

EMPLOYEE PARTICIPATION IN THE PUBLIC SECTOR IN MALAYSIA:A GENERAL OVERVIEW

Associate Professor Dr Balakrishnan Parasuraman (PhD)

Badariah Ab Rahman

Industrial Relations Program, School of Social Science,
Universiti Malaysia Sabah, Malaysia

Dr Balan Rathakrishnan (PhD)

School of Psychology & Social Work,
Universiti Malaysia Sabah, Malaysia

ABSTRACT

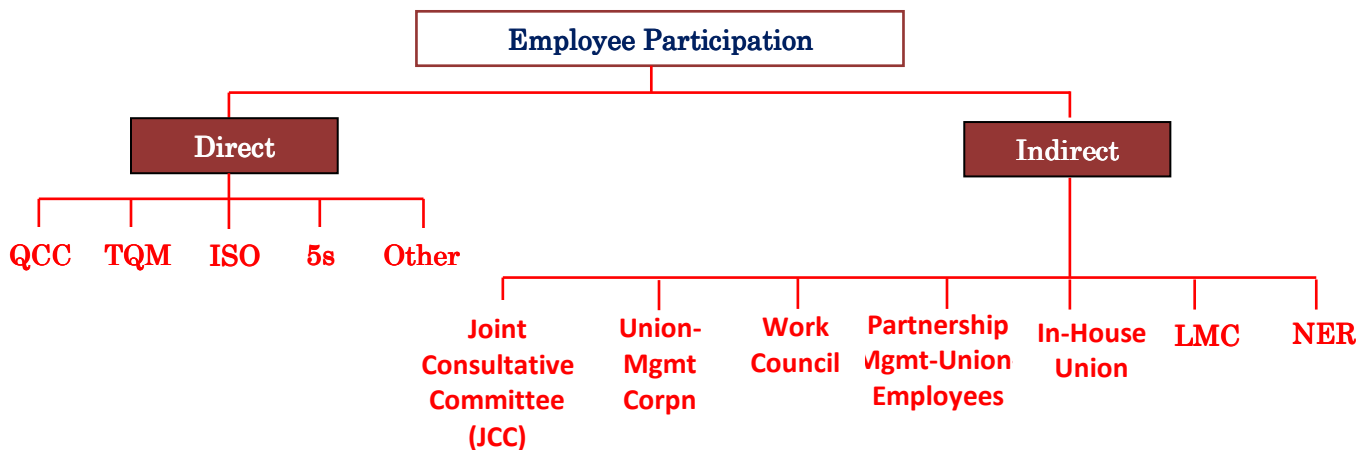
Employee Participation (EP) is an important area of research in the field of industrial relations and employment relations (Harley, Hyman & Thompson 2005). According to Markey (2005), extensive literature review has argued that EP has the capacity to enhance the quality of decision making by broadening inputs, promotes commitment to the outcomes of the decision making process, improves motivation, cooperation and communication in the workplace. EP also may reduce workloads of supervisors, encourage skill development in the workforce, and can contribute to improved employment relations in general (Markey & Monat 1997). For that matter, the issue of EP in decision making has attracted the interest among management scholars, industrial relations researchers and managers in organizations as well (Heller, Pusic, Strauss and Wilpert 1998; Markey, Golan, Hodgkinson, Chouragui & Veersma 2001; Harley, Hyman & Thompson 2005; Parasuraman 2007; Arrigo & Casale 2010) especially in promoting partnership between employer-employee work relationship (Raduan, 2002). EP has been practised in the private sector; however there is a broad gap on the importance of EP in the public sector. Therefore, the objective of this paper is to explore on the effectiveness of EP in the public sector from the academic, employers and trade union's perspectives. This study will also analyse and examine on the importance of EP in the public sector in order to improve the government delivery system. The finding of this research has some implication to the national labour policy in Malaysia particularly in the public sector.

Keyword: industrial relations, employee participation, employee relations, public sector

1.0 EMPLOYEE PARTICIPATION: An Overview

There has been a considerable amount of research in the past on EP, which has been widely discussed on the two forms of EP: direct and indirect participation. (Heller, Pusic, Strauss, Wilpert 1998; Markey, Gollan, Hodgkinson, Chouragui and Veeresama 2001; Harley, Hyman & Thompson 2005. According to Solomon (1998), “direct participation allows workgroups/individuals employee to involve in the decision making process”. Cabrera, Ortega & Cabrera (2002), “direct participation involves the employee themselves”. Examples of direct participation include the Quality Circles Group (QCC), Total Quality Management (TQM), ISO, 5S, Group Briefings and many others. Indirect participation in the other hand (Cabrera et al., 2002) “indirect participation takes place through an intermediary of employee representative bodies”. Examples of indirect participation include Joint Consultative Committee (JCC), Union, Work Councils, Partnership, In-house Union and Labour Management Committees (LMC). Both EP forms is as shown in Figure 1.1

Figure 1.1 Employee Participation in Organisation



Solomon (1998); Cabrera, Ortega, Cabrera (2002)

2.0 PROBLEM OF THE STUDY

From the previous research, the focus area has been on the effectiveness of direct EP in the private sector particularly in Anglo-Saxon countries like United Kingdom, United States of America and Australia (Cabrera, Ortega & Cabrera 2002; Brown, Gedder, Heyward, Seargent 2001). In Malaysia, there are quite a number of research on EP has been conducted; however the focus has been for the private sector (Parasuraman 2007). The study on EP are limited in the public sector and mostly covering from the organizational behavior and human resource perspective (Mat Zin 1998; Idrus 2001, Zaliha, Soon Yew and Mohd Salleh 2000; Mansur, Kasim & Ahmad (2009). Parasuraman, (2007) has pioneered the research on EP from the industrial relations perspective in the Malaysian private sector. In his research, Parasuraman is exploring on (1) “what are the different forms of EP established in these three Malaysian private companies, and how do these methods actually operate at company level, (2) “why are different forms of EP developed in different companies in the Malaysian private sector?” and, finally (3) “how effectively do EP models explain the nature and assumptions of EP practices at company level in Malaysia”. Parasuraman (2007) further suggested that future research on EP should be undertaken in the Malaysian Public Sector specially looking EP from the industrial relations perspective.

3.0 RESEARCH QUESTIONS

The above research problems lead to the following research questions as follows:-

1. What are the perception of the government, academicians, employers and trade unions on the concept of EP in the public sector?
2. How can EP be an effective tool in the public sector to improve the government delivery system?

4.0 OBJECTIVE OF THE STUDY

The objective of the study is to enable us to encompass on the followings:-

1. To explore on the perceptions of EP in the public sector from the government, academic, employers and union's perspectives.
2. To analyse and examine on the importance of EP in the public sector in order to improve the government delivery system

5.0 SIGNIFICANT OF THE STUDY

The study will not only contribute to academic research on indirect EP in the public sector in more general but also would bring significant benefits to policy makers at the Ministry level in Malaysia because it may bring some changes or modification to the existing policy for the betterment of the public sector. The study serves as a reference for future research on EP particularly on the possibility to make indirect EP as an effective tool of participative decision making in the public sector.

The next section will determine on the research methodology aimed to obtain the necessary information on EP in the public sector.

6.0 RESEARCH METHODOLOGY

The research methodology applied for this research was primarily qualitative where unstructured interview questions are being posted and documents analysis respectively. The interview questions were done through face-to-face with the respondent. The interviews were conducted from 24th-27 May 2010 in Kuala Lumpur, 2nd September 2010 and 27th October 2010 at the respondent's workplace. A total of six face-to-face interviews were conducted and the main key respondents in this interview were from Malaysian Trade Union Congress (MTUC), CUEPACS, Senior Government Official, Academician, an Employer from a public service department and a Union Leader from a public university. The interviews responses were recorded and in the form of writing by producing an interview transcript verbatim and has been analysed through thematic analysis techniques. Apart

from the interviews conducted, there are also documents as sources of information were used for analysis. The documents included the Industrial Relation Act 1967, Trade Union Act 1959, The General Order, CUEPAC and MTUC newsletter, local newspaper (*Daily Express, New Straits Time & Utusan Malaysia*) Pekeliling Perkhidmatan (Service Circulars) No. 2 Year 1979 and No. 7 Year 1989 respectively.

In the next section will provide on the general overview on the industrial relations legal system in Malaysia. This section is very important because it provide on the contribution factors that influenced the practices of the industrial relations system and employee participation in Malaysia.

7.0 INDUSTRIAL RELATIONS IN MALAYSIA

Under the Industrial Relations Act 1967 workers in the private sector have the right to join trade union where employers should not prevent a worker from joining a union. Reasons for employee to join unions are to improve their terms and conditions of service such as wages and welfare benefits. According to the Malaysian Trade Union Council (MTUC) Senior Officer during an interview with him on 25th May 2010 said; *“the goal of trade unions is to struggle for the rights and aspirations of the workers”*. However, the trade unions have to recognize the management prerogatives under the law. Under Section 13(3) Industrial Relations Act 1967, stated that union cannot interfere in areas of promotion of employees, transfer of workers, the hiring of workers, the termination of workers or re-employment of workers and to offer work that is appropriate with the terms of the contract of service. These rights are the domain of the employers and in most cases, the court will not interfere with employer’s prerogative unless there is evidence of injustice or unfair labour practice (Aminuddin 2007; Idrus 2001; Parasuraman 2006).

According to Aminuddin (2006), one significant advantage that a union has is the power of conducting collective bargaining. In relation to that, following an interview conducted on 27/5/2010 with Senior Government Officer quoted that; *“when you have a union which is registered under the Trade Union Act 1967, they are being recognized and have the bargaining power”*. Collective bargaining is a process by which representatives of the employees (union) together with the employer negotiate and decide upon workers wages and other terms and conditions of service (Aminuddin 2007). In this process, it involves joint decision making by the employers and the employees and is therefore a form of employee participation in decision making process (Aminuddin 2007).

However, the situation is different in the public sector. The government only allowed the supporting staff to join CUEPACS (Aminuddin, 1992; Idrus 2001). The role of CUEPACS is as an advisory body to the government on common issues but not the subject of CB [Industrial Act 1967, Section 13(3)]. In this respect, the professionals in the public sector are not given the privilege to join the union. The government, being the largest employer in the country does not allow professionals to form unions to represent them. The government is practicing the pluralistic approach whereby all policy, procedures and strategies is drawn to be adhered to by employees without any questions. In relation to that Aminuddin 2007, there has been no negotiating between unions and the government over wages and other terms of service since 1960s. During an interview with the Government Senior Officer on 27th July 2010 on the similar issues said that; *“it is spelled out clearly in the IR system in Malaysia that the public sector has no bargaining rights”*.

In the next section will address on the limitation of EP in the public sector will be explained. The section is important because it will show the some shadow to the practice in EP in the public sector.

8.0 PUBLIC SECTOR IN MALAYSIA: AN OVERVIEW

The IR system in Malaysia was highly influenced by the political, economic and social factors (Parasuraman 2005) which contributed to the series of significant transformation for the betterment of the country. As acknowledged, since Malaysia’s independence in 1957, public sector reform has been part of the country’s development agenda. However, in the quest of transforming the country, economic reforms is an ongoing process for sustainability of the country (Abd Karim, 1995; Ahmad 1994). Therefore this section will provide the reforms that have taken place from 1960’s to the current for better understanding on the evolutions of the public sector in Malaysia. Among the transformation programmes are as shown in Figure 7.0 below:-

Figure 7.0
Economic Development Plan (1960s to 1990s)

1st Phase (1956-1970)	2nd Phase (1971-1990)	3rd Phase (1991-current)
1 st Malaysia Plan (1956-1960) (rural development)	2 nd Malaysia Plan (1971-1975) (to eradicate poverty level)	6 th , 7 th , 8 th & 9 th Malaysia plan is a continuous from previous plans.
2 nd Malaysia Plan (1961-1965) (DEB – solution to the racial social economy)	3 rd Malaysia Plan (1976-1980) (restructuring the society, create employment)	<u>Current</u> Vision 2020 (to be a develop nation) 1Malaysia Concept (to achieve the vision 2020)
1 st Malaysia Plan (1966-1970) (economic, social & people development)	4 th Malaysia Plan (1981-1985) (heavy industry, capital investment, high tech and privatization)	<u>Four core pillars</u> People First, Performance Now (people needs); Government Transformation Program (talent, skill); New Economic Model (high income nation); 10 th Malaysia Plan (how to get there)
	5 th Malaysia Plan (1986- 1990) (industrialization, research and innovation)	Privatization and Globalization Economic Transformation Plan (2010) Budget 2011

8.1 Vision 2020 and New Economic Model : After 2009

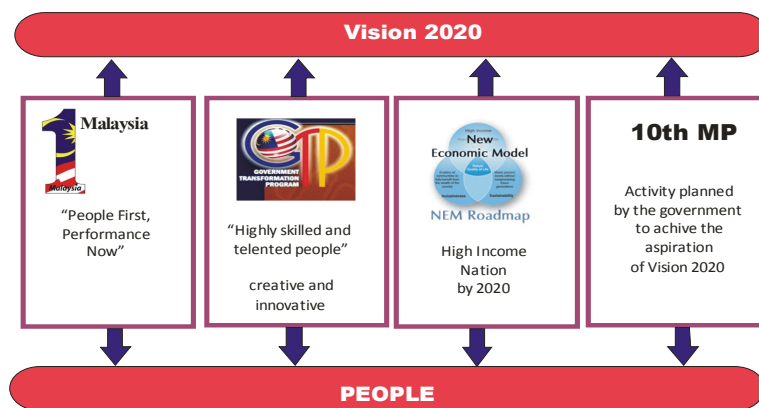
As Malaysia progresses significantly towards a developed nation by 2020, we are still struggling with issues and questions how we are going to get there. Whether or not it can be achieved largely depends on the readiness of our workforce. Vision 2020 has high regards to its people and has special emphasis on the human development aspect. In his address to the Malaysian Business Council, the Honourable Prime Minister at that time, YAB Dato’ Seri Dr Mahathir Mohamad quoted; *“in our drive to move vigorously ahead nothing is more important than the development of human resource”*.

In the same forum, Dr Mahathir further stressed that; *“from the previous experience in the last two decades, the government has acknowledged that the most important resource of any nation must be the talents, skills, creativity and the will of its people”*.

And now Malaysia currently has reached to a defining moment in its development path, where under the leadership of YAB Datuk Seri Najib Tun Abdul Razak, the current Prime Minister, we are in the implementation stage. This is supported by comments by a Senior Academician during an interview on 25/05/2010, that; *“now is emphasizing on the “How” to get there and it is very clear that what to change. If Malaysia wants to be a global player, we have to change accordingly and the “How” is very tricky”*.

In relation to that, moving forward, the government has developed a transformation plan based on eight main thrusts that incorporate four pillars. The four main pillars are the 1Malaysia concept: “People First, Performance Now”, the Government Transformation Programme (GTP), the New Economic Model (NEM) and the 10th Malaysia Plan (10 MP). These four pillars are complemented by the inculcation of four core values, which are imbuing creativity and innovation, enhancing integrity, accelerating implementation and increasing cost efficiency). The implementation of 1Malaysia concept includes assimilation of the “Principles of Unity” and inculcation of “Aspirational Values”, (YAB Datuk Seri Najib Tun Abdul Razak, Prime Minister of Malaysia, 2010), which is very much inclined with “People”.

Figure 1.2 Aspiration of Vision 2020



In summary, the social economic development policy has significantly played an important role in developing Malaysia. The policy is very clear is to stimulate each and every individual in the public sector and private sector to work as a team in achieving the Vision 2020. The public sector facilitates, and the private sector is expected to understand the government policies. This requires a total commitment from the people of Malaysia. The Vision 2020 is to drive the country to be competitive so as to be at par with the new economist such as South Korea, Vietnam and Japan by using our own mould and method. In order to achieve that, therefore, it is high time for Malaysia to think to make employees of the public sector as partners and to allow them to participate in the decision making process for the betterment of the country.

The following section will provide information on the general overview of EP in the public sector. This section is very important that it will show us the limitations of indirect EP.

9.0 EP IN THE PUBLIC SECTOR: FROM THE EMPIRICAL UNDERPINNINGS

There are considerable amount of research conducted in the public sector in Malaysia, however their focus of research are mainly on the Organisational Behaviour and Human Resources Management perspective which can be referred to in addressing on lifestyle and satisfaction of employees in the public sector. Others are concentrating on human resource development, training and physiological aspect on human capital wants and needs (Mat Zin 1998; Zaliha, Soon Yew and Mohd Salleh (2000); Mansur, Kasim & Ahmad (2009).

From the literatures and research, it shows that we have limited knowledge on the effectiveness of EP in the public sector from the industrial relations perspective. As we are aware, EP has been practiced widely in the private sector; and the central focus of the research has been for the direct participation in the private sector. We have limited study on the indirect participation and therefore this section will focus on indirect participation as a mechanism of EP in the public sector.

There are two forms of EP practiced in organisations; direct and indirect participation as mentioned in Section 1. Both of these forms are being practices in the private sector and public sector as well.

9.1 Direct Participation

In the context of Malaysian public sector, there is a number of direct and indirect EP programs being introduced in the 1980's, for example the Look East Policy, Clean, Efficient and Trustworthy Policy, Total Quality Management, ISO, 5s' and in-house union (Mat Zain 1998) in order to encourage employees direct involvement. Through the numbers of EP programs introduced, such as mentioned above, the Government hoped it would help to address the problems, efficiency, productivity and attitudinal development of the public sector including in the Malaysian Public Universities.

With regards to the direct participation, one of the CUEPACS senior officers (*interview on 25th May 2010*) argued that direct participation “*refers to management activities which drive the workers to work such as HR, TQM, QCC and ISO and employees has no say when comes to direct participation*”. Similar view was obtained from MTUC (*Interview with MTUC Senior Officer on 25th May 2010*), where he quoted that “*direct participation is management driven activities and here workers are not required to participate but get involved only*”. The Senior Academicians was also supported both arguments as stated above. She views that (*interview with Senior Academician on 25th May 2010*) “*direct participation refers to management activities such as ISO, TQM, QCC and the latest is the CPD*”.

She further explain that “*it is meant to discipline the staffs in order to achieve government goals and objectives.....The Staffs required to get involved and KPIs being set to enable them to achieve it*”. While a Senior Government Official (*interview on 27th May 2010*) quoted that direct participation “*We as the public service servants we have to follow the directive from the government. All the activities planned are to achieve the goals and objectives set by the government*”. The same view was shared by the employer of a public service department (*interview with the employer on 2nd September 2010*) “*direct participation refers to “activity planned by the management to encourage employee participation. As a public servant, employees are expected to follow the instructions”*”.

In summary of the above views, the employees in the public sectors are expected to follow instructions and directive from the government. There are many programs drawn with the objective

to improve the service delivery systems and productivity. This is to ensure that the goals and objectives of each ministry, department, and agencies are achieved. And to make sure that employees perform, there are criteria's or KPIs being formalized for employee at every level must achieved. In relation to this, the employer was in the view that; *“the struggle of the private sector is very different from the public sector. Private sector emphasizes on productivity and profitability. We in the public sector, we care about productivity and quality of our delivery system. We are service oriented organization”*.

The next section will focus on the arguments on the indirect participation in the public sector. This section is very important because it will tell us whether the indirect participation is effective or otherwise and the limitations for them to be effective are.

9.2 Indirect Participation

Indirect participation in the other hand affects mass of employees where Work Council/CB represents their role and discusses their issues with the management, Solomon (1988). Cabrera et al., (2002) indirect participation takes place through an intermediary of employee representative bodies. Examples of indirect participation include Joint Consultative Committee (JCC), Union, Work Councils, Partnership, In-house Union and Labour Management Committees.

In relation to the above, it is evidence that the hierarchical structure in public sectors in Malaysia is as a result from the colonial days of the British administration (Mat Zin 1998; Idurs 2001; Aminuddin 2002; Parasuraman 2007). The hierarchical structure is best known as the “Whitley Committee” can be found in all government departments at that time (Mat Zin 1998; Idurs 2001; Aminuddin 2002; Parasuraman 2007). The British administration system practices the highest degree of hierarchical structure where as an employer, they are in power to rule, instruct and to divide on how work should be done. The system is still apparent until today.

“The Whitley Committee” was first introduced in the Britain as a result of a major outbreak of workers back in 19th Century (Mat Zin 1998; Idurs 2001; Aminuddin 2002; Parasuraman 2007). The purpose of this “Whitley Committee” is to allow workers to address their issues and concern regarding their welfare. However, at present, the Whitley Committee has gone through many changes according to current situation. According to Senior Officer of CUEPACS in the recent interview held on 25th May 2010 at CUEPACS office in Kuala Lumpur, said that; *“the joint consultation in the public sector was originated from Whitley Committee. Now we have change it to Majlis Bersama Kebangsaan and Majlis Bersama Jabatan according to the current needs”*.

Joint Consultative Committee (JCC) has been established in the public sector through an association which can be registered with the Registrar of Societies. The establishment of the JCC in public sector is passed through the *Surat Pekeliling Perkhidmatan* (Service Circular) No 2 Year 1979 and No 7 Year 1989 which indicates that all government agencies, Government Link Companies (GLC) and statutory bodies are required to establish “*Majlis Bersama Jabatan*” (MBJ) or Joint Consultative Committee (JCC) with the aim to create a well-balanced management-employees relationship and to provide platform for employees to voice up their concern n certain issues in order to create a harmonious working environment. Therefore, all public sectors in the country have established their JCC in accordance to the requirements. The activities and movements of the MBJ are monitored by the NJCs.

In relation to that, during an interview with Senior Officer of CUEPACS on 25th May 2010 said that there are three mechanism of consultation is made available in the public sector as follows:-

- The Managerial and Professional Group
- The Supporting Staffs of Science and Technology Group
- The General Support Staff

He further explained that the issues discussed are arranged accordingly to their classification where all the three consultation mechanism has their own President and office bearer. This section can be found in the *Pekeliling* (Circular) No 7 Year 1989 respectively.

In regards to the indirect participation, the employer (*interview on 2nd September 2010*) was in the view that “*indirect participation is an association of the same group representing the staffs by looking into the welfare and benefits of its members*”. While, Senior Academician (*interview on 25th May 2010*) argued that, “*indirect participation is an intermediary body or association being established. However due to the association has no CB, it is less powerful as compared to the private sector*”.

CUEPACS (*interview on 25th May 2010*) in the other hand said that, “*in the public sector, indirect participation refers to MBK/MBJ and more towards looking into the welfare and benefits of its members*”. MTUC (*interview on 24th May 2010*) is of the opinion that; “*in organisation such as in the public sector, where there is no CB, the workers participation is very minimum*”.

Later, the Senior Government Official (*interview on 27th May 2010*) quoted that, “*JCC is very much a management lead mechanism. If you are not in equal footing with the management; how to be effective*”.

From the above arguments, it is clear that indirect participation refers to a work council or joint consultative committees (JCC). JCC has been established in the public sector through the *Surat Pekeliling Perkhidmatan* (Service Circular) No 2 Year 1979 and No 7 Year 1989 which indicates that all government agencies, Government Link Companies and statutory bodies are required to establish “*Majlis Bersama Jabatan*” or JCC with the aim to create a well-balanced management-employees relationship and to provide platform for employees to voice up their concern on certain issued in order to create a harmonious working environment. According to CUEPACS (*interview on 25th May 2010*); “*a department consists of fifty (50) staffs is required to form a MBJ as per in the Article 10 on the rights to join association*”.

He further elaborated that there are three mechanisms on how to promote harmonious working relationship between the government and the employees which is:

- Direct relationship between CUEPACS and the government
- *Majlis Bersama Kebangsaan (MBK)* known as National Joint Councils (NJC)
- *Majlis Bersama Jabatan (MBJ)*, known as Joint Consultative Committee (JCC)

These *MBK/MBJ* is required to have scheduled meetings three (3) times quarterly in a year, failing to do so, the departmental head will be held liable for disciplinary action.

In the private sector, if the management does not recognize union, JCC is established to substitute the union (*interview with Senior Government Official on 27th May 2010*). Since the government is the largest non-union organisation, JCC is established in the public sector as a form of indirect participation. According to MTUC, JCC usually established when there is no union, and also to make sure that the workers don't join the union.

However, there have been arguments on the effectiveness of indirect participation in the public sector as compared to the direct participation. According to CUEPACS (*interview on 25th May 2010*), CUEPACS has no bargaining power even though ILO has urged that public sectors must be given consultation rights. CUEPACS is given the special privileges but not the rights; we don't have Trade Union Act in the public sector. He further elaborated that; *"in the constitutions there is clauses that any decision making must be followed with consultation from the employees, however, in reality it does not happen. Most of the policies are decided by the government without prior consultation due to so much of management prerogatives. When the government wishes to implement the policies, it will affect the people and it is very bad for the government image"*.

Therefore, the government is practicing top-down communication activities especially on issues related to policies, rules and regulations particularly issues related to service matters. In other words, matters which do not concern system and policies, employees can voice out their concerns to the JCC.

In relation to the above, the Senior Academician was of the opinion that; *"Government is the largest employer. Government has bigger aspiration and they are the ones who pay us. How much freedom you think government can give you. We have to adapt to the system. We cannot work against the agenda"*.

However, there are contending issue is that indirect participation is not an effective mechanism to participate in the decision making process. The objectives and functions of JCC look very clear however in real practice there are limitations on the implementations for them to be effective. This statement is supported by the Senior Academician (*interview on 25th May 2010*) that; *"the MBK/MBJ. I don't see it happening. There is representative from the workers and management. However it is not effective and more cosmetic in nature. At present, decision made by the management, and we must follow, how strong it is still in question and there is so much can be done"*.

On the same subject, MTUC (*interview on 24th May 2010*) commented on JCC as follows; *"JCC is actually have no impact and matter brought up are mainly on general issues such as food in the canteen, workers not wearing safety shoes. The moment they talk about salary increment and overtime, it is not their role to do so"*. He further elaborated that; *"let's put it this way, JCC has no teeth, and they cannot talk matters with the union"*.

In relations to JCCs recognition, he clarified; *"if JCC submit proposal to IR Department for instance, IR Department would say that they cannot accept or entertain it because it is not a recognized body. Because of it is not recognized, JCC is not effective. It is a vehicle to prevent union to come in"*. He again emphasizes that; *"if there is no union, the workers participation is very minimum. The management will make all decisions and workers just follow. JCC can talk and suggest but if the management says "no", it stops there"*.

Lastly he commented that; *“Government does not have CB. They only submit memorandum and public statements. JCC in the public sector is just cosmetic in nature, it is not a bargaining body”*. On the other hand, the Senior Government Official (interview on 27th May 2010) is of the opinion that; *“when you have a union which is registered under the Trade Union Act 1967, they are being recognized and have the bargaining power. If the management doesn’t recognized the union, then there is no bargaining power”*.

In summary to the above, the similar views received from the government, academicians, trade unions and employers with regards to the effectiveness of indirect participations. They are of the opinion that the indirect participation that is JCC in public sector are not effective due to it is not recognized as a bargaining body. The JCC has is only consultative power. In meetings, the JCC can voice out their concerns, however it may not be considered by the management and all decision making lies on the management at the end of every meeting.

10.0 DIRECT PARTICIPATION AND INDIRECT PARTICIPATION IN THE PUBLIC SECTOR

Indirect participation in the public sector takes place through an intermediary of employee representative bodies (Carbrera, Ortega, Carbrera 2002). As quoted by Marchington et al (1992:1), JCC; *“a mechanism for managers and employee representatives to meet regular basis, in order to exchange views, to utilize members knowledge and expertise, and to deal with matters of common interest which are not subject of CB”*.

In relation to that the JCC or better known as *“Majlis Bersama Jabatan”* is made available in all public sectors in Malaysia (interview with CUEPACS on 25th May 2010). This body is established to provide a platform for employees to voice their issues on matters concerning their welfare and benefits to the management (interview with employer on 2nd September 2010). Employees in the public sector are encouraged to use this platform as a medium of communication with the management; however the issues must not be the subject of service matters (interview with employer on 2nd September 2010). The subject of discussion is more on general issues such as on how to improve the working condition, uniforms, housing, transportation services and many others (interview with CUEPACS on 24th May 2010). Through the JCC, there are many issues within the limitation of the department can be solved (interview with employer on 2nd September 2010). This is in line with what Marchington (1992) says that; *“Both managers and employees values JCC’s as a meaningful form of involvement or participation”*. In the other hand JCC in the public sector is very much a management led mechanism (interview with Government Official on 27th May 2010; Hyman & Mason (1995) where JCC is seem to be less effective. This is in line with what Beardwell & Mason (1995) wrote; *“JCC merely as a “rubber stamping bodies” for management initiative which focus on issues like “tea, toilets and trivia”*.

However, JCC can be effective if the government regards JCC as a partner in the organisation by allowing them to participate in the organisation decision making process. Hyman & Mason (1995) said, that *“JCC either can be management dominated forums or act as mechanism for enabling employee representatives to influence aspects of organizational decision making”*. In relation to this, Marchington (1994), *“JCC can play important and different roles in organizations affecting different outcomes depending on the selected mix of the primary components”*.

In summary of the above, JCC can be an effective indirect participation mechanism in the public sector if certain empowerment is given to them to be effective. However, the acceptance of JCC in the government sector largely depends on the organisation policy and work culture. If the government wishes to maintained with the old style of administration system, than this factor will determine on the future of JCC in the public sector and leaving the literatures on EP and JCC remains to be rhetoric.

11.0 CONCLUSION AND IMPLICATION

Based on the study, it has provided us with the necessary information that EP is quite weak in the public sector if compare to private sector in Malaysian context. This is because the government only provides a little room for JCC to actively participating in organization decision making process (Parasuraman 2005). Another reason for this is because EP has no CB as it is in the private sector (Aminuddin (2007); Idrus (2001); Parasuraman (2007). Apart from that there is no legislation to support and encourage EP through compulsory mechanism such as the CB (Aminuddin (2007); Idrus (2001); Parasuraman (2007). The other reason is because the government is playing a dual role; the legislator and an employer at the same time. The matter is worsened where CUEPACS is more of an advisory body (*interview with CUEPACS on 25th May 2010*) rather than actively participate in the genuine decision making process.

As we progresses significantly to these changes, the JCC is seen to be the most appropriate indirect participation mechanism to promote change in the public sector. The most important thing that the government has to do is to allow JCC to be a partner in the organisation so as to enable employees to participate in the decision making process. As mentioned by the Senior Academician, the role of the *MBK/MBJ* must be redefined and review and must look at what is their new role. The new role would be able to drive active participation and involvement from all employees in decision making process in order to provide excellent delivery system. The next move would be to get the involvement from the private sector, trade unions, NGOs, employees in the public sector to work together to transform Malaysia into a develop nation by year 2020.

However, if the government persists not to change, Malaysia will lose to the new economist such as South Korea and Vietnam (*interview with Senior Academician on 25th May 2010*). In the other hand, if the government is willing to accept EP as the partner in the organisation, what is the impact would be towards the whole concept of EP in the public sector? Would the EP in decision making process between the employee and management take place effectively as claimed by the literatures on EP?

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**Appendix 1: Interviews Conducted
Macro Research Findings on Direct and Indirect Participation in
The Public Sector in Malaysia**

Date	Respondents	Venue
24/05/2010	Senior Officer, Malaysian Trade Union Congress (MTUC)	MTUC HQ Office, Petaling Jaya
25/05/2010	Senior Officer, CUEPACS	CUEPACS HQ, Kuala Lumpur
	Senior Academician, Universiti Teknologi Malaysia	Alamandar, Putrajaya
27/05/2010	Senior Government Official	Universiti Pertahanan Malaysia Office
02/09/2010	Employer from the Public Sector	Kota Kinabalu Office
27/10/2010	Union Leader from Public Univesity	Seminar Psikologi Kebangsaan, UMS

**Appendix 2: The summary of interview results
Macro Research Findings on Direct and Indirect Participation in
The Public Sector in Malaysia**

EP from the Government, Academicians, Employers and Trade Unions' Perspectives

Respondent	Direct Participation	Indirect Participation
Academician	Refers to management activities such as ISO, TQM, QCC and the latest is the CPD. It is meant to discipline the staffs in order to achieve government goals and objectives. Staffs required to get involved and KPIs being set to enable them to achieve it.	An intermediary body or association being established. However due to the association has no CB, it is less powerful as compared to the private sector.
<u>Trade Unions</u> CUEPACS	Direct participation refers to management activities which drives the workers to work such as HR/TQM/QCC and ISO. Employees has no say when comes to direct participation.	Indirect refers to MBK/MBJ and more towards looking into the welfare and benefits of its members.
MTUC	Direct participation is management driven activities and here workers are not required to participate but get involved only.	In organisation such as in the public sector, where there is no CB, the workers participation is very minimum.
<u>Government Official</u>	We as the public service servants we have to follow the directive from the government. All the activities planned is to achieve the goals and objectives set by the government.	MBK/MBJ is very much a management lead mechanism. If you are not in equal footing with the management, how to be effective.
<u>Employer</u>	Refers to activity planned by the management to encourage employee participation. As public servants, employees are expected to follow the instructions.	It's an association of the same group representing the staffs by looking into the welfare and benefits of its members.