

COMPARATIVE INTERNATIONAL EMPLOYMENT RELATIONS

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INTRODUCTION

As we move into the 21st century it is becoming clear that no country is immune from the globalisation process and/or its impact. As a result of this process there is an increasing need for organisations operating in the global environment to increase their competitiveness. In doing so they are looking to the people within those organisations and, in particular, the development of their human resources to give them this competitive edge. This search for competitiveness has meant that employers are seeking larger degrees of flexibility in the recruitment, selection, remuneration and deployment of staff (Atkinson 1985).

The challenge facing organisations will be to understand various business systems and processes at a macro-level, rather than a purely organisational one. Bean (1994 p. 5) believed that the use of comparative studies can provide a perspective and greater insight into domestic issues in one's own country by contrasting its industrial relations institutions and practices with those in other countries. By placing one's own country in context by the use of comparative studies, then one's own system may be fully understood (Adams 1991).

The new global economy places stresses on industrial relations because the large transnational or global firms tending to dwarf the power and influence of the labour unions (Briscoe, 1995). There has been opposition to core labour rights in many countries because of the issue of free trade and the need for developing economies, in particular, to maintain their competitive edge (Nyland & Castle 1998). However, it is not only the global companies that have had an impact upon the power of union groups. Governments in many countries have enacted liberalised employment legislation, which in turn has impacted upon the power of unions (see Figure 1). This liberalisation has been designed to increase the attractiveness of various countries for Foreign Direct Investment (FDI) and the accumulation of capital by those countries and companies involved in this investment.

Figure 1: Industrialisation Strategies and National Industrial Relations/Human Resource Policy Goals: The Framework

	<i>Import Substitution Industrialisation</i>	<i>Export-Oriented Industrialisation</i>
<i>Primary</i>	IR/HR Policy Goal = Stability	IR/HR Policy Goal =Cost Containment
<i>Secondary</i>	IR/HR Policy Goals = Stability and Productivity Enhancement	IR/HR Policy Goals =Workplace Flexibility Productivity Skills Development

Source: Frenkel & Peetz 1998, *Globalisation and Industrial Relations in East Asia: A Three Country Comparison*

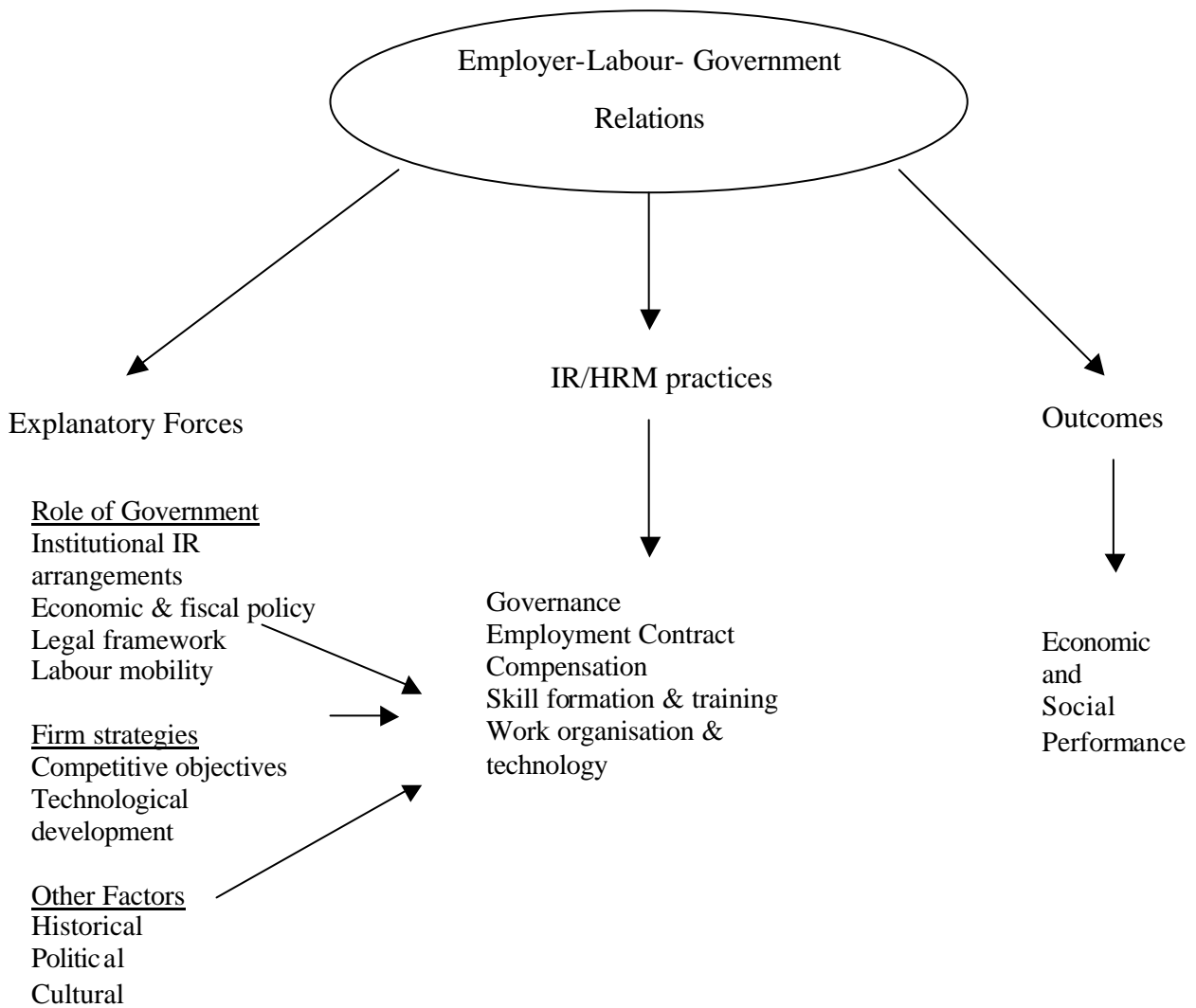
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By encouraging FDI, many countries, especially those that can be considered to be newly industrialising, hope to increase the level of productive employment thereby decreasing poverty and inequity. The United Nations World Summit for Social Development (1995) recognised that the generation of productive employment is the most effective means of alleviating poverty, inequity and social exclusion.

The three countries, New Zealand, Malaysia and Thailand were chosen for study for the following reasons:

1. To provide a context, in order to understand New Zealand's employment relations environment.
2. All three countries are dependent on Foreign Direct Investment (FDI) to sustain growth. Kuruvilla(1996) Frekel & Peetz (1998) believe that this leads management and the state to adopt strategies designed to increase labour effectiveness to ensure the accumulation of capital.
3. All three countries have had governments that have utilised industrial relations policies to encourage this foreign direct investment.
4. As is typical in the Asia Pacific region all three have very different cultural and historical features and the 'one size fits all' approach does not work.

For the purpose of this comparative study the framework outlined by Verma, Kocahn & Lansbury (1995), is depicted in Figure 1.

Figure 2 Framework for Comparative Study of New Zealand, Thailand and Malaysia

Source: Verma, A., Kocahn, T. & Lansbury R. 1995, *Employment Relations in the Growing Asian Economies*, Routledge, London.

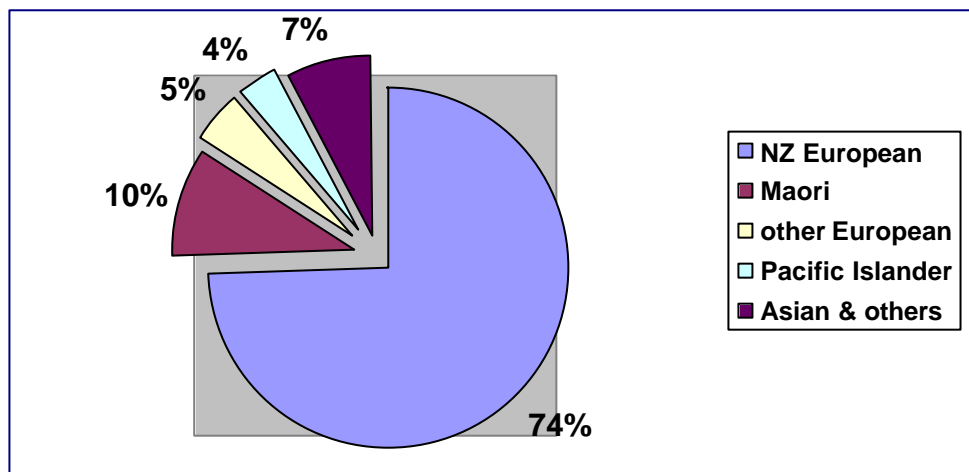
BACKGROUND

The Asia-Pacific is a region of stark contrasts: Asia contains more unemployment and poverty than any other region with almost two-thirds of the world's 1.1 billion poor mostly in South Asia (www.teir.org.tw/apec/hotnews/discussion_papers/ilo.html) Yet at the same time the region contains industrialised countries such as Australia and New Zealand that, according to World Bank data, are considered to be high-income countries.

New Zealand is a parliamentary democracy and currently still retains close links with its former colonial power, Britain. New Zealand still acknowledges the Queen of England as its Head of State. The Privy Council based in London is the ultimate Appeal Court for the New Zealand legal system. An appreciation and understanding of this colonial past is essential in understanding employment relations in New Zealand. Laws based in the British legal system have been transplanted to the New Zealand legal system, for example, the concept of 'master' and 'servant' in terms of the law of contract becoming embedded in the New Zealand workplace (Boxall & Deeks 1992).

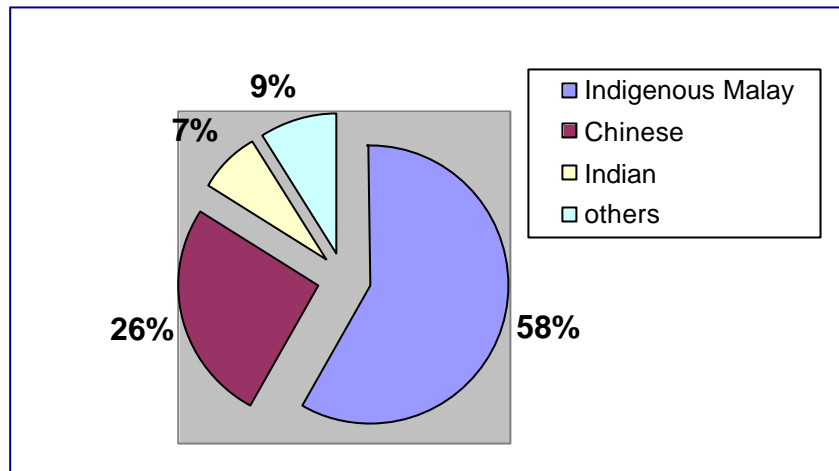
New Zealand is a predominately Christian country and has a population that is predominately European (see Graph 1). One of the major challenges facing the country is how to balance the demands of the indigenous people for economic power, sovereignty and self-determination and the demands of other ethnic groups living in the country.

Graph 1 Population Composition — New Zealand



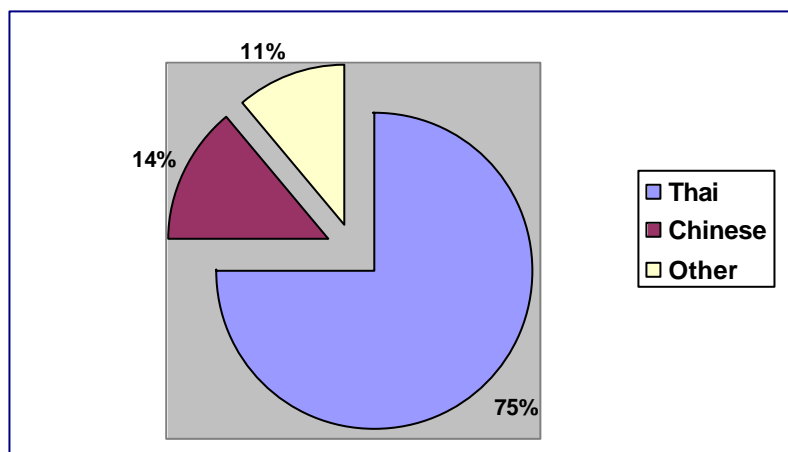
Source: www.odci.gov/cia/publications/factbook/nz.html

Malaysia was also a colony of Britain and as such has a parliamentary democracy modelled after the British system. The presence of three main ethnic groups (see Graph 2) has been the cause of ethnic tension and Malaysia has developed a number of social and economic policies to ensure the continued prosperity and power for the indigenous Malay people (Sharma 1996). Although predominately Moslem, Malaysia is not strictly a fundamentalist country, however, there are very strict rules supporting and maintaining the Islamic faith and prohibiting missionary style preaching of non-Islamic doctrines.

Graph 2 Population Composition — Malaya

Source: www.odci.gov/cia/publications/factbook/my.html

Thailand is the only country of the three that has not been colonised — the word *Thai* meaning *free*. Until 1932 Thailand had a system of absolute monarchy subsequently replaced by a constitutional monarchy (Sharma 1996). A Theravada Buddhist country, the Thai monarchy is highly revered by the people and the king exercises power in conjunction with the National Assembly, the Council of Ministers and the courts (Vause & Chandravithum 1992). However, despite Thailand being a constitutional monarchy the military has considerable influence on Thai political life. ‘Military governments have ruled 80 percent of the time since 1932, either directly or through surrogates appointed by military leaders’ (Neher 1992, p. 586).

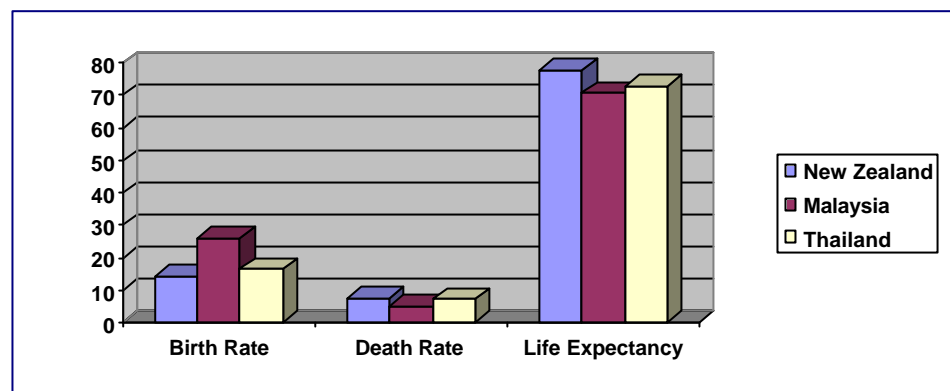
Graph 3 Population Composition — Thailand

Source: www.odci.gov/cia/publications/factbook/thai.html

Graph 3 shows the composition of the various ethnic groups in Thai society. Thailand does not appear to have had a high level of disagreement between the various ethnic groups (Vause 1992)

Thailand and Malaysia are considered to be Newly Industrialising Countries (NICs) and, as such, have a need for capital accumulation to provide for this industrial expansion. Both countries are amongst the wealthier of the NICs in the Asia Pacific region and have birth and death rates (see Graph 4) that are comparable with New Zealand, which is considered to be a fully industrialised country (CIA Worldfactbook and Worldbank data).

Graph 4 Comparative Birth /Death Rate and Life Expectancy Statistics



Source: Combined data obtained from www.odci.gov/cia/publications/factbook/

Figure 3 GDP \$ millions and GDP Growth for New Zealand, Thailand and Malaysia

Country	1990	1997	1999
NZ GDP	43,103	64,959	52,845
GDP Growth	-0.6	2.0	-0.8
Malaysia GDP	42,775	100,198	72,489
GDP Growth	9.6	7.5	-7.5
Thailand GDP	85,345	149,071	111,327
GDP Growth	11.2	-1.3	-9.4

Source. Combined data obtained from www.worldbank.org

Both Thailand and Malaysia were amongst the fastest growing in the region (see Figure 1 World Bank data). New Zealand, similarly, after low levels of economic growth during an intense restructuring period has experienced strong growth especially in 1993 and 1994. Since then the economy has settled into a lower, more stable, growth trajectory (Brash 1997). All countries have experienced a negative GDP growth in 1999, this being attributed to the continuing effects of the economic downturn experienced in Asia.

All three countries, however, have a need for FDI. New Zealand, while considered fully industrialised, is moving from dependence upon agricultural exports and requires investment for expansion of the service and manufacturing sectors. Countries at different stages of structural transformation towards industrialisation have different types of requirements for capital accumulation. These different types of requirements determine the contrasting patterns of industrial relations that are found throughout the region (Bean 1994). Therefore, it could be suggested that New Zealand should differ significantly in its approach to employment

relations than Thailand and Malaysia given that it is at a different stage of industrialisation and, therefore, has different capital accumulation needs.

GOVERNANCE/COLLECTIVE BARGAINING

All three countries have a tripartite system of employment relations (the government, the employer and the unions), however, the power balance with this tripartite system is far from what could be considered equal in any of the three countries. New Zealand, Malaysia and Thailand, whilst at different stages of this industrial transformation, all wish to attract foreign investment and, consequently, their respective political systems have worked to control unions and maintain labour participation at a level that will encourage this investment.

This need for FDI has meant that in many countries a framework of laws has been introduced aimed at restraining union power (Bean 1994). Epstein (1983, p. 1349) wrote that the employment relationship is best governed by 'freedom of contract where individuals are free to make whatever bargains they please with whomever they please'. New Zealand developed the Employment Contracts Act of 1991 based upon this principle. This has meant that New Zealand operated, until the year 2000, under a legal system that has favoured individualism over collectivism. The ECA also abolished compulsory unionism and restricted the power of union groups in the workplace. The current Labour government has acted through the Employment Relations Act to restore some collective bargaining power to union groups. It will be interesting to note trends in FDI in response to this move.

In Thailand, a number of governmental and non-governmental institutions make up the framework for the relationship between labour, employment and the government. Thailand has one of the lowest levels of unionisation in the region and the organised labour movement has remained fragmented and fractionalised (Vause 1992). In addition, Thailand's military has played a unique role in Thailand's political life by asserting itself when domestic economic policies not favoured by the military leaders are enacted. This includes a number of occasions when civilian efforts to enact labour law reform, which extended entitlements to workers, incurred military disfavour (Tasker 1990).

Similarly, in Malaysia government policy has been to subordinate the labour movement and guide trade unionism to the broader consideration of national economic development as defined by the ruling elite (Bean 1994, p. 219). This includes the passing of a succession of anti-labour laws in order to facilitate the strategy of national capital accumulation (Wad 1988). The Malaysian system of industrial relations in the private sector are closely controlled by the state: the freedom of unions to organise and bargain are severely restricted and the industrial relations rules and regulations clearly reflect the state's efforts to contain industrial conflict in the interests of economic development (Verma et al. 1995, p. 167).

WORK ORGANISATION

Work organisation according to Verma et al.'s (1995) model equates to the level of union participation in the workplace. That is, the extent and nature of employee participation and/or involvement in decision-making. New Zealand is a country that has moved to a strategy of higher value-added export oriented industrialisation (Statistics NZ). The IR/HR policy goals under this form of strategy shift from one of cost containment to one of work-force flexibility and skills development (Kuruvilla 1996). The government introduced the Employment Contracts Act (ECA) (1991) in an effort to achieve more labour market flexibility. Prior to the

ECA 1991, workplace organisation in New Zealand focussed upon narrow job descriptions and clear lines of demarcation between individual jobs. Union membership in New Zealand has decreased since the advent of the Employment Contracts Act 1991 and the removal of compulsory union membership. This is reflected by the number of union groups totalling 259, with a union density of 43.5 percent in 1998, but falling to a total of 83 unions and a union density across the New Zealand workplace of 17.7 percent (Crawford, Harbridge & Walsh 1998).

Since the advent of the ECA there has been a corresponding increase in the number of individual contracts in an attempt to provide employers with the flexibility they require. The new environment encouraged new work practices and remuneration structures that can be built around new technology and process innovations (Boxall 1997). A NZIER (1996) survey showed that there is increased experimentation with more flexible work practices, such as multi-skilling and team-based work units.

Malaysia is in transition from a low cost exporting oriented country to one focussing on advanced export orientated industrialisation (Kuruvilla 1996). The workplace organisation policies reflect the desire of the Malaysian government to control labour costs. This took the form of government controls on union membership, how and when unions are recognised, the definition of issues subject to bargaining, and freedom to strike and dispute recognition (Frenkel & Peetz 1998). As a result of these measures Malaysian union membership decreased from 11 percent of total employment to 9.4 percent in 1990 (Verma et al. 1995).

Thailand is considered one of the 'younger' NICs and, as such, is still focussed upon a low-cost export strategy. In keeping with Kuruvilla's (1996) analysis the IR/HR policy goals of the government are of cost containment and union suppression. The organised labour movement in Thailand is fragmented and fractionalised with comparatively low levels of union membership (Vause et al. 1992).

Work place environments are becoming more diverse as all three countries look to migrant labour to fill vacancies created by skill shortages. In addition, all three countries are experiencing an increase of females in the workplace. The International Labour Office reported: 'a striking phenomenon is the feminisation of Asian labour and labour migration' (www.teir.org.tw/apec/hotnews/discussion_papers/ilo.html). In New Zealand female participation in the workforce has grown to 47.7 percent (Statistics New Zealand). This is resulting in changing demands of workers, for example, childcare and flexible working hours. The first national Childcare Survey, conducted on behalf of Statistics New Zealand, reported that an estimated 60 percent of New Zealand children under the age of five and approximately 20 percent of school-age children have childcare or early childhood education arrangements.

Part-time work has increased in New Zealand (see Figures 3 & 4) in the last decade by 42.8 percent as compared to a full-time employment increase of 7.9 percent (Statistics New Zealand). Whilst part-time work can offer distinct advantages in terms of workers being better able to balance home, family and work responsibilities, there are drawbacks. The International Labour Organisation reports that part-time workers are very often at a disadvantage in comparison with full-time colleagues. Typically their wages are lower, they are ineligible for certain social security benefits and their career prospects are more limited.

Figure 4 Proportion of Women in Part-time Employment in New Zealand

<i>1973</i>	<i>1979</i>	<i>1983</i>	<i>1990</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>	<i>1995</i>	<i>1996</i>
72.3	77.7	77.2	81.6	80.1	80.5	80.8	80.5	79.3

Source: Perspectives: Part-time work: Solution or Trap? *International Labour Review*

Figure 5 Proportion of Part-time Employment to Total Employment for New Zealand (by national definitions)

<i>1973</i>	<i>1979</i>	<i>1983</i>	<i>1984</i>	<i>1985</i>	<i>1990</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>	<i>1995</i>	<i>1996</i>
11.2	13.9	15.3	-	-	20.1	21.6	21.2	21.6	21.5	22.4

Source: Perspectives: Part-time work: Solution or Trap? *International Labour Review*

Unfortunately comparative data on part-time work is not readily available for Thailand and Malaysia.

EMPLOYMENT SECURITY

Kurnvilla & Arudsothy in Verma (1994) noted that job security is not well established in Malaysia (Figure 5), the predominant strategy being to reduce the core labour force during economic downturn. Malaysia has enacted a number of laws that are designed to protect the employment security and tenure for the indigenous Malay population. However, this in turn has created lower levels of employment security for Chinese and Indian workers. Furthermore, there has been a noticeable trend toward temporary or casual employment (Kurnvilla & Arudsothy, in Verma, 1994)

Figure 6 Percentage of Workers with temporary work arrangements by firm size (Malaysia)

<i>Type of Contract</i>	<i>Employment size</i>					
	<i>5-20</i>	<i>21-50</i>	<i>51-100</i>	<i>101-250</i>	<i>251-500</i>	<i>>500</i>
<i>Short-term specific written contracts</i>	10.5	23.5	40.2	66.4	81.0	72.1
<i>Oral</i>	52.6	55.1	29.5	20.3	10.3	13.1
<i>Casual</i>	33.7	19.4	23.2	12.6	8.6	11.5
<i>Other short-term</i>	3.2	2.0	3.6	0.7	-	3.3

Source: Verma et al. 1995, *Employment Relations in the Growing Asian Economies*, Routledge, London.

As Verma et al. (1995) stated, these types of contractual arrangements, especially the use of oral contracts where the contract can be modified from day to day or week to week, are incredibly precarious and do nothing to encourage high levels of worker loyalty, innovation, productivity and commitment.

Figure 7 Percentage Unemployment Rate for Malaysia

1992	1993	1994	1995	1996	1997	1998
3.7	3.0	2.9	2.8	2.5	2.7	3.9

Source: www.apecsec.org/sg/member/myiec_report.html

The unemployment rate increased to 3.9 percent in 1998 as a result of an economic downturn (Figure 6). Total employment declined by 3 percent to 8.5 million in 1998 as the number of retrenched workers reported increased sharply in 1998 (www.apecsec.org/sg/member/myec_report.html). A similar situation exists in Thailand where during the recent economic downturn workers were terminated or had their working hours reduced (Figure 7). Owing to the economic crisis, the labour market saw a reduction in employment in 1998 (the latest year for which figures are readily available). Total employment recorded at 30.8 million reflected a decline of 812,000 or 2.6 percent from the previous year (www.apecsec.org/sg/member/thaiec_report.html). This increasing level of unemployment has had impacts in areas such as public health. A 1997 UNICEF Report on the HIV epidemic highlighted the spread of the infection as casual workers, including those in the entertainment (sex) industry no longer required in Thailand, were being sent home to countries such as Myanmar. The report raised concerns regarding employment security and occupational safety and health protection for migrant workers throughout Asia.

Figure 8 Percentage Unemployment Rate for Thailand

1992	1993	1994	1995	1996	1997	1998
3.0	2.6	2.6	2.6	2.0	3.5	4.0

Source www.apecsec.org/sg/member/thaiec_report.html

The Bangkok Post reported on 20/07/00 'that many labour-protection programmes in Thailand have small population coverage. Because of implementation and enforcement problems, these programmes are biased in favour of formal-sector employees, who tend to be better off than informal sector employees. Low-wage and disadvantaged workers who most need protection during economic downturns fall beyond the purview of these programmes'.

Within New Zealand also there has been increased casualisation of contracts under the Employment Contracts Act. In theory a casual workforce would give the employer the freedom to tailor the workforce daily — or hourly — to the needs of the business so as to provide maximum efficiency (Fergusson 1997). The outcome of this has been a situation where workers who would prefer permanent employment are forced to accept casual positions and the resultant uncertainty and fluctuations. New Zealand unemployment declined throughout 1999 to 6.3 percent, the lowest since 1996. However, in August 2000 Statistics New Zealand reported that many people were taking themselves out of the unemployment statistics by either taking up full-time study or accepting part-time work.

Verma et al. (1995) as part of their model argued that for innovation in work practices and/or productivity improvement to occur employment security for workers becomes critical. If the challenge of globalisation is to become more competitive and employee development and increased productivity are seen as keys to this, then it should be of considerable concern that there are such high levels of insecurity with regard to employment.

SKILL FORMATION

Skill formation and development according to Verma's model relates to both the formal and informal process by which employees acquire skills on the job and over the course of their careers.

New Zealand is currently grappling with shortages of skilled labour in a number of areas. A Lampen Group survey conducted in 1999 reported employers' concerns regarding a shortage of IT/technical skills, accounting, sales, and call centre and customer service people. Research conducted in 1999 on the New Zealand finance sector (McNally 1999) indicated that career development, if done at all, was focused upon managing people out of the business. Similarly, the research indicated that training and development budgets were slashed in the interests of cost savings. Anecdotal evidence sourced from various HR professionals working in the IT industry suggests that the sector is attempting to recruit for this skill shortage from countries such as Bangladesh, Pakistan, Sri Lanka, Malaysia and Thailand.

The New Zealand government is currently attempting to address these issues with training programmes that are focussed on science and technology and the introduction of an apprenticeship scheme focussing upon the more traditional trade areas. Many politicians have expressed concern about the 'brain drain' of well-qualified people attracted by more attractive salaries that can be earned internationally.

The newly emerging economies (NIEs) of which Malaysia and Thailand are considered to be part of are finding that they are beginning to experience labour and skill shortages. Malaysia since the 1980s has experienced shortages of technical workers in manufacturing and of unskilled workers in rubber and oil-palm plantations. Malaysia is attempting to solve this labour shortage by recruiting migrant workers; there are currently half a million 'documented' foreign workers in the country (www.teir.org.tw/apec/hotnews/discussion_papers/ilo.html).

In Thailand the market for unskilled workers is becoming tighter and there are shortages of semi-skilled and highly skilled workers especially in engineering and management sectors (www.tier.org.tw/apec/hotnews/Discussion_Papers/ILO.html). Thailand is still lacking a suitable system both in educational institutes and business organisations to develop people. It is believed that educational institutes should focus upon producing properly qualified graduates, while companies should have continuous programmes for staff development (The Nation [Bangkok] 06/03/2000). 'Rapid technological advancements are leaving Thailand's workforce behind ... investing in human resources was necessary for Thailand to revitalise its economy and ensure future sustainable development ... there is no significant support from Thailand's government to develop human resources for hi-tech industries' (The Nation [Bangkok] 17/02/2000).

It is difficult to obtain evidence regarding skill formation programmes in either Malaysia or Thailand.

COMPENSATION

The central debate over compensation according to Verma et al. (1995) involves whether or not it is becoming more flexible or contingent that is related in some way to variations in

performance. Therefore, compensation systems that reward productivity and performance can become a critical success factor in organisational competitiveness. Bailey (1995) wrote that the additional challenge in compensation design is the requirement that excessive costs are avoided and, at the same time, employee morale be maintained at high levels.

Bailey (1995) argued 'as people move from business to business, market to market and country to country, organisations will increasingly be tested by the need to bring multi-national and multicultural perspectives and practices to the human resource management function'. New Zealand, as a country wishing to maintain its competitiveness and wage bargaining or compensation has been one of the significant areas of impact of the Employment Contracts Act. The Act allowed employers, if they chose, to restructure the level of wage bargaining and to re-shape its focus through direct negotiations with employees. Employers took advantage of this power and in 1997, 75 percent of employees were employed on individual contracts and there is evidence of a greater incidence of performance related pay and of workers being able to negotiate more flexible remuneration packages than was possible under the previous regime (Boxall 1997).

Harbridge (1993) reported dramatic changes to working time arrangements with changes to what days of the week ordinary hours can be worked, for example, Saturday and Sunday. This has resulted in the reduction of hours for which overtime may be paid. Important changes have also been introduced in the application of penalty and overtime rates and such things as triple time rates have virtually disappeared.

Unlike New Zealand that has given employers flexibility to negotiate, Malaysia appears to have more traditional forms of wage and salary payment systems. These systems that include predetermined, automatic adjustment systems and non-adjustable bonuses only serve to constrain employer flexibility (Verma et al. 1995, p. 181).

Whilst Thailand has the legal means to enable workers to negotiate, often it is difficult for them to effect change. Violence is often used in an effort to prevent unions from negotiating improvements in conditions. The Thai national press has reported incidents of violence perpetrated against striking workers who were attempting to gain improved conditions. For example, *'the workers and the company have been engaged in the conflict since last month, when workers demanded a raise and annual bonus (The Nation [Bangkok] 27/06/00) ... the way some protesting workers were hurt was considered a violation of labour rights. Negotiating mechanisms should have been used instead of hiring some people to hurt them' (Bangkok Post 27/06/00).*

The processes and pressures caused by globalisation appear to demand cheap labour if MNCs and FDI are to remain in the various countries.

'Foreign investors first poured money into Thailand to take advantage of its cheap labour and when countries like China and Vietnam opened up with even cheaper labour they started moving out in droves, creating conditions for an overall loss of international confidence and the subsequent financial crisis' (Lae Dilokvidyarat, a labour economist from Chulalongkorn University, as reported in Malaysian Business 01/10/1999).

CONCLUSION

The interplay between the globalisation process and the respective country's IR strategies becomes clear as a result of this analysis. As Frekel & Peetz (1998 p. 284) stated 'once globalisation has become a central feature of a national economy government, labour market and economic policy is constrained by the requirement to satisfy foreign investors'. The information obtained by the use of Verma et al.'s (1995) model is compared with the framework (see p. 2) outlining the Level of Industrialisation/IR/HR Strategy Framework and several things become evident:

- All three countries have succeeded in the areas of cost containment and workplace flexibility.
- However, as Thailand and Malaysia move to join New Zealand in an export-oriented strategy then all three countries must focus on improving employment security if employees are to become more productive and competitive.
- Similarly, in the area of skill development all three countries reported serious skill shortages, but it was difficult to obtain substantive evidence of measures being undertaken to address these shortages.
- Compensation and remuneration systems also need to begin to support the respective country's industrialisation strategy.

As all three countries move into the 21st century the challenge they all will face will be to establish macro-environments that will remain attractive to foreign investment and at the same time provide an environment of stability and security for people operating at the micro or organisational level. That is, maintaining a balance between the flexibility and cost containment already achieved and establishing job security, training and development programmes that will address the skill shortages currently being experienced. If all three countries can achieve this and at the same time maintain the confidence of foreign investors then they can look forward to a profitable role in the global community.

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