U members and pay a small fee administrative fee which contributes to the Steel-U strike fund.

The union office is located in the Welfare Building in the workplace and is open from 7:30 to 16:30, Monday to Friday, so workers can visit it in the normal working day. This is where the union president, the chief secretary and the secretaries for different matters can be found, together with some insurance desks and displays of affordable goods and discounted merchandise. Members of the boards of directors and supervisors, members of the mediation committee and lawyers also show up regularly to offer their services.

7.4.3. Visiting the Union Office

The union offers a variety of services to members and their families. The president, CPW, thinks it is vital for the union to look after members' lives:

“Our members work hard in the company but may not have the time to deal with some issues after work. If we can provide them with help,

they can save time by visiting the union. It is very good to see members around - it means that we are of help to them.”

When I was working in the union, I saw members coming and going every day and the secretaries always busy with enquiries from members. However, they were always happy and ready to talk to members. The survey results (see Table 7-3) show that most respondents visit the union, though the frequency of their visits varies. 35.8% of respondents visit the union a few times every month, but 10.8% never visit.

Table 7-3 Frequency of Members’ Visits to the Steel-U Office

N=120

Visiting Frequency	#	%
Once every six months or more	33	27.5
Once every two or three months	31	25.8
Two or three times per week	18	15.0
Never	13	10.8
Two or three times per month	11	9.2
Once per week	9	7.5
Almost daily	5	4.2

In terms of visiting purposes (see Table 7-4) most people come to the office for the services provided by the union, especially for purchasing or renewing insurance. In addition, members visit the union to buy discounted merchandise from external providers, or to submit applications for subsidies, and so on. A

few workers come to ask questions or exchange information, though only two persons said they might come if a grievance arose.

Providing a series of services and benefits is a good way to attract members to the office, where they may gain more understanding of the union during their visits from their observations and conversations with union officials and members. Members come to the union when they find it can supply their needs and save them time and money.

Table 7-4 Purposes in Visiting the Steel-U Office

N=126

Purpose	#	%
Insurance renewal or purchase	86	68.3
Discounted merchandise purchasing	46	36.5
Submitting applications	44	34.9
Questions and enquiries	28	22.2
Information exchange	27	21.4
Passing by	10	7.9
Grievance or complaint	2	1.6

Members indicated which official usually hears their opinions or comments on work (see Table 7-5); their line managers and union representatives are the main ones. These people are easy to find, since everyone is supervised by a line manager at work and there is a union representative in each unit, all of whom are relatively empowered to report issues. However, other people such

as departmental managers, union officials, secretaries and the president, or labour representatives, seem more distant from workers and thus only a few people would bring them opinions or comments about work to them; but it is a little surprising to see that squad leaders, who are supposed to look after the five to twenty members in their squad and to call squad meetings every two months, are not the main people as well.

Table 7-5 SteelCo's Channels of Opinion and Comment about Work

N=126

Channel	#	%
Line manager	94	74.6
Union representatives	84	66.7
Departmental manager	26	20.6
Union boards of directors and supervisors	24	19.0
Squad leaders	13	10.3
Union secretaries	10	7.9
Union president	9	7.1
Other labour representatives	8	6.3
Labour representatives of the labour-management meeting	6	4.8
Unwilling to or seldom express opinions	5	4.0

7.4.4. Union Periodicals

In the history of the labour movement in Taiwan, open publications such as writings and documents are an important means to pass on information and experience to followers and the public (Son, 2012). Therefore, publication is always a good way of delivering messages.

Steel-U publishes a website and monthly periodicals reporting its operation, providing information relevant to workers and giving them a forum to speak out; members get a money reward when their submission is accepted. It progressively educates members who are slowly developing a sense of employment relations and class conflict. When a serious issue affecting most workers arises, the union under scrutiny lets members know that this is a time when it needs their help. Aware that it helps them generously in many ways, members and even their families feel it is their turn to give something back and they want to support it.

The monthly periodical of the union is independent from the company.

Information about union activities, opinions from members, academic issues and discussions relevant the union are published in it. Not only are members rewarded for contributing to the journal but each year the union organises a workshop for writing, typesetting and editing, to improve the quality of periodicals and encourage members to become involved in theirs.

Each issue contains 40 colour-printed pages, including front and back covers.

The contents of issue 105 of 26 December 2007 are as follows:

- Front cover to page 2: photos of union activities.
- Page 3: table of contents

- Page 4: a message from the union president.
- Pages 5 and 6: decisions of the board of directors and responses to squad meetings.
- Page 7: report on the election of the 10th president and union representatives.
- Pages 8 to 11: summary of items of the labour-management meeting and reports of fees and the strike fund.
- Pages 12 to 14: a scholarly paper
- Page 15: article from a labour organisation.
- Pages 16 to 21: submissions from members discussing employee stock ownership, comments on the union.
- Pages 22 and 23: medical information from a doctor.
- Pages 24 to 36: various pieces of writing from members, such as discussions about the company, stories, travel notes.
- Page 37 and back cover: photo submissions from members.

The periodical contains information about union activities, opinions from members, academic issues and discussions related to the union. Apart from reports on union activities and summaries of representative committees, most items are submissions from union members. Steel-U encourages all members to submit their writing by the system of rewards. All kinds of articles are welcome; members may submit their personal thoughts, life experiences, other kinds of writing, and so on.

A contrasting publication is SteelCo's regular newsletter for internal communication, which comes out on the 1st and 16th of each month. Each issue consists of 20 pages of important news of the company.

Take issue 766, for example, which was published on 16 December 2007.

- Page 1: report on a conference about improving steel technology for producing manual tools.
- Page 2: report on the company's award of excellence from an academic association.
- Page 3: release of new products and events held by the company's jogging society.
- Page 4: technical report of a supplementary restraint system.
- Page 5: receiving the premium award for its training quality system from the Council of Labour Affairs and announcement of the publication of the SteelCo's document of corporate social responsibility.
- Page 6: events held by SteelCo's educational foundation and praise to employees who did not pocket money that they picked up.
- Page 7: a piece of writing from an employee's spouse and the 2008 annual calendar.
- Page 8: an award from a foreign organisation and events held by the mountain-climbing society.
- Page 9: summary of business last month and events organised by the travel agent.
- Pages 10 and 11: a piece of writing from an employee and announcements affecting personnel.
- Page 12: a piece of writing from an employee's spouse and some rental advertisements.
- Page 13: a piece of writing from an employee.
- Pages 14 and 15: SteelCo's history and events held by the care society.
- Pages 16 to 19: a few pieces of writing from employees' spouses.

- Page 20: photos of SteelCo.

To analyse the contents, it is clear that the company newsletter is used to spread recent developments or awards for the company. Submissions from employees or their spouses and the events of company societies are part of the newsletter, but not the main components. Critically speaking, this is a channel to promote the company among its personnel. It shows professionalism and strengthens links between workers.

Nevertheless, Steel-U not only uses the periodical to report its working progress but also values it as a means of interacting with members. Members pay more attention to its publication of the periodical and also supervise its contents. All periodicals now appear as electronic versions and are put on the union website for members and the public to read online. In this way members who do not visit the union frequently can still receive updates about Steel-U.

Moreover, Steel-U's periodical has become a learning model for trade unions nearby. During the participant observation, I saw that other unions were sending their periodicals to Steel-U and were clearly learning from the way that Steel-U edits its periodicals.

7.4.5. Union T-shirts

It is not always easy to amass a large strike fund in Taiwan; most unions rely on donations alone. Therefore, in order to accumulate a strike fund, the Steel-U president, CPW, introduced the idea of making its own t-shirts and selling them. Wanting to frequently check the quality during the manufacture, the union placed orders in some local textile factories, at the same time promoted and

helped local business. As a result, union t-shirts were always reasonably priced, approximately only £1.5 to £2, and of good quality, so members were keen to order them for themselves and their families. Following this success, Steel-U created a new design every year to keep up sales. Even the workers in some corporations nearby ordered Steel-U t-shirts; Steel-U meanwhile sent t-shirts to other unions or offered them to visitors as souvenirs.

When the new t-shirts arrived one day during the participant observation, everyone in the union helped to distributing them in their thousands to members. Some squad leaders would order them as a gift for their squad members and many members ordered one for themselves and more for their families. I found when chatting with members who came to collect them that they bought quite a few because they liked the quality and good value and they were enthusiastic to support local businesses and their union. Every consignment of t-shirts sold out very quickly and Steel-U had repeatedly to order more to meet the demand.

For the union, the t-shirt was a very handy as a souvenir for visitors or in their visits to other unions or organisations. They also used it as an incentive for members to join in union activities, especially strikes. In addition, they provided free t-shirts to their interns so the students working in the union office could wear them and members could easily pick them out.

When he was elected president of the municipal federation of trade unions, the Steel-U CPW president brought with him the idea of t-shirts. Gradually, other unions in the same city started to design their own t-shirts, which might also be sold to the public. More and more unions started making t-shirts to identify their members and supporters.

Later, as well as the company uniform, some employees started wearing union t-shirts at work. They sometimes wore a union t-shirt under their uniform and might take off their uniform at work. Some employees wore simply a union t-shirt with their uniform trousers and shoes. They thought it was appropriate in the workplace, since the t-shirt bore a Steel-U logo. Gradually, therefore, it has been unofficially accepted in SteelCo that employees may wear union t-shirts on shifts, for most line managers did not discipline their staff.

Moreover, I could from time to time see people in the street wearing SteelCo uniforms or Steel-U t-shirts after work. Following the idea of the SteelCo spirit extolled by a former chairman of the company (Wang, 2002, Wang, 2006), employees were in general quite proud of being part of SteelCo. Therefore, uniform is not only a managerial means, but also a symbol of pride within the ideology of paternalism.

If dress is a symbol of identity, wearing union t-shirts in the workplace implies that workers may voluntarily identify with the union as well. A huge number of members may not be a mere number for the record but also a source of power when people identify with the union and the union represents them as a whole.

7.4.6. Direct Presidential Election

In December 2000 the general meeting of union representatives had passed the Rules of Presidential Election and Recall, to make this union the first workplace union to qualify under the rules. In November 2001, the union held the first direct presidential election of its kind in the Taiwanese labour movement, at a time when it was lawful for the union president to be elected on behalf of the

union by its board of directors who had been directly elected by the members. In this first direct election, four candidates competed and 96.8% of the members voted. The elected candidate won 4,270 votes, 50.5% of the total ballot.

The union's Rules for Presidential Election and Recall requires each candidate to pay a deposit of 100,000NT\$ (approximately £2,325), which will be returned in three days once the result is announced, or will be diverted to the strike fund if the candidate fails to achieve 10% of the total votes. After the first election, however, one candidate who only gained 9.2% of the vote and could not retrieve his deposit accused the union of an illegal presidential election. The Kaohsiung District Court eventually judged the election legal and without offense against the Labour Union Act after the second instance in March 2003. The candidate pursued the appeal to the Supreme Court, which dismissed the appeal in July 2003 and confirmed the legality of the union's direct presidential election.

The union has held five direct presidential elections (see Table 7-6). The second was held in November 2004, again with four candidates. The rate of turnout was 96.8% and the president won by 53.7% of the ballot. The third election in November 2007 had only one candidate, the president hoping to have a second term in office. 89.7% of the members voted and 84.8% elected him. The fourth election, in November 2010, had five candidates, the maximum so far. The poll was 94.1% of the members and the elected person got 3,301 votes, 38.7% of the total. In the latest election in November 2013 two competed and the president seeking a second term eventually won with 5,021 votes.

Table 7-6 Summary of Steel-U's Direct Presidential Elections

Year	2001	2004	2007	2010	2013
Number of Candidates	4	4	1	5	2
Registered Members	8,735	8,565	8,990	9,059	9,642
Turnout Rate	96.8%	96.8%	89.7%	94.1%	93.3%
Percentage of Votes for the Elected Candidate	50.5%	53.7%	84.8%	38.7%	55.83%

CPW, the president who won the first direct election, said,

“Members should be allowed to decide their leader and people enjoy the feeling of making decisions of their own and playing a part. Once they have elected someone, it is very likely that they will pay more attention to how well this person works, since they want to know whether their choice is appropriate. At the same time, the elected person has to be very careful and work hard to maintain members’ support.”

It is not easy to involve all the members in the operation, since the union is so large union and it is possible that members feel detached from union affairs. The union takes direct elections as a way of increasing members’ participation in the union activities and the high turnout at each implies that members care about the union’s operation and leadership. However, the votes gained by the successful candidate may point to the degree of support enjoyed by the presidency.

7.5. Mobilisation: Collective Identity among General Members

Following the discussion in previous chapters, it is clear that the ideology of paternalism has influenced management, workers and trade unions in this workplace. Employees feel a fairly strong identification with the corporation and view it as a big family taking care of them. Workers are proud of working in a model enterprise such as SteelCo which offers better salary than many, good welfare and benefits, a stable working environment and a fine reputation.

When they have to join this union, workers may not understand why they need such a thing until they get a chance to know it better. New employees are usually enrolled in Steel-U on the first day of work at SteelCo; the union regularly invites new members to visit the union office for a briefing about its organisation and operation and encourages them to join in union events or make use of union services and benefits. During the participant observation in 2015, I noticed a young union director taking some newcomers to visit the office and introducing them to the president and other officials and secretaries. I learned in a brief chat with him that he was also new to SteelCo comparing to other union officials and was serving his first term as union director. He was quite enthusiastic about getting new colleagues to understand Steel-U and felt hopeful that more members of the newer generation would join.

In the interview with the assistant general manager of the Human Resources Department, HJT, she talked about the challenge of elderly workers in SteelCo, and mentioned that the company has been aware of this issue for years and has been rolling out a plan to renew its human resources. Every year it calculates the retirement rate in three years' time and recruits enough new people to ensure sufficient time for the handover, giving old and new staff the

chance to work together for around three years. She further commented on Steel-U's response to the question of age when I mentioned the change of people I had observed serving as union officials,

“ ... several union officials are going to retire in a few years. We notice that the union has in fact been working on the generational inheritance for years. Most of their officials keep an eye on new colleagues and introduce them to union activities. They also encourage young people to elect union member representatives or union officials. It seems they are quite ready to adapt to the changes in the near future.”

7.5.1. Protest in the Workplace

The workplace is not always peaceful and quiet since one essential of labour and management relations is always the conflict of interests. Even under the ideology of paternalism, there are still confrontations when workers do not agree with the employer. Sometimes labour cooperation is not the solution for everything in the workplace. Eventually, members join the trade union so as to speak out for their rights.

As a demonstration of their accumulated power and resources from the tradition of workplace paternalism, the union led a successful workplace protest regarding a new policy of performance evaluation and the issue of official leave for trade union officers on the very first day of my participant observation in July 2003. Around 3,000 members gathered together in front of the SteelCo

auditorium to ask for their rights, more than the management would have expected.

The company implemented a new system of performance evaluation in 2002 which asked each unit to give 10% of employees the second grade. The result of performance evaluation was related to the end of year bonus and people were unhappy that their work performance had to be restricted by a fixed proportion of people not doing well. The union president and the boards of directors and supervisors had held several negotiations with the company on the issue but members' grievances were still being received that some line managers strictly maintained the quota of the second grade at the evaluation in 2003.

Moreover, for a while the company had seemed heavy handed to the union because some officials dealing with two accidental deaths of members at work had been asked by their line managers to take personal unpaid leave in lieu of the paid leave for union affairs regulated by the Labour Union Act. Some line managers insisted that these union officials could take only paid leave for regular union meetings. The union had been in touch with the management a few times but did not receive any positive feedback.

As a result, the union called an extraordinary general meeting of member representatives and invited the management to sit in to respond to members' queries. Because the management representatives did not give an acceptable response in the meeting, the union member representatives eventually approved a decision to protest.

After the extraordinary general meeting, all the union representatives used their lunch break and the time between shifts to stand outside distributing flyers to

members, demonstrating protest banners were placed outside the trade union office and along the routes of the company buses to raise a consciousness of unfairness and show their determination to confront the company. All the squad leaders were given flyers to pass on to the members and were encouraged to participate for the sake of their rights.

Two days before the protest, the union president, officials and secretaries all stood by the intersections which members passed on their way to work and held posters and banners to remind them of the action. All the members of the board of directors had been in touch with the squads to emphasise the importance of joining the action. The day before the protest, the president wrote the slogans on the protest banners by hand to underline the appeal from the union.

On the morning of the protest day, all the union secretaries and interns prepared boxes of bottled water, towels, headbands, union t-shirts and other necessary items. Around 3 pm, some officials arrived in the office to get ready for the action. Later members spontaneously gathered in the plaza outside the auditorium. All the participants got a headband quoting the protest banner along with a bottle of water and a towel, to relieve the summer heat. More and more people joined after 4:30pm when the normal shifts finished and the handover was made to the next shift.

The union president, CPW, stood on the platform outside the auditorium with other union directors and supervisors, and they all spoke about their demands in turn. Many neighbouring unions and local politicians joined them onstage to support the workers and many media reporters came to broadcast the action. More and more people gathered together to shout for their claim for workplace justice. Even the family members of workers took part in the protest.



Figure 7-1 Steel-U Members' Protest 1

Around 5:30pm, the SteelCo president on behalf of the corporation finally came to the platform to respond to workers. He promised to clarify the issues raised and wrote this clearly in an internal memorandum, which is an official format of SteelCo's documents. Finally, the union president and the company president came to an agreement and the union president, CPW, announced end of the protest at 6pm.



Figure 7-2 Steel-U Members' Protest 2

On the next day, there was huge media coverage of Steel-U's collective action. It was a marked success for the union because so many members gave their support, about one third of the total. To encourage member participation, all those who attended were able to exchange their headband at the union office for a free union t-shirt, which was normally sold at 90NT\$ to swell the strike fund. It was also a union strategy to distribute bottled water, towels, headband banners and t-shirts at the meeting. The union therefore could keep count of the total number of participants to counter the company's claim to the media that the protest had involved only hundreds of people.

The union president CPW believed,

“If we want to mobilise, we ought to do it properly. Otherwise, we would lose everything. If two or three workers protested, no-one would notice. Twenty or thirty, well, the security pals could dismiss them in a few minutes. Two or three hundred, the management might notice or call the police but would not take it seriously; only when two or three thousand people or more get together, should the boss seriously face the problem and be willing to solve it.”

Apparently, a labour dispute is the time to show how powerful the trade union is, for two reasons. The union president said,

“We go on strike for two reasons: one is to force the company to look upon us with respect; the other is to prove to our members that we are definitely doing something important for them. We take it seriously, not as a game, because we know it might destroy management and the members’ trust in us.”

It is quite clear that the president CPW understands the importance of recognition by the employer and members which empowers trade unions in the workplace. However, the military strike is the very last weapon of the trade union and once a mobilisation is called it has to be successful. If the trade union failed to lead a successful dispute, it would immediately fold, since members would not trust it and the management would not respect it ever again.

Therefore, CPW was very cautious in calling a protest or strike and preferred to retain power and strength ready at hand, just in case.

7.5.2. Trade Union Leadership towards Partnership Unionism

There have been three different presidencies of Steel-U since the beginning of this research. It may be worthwhile to address their similarities and differences and thereby trace the movements of Steel-U.

CPW was union president when the research began. He was indirectly elected by the board of directors in 1998. Before acting as the full-time union president, he was a technician in the steel product factory and worked in the union as a members' representative. During his first term of office, he brought in the idea of directly electing the union president because he judged the indirect process bureaucratic and political and wanted a broader participation of union members. The union board of directors approved the idea and it was passed by the annual general meeting of members' representatives.

Steel-U ran its first direct presidential election in 2001, as addressed in the previous section, and CPW won it. At the time the Labour Union Act still stipulated the indirect election of union presidents and therefore a defeated candidate sued the union for staging an illegal vote, but the result was approved in court.

Steel-U has regulated that the president may have only two continuous terms in office and has never changed this rule. At the end of CPW's second term it was rumoured that CPW might run for another term since he had had only one term of elected office and could claim the right to stand for another. However, he had already announced that he had already been president for two terms and so would not be a candidate ever again.

During CPW's two terms of office, worker directors first sat on the board of SteelCo, the first renewal of the collective agreement and the success of the litigation to include a food allowance for night shift workers in their wages. When the company declared that food allowance should not be included, 1,441 members joined the litigation. The calculation of this wage influenced the calculation of other items such as overtime pay and pensions and the Labour Standard Act clearly regulated that all regular payments, whatever they were called, had to be included in wage calculations. It took more than five years to win a favourable verdict in the highest court and the company finally had to pay compensation.

CPW went to graduate school to obtain a master's degree in labour studies, since he thought people did not like the union, for one thing, because union officials did not behave well and gave the impression of abusing people's legal rights. He further encouraged other union officials and members to pursue higher education to learn more about labour affairs and laws. It also gave people confidence, for most people in the lowest ranks of SteelCo had little education. Overall, CPW did his best to improve the union and made Steel-U distinctive in Taiwan's labour history.

In the second direct presidential election, STW was chosen. Unlike CPW, who held a basic position, he was an engineer in the steel product factory. He used to be a members' representative and a member of the board of directors during CPW's terms of office. STW was re-elected in 2007 and thus also held office as president for two terms.

During STW's presidency, Steel-U renewed its collective agreement and called a protest in the workplace to keep the SteelCo chairman, who had resigned

when the Ministry of Economics, the biggest shareholder in SteelCo, appointed a new chairman. About 2,000 members joined the protest and 7,000 members signed the petition.

Steel-U also worked hard to keep a certain amount of stock shares owned by the Ministry of Economics, a fair calculation of paid leave for people who had joined before privatisation, and so on. Overall, during the time of STW, things became more institutionalised and the company and union gradually worked out a way of reaching mutual agreement more often.

Later, CCW was elected as president in 2010 and re-elected in 2013, as the third union president recorded in the research. CCW was a technician in the steel product factory and had been a union members' representative and held some other union positions under CPW's presidency. He was quite familiar with union affairs and, with his mind on the generational gap in the union, started looking for members of the younger generation who would play their part in Steel-U.

The third renewal of the collective agreement came in 2014, marking the collective bargaining in SteelCo as an important and enduring tradition since the first agreement of 1997.

Following the deregulation of the Labour Union Act, on 1 May 2011 Steel-U called for a new organisation of the trade union in all sub-companies of SteelCo group. The new Steel Group Union was set up on 7 May 2011 to cover all employees of the SteelCo group who wanted to be unionised. When it was first set up, some Steel-U members joined the Steel Group Union as well to help run it. Steel-U also helped the Steel Group Union get a free office in SteelCo and a secretary paid by the company.

In the participant observation in December 2015 at the annual general meeting of union members' representatives, it was interesting to sense how the atmosphere had changed. More and more new faces appeared and more and more young people had joined the important older people who still remained. In addition, it was a surprise this time to see that the agenda items did not include so many matters arising. The secretariat even allowed extra time for representatives who might want to comment.

In the experience of the above three union presidents, trade union can now be observed to act in favour of partnership unionism under the ideology of paternalism. Steel-U has been seeking to cooperate with the employer because the practice of partnership and the paternalistic ideology help Steel-U to act as a partner of the company. In the meantime, with more issues now settled in the workplace, the union looks back on its own sustainable development.

7.6. Paternalistic Identity: Union Members and Family Members

The workers are the majority in a workplace and may be powerful and influential, but they are even more powerful when they are properly organised by a union. Workers may not be fully aware of their subordination to management but suppose it to be akin to a family or a partnership. At the same time, they may not understand the mission and functions of a union, given that union membership was automatic and compulsory from the first day of employment, regardless of their choice or awareness. A large membership is not the same as relatively great power until a trade union can strategically mobilise its members. Therefore, Steel-U aims to participate in workers' lives by offering a variety of services and welfare benefits, such as discounted insurance, free legal advice

and mediation, marriage gifts, scholarships for children, subsidies for continuing education, mutual funds and so on. Because it looks after members and their families in so many ways, members are constantly visiting the union office and thus they gradually identify themselves as union members.

Various functions of the union formalise part of each worker's life in the workplace. Therefore, even if they do not know the main mission of the union, they still know they can get various kinds of help or benefits from it. For workers, the union is part of their working life in its economic and social functions. If they need help but do not know where to go, they can come to the union for advice. If SteelCo is a big family, the union is part of it and cannot be replaced or ignored.

Non-union representation seems quite important in that its mechanisms deal with various issues relevant to workers, but without direct influence on them. Workers have some awareness of the representing mechanisms, but if they are not involved, they are not fully aware how each mechanism is implemented. If they are not close to their union or a labour representative and do not pay much attention to notices in the workplace, they seldom know what non-union representation is. After all, non-union representation still requires only a small group of people to represent the whole, so ordinary workers feel distant from those mechanisms.

Workers usually visit the union office on necessary errands, such as applications, insurance, etc., but visiting the office can be fun as well. In my observation, quite a few members if they find themselves near the welfare building simply look in to say hi and chat with the union officials or secretaries. They may come in to see who is there or get any latest news. People in the

office are always ready and happy to talk, no matter how busy they are, whether a caller is a frequent visitor or rarely drops by. Some members call to share a few souvenirs or snacks with everyone in the office and officers are always happy to share with other members or visitors. It seems more like visiting friends than a business visit and makes a break in the working day.

Industrial relations in Taiwan usually function in practice like family relationships or partnerships. In this sense, Taiwanese industrial relations are peaceful and not violent. However, the fieldwork shows that this climate is helpful for the development of trade unions, because all the 'family members' management and labour alike treat the union as part of the family if one exists. This enables a union to perform and function better as a collective power. The workers' perception of a family relationship in a workplace may help and not harm the existence of a trade union there.

From the survey of squad leaders in SteelCo (Table 7-2 Identity of Steel-U Squad Leaders), it is interesting to find that most of them think their membership of SteelCo takes precedence before their roles as members of Steel-U. Moreover, they agree that SteelCo is a big family and Steel-U is part of it.

Unlike the structure of trade unions in Western societies, it is a something of a danger that Steel-U, as a workplace union, would not survive if SteelCo ceased to exist. However, because of the tradition of setting up unions to support the state and capital, trade unions are members of the company family just as much as their members are.

The links with family relationships need not harm employment relations.

Identification with the union is based on the assumption that union is part of the

big factory family. It is possible, even common, for family members to have problems or conflicts with each other, but they are still a family.

7.7. Conclusion

Labour representatives of non-union representation are only a small group with experience which may differ from that of workers in general. Following the paternalistic ideology, any confrontation they have with the management in a meeting makes them aware of the difference between labour and management. The trade union helps the labour representatives to understand and deal with the difficulties.

Squad leaders are not union officials but help the union to reach the mass of members. In theory, squad leaders should be familiar with trade union affairs in order to be an effective bridge with their union. However, Steel-U's experience reveals that in such a large workplace with different shifts of duties in various sections, much depends on the way that squad leaders define themselves and whether they are willing to connect their fellow workers and the trade union. Thanks to their regular off-site training by Steel-U, squad leaders gain a basic understanding of their duties, but how they practise is another issue awaiting investigation.

Workers have a good relationship with the union because it offers many kinds of service and welfare benefits related to their needs; it provides help and save members time and money. Members may identify with the union simply because of the services and benefits. Identity is an important factor of mobilisation strategy, for it encourages members to participate. A trade union

consolidates its power and resources through a range of functions. Its functions and services affect members' attitudes to and perspectives on itself. In order to persuade individuals to participate in the union, it must deliver services and benefits of all kinds until it becomes part of the members' life and family. Even if members cannot easily understand its efforts in collective bargaining, they can get some impression of the good or practical services offered by the union. When individuals drop by the union office for some service, they can interact and connect with the union through its staff and then they may start thinking of trade union functions. This may further establish the existence of the trade union in their minds.

Therefore, no matter what role a worker may have in the workplace, collective identity first builds on the paternalistic ideology, giving people the sense that they are part of the big family of the corporation. The union needs a different strategy to gain member recognition so that eventually it may wield the power of mobilisation. Following its development in this paternalistic context, it can be seen that the trade union moves in the direction of partnership unionism to work with the management for the sustainable development of the workplace as a whole.

Trade unions equip themselves with the power and resources gained from the workplace paternalism, and practise labour cooperation as their first preference. However, they understand that they must be able to mobilise the members should they have to, as a signpost of what trade unions are supposed to act as collective labour agents. They take mobilisation more seriously as the most significant means, because they only look for ultimate success to retain their recognitions of employers and workers.

Chapter 8. Conclusion: Transition of Trade Unions in Taiwan

Paternalism is the top-down ideology introduced and used by the state in Taiwan to maintain a docile and loyal labour force for economic and political purposes. Employers manipulate workers in an authoritarian, benevolent and moral way in the workplace, and trade unions have been established in this context, especially in state-owned and privatised corporations. It has influenced collective identity in the workplace and people do not have the same class identity as Western countries sometimes have. Non-union representation is also a practice of paternalism introduced by the government.

To investigate the corporate trade unions in the workplace with such factors as paternalism, non-union representation and collective labour identity, this research provides answers to the following questions: first, whether and how the existing (old) corporate unions could wield any influence in today's workplace; second, whether and how far paternalism has influenced trade unionism in Taiwan; third, whether Taiwanese trade unions may operate and function as agents of labour rights; fourth, what the relationship is between Taiwan's trade unions and non-union representation; and last, what kind of collective identity may be found in the workplace and whether there is a chance of building up a class identity among workers.

This research contributes to the field of labour studies in Taiwan as an original perspective on how paternalistic traditions can constitute an advantage for trade unions rooting themselves properly in the workplace. Non-union representation, for example, is a formalised means to help trade unions gain power and

resources. Labour cooperation has been rarely discussed in Taiwanese literature, but it is truly the strategy that paternalistic trade unions have to account for.

Last, the limitations of this thesis and some suggestions for future research are outlined, together with some implications of the findings for practice and policy.

8.1. Paternalistic Autonomy of Trade Unions

Paternalism has dominated Taiwanese industrial relations for a long time to tame workers into supporting economic growth, political peace and social stability. The policy of the 'factory as one family, factory as one school' has always been propagated by the government and remains essential at present. The three characteristics of paternalistic management, authority, benevolence and morality, make paternalistic employers different from those with absolute authority or dictators; the impression is that they look after their employees to conceal the fact that conflict exists in the workplace.

Paternalistic management has further tolerated the development of corporate trade unions and provided trade unions with the necessary resources and support to deeply root themselves in the workplace. Employers have developed a less antagonistic view of trade unions and instead try to embrace trade unions as affiliated organisations within the workplace which are part of the corporate social responsibility. Trade unions were not initially brought in for the sake of labour autonomy, but have gained the privilege of stable and solid development with few obstacles.

Whilst quite a few critics argue about the disadvantages of paternalism – that it prevents autonomous industrial relations and creates a tame, loyal and silent workforce, this research points out that we cannot ignore the important fact that corporate trade unions, especially in state-owned and privatised enterprises, have benefited from the ideology of paternalism for a long time. The paternalistic view of the workplace or the image of family relationship does not simply damage labour relations, and it has become the foundation of present-day trade union development. Free offices and facilities, staff, funding and so on, and, most important for future development, employer recognition, all offer a workplace trade union the chance to be officially recognised and responsible for its actions.

Therefore, this research provides an original contribution in showing how Taiwanese corporate trade unions, albeit less aggressive, maintain their organisation and development by absorbing resources and power from the benefits of paternalism. This research argues that trade unions have generated paternalistic autonomy in the workplace.

8.2. Responsibility for Non-Union Representation

Labour legislation has regulated that all enterprises shall have certain types of non-union representation mechanisms in place, whether the workplace is unionised or not. Both the corporations in the case study have implemented non-union representing committees for this purpose, to meet government requirements. Apparently, the practice of non-union representation is also a product of the paternalistic ideology. As employers are benevolent and moral, non-union representation offers them a chance to express their willingness to

listen to the workers, and it also contributes to their corporate social responsibility.

The legislation has provided trade unions with legitimacy to manipulate matters of non-union representation. Trade unions hold the privilege of selecting non-union labour representatives which has influence on the implementation of non-union representing committees. Providing support to those representatives further gives trade unions the opportunity to become indirectly involved in a variety of company affairs. Following this kind of indirect involvement, trade unions enhance their power and efficacy to receive sufficient information and propose proper suggestions in the workplace.

Previous studies such as Cheng (2000), Huang et al. (2003), and Wei (2003) have shown that Taiwan's legislation for non-union representation in the workplace is weak in enforcement and sanctions. Nevertheless, from the research case of Steel-U, it appears that the involvement of trade unions helps to enforce the practice of non-union representation, for the trade unions help their labour representatives properly and seriously to present data and perform well in meetings, not taking these duties as mere play-acting.

Eventually, non-union representation again strengthens the employer's recognition of the union in the workplace. As trade unions gain legitimacy and efficacy through the practice of non-union representation, unions gradually become more autonomous. Trade unions taking non-union representation seriously forces management to respond more formally. Making good use of non-union representation expands trade union influence. This is important since non-union representation is rarely excluded from a workplace when it is a governmental requirement.

Besides, non-union representation reveals the functions of trade unions including self-fulfilment, job regulation and economic regulation. Some issues discussed on non-union platforms are related to working terms and conditions and mutual decision-making is practised. Moreover, being a labour representative helps members to fulfil themselves. Following the ideology of paternalism, taking responsibility for non-union representation widely allows trade unions to take root in the workplace.

Overall, trade unions manipulate non-union representation as their means to officially maintain employer recognition. Non-union representation expresses management benevolence and morality. Practice of non-union representation does not compete with trade unions but fundamentally enhances the importance of trade unions in the workplace.

8.3. Collective Identity in the Workplace

Paternalistic ideology has influenced not only management but also workers. Some research (Marsh, 2002, Marsh, 2003, Shieh, 1997, Wu, 1994, Wu, 1996) has argued that the Taiwanese working class does not have the same class identity as some Western countries do because of various background factors and social and economic transition. The result of this research confirms this and further argues that collective identity in the Taiwanese workplace is built not on labour conflict but on paternalistic harmony. It was generated for economic and political purposes and is still essential in the workplace.

‘Working in a big family’ is not inappropriate to the workplace, since both management and labour assume this before any conflict occurs. Interestingly,

as a result of paternalistic management, the corporate trade union is also part of this big family, which underlies union recognition in the workplace. Unlike many Western countries where trade unions are established by the workers' class identity, Taiwanese trade unions founded with past support from the government originally had hardly any link to class identity.

Workers have multiple identities in the workplace as a result of their experiences. They consider the paternalistic enterprise first before they think about the trade union, because in the tradition of Taiwanese trade unions their identification with the trade union arises from their identification with the enterprise. When they have an idea of the workplace union, they sense that both the union and its members belong to the corporation. The research case addressed the view that the workers' union identity is based on that of their enterprise as a family identity, so collective identity with the union comes second to collective identity with the corporation.

Collective identity with the trade union is an important factor of union mobilisation in Taiwan and has to be generated by trade unions. As the sense of mutual contradiction of labour and capital is not rooted in Taiwan's employment relations, its trade unions have to take a top-down strategy to generate a class identity with class consciousness that will reinforce union recognition. It becomes the trade union's responsibility to formalise labour identity in Taiwan, rather than the reverse.

The traditional presumption of Taiwanese labour identity can be changed provided that the trade unions make more effort. Due to the compulsory membership instigated by the previous regulation, a worker's identity does not influence his/her participation in a trade union, but trade union activities do

influence members' identities. For example, Steel-U first stresses its function of member services to increase members' involvement in the union before talking about labour conflicts. It familiarises members with the union and sets up a need for it, whether or not people completely understand the union's mission.

Workplace unionism may limit the development of trade unions since a corporate union loses legitimacy when the corporation ceases to function. However, labour's identification with the trade union, based on the perception that it is part of the big corporation family, is a powerful advantage for trade unions. Workers understand that family members may have problems or arguments with one another, but they are still related. Overall, the paternalistic concept of family implies mutual help between members rather than management by the single authority of parents. The actions of the corporate trade union therefore consolidate this element of paternalism.

8.4. Trade Union as Agent of Labour Rights

Offering members services, especially welfare and benefits beyond what management offers, is a very important and effective means of connecting workers with the corporate trade union before it can think of mobilising them. Under the concept of paternalistic care, welfare is the major concern in a workplace after working terms and condition.

To have influence on members, the corporate trade union as a service union offers in the first instance various kinds of welfare benefits and services. Gradually, the union also provides information about its responsibility to help members become familiar with what it does in addition, through such means as

periodicals, bulletin boards, squad leader off-site training, and so on. The union changes and influences members unobtrusively and imperceptibly, rather as the essential idea of paternalism does.

The function of organising and mobilising comes only afterwards but does not replace the function of service, because the union's recognition of its members has to be secured before any action. To mobilise members successfully, the trade union has to arouse the sense of helping the union. The issue of mobilisation is crucial: anything meriting such a step must certainly be relevant to general workers to convince them of the unfairness of the issue and the need to defend their interests. Eventually members are mobilised even when some of them do not completely understand the purpose behind mobilisation. From the idea of the family, workers realise that it does not mean that management will respond to only one kind of demand. Every family member has different needs to take note of.

It is important for the corporate trade union management to gain recognition from both members and the employer if it is to have enough power to confront management in the workplace. However, mobilisation is the last weapon of a trade union and must not be abused. Under the asymmetrical relationship of labour and management, the employer always controls most of the workplace resources. The trade union has to retain its power with solid recognition from members and the employer and show its full power only when it has no choice because it cannot survive failure. Should a failure of mobilisation occur in a paternalistic workplace, it not only destroys the trust of members, but also demolishes the respect of the employer. Most seriously, it kills off the corporate trade union, which has no chance to survive.

Labour conflicts are concealed by the tradition of paternalism but never disappear. To act as agents of labour rights, trade unions widely cooperate with management and at the same time have to be ready for any possibly unsettled conflicts. Whenever mobilisation is necessary, trade unions need to make sure they are able to win.

8.5. Transition to Autonomous Partnership Unionism

The existing trade unions before the enactment of new labour legislation in 2011 have the disadvantage in general of workplace unionism which is limited to the existence of their parental enterprises. That is, a workplace union may lose its legitimacy when its employer corporation shuts down, because they no longer have any object to fight.

After rooting its organisation in a paternalistic workplace, the corporate trade union has to mobilise member identity in a gentle and gradual approach; it should not directly challenge the paternalistic ideology of the workers in a radical way when they identify with the paternalistic workplace setting. The understanding of capital and labour conflicts is not immutable and at any given moment different people interpret the relationship between the trade union and the corporation differently. However, labour and management conflicts still unavoidably arise in a paternalistic workplace, and are not due to inherent conflicts of interest.

Rather than transforming itself to classic unionism as militant opponents to management, the old corporate trade unions in Taiwan sought instead strategic partnership unionism, which combines their paternalistic advantages and

reduces their paternalistic disadvantages. Trade unions choose cooperation rather than confrontation in the workplace, in order to maintain and enhance the recognition by management. For example, Steel-U helps to implement company policy, gain the agreement of the trade union chief secretary, and so on, to build a good relationship with the corporation.

Cooperation with management does not mean the elimination of the trade union, but emphasises its existence and importance. In fact, the union understands it is difficult for it to resist management all the time because its substantial resources are always limited and it has much less than the company has.

Engaging in the practice of non-union representation, although it was originally a means of managerial control, is another way toward partnership unionism. Rather than replacing trade unions, non-union representation relies on their support.

As noted above, the union's different background and development from those in Western countries such as the UK, make embracing non-union representation and shaping labour's collective identity two important strategies for revitalisation of trade unions in a paternalistic workplace. Workplace harmony based on the tradition of paternalism is still essential; trade unions have to actively engage members in their daily activities and target members who belong to different groups, such as labour representatives of non-union representation and squad leaders. In addition, offering welfare is a practice of paternalistic management for the employer and at the same time is the servicing function which attracts members to make contact with the trade union.

To conclude, this research argues that paternalism has rooted corporate trade unions in state-owned and privatised workplaces as the governmental auxiliary

and the management affiliate. It empowers trade unions to engage in workplace affairs with legitimacy, efficacy and autonomy. To revitalise themselves from the paternalistic ideology, it is expected that the unions will adopt partnership unionism with the manipulation of non-union representation and a top-down process of shaping labour's collective identity.

To move a further step from criticising the incapability and underdevelopment of trade unions, as has been frequently discussed in Taiwanese labour studies, this research points out the feasible possibility of trade union development based on the tradition of paternalism and investigates the benefits which trade unions have gained from it. The importance of labour cooperation has been addressed in detail. An original and different perspective on Taiwanese trade unions has been offered in this study.

8.6. Limitations and Future Research

Following the deregulation of the Labour Union Act from 1 May 2011, the formats of trade unions were changed to corporate unions, industrial unions and craft unions. This research has investigated only the corporate unions that used to be established under the ideology of paternalism. These trade unions used to be the auxiliary to the government rather than an agent of labour. After the trend of liberation and democratisation, these unions will have to transform themselves in the direction of partnership unionism if they are to revitalise.

This research is not aiming to offer a universal solution to all trade union revitalisation in Taiwan, since each kind of union has its own face. For example,

it would be interesting to analyse in the future whether new corporate trade unions may take the same route as SteelCo or find a different way of flourishing.

As very briefly mentioned in the previous chapter, Steel-U helped to establish a new trade union for all subsidiaries of the SteelCo Group in 2011. In the future It would be worth following up and investigating how the SteelCo Group Union operates and what sort of relationship develops between Steel-U and the SteelCo Group Union.

The case of the Taoyuan Flight Attendants Union and other new trade unions set up after 1 May 2011 will also be a brand new trend to research. It currently implies that the appearance of the labour movement may change into something rather more like that in Western countries, led mainly by outside cross-company trade unions independent of corporations. However, this takes time and relies on long-term observation to follow up, for it is not yet clear whether more cases will arise or the phenomenon never recurs.

In terms of paternalism, paternalistic employment relations are traditional and may be challenged by the introduction of human resources management and so on. It needs further observation to find out whether there is a chance of paternalism's disappearance from the workplace.

8.7. Implications for Practice and Policy

At present, paternalistic management is still persuasive and the state remains in favour of industrial peace. It is very important to re-emphasise the policy of non-union representation as a channel for the labour voice in the workplace. For the unionised workplace, it helps trade unions to gain recognition and power if they

seriously take part in implementing committees for non-union representation. For nonunionised workplaces, it provides workers with a platform to express their needs and complaints in an official way. The government may consider adding a penalty or fine for the negligence of non-union representation.

Collective identity at work is based on individualism, because paternalistic management looks after individual lives. People cannot automatically generate their collective identity unless they have personal experience of difficult industrial conflict or gain knowledge and information about it. Therefore, labour education is an important domain to look at. Trade unions have a responsibility to educate their members in a variety of ways. Some labour organisations outside the workplace may work on educating workers and trade union officials about organising and mobilising. In any case, the present system of labour education focuses only on vocations and skills, and will have to add more varieties of worker education that include labour organisation and consciousness. The state also has to think about introducing materials on labour rights to the compulsory education system to give everyone a chance to understand what work is like before starting a job. The process of education cannot reach its destination in a single leap but takes time.

Theoretically labour cooperation is not a strange idea to paternalists, because paternalism looks for collaboration rather than coercion. Employers should not view trade unions as merely a scourge to avoid, but should consider as a second thought the possibility of working with trade unions as partners for the sustainable development of corporations. The corporate trade unions understand that their survival is based on the existence of the corporation, so seeking mutual success in the workplace may be the answer to both parties.

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