



FINAL REPORT

BASELINE STUDY FOR THE ARBITRATION COUNCIL FOUNDATION (ACF)

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Economic Institute of Cambodia
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TABLE OF CONTENT

List of Abbreviations and Acronyms.....	iii
List of Tables.....	iv
Executive Summary.....	1
I. INTRODUCTION.....	4
1.1 Background.....	4
1.2 Objectives of the Study.....	4
1.3 Scope of the Study.....	5
1.4 Outline of the Report.....	5
II. METHODOLOGY.....	6
2.1 Target Respondents and Sample Selected.....	7
2.2 Data Entry, Cleaning and Quality Control.....	10
2.3 Limitations.....	10
III. FINDINGS OF THE STUDIES.....	12
3.1 AWARENESS OF THE AC AND LABOR DISPUTE RESOLUTION (LDR).....	12
3.1.1 Awareness of the Arbitration Council (AC).....	12
3.1.2 Awareness of Labor Arbitration Process (LAP).....	19
3.2 UNDERSTANDING OF THE LABOR ARBITRATION PROCESS (LAP).....	31
3.2.1 Understanding of the Arbitration Panel.....	31
3.2.2 Understanding of the Hearing Process and of Awards.....	38
3.3 PERCEPTION OF RESPONDENTS OF INDEPENDENCE, CREDIBILITY AND EFFECTIVENESS OF AC.....	43
3.3.1 Independence of AC.....	43
3.3.2 Credibility of AC.....	54
3.3.3 Effectiveness of AC.....	58
3.4 RESPONDENTS' PERCEPTIONS OF THE INSTITUTIONAL CAPACITY OF THE AC TO UNDERTAKE LDR.....	62
3.5 RESPONDENTS' PERCEPTIONS OF THE AC'S SERVICES AND THEIR BEHAVIORAL INTENTION TO SEEK FUTURE AC SERVICES.....	65
3.5.1 Respondents' Perceptions of the AC's Services.....	65
3.5.2 Respondents' Behavioral Intention towards the AC's Services.....	69

3.6	SPECIFIC INDICATORS MEASURING THE OBJECTIVES OF THE AC	73
3.6.1	Level of Awareness of AC among Employer and Worker Representatives	73
3.6.2	Level of Awareness of Labor Arbitration Process among Employer and Worker Representatives	77
3.6.3	Level of Awareness of AC and LAP among Employer and Worker Representatives .	81
3.6.4	Level of Understanding of LAP among Employer and Worker Representatives	83
3.6.5	Level of Confidence in Independence of AC among Employer and Worker Representatives	87
3.6.6	Level of Confidence in Credibility of AC among Employer and Worker Representatives	91
3.6.7	Level of Confidence in Effectiveness of AC among Employer and Worker Representatives	94
3.6.8	Level of Confidence in Independence, Credibility and Effectiveness of AC among Employer and Worker Representatives.....	97
3.6.9	Level of Confidence in Capacity of AC among Employer and Worker Representatives	99
3.7	QUALITATIVE ANALYSIS FROM FGD	102
IV.	CONCLUSIONS AND RECOMMENDATIONS	108

APPENDIX

List of Variables Used to Measure Each Indicator of the Analysis

Questionnaires for Semi-structure Interview

Guiding Questions for Focus Group Discussion

LIST OF ABBREVIATIONS AND ACRONYMS

AA	Arbitral Awards
AC	Arbitration Council
ACF	Arbitration Council Foundation
CBA	Collective Bargaining Agreement
CSPro	Census and Survey Processing System
DFGG	Demand for the Good Governance
FGDs	Focus Group Discussions
LAP	Labor Arbitration Process
LDR	Labor Dispute Resolution
MoL	Ministry of Labor
NGOs	Non-Governmental Organization

LIST OF TABLES

Table 2. 1: Number of Collected Sample by Target Group	8
Table 2. 2: Number of Collected Sample by Organization Types/Provinces	8
Table 2. 3: Number of Collected Sample by Sector.....	9
Table 2. 4: Number of Sample in Focus Group Discussions (FGDs)	9
Table 3. 1: Percentage of Respondents Who Are Aware of the AC	13
Table 3. 2: Percentage of Respondents Who Are Aware of the AC, by Client Type	13
Table 3. 3: Source of Information on AC	14
Table 3. 4: Respondents’ Perceptions of the AC	15
Table 3. 5: Respondents’ Perceptions of the AC as a Local/ International Body	16
Table 3. 6: Respondents’ Perceptions of the Roles of the AC.....	17
Table 3. 7: Type of Labor Disputes Resolved by the AC	18
Table 3. 8: Awareness of the AC’s Free-of-Charge Services	18
Table 3. 9: Awareness of Labor Arbitration Process, by Non-client Groups.....	20
Table 3. 10: Means of Awareness of the LAP among Non-Client Group, by Respondent Types .	21
Table 3. 11: Attending Training Provided by the AC	21
Table 3. 12: Attendance at AC’s Hearings, by Respondent Types	22
Table 3. 13: Respondents Who Are Familiar With the LDR Process	23
Table 3. 14: Awareness of How Labor Dispute Is Solved.....	24
Table 3. 15: How Disputes Arrive at the AC.....	24
Table 3. 16: How Disputes Arrive to the AC.....	25
Table 3. 17: Awareness of the AC’s Mandatory in Resolving Disputes	26
Table 3. 18: Awareness of Number of Days Within Which AC Resolves Disputes	27
Table 3. 19: Awareness of the Stages of the LAP at the AC.....	27
Table 3. 20: Respondents Correctly Identified Stages of the LAP.....	28
Table 3. 21: Awareness of who Decides Cases at the AC	28
Table 3. 22: Awareness of Entity Who Decides on a Case at the AC	29
Table 3. 23: Know How to Object to the Arbitral Award	30
Table 3. 24: When to Lodge an Objection to Arbitral Decisions.....	30
Table 3. 25: Knowledge on Who Selects Arbitrators	31

Table 3. 26: Knowledge on Who Selects Arbitrators, in Detail Descriptions	32
Table 3. 27: Number of Arbitrator Lists at the AC	33
Table 3. 28: Number of Arbitrator Lists at the AC	33
Table 3. 29: Respondents’ Perception of the Number of Arbitrators Presiding over a Single Case	34
Table 3. 30: Respondents’ Familiarity with the Term “Arbitral Panel”	35
Table 3. 31: Respondents’ Perception of the Who are Arbitral Panel.....	35
Table 3. 32: Knowledge on How an Arbitral Panel is Formed.....	36
Table 3. 33: Know How Arbitral Panel is Formed.....	37
Table 3. 34: Number of Arbitrators in Arbitral Panel.....	37
Table 3. 35: Respondents Who Correctly Identified How Arbitrators Were Selected.....	38
Table 3. 36: Respondents Awareness of the Fact that Party of Dispute	38
Table 3. 37: Awareness of the Rights to Present Facts/ Arguments During Hearings.....	39
Table 3. 38: Awareness of Differences Between Binding and Non-binding Awards.....	39
Table 3. 39: Perception of the Criteria Used by Arbitrators in Making Decisions	40
Table 3. 40: Percentage of Respondents who Correctly Identified the Criteria Arbitrators Used in Making Decisions	41
Table 3. 41: Perception of Who Could Lodge Objections to Arbitral Awards.....	41
Table 3. 42: Perception of Respondents of Number of Days within Which.....	42
Table 3. 43: Independence of the AC.....	44
Table 3. 44: Reasons on Why AC is Independent by Respondent Type.....	44
Table 3. 45: Whether AC is Biased to Any Party	45
Table 3. 46: Perception of Where AC is Biased to	46
Table 3. 47: Independence of AC as Compared to the Court System.....	46
Table 3. 48: Reasons Why the AC is More Independent than Court	47
Table 3. 49: AC is More Independent than Government Institutions	48
Table 3. 50: Reasons why the AC is More Independent.....	49
Table 3. 51: Ranking the Independence of the AC Compared to other institutions,.....	50
Table 3. 52: Ranking the Independence of the AC Compared to Other Institutions,.....	51
Table 3. 53: Reasons Contributing to Independence of AC as Compared to Courts,	52
Table 3. 54: Reasons Contributing to the Independence of AC as Compared to Courts,	53
Table 3. 55: Whether the AC’s Decisions were Based upon Facts/ Arguments/ Relevant laws	54
Table 3. 56: Respondents’ Level of Agreement to Statements Related to the AC’s Credibility,	55

Table 3. 57: Respondents’ Level of Agreement to the Statements Related to the AC’s Credibility, by Types of Organization	56
Table 3. 58: Respondents’ Level of Confidence in the Effectiveness of the AC Because of Various Reasons, by Client type (AC client/non-client).....	59
Table 3. 59: Respondents’ Level of Confidence in the Effectiveness of the AC Because of Various Reasons, by Types of Organization.....	60
Table 3. 60: Respondents’ Perceptions of the Arbitrators’ Knowledge	62
Table 3. 61: AC Clients’ Level of Agreement to the Statements Related to the Capacity of AC, ...	63
Table 3. 62: Respondents’ Perception on the Accessibility of Information.....	66
Table 3. 63: Clients’ Awareness and Perception Levels on the Effectiveness of Conciliation at the AC, Prior to Hearings.....	67
Table 3. 64: Respondents’ Perception on the Percentage of Disputes Thought to be Solved by Conciliation and Labor Arbitration at the AC.....	68
Table 3. 65: Respondents’ Perception on the Percentage of Agreements Reached by Disputing Parties Using Arbitral Awards as a Reference for Dispute Resolution.....	69
Table 3. 66: Behavioral Intention of Respondents towards the AC’s Services in the Future, by Client Type (AC Client/Non client)	70
Table 3. 67: Behavioral Intention of Respondents towards the AC’s.....	70
Table 3. 68: Recommendations to Improve the AC’s Services,.....	71
Table 3. 69: Recommendations to Improve AC Services, by Organization Type	72
Table 3. 70: Level of Awareness of the AC, by Type of Client (AC Client/Non-client).....	76
Table 3. 71: Level of Awareness of the AC, by Types of Organization	77
Table 3. 72: Level of Awareness of the LAP, by Client Type (AC-Client/Non-client).....	79
Table 3. 73: Level of Awareness of the LAP, by Organization Types.....	81
Table 3. 74: Level of Awareness of the AC and the LAP,.....	82
Table 3. 75: Level of Awareness of the AC and the LAP, by Organization Types	83
Table 3. 76: Level of Understanding of the LAP, by Client Type (AC-Client/Non-client).....	86
Table 3. 77: Level of Understanding of the LAP, by Organization Type	87
Table 3. 78: Level of Confidence in the Independence of AC, by Client Type	89
Table 3.79: Level of Confidence in the Independence of the AC, by Organization Types.....	90
Table 3. 80: Level of Confidence in the Credibility of the AC, by Client type.....	93
Table 3. 81: Level of Confidence in the Credibility of the AC, by Organization Types	94

Table 3. 82: Level of Confidence in the Effectiveness of the AC, by Client Type 96

Table 3. 83: Level of Confidence in the Effectiveness of the AC, by Organization Type 96

Table 3. 84: Level of Confidence in the Independence, Credibility and Effectiveness of the AC, by Client Type (AC Client/Non-client) 98

Table 3. 85: Level of Confidence in the Independence, Credibility and Effectiveness of the AC, by Organization Types 99

Table 3. 86: Level of Confidence of AC Clients in the Capacity of the AC 101

EXECUTIVE SUMMARY

The Royal Government of Cambodia's 'Demand for the Good Governance Project' (the 'DFGG Project') aims to promote good governance in Cambodia in order to sustain economic growth and assist in poverty reduction. The overall objective of 'the Support to the Arbitration Council', sub-component of the DFGG Project, is to contribute to an effective governance environment for private sector development, by enhancing the labor arbitration system, so as to build confidence in workers, employers, investors and the public that labor disputes will be resolved effectively and fairly.

In light of the above-mentioned objectives, ACF has proposed to undertake a baseline study at the early stage of DFGG Project implementation. The general objective of the study is to collect and analyze data against which future progress and performance of the AC can be assessed, and also to identify ways in which the service can be improved.

To reach the objectives of the study, both quantitative and qualitative methods were used for data collection and analysis. In order to attain a more comprehensive picture regarding the awareness of the AC and of the labor arbitration process (LAP), relevant stakeholders, from various organizations (i.e. workers' unions, union federations, and employers) and economic sectors (i.e. garment and textile manufacturing, tourism and hospitality, construction, and others) were included within the study. Data was then disaggregated by client type (former AC clients versus non-clients) and organizational type (i.e. workers' unions, union federations, and employers), so as to conduct a comparative analysis among groups and note any trends within the findings for each sub-sample. The qualitative section of the report included focus group discussions (FGD) to gain additional insight concerning awareness levels and the perception of the services provided by the AC.

The study revealed some interesting trends. By disaggregating data by client type and organizational type, a number of trends were found among respondents' answers. Firstly, while clients tended to be more familiar with the AC, if compared to non-client counterparts, this did not necessarily translate into a higher proportion of respondents confirming their knowledge of

the actual roles and responsibilities of the AC, or regarding the technical aspects of the LAP (i.e. some clients held only limited knowledge of what AC really does). Although a majority of both clients and non-clients were aware that the AC offers labor dispute resolution, few non-clients were actually aware that this was the only type of case the AC would resolve; this is a typical case displaying the disparity among various respondents' awareness levels of the AC.

Regarding the technical nature of the LAP and labor dispute resolution (LDR), a number of clients stated they were familiar with certain aspects of the LAP – such as the selection of arbitrators, arbitral awards, and the time limit for hearings. However, few, in fact, were able to actually indicate the correct answers when asked to validate their previous confirmations.

Furthermore, a trend was also noted regarding disparities in the awareness and understanding about the AC among respondents from various organizations. For the most part, union federation representatives were most familiar with the AC, such as the organization's standing, its roles and responsibilities and its free services. Additionally, these respondents tended to have a higher proportion of individuals confirming knowledge of certain aspects of the LAP, and they were also more likely to provide correct answers when asked to specify their knowledge of these processes. Interestingly, however, employers' representatives were actually more likely to correctly identify the stages of the LAP at the AC, if compared to representatives from workers' unions and union federations.

In terms of perceptions on the independence, credibility, and effectiveness of the AC, it was found that individuals consider the AC more independent, easier to access, and speedier in dispute resolution than other institutions, such as the MoL, police and the formal court system. Clients and non-clients of the AC placed high confidence in the institution's independence. This same trend held true when respondents were asked about the confidence levels regarding the credibility and effectiveness of the AC. Union federations tended to place more confidence in the AC's trustworthiness, its effectiveness and its institutional capacity to undertake LDR.

With regard to demand for services of the institution, it was observed that the non-clients were actually more willing to pay a fee to access the services of the AC, if required in the future. Both clients and non-clients were interested using the AC's services related to LDR in the future, while respondents from union federations were most likely to confirm this future behavior. Employers'

representatives, in particular, were most interested in directly accessing the services of the AC in the future.

It is evident that information gaps exist among stakeholder groups – i.e. union federations held higher awareness and understanding of the AC than representatives from workers’ unions and employers. This may present the possibility of future tensions between various stakeholders, as employers’ and workers’ representatives may have difficulty in collaborating and consulting with one another as disputes arise, due to varied information and knowledge of the AC and the LAP. Furthermore, the AC may also consider working closely with union federations, NGOs or employers’ associations and involving them in the dispersal of information and/ or monitoring the process of information dissemination, in order to ensure that the information reaches lower levels – such as local workers’ unions.

A strong majority of respondents stated they would use the AC’s services in the future. More importantly, a majority of respondents would actually be willing to pay for the AC’s services in the future, if required. Based on these findings, it seems that there is potential to expand the AC’s client base. Although the AC may not levy a fee in the future, the willingness to pay for this service can act a proxy indicator – in confirming that users see a definite benefit and worth to this service (i.e. respondents would be willing to pay for these services if they found the potential benefits as outweighing any potential costs). Along with this willingness to access the AC’s services and the confidence in the institution’s credibility and capacity, the findings show that the AC may already have the foundation for attracting potential clients; thus, the institution may be able to attract a greater number of service users with the correct strategies. Pertinently, if the AC desires to expand its clientele base in the future, it should first endeavor to expand the knowledge base of non-clients. Potential clients should be knowledgeable of the actual roles and responsibilities of the institution – in order to avoid any confusion or unfounded expectations when disputes are brought forward to the AC.

I. INTRODUCTION

1.1 Background

The Arbitration Council (the AC) is a quasi-judicial body, established by law to resolve collective labor disputes arising between workers and employers, through the process of arbitration. The AC is supported in its purpose by the Arbitration Council Foundation (the ‘ACF’), which provides technical, managerial and financial assistance. To facilitate the execution of their primary role on dispute resolution, the AC and ACF also endeavor to promote awareness and understanding of the arbitration process and procedures among a wide spectrum of stakeholders, including: labor unions and employers, the Ministry of Labor’s conciliators, other government officials, civil society representatives and the like.

The Royal Government of Cambodia’s ‘Demand for the Good Governance Project’ (the ‘DFGG Project’) aims to promote good governance in Cambodia in order to sustain economic growth and assist in poverty reduction. One of the state bodies selected for institutional support under the DFGG Project is the AC, with the ACF as the project implementing entity. The overall objective of ‘the Support to the Arbitration Council’, a sub-component of the DFGG Project, is to contribute to an effective governance environment for private sector development by enhancing the labor arbitration system, so as to build confidence in workers, employers, investors and the public that labor disputes will be resolved effectively and fairly.

In light of the above-mentioned objectives, ACF has proposed to undertake a baseline study at the early stage of DFGG Project implementation. The general objective of the study is to collect and analyze data against which future progress and performance of the AC can be assessed and also to identify ways in which the service can be improved.

1.2 Objectives of the Study

The purpose of the Baseline Study is to enable the ACF and the AC to understand and evaluate the effectiveness of the services offered and delivered on their part, to workers and employers’ representatives. The report mainly aims to provide analysis that would enable the AC and the ACF to assess their progress and to identify methods to improve their service delivery. Certain specific objectives of the Baseline Study have been set below:

Objective 1) To determine the level of confidence in the institutional capacity of the AC to undertake labor dispute resolution among union and employer organization representatives.

Objective 2) To determine the level of confidence in the independence, credibility, and effectiveness of the AC among union and employer organization representatives and stakeholders.

Objective 3) To determine the level of awareness of the AC and labor arbitration process among union and employer organization representatives.

Objective 4) To determine the level of understanding of labor arbitration process among union and employer organization representatives.

Objective 5) To determine such other information and data as may be appropriate and relevant to accomplish the overall objectives of the Study.

Objective 6) To use the findings to make reasonable recommendations for the service improvement and present the results of the study to the AC and its foundation.

1.3 Scope of the Study

The study areas for the baseline were the Greater Phnom Penh (including Phnom Penh city and Kandal province), Kampong Speu, Preah Sihanouk, Siem Reap and Kampong Chhnang provinces. Within these geographical areas, the Baseline Study was undertaken within the following economic sectors:

- (a) Garment (including footwear)
- (b) Hospitality & Tourism
- (c) Manufacturing/Construction; and
- (d) Other sectors, in order to attain a country representative sample

1.4 Outline of the Report

The following report has been divided into four main parts, including this introductory section mentioning the rationale, purpose and scope of the study. The second section of the report provides the methodology used in collecting and analyzing data for the purposes of this study. The following section contains the result of the analysis, including four main sub-sections: (1) respondents' levels of awareness of the AC, and of labor dispute resolution (LDR) at the AC; (2) respondents' levels of understanding of the labor arbitration process (LAP); (3) respondents' levels

of confidence in the independence, credibility and effectiveness of the AC; (4) respondents' levels of confidence in the institutional capacity of the AC, to undertake LDR; (5) respondents' perception of the AC services and their behavioral intention for future AC services; (6) specific indicators measuring the objectives of the study; and (7) results from the focus group discussion (FGDs) which are used as a cross-check feedback of respondents to the quantitative results. The last section of the report contains conclusions and recommendations, which were synthesized from the results of the analysis.

II. METHODOLOGY

To reach the objectives of the study, both quantitative and qualitative methods were used for data collection and analysis. Within the quantitative portion of the assignment, two questionnaires were designed – for clients of the AC (i.e. those with previous experience in having labor disputes resolved at the AC), and non-clients (i.e. those with no previous experience with the AC). Thus, the non-client group includes those who may be familiar with the AC and those who have attended hearings or training sessions at the AC, but have never had disputes resolved by the institution. The qualitative section of the report included focus group discussions (FGD), which were held among client representatives, in order to gain additional knowledge about levels of awareness and perception on the services provided by the AC.

In addition, available documents and reports of the AC/ACF were reviewed to gain greater understanding about the roles and responsibilities of the institutions, vis-à-vis their clients. The Ministry of Labor (MoL) was also approached, mainly for lists of workers' unions and union federations/confederations as well as the list of employers, which were then used during the design of the sampling methodology and data collection.

To conduct the survey, convenient sampling method was used. The research team used several methods in order to attain information from both employers' representatives and workers' groups. While some interviews were conducted after an appointment had been set, others followed without appointment. Based upon the lists of employers and federations/unions representatives provided by the MoL and the ACF, appointments were made by either calling contact points or

sending correspondence. Appointments were then followed by confirmation of the interview date and time. In order to ensure that potential respondents were sufficiently contacted, each employer and union/federation was approached at least two times, in order to make sure that the contact point was not interested in sitting for an interview.

2.1 Target Respondents and Sample Selected

To reach the objectives of the study, several types of respondents were included in order to attain a more comprehensive picture among various stakeholders:

- (1) Employer/employers' representatives,
- (2) Workers' unions
- (3) Workers' union federations and confederations

Government officials, mainly from the MoL, were also approach for secondary data and for the interview. However, the declined to provide individual interview and to join the focus group discussion for various reasons.

Sample for Quantitative Interview

To conduct the quantitative surveys, a number of respondents both from client and non-client groups were interviewed using a semi-structure questionnaire. To facilitate the interview process and to avoid a misunderstanding of questions, the questionnaire forms were translated into Khmer language. The form used during semi-structured interviews is shown in Annexure 1. The semi-structured interviews were conducted over a one-month period (May 2010) and data was collected from target respondents in both the Phnom Penh area and throughout the provinces.

The survey was conducted in the five, aforementioned areas, including the following representation among organizational groups: union federations (11%); local unions (44%); and, employers (45%) - see Table 2.1 for a detailed list of the collected sample, by target group.

Table 2. 1: Number of Collected Sample by Target Group

Stakeholders	AC Clients	%	Non-AC Clients	%	Total	%
Union Federation	23	23%	8	4%	31	11%
Local Union	53	53%	74	40%	127	44%
Employers	24	24%	104	56%	128	45%
Total	100	100%	186	100%	286	100%

The number of respondents from different target areas, from the aforementioned provinces, has also been presented below (see Table 2.2). The city of Phnom Penh held the greatest proportion of respondents (80%), as much of the AC's activity has been centered in this area. Additionally, the primary reason for selecting a greater number of respondents from Phnom Penh, in comparison to other areas, was due to the city's status as the country's capital and economic hub – where a significant number of businesses and factories are located and thus labor disputes more likely to occur. In addition, the majority of respondents were selected from workers' unions and employers' groups, whose offices are located within the city center.

Table 2. 2: Number of Collected Sample by Organization Types/Provinces

Provinces	Labor Union	%	Federation	%	Employers	%	Total	%
Phnom Penh	100	79%	30	97%	99	77%	229	80%
Kandal	18	14%	0	0%	11	9%	29	10%
Siem Reap	1	1%	1	3%	2	2%	4	1%
Sihanouk Ville	2	2%	0	0%	9	7%	11	4%
Kampong Chhang	4	3%	0	0%	4	3%	8	3%
Kampong Speu	2	2%	0	0%	3	2%	5	2%
Total	127	100%	31	100%	128	100%	286	100%

Among the sample, different economic sectors were also represented and taken into account, as follows: garment or textile manufacture (76%); tourism and hospitality (7%); construction (8%); and, other (9%) – see Table 2.3, below, for the aforementioned figures.

Table 2. 3: Number of Collected Sample by Sector

Sector	Number	%
Garment or Textile Manufacturer	219	76%
Tourism and hospitality	19	7%
Construction	22	8%
Other	26	9%
Total	286	100%

Sample for Focus Group Discussions (FGDs)

For the purpose of obtaining a better understanding of the data collected, pursuant to the desk reviews and quantitative interviews, five FGDs were held in a two-week period (i.e. the end of May to early June 2010). The target group for the FGDs included: (1) workers' unions; (2) workers' union federations and confederation; (3) and, others stakeholders (i.e. NGOs). Two FGDs held a mixed group of stakeholders, i.e. the group discussion consisted of all mentioned stakeholders, while other FGDs were group-oriented (i.e. only respondents from one group). An additional FGD, composed of employers and employers' representatives was also scheduled, however, this group failed to meet their appointment. Topics for discussion were quite similar to the information sought during semi-structured questionnaires, but a more detailed discussion followed. A sample of questions, used to guide discussions during these meetings, is shown in Annexure part. The table below (Table 2.4) contains a summary of the FDG sample for this study.

Table 2. 4: Number of Sample in Focus Group Discussions (FGDs)

Target Group	Number of Group	%	Number of Participants	%
Union Federation	1	20%	9	31%
Local Union	1	20%	8	28%
NGOs	1	20%	3	10%
Mixed Stakeholders	2	40%	9	31%
Total	5	100%	29	100%

2.2 Data Entry, Cleaning and Quality Control

To ensure the quality of data collection, several actions were undertaken, including:

- The data entry templates were designed using updated software of CSPro, and data was then transferred to Stata program for analysis. One-day training on the data entry template was provided to data entry staff, before data entry was conducted.
- Several stages of data cleaning and quality control were conducted. Firstly, in the field, team supervisors checked and verified the accuracy and the consistency of the questionnaires during fieldwork. In the case that questionnaires were incomplete or inconsistent, phone interviews and direct contacts were established in order to attain missing data.
- While entering data, research assistants checked for inaccuracies and inconsistencies question-by-question.
- Data was cleaned by the project team leader and, if necessary, outliers were eliminated according to scientific methodology.

2.3 Limitations

Several limitations occurred throughout the study; however, the most principal factor mainly concerned the number of respondents, which was limited due to time constraints and other factors, such as:

- The survey was conducted in a one-month period (May 2010), which was found to be too short, especially in attaining appointments and interviews from a large sample size of business entities.
- Difficulty in making appointments, and a high interview refusal rate from employers' representatives, which were not interested in spending time responding to questions.

In addition, it was expected that six groups would be included within the FGD process, with at least six respondents per each group. However, only five groups were conducted, and attendance ranged from three to nine people. As previously mentioned, the group of employer's representative failed to attend their scheduled discussion. The absence of respondents was partly due to personal reasons, and also concerning unavailability during the working day.

III. FINDINGS OF THE STUDIES

3.1 AWARENESS OF THE AC AND LABOR DISPUTE RESOLUTION (LDR)

This section assesses respondents' awareness of the Arbitration Council (AC) and the labor dispute resolution process at the AC. In the analysis of this section, employers and the workers' movement (including union federations and labor unions) comprised the key respondents for this analysis. The analysis started first with the respondents' awareness levels of the AC, and followed with their knowledge of the labor arbitration process. In addition, information was disaggregated according to client type (i.e. AC clients versus non-clients) and organization (e.g. workers' union, union federations and employers' representatives).

3.1.1 Awareness of the Arbitration Council (AC)

Within this section, certain questions – such as, the awareness of the AC's status, its roles, and means of awareness – were asked, in order to gain insight of respondents' awareness levels of the AC. During interviews, all respondents – AC clients and non-clients – were asked of their awareness of the institution. As noted in the table below, a majority (69%) of respondents noted familiarity with the organization; however, this proportion was quite skewed, as this includes responses from AC clients. By disaggregating this information by client and non-client, however, it is possible to see the variation in responses among these two subgroups. All clients were familiar with the organization, as contact and collaboration have already been initiated. It is also noticeable that a slight majority of non-clients (52%) were familiar with the organization.

The disparity here, between clients and non-clients is quite high; indicating that familiarity with the AC may be largely based upon direct contact with the organization.

Table 3. 1: Percentage of Respondents Who Are Aware of the AC

No	Awareness of AC	Response	%
1	Clients (n=100)	100	100%
2	Non-clients (n=186)	96	52%
3	Total (n=286)	196	69%

In order to better understand respondents' awareness levels of the AC, data was further disaggregated by respondent groups – workers' unions, union federations, and employers. Figures for both clients and non-clients were included within the table below (see Table 3.2), which provides an illustration of the different responses provided by these groups. As previously mentioned (see Table 3.1), all clients were familiar with the AC; however, this familiarity among non-clients varied significantly, with awareness depending upon respondent group. Furthermore, while nearly all union federation respondents (88%) were familiar with the AC, this proportion fell considerably when employers were asked the same question (38%). Although representatives from workers' unions (68%) were more familiar than employers, this proportion was still less than that among union federations. This is interesting to note, as there still seems to be a difference in the information available to various actors within the workers' movement (i.e. workers' unions versus union federations), even though these actors should be collaborating and sharing information.

Table 3. 2: Percentage of Respondents Who Are Aware of the AC, by Client Type

No	Awareness of AC	Client	Non-client	Total
1	Workers' Union	100%	68%	81%
2	Union Federation	100%	88%	97%
3	Employer	100%	38%	34%
4	Total	100%	52%	68%

As previously mentioned, certain non-client stakeholder groups were more familiar with the AC, as opposed to others. However, the means in which the respondents – both clients and non-clients – gained awareness of the AC also differed. The greatest proportion of all stakeholders (45%) learned of the AC from union federations/ confederations, whereas friends/ colleagues (11%) were noted as the least likely source of information (i.e. this was least likely among the choices which were defined, excluding 'Other'). Apart from the two options mentioned, the other pre-defined choices were almost equally divided (i.e. falling between 24—27%).

Interestingly, the way in which clients and non-clients gained familiarity with the AC also differed. As noted in the table (see Table 3.3), non-clients (35%) were more likely to claim media as a source of information, if compared to current clients (20%). Among those declaring media as a source of information though, representatives from workers' unions were least likely to state this option. Additionally, the proportion of clients (48%) and non-clients (42%) receiving information about the AC from union federations was quite similar. This is interesting to note, as information provided by union federations may not necessarily indicate that non-clients will seek more information, or services, from the AC. Evidently, workers' unions (69%) were far more likely to receive information from this source, as opposed to those from other stakeholder groups. Clients were far more likely to attribute their familiarity with the AC to attendance at hearings (45%), while non-clients (7%) tended to not be aware of the AC through this channel. On the other hand, a lower proportion of clients (27%) attributed their familiarity with the AC to attendance at training sessions. Additionally, clients were far more likely (i.e. nearly double, if compared to non-clients) to attribute their familiarity to information provided by the Ministry of Labor (35%).

Table 3. 3: Source of Information on AC

No	Source of Information	By Client Type		By Organization Type			Total (n=196)
		Client (n=100)	Non-Client (n=96)	Workers' Union (n=103)	Federation (n=30)	Employers (n=63)	
1	Media	20%	35%	21%	33%	35%	27%
2	Federation/Confederation	48%	42%	69%	30%	13%	45%
3	Ministry of Labor	35%	19%	19%	37%	35%	27%
4	Friends/Colleagues	6%	17%	9%	7%	17%	11%
5	Used to attend training prepared by AC	27%	21%	21%	53%	14%	24%
6	Attended hearing at AC	45%	7%	21%	43%	27%	27%
7	Other	3%	18%	7%	7%	17%	7%

Respondents were then asked to note their perception of the AC, in order to better understand the way in which certain previous information (see Table 3.3) was grasped by certain stakeholders. The majority of respondents noted the AC as “an institution who resolves labor disputes”; thus, mentioning the most relevant answer provided within the questionnaire. Among this majority,

however, it should be noted that clients were less likely (49%) to perceive the AC in this way, if compared to non-clients. It is noted 73% of non-clients who perceived that AC resolved labor disputes were those who used to hear about the AC. Client group tended to give a wider option of what AC does. Additionally, among the respondents, 48% representatives from union federations considered the AC as such. In addition, federation group tended to have a broader opinion of AC, i.e. AC was also perceived as an institution that resolve labor disputes independently (21%).

Answers 2–4, within the table below (see Table 3.4), could also be considered correct perceptions of the AC, although these options indicate that respondents’ perceptions are not as clear concerning the role of the institution – as the first option (i.e. “An institution who resolves collective labor disputes”) is most relevant. Among these options, clients were more likely to choose Answer 3 (i.e. “An institution who provides hearing on labor disputes”); with workers’ union representatives providing the highest proportion among the respondent groups (16%). Furthermore, Answer 5 may be regarded as incorrect; although the AC, as an institution is fair, it would be incorrect to be considered within the court system.

The higher proportion of clients, for Answers 2 - 4, is notable, as it shows that this group of individuals – although already attaining services from the AC – perceived it more in light of these options, as opposed to the most relevant answer (i.e. Answer 1).

Table 3. 4: Respondents’ Perceptions of the AC

No	What is AC?	By Client Type		By Organization Type			Total (n=178)
		Client (n=93)	Non-client (n=85)	Workers’ Union (n=94)	Federation (n=29)	Employer (n=55)	
1	An institution who resolves labor disputes	49%	73%	62%	48%	65%	61%
2	An institution who conciliated parties of disputes	11%	7%	6%	10%	13%	9%
3	An institution who provides hearing on labor disputes	18%	8%	16%	7%	13%	13%
4	An independent institute in resolving labor disputes	11%	7%	9%	21%	4%	9%
5	A fair court	11%	5%	7%	14%	5%	8%

Additionally, further information was sought concerning whether respondents were familiar with the actual standing of the AC, as a “local body”. As highlighted within the table (see Table 3.5), this option should be considered the correct answer for this question, and it was found that the

majority of respondents were aware that the AC is a local, Cambodian body (73%). Representatives from union federations (87%) were more likely to respond correctly, if compared to the proportions from other respondent groups, such as employers, who were least likely to respond appropriately (68%).

After this option, other organizations perceived the AC as an “international body”, with more clients (20%) noting this status, as opposed to non-clients (17%). Additionally, workers’ union representatives (22%) were more likely to note this incorrect standing if compared to employers (16%) and those from union federations (10%).

Table 3. 5: Respondents’ Perceptions of the AC as a Local/ International Body

No	AC is an international/local body	By Client Type		By Organization Type			Total (n=196)
		Client (n=100)	Non-client (n=96)	Worker Union (n=103)	Union Federation (n=30)	Employer (n=63)	
1	International body	20%	17%	22%	10%	16%	18%
2	Local body	73%	73%	72%	87%	68%	73%
3	Other	0%	2%	0%	0%	3%	1%
4	Don’t know	7%	8%	6%	3%	13%	8%

Following previous questions regarding perceptions of the AC, respondents were then asked to identify the main role of the institution. As highlighted within the table (see Table 3.6), the most relevant answer pertains to the AC’s role in providing labor dispute resolution. Other answers were also correct, apart from Answer 7 (i.e. “Teaching about the law”); however, these did not portray the AC’s primary role. Among all respondents, a majority (77%) correctly identified the AC as an institution offering labor dispute resolution. Interestingly, employers (84%) were more likely – as a respondent group – to recognize the AC in this capacity. As a second choice, a majority of clients (52%) stated that the AC’s responsibilities included conciliation between parties, whereas less than one-third of non-clients (32%) noted this option. While a majority of union federations (53%) chose this answer, only slightly more than one-third of workers’ unions (38%) confirmed their awareness of this responsibility.

Interestingly, non-clients were more likely (13%) to choose Answer 7 (i.e. “Teaching about the law”), which the AC does not provide, as opposed to an actual secondary role of the AC (i.e.

Answer 1, “Training courses”, as only 11% chose this option). As for training courses, while the proportion of client (18%) versus non-client (11%) awareness was not great, it should be noted that the percentages among union federations and other stakeholders was. More specifically, union federations (43%) were far more likely to indicate this answer, if compared to workers’ unions (7%) and employers (14%).

Table 3. 6: Respondents’ Perceptions of the Roles of the AC

No	Role of AC	By Client Type		By Organization Type			Total (n=196)
		Client (n=100)	Non-client (n=96)	Worker Union (n=103)	Union Federation (n=30)	Employer (n=63)	
1	Training course	18%	11%	7%	43%	14%	15%
2	Labor Dispute resolution	80%	73%	73%	73%	84%	77%
3	Conciliation	52%	32%	38%	53%	44%	42%
4	Resolve dispute	15%	20%	19%	27%	10%	17%
5	Judgment on the case	25%	10%	17%	37%	10%	18%
6	Help make agreement	6%	4%	4%	13%	3%	5%
7	Teach about law	8%	13%	10%	17%	8%	10%
8	Other	1%	4%	3%	3%	2%	3%

The following table demonstrates the answers provided by respondents, regarding the type of disputes resolved by the AC. A majority of all respondents (80%) were aware that the AC solved collective labor disputes; however, only a smaller proportion (73%) were able to correctly indicate that the institution only resolves collective labor disputes.

After disaggregating responses by client type, it is apparent that a definite disparity persists between clients and non-clients, regarding knowledge of the AC’s roles and responsibilities. Nearly all clients (91%) were able to confirm the AC’s role in solely resolving collective labor disputes, while only a minority of non-clients (21%) indicated this same answer. Furthermore, union federation representatives (85%) seemed better informed of the AC’s role, as opposed to workers’ union (74%) and employers’ (64%) representatives. As can be seen within the table, all union federation representatives either correctly noted that the AC only resolved collective labor disputes, or they stated they were unaware of the institution’s main role. As previously mentioned, there seems to be a disconnect in the information held by certain groups (i.e. union federations versus workers’ unions and employers), which could potentially cause issues when different

organizations must consult one another before hearings. Access to, and knowledge of, the same information may be necessary if different stakeholder groups are to successfully collaborate with one another throughout the process of dispute resolution.

Table 3. 7: Type of Labor Disputes Resolved by the AC

Type of Dispute AC Resolves	By Client Type		By Organization Type			Total Respondents (n=132)
	Client (n=99)	Non-client (n=33)	Workers' Union (n=66)	Federation (n=27)	Employers (n=39)	
Collective labor disputes only	91%	21%	74%	85%	64%	73%
Collective labor disputes	99%	24%	85%	85%	69%	80%
Individual labor disputes	7%	0%	11%	0%	0%	5%
Other	0%	18%	5%	0%	8%	5%
Don't know	2%	61%	11%	15%	28%	17%

Respondents were then asked whether they were aware that the services provided by the AC were free-of-charge. As with the last question, clients (90%) were far more aware of this facet of the AC's services, whereas only a slight majority of non-clients (58%) could state the same. By disaggregating data by organizational type, it is apparent – once again – that union federation representatives (97%) were better informed of the AC, as opposed to other respondent groups. This aspect is important to note, as the lack of proper information may lead certain respondent groups to be apprehensive in accessing the services of the AC – especially if they are not aware that services may be attained free-of-charge.

Table 3. 8: Awareness of the AC's Free-of-Charge Services

Type of Respondents	Service is Free	Yes (%)	No (%)
By Client Type	Client (n=100)	90%	10%
	Non-client (n=71)	58%	42%
	Total (n=171)	77%	23%
By Organization Type	Workers' Union (n=90)	73%	27%
	Federation (n=29)	97%	3%
	Employers (n=52)	71%	29%
	Total (n=171)	77%	23%

3.1.2 Awareness of Labor Arbitration Process (LAP)

The following section assesses respondents' awareness levels of the labor arbitration process (LAP), by seeking information on the following topics: the process of dispute resolution at the AC; how disputes arrive at the AC (i.e. the referral process); the duration within which the AC resolves disputes; stages for labor arbitration at the AC; and, decision making by arbitrators and the possibility of objection to these decisions. In addition, the respondents' direct experiences with the AC – in attending training and hearings – were also examined, in order to understand if these instances may have led to increased awareness of the LAP.

In this section, all respondents from client group (100 respondents) were taken into account for the analysis. However, for the non-client group, only those who have heard about the labor arbitration process were asked for further knowledge and perception about the LAP. In this case, only 38% (71 respondents) of total respondents in non-client group have heard of the LAP (see table 3.9). Therefore, the total of 171 respondents contributed to the analysis of respondents' awareness of the LAP.

Information was disaggregated by organizational type, focusing on non-clients' awareness levels of the LAP. In this instance, the findings followed a similar trend – with the majority of non-client, union federation representatives (75%) confirming their awareness of the LAP, whereas workers' union (50%) and employers' representatives (27%) held lower rates. By aggregating this data, among all group types, the average is seen to be quite low (38%) as the non-client sub-groups for employers' (sub-sample, 104) and workers' union (74) representatives were much higher than the union federation (8) sub-group. Interestingly, the proportion of non-client workers' union representatives knowledgeable of the LAP was quite high, if compared to employers' representatives; thus, it seems these individuals were able to attain this type of information either from certain sources (see Table 3.3) – most likely union federation representatives – or through direct experience in handling labor disputes at their respective workplaces.

Table 3. 9: Awareness of Labor Arbitration Process, by Non-client Groups

No	Type of Respondent	Yes (%)	No (%)
1	Workers' Union (n=74)	50%	50%
2	Union Federation (n=8)	75%	25%
3	Employer (n=104)	27%	73%
4	Total (n=186)	38%	62%

In order to understand how respondents gained awareness of the LAP, they were then asked to specify their sources of information. In general, respondents were more likely to learn of the LAP through the information provided by union federations (42%). Among these individuals, representatives from workers' union specified this as the most prevalent source in attaining knowledge of the LAP, with a majority selecting this option (70%). On the other hand, union federations were more likely to receive information from the MoL (67%), while employers' representatives confirmed media sources (43%) as an important purveyor of information.

If compared to previous tables, there seems to be a trend in the way in which certain respondent groups attain information; thus, illustrating the possibility of mapping the process of information dissemination. Among the data calculated for both tables (see Table 3.3 and Table 3.10), union federations were more likely to attain information from the MoL, while workers' unions then attained this information from union federations (i.e. most likely through knowledge sharing on the part of union federations), and employers' representatives somehow attained this information from either various media sources or the MoL. Additionally, there may also be a trend when comparing these sources of information to respondent groups' awareness levels. Although union federations tended to have higher awareness levels of the AC and the LAP, they attributed this knowledge to the information provided by the MoL (67%), and not with training attendance.

Furthermore, union federation representatives were also more likely to attain information by handling labor disputes or through direct experiences at the AC, as this group indicated hearing attendance as a source of information (33%). Interestingly, a slightly higher proportion of employers' representatives (7%) mentioned hearing attendance, when compared to workers' unions (7%). This may indicate that union federations represent workers' unions during the LAP;

thus, directly attaining information from experience, and then sharing this knowledge with counterparts from local unions.

Table 3. 10: Means of Awareness of the LAP among Non-Client Group, by Respondent Types

No	Means of Awareness	Workers' Union (n=37)	Union Federation (n=6)	Employer (n=28)	Total (n=71)
1	Media	14%	17%	43%	25%
2	Union Federation	70%	17%	11%	42%
3	Ministry of Labor	16%	67%	36%	28%
4	Friends/colleagues	11%	0%	21%	14%
5	Received training from AC	14%	0%	4%	8%
6	Attend hearing at AC	3%	33%	7%	7%
7	Other	14%	17%	11%	13%

When asked about attendance at training sessions provided by the AC, the majority of respondents provided negative responses. Interestingly, attendance of clients (38%) versus non-clients (27%) did not amount to a high variation. Union federations (83%), on the other hand, held the greatest proportion of attendees, while workers' unions were far less likely to attend (27%). These low attendance rates may further substantiate the lack of knowledge and awareness concerning certain aspects of the AC, among workers' union and employers' representatives. Additionally, union federations may have conveyed knowledge to members within workers' unions, which may explain the slightly higher awareness levels for this group as compared to employers. Albeit varied attendance among the stakeholders, those that actually attended held largely similar attendance rates, with frequencies falling between two to four sessions.

Table 3. 11: Attending Training Provided by the AC

Type of Respondents	Experience in Attending Training Provided by AC	Yes (%)	No (%)	Average number of times
By Client Type	Client (n=100)	38%	62%	3.41
	Non-client (n=71)	27%	73%	3.72
	Total (n=171)	33%	67%	3.50
By Organization Type	Workers' Union (n=90)	27%	73%	3.38
	Union Federation (n=29)	83%	17%	4.26
	Employer (n=52)	17%	83%	1.75
	Total (n=171)	33%	67%	3.50

Apart from training attendance, respondents were also asked regarding participation at hearings held at the AC, with most respondents confirming attendance (57%); however, this data was heavily skewed, as a strong majority of clients (84%) confirmed attendance, while few non-clients (18%) could state the same. Additionally, the usual trend within the findings continues to hold true, with union federations (97%) providing the highest proportion of positive responses, while workers’ union (50%) and employers’ representatives (46%) held similar proportions.

Although non-clients held fewer individuals confirming hearing attendance, it should be noted these individuals – on average – attended more hearings (8.46) than clients (5.07). Additionally, union federation representatives held the highest average number of hearing attendances (11.29); however, this figure was affected by a number of representatives which had held as many as thirty, forty and fifty hearings (i.e. these representatives can be considered extreme outliers, in this case). Among this group of union federation representatives, most had attended between two to four hearings. Thus, if adjusted for these extreme outliers, average attendance rates would fall at approximately three hearings for all respondent groups.

Table 3. 12: Attendance at AC’s Hearings, by Respondent Types

Type of Respondents	Experience in Attending AC’s Hearings	Yes (%)	No (%)	Average Number of Times
By Client Type	Client (n=100)	84%	16%	5.07
	Non-client (n=71)	18%	82%	8.46
	Total (n=171)	57%	43%	5.53
By Organization Type	Workers’ Union (n=90)	50%	50%	3.49
	Union Federation (n=29)	97%	3%	11.29
	Employer (n=52)	46%	54%	2.88
	Total (n=171)	57%	43%	5.53

Respondents were then asked whether they were familiar with the steps in resolving labor disputes. Most respondents (88%), from client (89%) and non-client (86%) groups, confirmed knowledge of this process.

It seems that the supposition that hearing and/ or training attendance may not necessarily lead to greater knowledge in resolving labor disputes, as the proportions providing positive answers, between clients and non-clients, did not differ much (i.e. 89%, for clients, versus 86% for non-clients). Furthermore, respondents from different organizational types all held strong majorities familiar with the process of resolving labor disputes; thus, resulting in a high proportion (88%) of individuals knowledgeable of the process.

Table 3. 13: Respondents Who Are Familiar With the LDR Process

Type of Respondents	Familiarity with Process of LDR	Yes (%)	No (%)
By Client Type	Client (n=100)	89%	11%
	Non-client (n=71)	86%	14%
	Total (n=171)	88%	12%
By Organization Type	Workers' Union (n=90)	86%	14%
	Union Federation (n=29)	97%	3%
	Employer (n=52)	87%	13%
	Total (n=171)	88%	12%

Respondents noting familiarity with the process of labor dispute resolution (LDR) were then asked to describe the process which they would follow. The result shows that the majority of respondents (70%) were familiar with the appropriate steps when handling labor disputes, as they were able to note all relevant stakeholders (e.g. MoL, AC) and the correct process of actions and referrals to other actors. More precisely, those mentioning the last option with the table below (see Table 3.15) – i.e. internal conciliation, then to union federation, and to MoL, and then to AC – were considered to have the most adequate knowledge of the process.

Clients (94%) were more familiar with the process of resolving disputes through external institutions and by following all necessary steps, while non-clients were comparatively less likely to do so, as a much smaller proportion (38%) confirmed their knowledge of the complete process of LDR. As seen from the table below, the responses provided by non-clients were distributed more evenly across the three descriptions.

Furthermore, among organizational types, union federation representatives (81%) seemed to be more knowledgeable of the steps involved in LDR, while lower figures were reported for workers' union (71%) and employers' representatives (60%). Employers' representatives were more likely (28%), compared to other groups, to only mention their awareness of internal conciliation as a form of LDR; however, a majority among this group (60%) was still aware of all the steps involved within the process. The varying rates of awareness among certain groups may verify that some individuals may have limited access to information, regarding LDR.

Table 3. 14: Awareness of How Labor Dispute Is Solved

No	Steps of LDR	By Client Type		By Organization Type			Total (n=136)
		Client (n=78)	Non-client (n=58)	Workers' Union (n=70)	Union Federation (n=26)	Employer (n=40)	
1	Internal conciliation	5%	36%	19%	4%	28%	18%
2	Internal conciliation, then to union federation, and to MoL	1%	22%	10%	12%	10%	10%
3	Internal conciliation, then to union federation, and to MoL and then to AC	94%	38%	71%	81%	60%	70%
4	Other	0%	3%	0%	4%	3%	1%

In order to further assess respondents' knowledge of the dispute resolution process, questions were asked concerning the referral of cases to the AC, and whether it was known how cases arrive at the institution. Nearly all (91%) clients were familiar with the process, while a smaller majority of non-clients (66%) confirmed the same knowledge. Additionally, union federation representatives (97%) were most likely, among all groups, to confirm knowledge of how disputes arrive at the AC.

Table 3. 15: How Disputes Arrive at the AC

Type of Respondents	How Disputes Arrive at AC	Yes (%)	No (%)
By Client Type	Client (n=100)	91%	9%
	Non-client (n=71)	66%	34%
	Total (n=171)	81%	19%
By Organization Type	Workers' Union (n=90)	81%	19%
	Union Federation (n=29)	97%	3%
	Employer (n=52)	73%	27%
	Total (n=171)	81%	19%

To validate the prior responses, respondents were then asked to verify the method in which disputes arrive at the AC. Generally, the majority of respondents (76%) identified the correct answer, and identified that referral was “by the Ministry of Labor”, as this is the only body legally authorized to refer cases to the AC. In certain cases, however, direct referral to the AC may be done if both parties (i.e. workers’ movements and employers) agree, and a specific clause is mentioned within the Collective Bargaining Agreement (CBA). More specifically, union federations (93%), as with other questions, held the highest proportion of individuals noting correct answers. Surprisingly, the correct answer was specified by more employers (79%) than workers’ union representatives (68%).

It should also be noted that a small proportion among the three organizational types, between 7% and 8%, stated they themselves could refer a dispute to the AC (i.e. 7% of union federations and 8% of both workers’ unions and employers stated they could directly refer cases to the AC). This information may have been provided by organizations with specific clauses mentioning direct referral to the AC, within their respective CBAs.

Table 3. 16: How Disputes Arrive to the AC

No	How dispute gets to AC	By Client Type		By Organization Type			Total (n=136)
		Client (n=89)	Non-client (n=47)	Workers' Union (n=71)	Union Federation (n=27)	Employer (n=38)	
1	by Ministry of Labor	80%	68%	68%	93%	79%	76%
2	by Federation	13%	15%	21%	7%	5%	14%
3	by Workers' Union	4%	11%	8%	0%	8%	7%
4	by Employer	2%	6%	3%	0%	8%	4%

Respondents were also asked if they were aware of the AC’s time limit in resolving disputes. The majority of respondents (67%) confirmed awareness of this fact; however, there was a large disparity between the proportion of clients (85%) and non-clients (42%). Among organizations, nearly all (97%) union federation representatives were aware of this time limit.

Table 3. 17: Awareness of the AC’s Mandatory in Resolving Disputes

Type of Respondents		Yes (%)	No (%)
By Client Type	Client (n=100)	85%	15%
	Non-client (n=71)	42%	58%
	Total (n=171)	67%	33%
By Organization Type	Workers' Union (n=90)	66%	34%
	Union Federation (n=29)	97%	3%
	Employer (n=52)	54%	46%
	Total (n=171)	67%	33%

However, when asked to specify an explicit time frame, only 38% of the respondents declared the correct answer – “15 days” – with both clients (41%) and non-clients (28%) expressing knowledgeable minorities. Interestingly, greater proportions of both clients (46%) and non-clients (55%) were likely to believe that the time limit was less than fifteen days.

Among the organizational types, union federations (58%) were the only group in which the majority mentioned the correct time limit. Workers’ unions (57%) and employers (46%), on the other hand, were more likely to think that the time limit was less than fifteen days. Lower proportions of workers’ unions, union federations and employers gave varied dates, falling anywhere from between 16 days to more than 45 days. Thus, although a majority of individuals expressed knowledge of the actual time limit in resolving disputes, far fewer were actually aware of the specific number of days. This lack of correct information may lead current and future clients to feel dissatisfied with the services provided by the AC, especially if they are expecting disputes to be resolved in fewer than fifteen days.

Table 3. 18: Awareness of Number of Days Within Which AC Resolves Disputes

Type of Respondents	Respondents	Number of Days for LDR at AC			
		15 days	Less than 15 days	Between 16 to 45 days	More than 45 days
By Client Type	Client (n=83)	41%	46%	10%	4%
	Non-client (n=29)	28%	55%	14%	3%
	Total (n=112)	38%	48%	11%	4%
By Organization Type	Workers' Union (n=58)	29%	57%	9%	5%
	Federation (n=26)	58%	31%	12%	0%
	Employer (n=28)	36%	46%	14%	4%
	Total (n=112)	38%	48%	11%	4%

Note: Among 115 respondents who said they knew the time limit, 3 could not specify the answer

In addition, respondents were also asked if they were aware of the stages of labor arbitration at the AC. Aggregated answers, from both client and organization type, were almost equally divided – with only a slight majority (51%) confirming their knowledge of the LAP at the AC. Despite the fact that a majority of clients (84%) had attended hearings at the AC (see Table 3.8), a smaller majority (65%) confirmed their knowledge of this process. Most union federation representatives (90%) confirmed knowledge of the LAP at the AC, while proportions for workers' union (42%) and employers' representatives (46%) were similar.

Table 3. 19: Awareness of the Stages of the LAP at the AC

Type of Respondents	Respondents	Yes (%)	No (%)
By Client Type	Client (n=100)	65%	35%
	Non-client (n=71)	32%	68%
	Total (n=171)	51%	49%
By Organization Type	Workers' Union (n=90)	42%	58%
	Union Federation (n=29)	90%	10%
	Employer (n=52)	46%	54%
	Total (n=171)	51%	49%

As usual, a follow-up question was asked to those confirming knowledge of the LAP at the AC, in order to validate information. Interestingly, a higher proportion of non-clients (52%) were able to correctly identify the stages within the LAP, as compared to clients (45%). Additionally, the

disaggregated information for organizational types also produced information which was not consistent with the usual trend of the previously mentioned findings. Among these three respondent groups, employers’ representatives (67%) demonstrated higher levels of understanding than union federations (50%) and workers’ unions (32%).

Table 3. 20: Respondents Correctly Identified Stages of the LAP

Type of Respondents	Respondents	Correct (%)	Incorrect (%)
By Client Type	Client (n=65)	45%	55%
	Non-client (n=23)	52%	48%
	Total (n=88)	47%	53%
By Organization Type	Worker Union (n=38)	32%	68%
	Union Federation (n=26)	50%	50%
	Employer (n=24)	67%	33%
	Total (n=88)	47%	53%

After respondents’ understanding regarding the process of labor arbitration was measured, they were then asked to confirm awareness of those responsible in making decisions during hearings. The majority of both clients (88%) and non-clients (63%) responded positively, resulting in a substantial majority (78%) of respondents confirming this knowledge. Disaggregated information also illustrated that a majority of respondents from each organizational type were aware of this matter. Union federations (93%) held the highest proportion of representatives, if compared to workers’ unions (76%) and employers (73%).

Table 3. 21: Awareness of who Decides Cases at the AC

Type of Respondents	Respondents	Yes (%)	No (%)
By Client Type	Client (n=100)	88%	12%
	Non-client (n=71)	63%	37%
	Total (n=171)	78%	22%
By Group of Respondents	Workers' Union (n=90)	76%	24%
	Union Federation (n=29)	93%	7%
	Employer (n=52)	73%	27%
	Total (n=171)	78%	22%

Respondents' awareness levels were then validated, by specifically asking whether they could correctly identify the entities responsible in making such decisions during hearings. Although most respondents were not able to correctly note the various stages of the LAP, a majority (87%) were able to correctly confirm that the arbitral panel was responsible in making decisions during hearings. All union federation representatives (100%) and strong majorities of both workers' union (83%) and employers' representatives (83%) were able to note this aspect of LDR. The remainder of both workers' union and employers' representatives (17%) cited a number of different entities, which they believed were responsible in providing decisions. Interestingly, small proportions of both workers' unions (2%) and employers (6%) believed that their organizations would actually decide upon a case. Although those providing incorrect answers were mainly comprised within the non-client group, it is evident that limited information persists among certain stakeholder groups (e.g. workers' unions, employers).

Table 3. 22: Awareness of Entity Who Decides on a Case at the AC

No	Who decides on a case	By Client Group		By Organization Type			Total (n=128)
		Client (n=86)	Non-client (n=42)	Workers' Union (n=65)	Union Federation (n=27)	Employer (n=36)	
1	Arbitration panel	96%	69%	83%	100%	83%	87%
2	Ministry of Labor	2%	10%	8%	0%	3%	5%
3	Arbitration panel & Ministry of Labor	0%	5%	0%	0%	6%	2%
4	Court	1%	10%	6%	0%	3%	4%
5	Employer	1%	5%	2%	0%	6%	2%
6	Workers' union	0%	2%	2%	0%	0%	1%

It was then assessed whether respondents were aware that objections could be made to the decisions of the arbitral panel. Strong majorities of both clients (94%) and non-clients (76%) were aware of this fact, and the majority of each organizational group recorded high proportions as well. Union federations, as with other questions, held the greatest proportion (100%) of knowledgeable representatives, while workers' unions (84%) and employers (83%) followed.

Table 3. 23: Know How to Object to the Arbitral Award

Type of Respondents	Respondents	Yes (%)	No (%)
By Client Type	Client (n=100)	94%	6%
	Non-client (n=71)	76%	24%
	Total (n=171)	86%	14%
By Organization Type	Workers' Union (n=90)	84%	16%
	Union Federation (n=29)	100%	0%
	Employer (n=52)	83%	17%
	Total (n=171)	87%	13%

This previously mentioned information (see Table 3.24) was then confirmed by asking knowledgeable respondents (i.e. those confirming awareness that objections could be lodged) whether they could correctly identify the time period in which objections could be lodged. Nearly all respondents (97%), from both client (97%) and non-clients (98%) groups, correctly stated that objections could be lodged after awards had been issued by the arbitral panel. Once again, union federation representatives (100%) were most familiar with this aspect. This high level of awareness may be attributed to respondents' general knowledge and familiarity of the traditional court system.

Table 3. 24: When to Lodge an Objection to Arbitral Decisions

No	Item	By Client Type		By Organization Type			Total (n=143)
		Client (n=91)	Non-client (n=52)	Workers' Union (n=74)	Federation (n=28)	Employer (n=41)	
1	At any time	2%	2%	3%	0%	2%	2%
2	After the award issue	97%	96%	96%	100%	98%	97%
3	Other	1%	2%	1%	0%	0%	1%

Note: Among 147 respondents who said they knew when to object an arbitral decision, 5 could not specify the timing

3.2 UNDERSTANDING OF THE LABOR ARBITRATION PROCESS (LAP)

After assessing respondents' awareness levels of the AC and the LAP, the study also aimed to explore whether individuals understand the process of LDR at the AC. In this section, respondents were asked to confirm their knowledge and understanding on the main criteria of LDR at the AC. These criteria included: the type of labor disputes that the AC resolves (e.g. collective, individual); the number of arbitrator lists, and the number of arbitrators at the AC; the term, arbitration panel, and how it is formed; the norms and procedures of the AC's hearings; the type of arbitral awards (e.g. binding, non-binding); and, the lodging of objections to arbitral panels' decisions.

In addition, to obtain a clear picture of the respondents' understanding of the LAP, this section was divided into two main parts: (1) understanding of the arbitration panel and (2) understanding of the AC hearing process and of the arbitral awards.

3.2.1 Understanding of the Arbitration Panel

The first question measuring respondents' knowledge of the arbitral panel assessed whether they were aware of the parties responsible in selecting arbitrators. The aggregate data illustrated that a majority (70%) confirmed their awareness of those held responsible in the selection of arbitrators. After data was disaggregated by client type, it was clear that clients were more likely (79%) to confirm their awareness of this aspect of the LAP, if compared to non-clients (58%). Furthermore, nearly all union federation representatives (97%) confirmed their awareness, while employers' representatives (71%) were more likely to respond positively as opposed to workers' union representatives (61%).

Table 3. 25: Knowledge on Who Selects Arbitrators

Type of Respondents	Respondents	Yes (%)	No (%)
By Client Type	Client (n=100)	79%	21%
	Non-client (n=71)	58%	42%
	Total (n=171)	70%	30%
By Organization Type	Worker Union (n=90)	61%	39%
	Federation (n=29)	97%	3%
	Employer (n=52)	71%	29%
	Total (n=171)	70%	30%

In order to validate the previous data, knowledgeable respondents (i.e. those noting awareness of the parties responsible in selecting arbitrators) were asked to identify those they believed were responsible in selecting arbitrators. Among these respondents, the majority (75%) were able to answer correctly – stating that the disputing parties held this responsibility. In effect, disputing parties each choose one arbitrator, and the third (i.e. neutral) arbitrator is then chosen by the two previously selected individuals. Among each group (i.e. client and organizational type), clients (84%) and union federations (86%) were more likely to respond correctly, as compared to their counterparts. Interestingly, a notable proportion (25%) of workers’ unions believed the arbitral panel would be solely chosen by representatives of the workers’ movement, as they noted that workers’ unions and union federations would be responsible. As previously mentioned, incomplete information may lead to dissatisfaction on the part of disputing parties. As they may not be fully aware of each process during the LAP, their expectations may not be met.

Table 3. 26: Knowledge on Who Selects Arbitrators, in Detail Descriptions

No	Selector of Arbitrators	By Client Type		By Organization Type			Total Respondents (n=116)
		Client (n=79)	Non-client (n=37)	Worker Union (n=52)	Federation (n=28)	Employer (n=36)	
1	Disputed parties	84%	57%	69%	86%	75%	75%
2	Disputed parties and Ministry of Labor	0%	22%	6%	4%	11%	7%
3	Ministry of Labor	3%	3%	0%	0%	8%	3%
4	Employer	1%	5%	0%	4%	6%	3%
5	Worker Union and Federation	13%	14%	25%	7%	0%	13%

Respondents were then asked to confirm their awareness on the number of arbitrator lists at the AC, which, as can be noted from the table below (see Table 3.27), answers were highly variable between respondent groups. Overall, a minority (35%) was only aware of the arbitrator lists present at the AC. Among organizations, union federation representatives (55%) were more likely to respond positively to this question; thus, confirming their awareness of these lists. Employers, on the other hand, held the lowest proportion (21%) of individuals noting familiarity with these lists. Furthermore, there was a continued disparity in the awareness levels within the workers’ movement (i.e. workers’ unions versus union federations), even though these organizations should be collaborating and sharing information.

Table 3. 27: Number of Arbitrator Lists at the AC

Type of Respondents	Respondents	Know (%)	Don't know (%)
By Client Type	Client (n=100)	47%	53%
	Non-client (n=71)	18%	82%
	Total (n=171)	35%	65%
By Organization Type	Workers' Union (n=90)	37%	63%
	Federations (n=29)	55%	45%
	Employers (n=52)	21%	79%
	Total (n=171)	35%	65%

Among knowledgeable respondents (i.e. those confirming awareness of the number of arbitrator lists), a majority (72%) was able to correctly identify that three lists would be used in selecting individuals – more specifically, one list for each group: workers’ movement, employers’ movement, and MoL (i.e. neutral list, to be chosen by the two arbitrators). Although a majority responded correctly, these figures were highly similar for both clients (72%) and non-clients (69%); thus, illustrating that a number of representatives believe they are knowledgeable of this aspect of the LAP, although, in actuality, they are not. For the most part, clients held higher levels of understanding and awareness regarding the AC and the LAP; however, for some reason, they were not much more likely to learn about this aspect of the LAP, from previous experiences. Interestingly, although union federations also held higher awareness and understanding levels, they were not highly knowledgeable regarding this question, as employers’ representatives (91%) and workers’ unions (56%) were far more likely to respond correctly.

Table 3. 28: Number of Arbitrator Lists at the AC

No	Number of Arbitrator Lists at the AC	By Client Type		By Organization Type			Total Respondents (n=60)
		Client (n=47)	Non-client (n=13)	Worker Union (n=33)	Federation (n=16)	Employer (n=11)	
1	Less than 3	2%	0%	3%	0%	0%	2%
2	3	72%	69%	73%	56%	91%	72%
3	More than 3	32%	46%	33%	50%	18%	35%

Respondents were then asked to note their understanding of the number of arbitrators presiding over cases, with a majority (74%) mentioning the correct answer – “3” arbitrators. The usual trend, unlike the last question, continued for this question, with clients (81%) and union federations (100%) more likely to note correct answers, if compared to their counterparts. Interestingly, although many union federation representatives were not aware of the number of arbitrator lists (see Table 3.29); all individuals were able to mention the correct answer for this open-ended question. Additionally, the inverse held true when comparing this question to the last. While workers’ union and employers’ representatives held higher proportions within the last question, they were still less likely to respond correctly when compared to union federation counterparts.

Table 3. 29: Respondents’ Perception of the Number of Arbitrators Presiding over a Single Case

Number of Arbitrators Presiding over a Single Case	By Client Type		By Organization Type			Total Respondents (n=167)
	Client (n=100)	Non-client (n=67)	Worker Union (n=88)	Federation (n=29)	Employer (n=50)	
2	2%	4%	2%	0%	6%	3%
3	81%	63%	69%	100%	66%	74%
4	8%	3%	10%	0%	2%	6%
6	1%	0%	1%	0%	0%	1%
Don't know	8%	30%	17%	0%	26%	17%

Respondents were then asked to note their familiarity with the term “arbitral panel”. While respondents tended to have clear notions of the number of individuals within an arbitral panel, they were not highly familiar with the term, as only a slight majority (53%) confirmed their knowledge. Additionally, clients (58%) hold an extensive majority concerning knowledge of this question. The usual trends still held true, but to a lesser extent, as union federations recorded the highest proportion (66%) of representatives noting familiarity with the term. This is quite interesting, as individuals may be familiar with the actual process of the LAP; however, they may not understand the appropriate terminology. This limited knowledge of legal terminology may set boundaries concerning the actual involvement of representatives, as many aspects of the LAP may be lost in translation.

Table 3. 30: Respondents’ Familiarity with the Term “Arbitral Panel”

Type of Respondents	Familiarity with the Term “Arbitral Panel”	Yes (%)	No (%)
By Client Type	Client (n=100)	58%	42%
	Non-client (n=71)	45%	55%
	Total (n=171)	53%	47%
By Organization Type	Worker Union (n=90)	52%	48%
	Federation (n=29)	66%	34%
	Employer (n=52)	46%	54%
	Total (n=171)	53%	47%

Furthermore, knowledgeable respondents (i.e. those noting familiarity with the term “arbitral panel”) were then asked to reiterate certain aspects of the arbitral panel. Respondents were asked to note aspects such as the composition of the panel, or the roles and responsibilities of this group. The most prominent response provided by individuals, among both client (48%) and non-client (48%) groups, mentioned the composition of the arbitral panel – as a group of individuals selected by workers and employers. Clients (33%) and non-clients (24%) were then likely to note the role and responsibility of the arbitral panel – as the group of individuals that resolves labor disputes at the AC’s hearings. Interestingly, union federation representatives (11%) were least likely to identify the arbitral panel with respect to its roles and responsibility, if compared to workers’ unions (38%) and employers’ representatives (29%).

Table 3. 31: Respondents’ Perception of the Who are Arbitral Panel

No	Who are the Arbitration Panel	By Client Type		By Organization Type			Total (n=87)
		Client (n=58)	Non-client (n=29)	Worker Union (n=47)	Federation (n=19)	Employer (n=21)	
1	Those who were selected by workers and employers	48%	48%	45%	58%	48%	48%
2	Lawyer	3%	3%	0%	11%	5%	3%
3	Those who conciliate the labor disputes	9%	7%	6%	11%	10%	8%
4	Those who resolve labor disputes at AC hearings	33%	24%	38%	11%	29%	30%
5	Do not know	7%	17%	11%	11%	10%	10%

Moreover, respondents (43%) were not highly likely to understand the formation of the arbitral panel, although they understood it was composed of three individuals (see Table 3.31). Clients (51%) were, although, more likely to note familiarity with the group’s formation, if compared to non-clients (31%); however, this was only a slight majority. As a group, union federation representatives (62%) also noted higher levels of familiarity than workers’ union (37%) and employers’ representatives (42%).

Table 3. 32: Knowledge on How an Arbitral Panel is Formed

Type of Respondents		Yes (%)	No (%)
By Client Type	Client (n=100)	51%	49%
	Non-client (n=71)	31%	69%
	Total (n=171)	43%	57%
By Organization Type	Worker Union (n=90)	37%	63%
	Federation (n=29)	62%	38%
	Employer (n=52)	42%	58%
	Total (n=171)	43%	57%

Although approximately 70 individuals noted their familiarity with the arbitral panel’s formation, only 58 individuals were able to specify how this group was actually formed. Among this group of individuals, a majority (72%) was able to correctly identify that arbitral panel’s were formed from three lists (i.e. workers’ union list, employers list, and neutral list) provided by the AC. Notably, non-clients (80%) seemed more knowledgeable of this aspect of the LAP, if compared to clients (68%). Furthermore, union federation respondents (43%) were less likely to respond correctly to this question, while workers’ union (81%) and employers’ representatives (83%) held far greater proportions.

Table 3. 33: Know How Arbitral Panel is Formed

No	Description of How Arbitral Panel is Formed	By Client Type		By Organization Type			Total Respondents (n=58)
		Client (n=38)	Non-client (n=20)	Worker Union (n=26)	Federation (n=14)	Employer (n=18)	
1	Arbitrators were selected from 3 lists, union-list, employer-list and neutral-list, provided by the AC	68%	80%	81%	43%	83%	72%
2	Arbitrators were from the Ministry of Labor	32%	20%	19%	57%	17%	28%

In order to validate the previous answers, knowledge representatives (i.e. those confirming their awareness of the arbitral panel) were asked to specify certain answers. Based upon the answers provided by respondents, these individuals noted that the arbitral panel was comprised of one to ten individuals; however, the majority of representatives (83%) were able to correctly note that the arbitral panel consisted of three individuals. Non-clients (85%) were slightly more likely to note the correct answer, while nearly all employers' representatives (95%) were familiar with this aspect of the LAP.

Table 3. 34: Number of Arbitrators in Arbitral Panel

No	Number of Arbitrators in the Arbitration Panel	By Client Type		By Organization Type			Total Respondents (n=63)
		Client (n=43)	Non-client (n=20)	Worker Union (n=28)	Federation (n=16)	Employer (n=19)	
1	Less than 3	5%	10%	7%	6%	5%	6%
2	3	81%	85%	71%	88%	95%	83%
3	More than 3	14%	5%	21%	6%	0%	11%

This validation process was then continued, in order to understand whether knowledge respondents were aware of the process in selecting the arbitral panel. Among these individuals, a majority of clients (63%) were able to affirm their knowledge that three lists were used in selecting arbitrators; however, this majority was not substantive. Additionally, after disaggregating information by organizational type, union federation representatives (28%) represented the lowest proportion of correct answers, among all respondent groups. This continues to substantiate the previous findings, which illustrates that union federation representatives tend to be more

knowledgeable of the AC and other aspects of the LAP; however, in the case of the arbitral panel, they are not.

Table 3. 35: Percentage of Respondents Who Correctly Identified How Arbitrators Were Selected

Respondents who Select Three Correct Answers	By Client Type		By Organization Type			Total Respondents
	Client	Non-client	Worker Union	Federation	Employer	
1. One arbitrator from worker list 2. One arbitrator from employer list 3. One arbitrator from MoL /neutral list	63%	37%	40%	28%	33%	43%

3.2.2 Understanding of the Hearing Process and of Awards

The next question assessed whether respondents were aware of the technicalities present in associating with members of the arbitral panel. In actuality, parties represented within a dispute cannot directly contact arbitrators outside the grounds of the hearing. In this case, clients (79%) were far more familiar with this concept when compared to non-clients (45%), as they may have learned of this aspect of the LAP from personal experience. Additionally, nearly all union federation representatives (93%) were well aware of this technicality, while smaller majorities were noted for both workers’ unions (61%) and employers (56%).

Table 3. 36: Respondents Awareness of the Fact that Party of Dispute Cannot Directly Contact Arbitrators Outside Hearings

Type of Respondents	Awareness that Party could not Contact Arbitrators outside Hearing	Yes (%)	No (%)
By Client Type	Client (n=100)	79%	21%
	Non-client (n=71)	45%	55%
	Total (n=171)	65%	35%
By Organization Type	Worker Union (n=90)	61%	39%
	Federation (n=29)	93%	7%
	Employer (n=52)	56%	44%
	Total (n=171)	65%	35%

A great deal of clients (97%) and non-clients (73%) were aware that facts and arguments could be presented during hearings at the AC. Additionally, majorities were noted for all organizations, with all union federation representatives (100%) noting familiarity with the aspect of the LAP.

Table 3. 37: Awareness of the Rights to Present Facts/ Arguments During Hearings

Type of Respondents	Awareness of Rights to Presents facts/argument during Hearing	Yes (%)	No (%)
By Client Type	Client (n=100)	97%	3%
	Non-client (n=71)	73%	27%
	Total(n=171)	87%	13%
By Organization Type	Worker Union (n=90)	86%	14%
	Federation (n=29)	100%	0%
	Employer (n=52)	83%	17%
	Total (n=171)	87%	13%

The table below demonstrates respondents’ knowledge on the difference between binding and non-binding awards. Only a slight majority (52%) of all respondents (i.e. aggregated data for 89 respondents) claimed their familiarity with the difference between these two types of awards. A majority (61%) was noted for clients, although this figure was not as prominent as the majorities recorded for other questions. Union federation representatives (83%), as usual, noted a higher proportion of individuals familiar with this aspect of the LAP, while workers’ union representatives seemed least knowledgeable (42%). As previously mentioned, this disparity among the answers provided by union federation and workers’ union representatives, regarding various aspects of the AC and the LAP, may illustrate that collaboration needs to be improved between these groups.

Table 3. 38: Awareness of Differences Between Binding and Non-binding Awards

Type of Respondents	Awareness of Differences between Binding and Non-binding Awards	Yes (%)	No (%)
By Client Type	Client (n=100)	61%	39%
	Non-client (n=71)	39%	61%
	Total (171)	52%	48%
By Organization Type	Worker Union (n=90)	42%	58%
	Federation (n=29)	83%	17%
	Employer (n=52)	52%	48%
	Total (171)	52%	48%

To better understand the respondents' perceptions of the arbitral panel's decisions, individuals were asked to note the methods used in making decisions. Based upon the answers provided by respondents, individuals were more likely to state that arbitrators would use the Labor Law (81%) and facts/evidence (84%) as the criteria to base decisions. Interestingly, clients were more likely to note facts/evidence (87%) as the primary criterion, while non-clients were more likely to declare the Labor Law (82%); however, each group held strong majorities for both criteria. All union federation representatives noted the importance of facts/evidence, as a criterion to be used in making decisions, whereas employers' representatives (83%) were more likely to mention the use of the Labor Law. Furthermore, among all organizational types, only employers held a majority of representatives which stated that decisions would be based upon fairness (52%), although this could be considered as one of the correct answers among the first three choices.

Table 3.39: Perception of the Criteria Used by Arbitrators in Making Decisions

No	Criteria based on which arbitral panel makes decision	By Client Type		By Organization Type			Total Respondents (n=171)
		Client (n=100)	Non-client (n=71)	Worker Union (n=90)	Federation (n=29)	Employer (n=52)	
1	By law (labor law)	80%	82%	80%	79%	83%	81%
2	By fairness	47%	46%	47%	38%	52%	47%
3	By fact/evidence	87%	79%	84%	100%	73%	84%
4	Based on tolerance	5%	4%	3%	0%	10%	5%
5	Do not know	6%	6%	6%	14%	2%	6%
6	Other	0%	8%	2%	0%	8%	4%

The preceding information was then further disaggregated, in order to measure the proportion of individuals mentioning all three criteria which decisions would be based upon – i.e. arbitral decisions are based upon the (1) Labor Law, (2) fairness, and (3) facts/evidence. Although a majority of individuals were able to identify two of the three criteria (see Table 3.40) – i.e. based upon the Labor Law and facts/evidence – only a small proportion (37%) mentioned all three categories. Among these respondents, union federation representatives (31%) were least likely to mention all three criteria. This may depict that representatives do not feel that decisions are based upon fairness, or that this is not one of the criteria used in making decisions. On the other hand, this answer was also the most ambiguous of the three, as it represented a notion (i.e. fairness), rather than a concrete aspect, such as documentation (i.e. the Labor Law and facts/ evidence).

Table 3. 40: Percentage of Respondents who Correctly Identified the Criteria Arbitrators Used in making Decisions

Respondents who answered the three correct answers.	By Client Type		By Organization Type			Total Respondents (n=171)
	Client (n=100)	Non-client (n=71)	Worker Union (n=90)	Federation (n=29)	Employer (n=52)	
1. By law (labor law) 2. By fairness 3. By fact/evidence	37%	37%	36%	31%	42%	37%

Respondents were then asked to note their perceptions on which parties can lodge objections to the arbitral panel's decisions. Most respondents (94%) were familiar with the fact that both parties could lodge objections, while, interestingly, non-clients (95%) were slightly more likely to note this correct answer. A strong majority from each organization type also noted familiarity with this aspect of the LAP. Interestingly, employers' representatives seemed more knowledgeable about issues related to the arbitral panel, as compared to other aspects of the AC and the LAP.

Table 3. 41: Perception of Who Could Lodge Objections to Arbitral Awards

No	Objection to Award Lodged by Who	By Client Type		By Organization Type			Total Respondents (n=156)
		Client (n=96)	Non-client (n=60)	Worker Union (n=82)	Federation (n=28)	Employer (n=46)	
1	Arbitrators	3%	2%	2%	0%	4%	3%
2	Both parties of disputes	94%	95%	95%	96%	91%	94%
3	Ministry of labor	2%	0%	0%	4%	2%	1%
4	Other	1%	2%	2%	0%	0%	1%
5	Don't know	0%	2%	0%	0%	2%	1%

The last factor, in assessing this aspect of the LAP, concerned respondents' perceptions on the number of days within which objections could be lodged against arbitral awards. According to rules and procedures, objections may be lodged within eight days after the issuance of the arbitral award; however, only a small proportion (26%) of individuals was able to note this correct answer. A large proportion (46%), though, nearly chose the correct answer, as this group believed that objections needed to be lodged within one week (i.e. seven days) after the issuance of the award. Notably, union federation representatives (55%) actually noted the correct answer, while the majority of workers' union representative (66%) cited seven days as the limit.

Table 3. 42: Perception of Respondents of Number of Days within Which Party can Lodge Objection to the Arbitral Award

Number of days within which parties of dispute can lodge objection	By Client Type		By Organization Type			Total Respondents (n=121)
	Client (n=85)	Non-client (n=36)	Worker Union (n=58)	Federation (n=29)	Employer (n=34)	
1 day	1%	0%	2%	0%	0%	1%
2 days	4%	0%	3%	0%	3%	2%
3 days	2%	3%	3%	3%	0%	2%
5 days	1%	0%	2%	0%	0%	1%
7 days	45%	50%	66%	24%	32%	46%
8 days	26%	25%	12%	55%	24%	26%
10 days	6%	0%	2%	0%	12%	4%
14 days	2%	3%	3%	0%	3%	2%
15 days	12%	19%	5%	17%	26%	14%
30 days	1%	0%	2%	0%	0%	1%

3.3 PERCEPTION OF RESPONDENTS OF INDEPENDENCE, CREDIBILITY AND EFFECTIVENESS OF AC

This section aims to study the perception of respondents concerning the independence, credibility and effectiveness of the AC. To obtain a comprehensive picture on how respondents perceive the AC, this section was categorized into three main parts: (1) perceptions on the independence of the AC; (2) perceptions about the credibility of the AC; and (3) perceptions regarding the effectiveness of the AC. As with previous chapters, each section of the analysis not only provided insight for the total groups of respondents, but was also disaggregated in two ways: among client type (i.e. AC client or non-client), and by organizational type (i.e. workers' unions, union federations and employers).

It is noted that, not all respondents (286) were taken into account for the analysis of this section. The analysis incorporated the answer of those who provided their opinion to each respective question only, while those who did not know or did not provide the answer were not contributed to the sample of the analysis of each section; hence the sample size is not necessary to be 286.

3.3.1 Independence of AC

To assess the perceptions of the AC's independence, respondents were asked whether they believed the institution to hold bias toward any party – e.g. workers' unions, employer, and government. In order to obtain a comparative analysis and measure respondents' perceptions of various institutions, individuals were also asked to provide their opinions on the independence of the AC compared to the formal court system and other government institutions.

Overall, a majority of respondents (89%), from both client and non-client groups perceived the AC as an independent institution. After disaggregating the information by organizational type, it was interesting to note that employers' representatives were more likely (91%) to perceive the AC as an independent institution, if compared to representatives from workers' unions (88%) and union federations (89%).

Table 3. 43: Independence of the AC

Type of Respondents	AC is Independent	Yes (%)	No (%)
By Client Type	Client (n=93)	89%	11%
	Non-client (n=114)	89%	11%
	Total (n=207)	89%	11%
By Organization Type	Workers' Union (n=104)	88%	13%
	Federation (n=28)	89%	11%
	Employer (n=75)	91%	9%
	Total (n=207)	89%	11%

Among those perceiving the AC as an independent institution, follow-up questions were asked in order to understand the reasons why this notion existed. Overall, the aggregate data shows that the largest proportion of respondents (42%) attributed this independence to the fact that the institution is not biased toward any parties; interestingly, the proportions among various respondent groups were similar for this choice (i.e. this choice fell within a range of 39–44% for all respondent groups). The most prominent second choice was found among those crediting the AC's independence to the fact it was not influenced by any parties. Notably, the two choices which were selected most by respondents held similar proportions among each group, as it seems – based upon the answers provided by respondents – that certain aspects define independence more than others.

Table 3. 44: Reasons on Why AC is Independent by Respondent Type

No	Reasons	By Client Type		By Organization Type			Total (n=20)
		Client (n=8)	Non-Client (n=12)	Worker Union (n=88)	Federation (n=28)	Employer (n=67)	
1	AC receives funds from international donors	2%	6%	3%	4%	6%	4%
2	AC is not influenced by any parties	30%	27%	27%	32%	25%	27%
3	Parties are not charged any fee for services	13%	11%	17%	4%	7%	11%
4	AC is not biased toward any parties	44%	42%	44%	43%	39%	42%
5	AC is a non-governmental-organization	13%	4%	3%	11%	10%	7%
6	Others	0%	9%	5%	7%	12%	8%
7	Total	100%	100%	100%	100%	100%	100%

For the most part, representatives from each respondent group felt that the AC was not biased toward any party. Among the answers provided, disaggregated by client type, the respondents (20%) were not very likely to consider the AC as holding bias toward any party. This also sentiment also held true as data was disaggregated by organizational type. Among respondents, workers' union representatives (23%) were more likely to perceive the AC as being biased towards another party, if compared to their counterparts. Among clients, these notions may exist as certain respondent groups may have had experiences where arbitral awards were issued to opposing parties; thus, they may have felt the issuance of the award was misguided and considered the decision to be biased toward the other party. On the other hand, non-clients who perceive the AC as biased may feel apprehension in obtaining services provided by the institution.

Table 3. 45: Whether AC is Biased to Any Party

Type of Respondents	Respondents	Yes (%)	No (%)
By Client Type	Client (n=96)	20%	80%
	Non-client (n=116)	20%	80%
	Total (n=212)	20%	80%
By Organization Type	Worker Union (n=109)	23%	77%
	Federation (n=28)	11%	89%
	Employer (n=75)	19%	81%
	Total (n=212)	20%	80%

Among those noting the biased nature of the AC, follow-up questions were asked in order to understand whether parties felt the institution was biased more toward a particular party. As presumed, it seems that respondent groups – by organizational type – mainly believed that the AC was biased toward their opposing parties (i.e. workers' unions felt the AC was biased toward employers, and vice versa). The sub-sample for union federations was quite small (2); thus, the information was divided evenly among one individual perceiving bias toward workers' union and another believing there was bias toward the government. It seems that clients' perceptions were mainly focused upon bias toward employers; however, this may be due to the fact that most clients operated within the workers' movement (i.e. workers' union and union federations). Nonetheless, it seems that most perceptions of bias centered on respondents' base judgments, most likely rooted in the loss of a hearing and arbitral award, rather than information provided by any source.

Table 3. 46: Perception of Where AC is Biased to

No	AC is Biased to	By Client Type		By Organization Type			Total (n=44)
		Client (n=18)	Non client (n=26)	Workers' union (n=26)	Federation (n=2)	Company (n=16)	
1	Bias to Employers	67%	31%	65%	0%	19%	45%
2	Bias to Workers' Union	28%	38%	12%	50%	69%	34%
3	Bias to Government	0%	15%	4%	50%	13%	9%
4	Bias to others	6%	15%	19%	0%	0%	11%
5	Total	100%	100%	100%	100%	100%	100%

In order to further assess respondents' perceptions on the independence of the AC, they were then asked to compare the institution's status to that of the formal court system, rating it as either more or less independent. According to the answers provided by respondents, a majority (81%) believed the institution to be more independent than the formal court system. Among organizational types, union federations (93%) were more likely to perceive that institution as independent, as opposed to workers' union (77%) and employers' (81%) representatives. The fact that workers' union and employers' representatives were more likely to perceive the institution as less independent than the formal court system may be rooted in the previously mentioned deduction – concerning the loss or arbitral awards and decisions during hearings; in turn, causing respondents to believe the institution is biased toward the opposing party.

Table 3. 47: Independence of AC as Compared to the Court System

Type of Respondents	Respondents	Response Rate (%)	
		More Independent than Court	Not Independent than Court
By Client Type	Client (n=88)	77%	23%
	Non-client (n=107)	83%	17%
	Total (n=195)	81%	19%
By Organization Type	Worker Union (n=99)	77%	23%
	Federation (n=27)	93%	7%
	Employer (n=69)	81%	19%
	Total (n=195)	81%	19%

Respondents were then asked to provide the reasons as to why they believed the AC to be more independent than the formal court system. The majority of respondents (52%) believed this to be true – as arbitrators are fair in resolving labor disputes (see answer 6, Table 3.49). Among those

choosing this answer, union federations (64%) were more likely to select this option. All other answers varied and were divided more or less evenly, although a noteworthy minority of employers' representatives (25%) perceived the AC as being more independent since it resolved disputes for both parties, rather than being biased toward one. Although a number of employers' representatives believed the AC was biased toward workers' unions (see Table 3.47), they were still more likely to choose the aforementioned option over other respondent groups.

Table 3. 48: Reasons Why the AC is More Independent than Court

No	Reasons	By Client Type		By Organization Type			Total (n=141)
		Client (n=53)	Non-client (n=88)	Worker union (n=64)	Federa tion (n=22)	Emplo yer (n=55)	
1	AC resolved the collective labor dispute	8%	5%	8%	9%	2%	6%
2	AC independent much better than court	15%	11%	13%	5%	16%	13%
3	AC has power and more independence than the court	4%	8%	9%	0%	5%	6%
4	AC receives fund from international donors	4%	6%	3%	9%	5%	5%
5	AC resolved the disputes for both parties	11%	17%	8%	9%	25%	15%
6	Arbitrators are fair in resolving labor disputes	58%	48%	56%	64%	42%	52%
7	Arbitrators have good knowledge of labor dispute	0%	2%	2%	0%	2%	1%
8	Others	0%	3%	2%	5%	2%	2%
9	Total	100%	100%	100%	100%	100%	100%

Respondents were then asked to compare the independence of the AC compared to that of government institutions, rating whether the institution was more or less independent than public authorities. Nearly all (93%) respondents felt that the AC was more independent than government institutions, with non-clients (93%) holding a slightly higher proportion confirming this positive response. Among organizational types, union federations (100%) were more likely to perceive this statement as true, although the proportions for workers' unions (91%) and employers (92%) were still quite high. Although a higher proportion of individuals felt that the AC was biased toward another party (see Table 3.47), they still felt that the organization was more independent than government institutions.

Table 3. 49: AC is More Independent than Government Institutions

Types of Respondents	Respondents	Yes (%)	No (%)
By Client Type	Client (n=80)	92%	8%
	Non-client (n=97)	93%	7%
	Total (n=177)	93%	7%
By Organization Type	Worker Union (n=91)	91%	9%
	Federation (n=25)	100%	0%
	Employer (n=61)	92%	8%
	Total (n=177)	93%	7%

As with previous questions, respondents were then asked to support their answer choices by stating the reasons they held such perceptions. Among the aggregated data, there was no clear majority as two answers prevailed, for the most part: (1) arbitrators are fair in resolving labor disputes; and (2) the AC resolves disputes for both parties. While clients most likely chose these two reasons, non-clients held more variation within their responses as many (33%) indicated other reasons not included within the predefined statements. Disaggregated information, among organizational types, shows that union federations were more likely (58%) to choose the third statement (i.e. arbitrators are fair in resolving labor disputes), if compared to all other statements and other respondent groups (i.e. workers' unions and employers).

As previously mentioned, employers were more apt to believe that the AC's independence, when compared to the formal court system, revolved around the fact that it resolved disputes for both parties; however, in the case of the institution's independence when compared to government institutions, employers held varied responses. This is interesting as respondents seem to perceive the AC as being more independent than other institutions (e.g. court, government) for a number of different reasons. This not only illustrates the strength of the AC's independence, as perceived by various stakeholders, but also depicts that respondents perceive other institutions as faltering in specific areas. From the answers provided (i.e. comparison of Table 3.49 and Table 3.51), it seems that employers have a larger issue with the formal court system not being able to properly resolve disputes for both parties, whereas union federations may perceive government institutions as having more capacity in resolving labor disputes fairly if compared to the court system.

Table 3. 50: Reasons why the AC is More Independent Than Other Government Institutions

No	Reasons	By Client Type		By Organization Type			Total (135)
		Client (n=54)	Non-client (n=81)	Workers' union (n=70)	Federation (n=19)	Employers (n=46)	
1	AC receives fund from international donors	6%	4%	1%	11%	9%	5%
2	Arbitrators have good knowledge on labor dispute	2%	2%	1%	0%	4%	2%
3	Arbitrators are fair in resolving labor disputes	48%	31%	34%	58%	35%	38%
4	AC resolves disputes for both parties	44%	28%	40%	26%	30%	35%
5	Other	0%	33%	23%	5%	22%	20%
7	Total	100%	100%	100%	100%	100%	100%

In order to further comprehend respondents' perceptions of the AC's independence, individuals were asked to rank its independence among a list of other institutions – i.e. comparison of the AC's independence versus the MoL, court, police, and other. The following table presents disaggregated information among clients and non-clients, which allows for a comparative analysis to be made between these two respondent groups. As can be seen from the table below (see Table 3.52), non-clients were actually slightly more likely (76%) to rank the AC as the most independent institution among those defined in the presented list. Furthermore, the MoL was among the second choice for both clients (55%) and non-clients (63%), while the court system normally ranked as third, followed by police and other, undefined options. Interestingly, although a higher proportion of individuals ranked the court system as third, it was still more likely to be ranked first over the MoL (i.e. overall, 17% of individuals would rank the court system first, as opposed to only 11% for the MoL).

**Table 3. 51: Ranking the Independence of the AC Compared to other institutions,
By Client Type (AC Client/Non-client)**

Respondents	Institution	(n)	First	Second	Third	Fourth	Total
Client	AC	97	75%	22%	3%	0%	100%
	MoL	91	12%	55%	33%	0%	100%
	Court	82	17%	23%	50%	10%	100%
	Police	69	1%	4%	6%	88%	100%
	Other	4	25%	0%	25%	50%	100%
Non client	AC	157	76%	15%	8%	2%	100%
	MoL	152	11%	63%	27%	0%	100%
	Court	143	17%	21%	57%	4%	100%
	Police	125	2%	2%	6%	90%	100%
	Other	25	28%	4%	0%	68%	100%
Total	AC	254	76%	17%	6%	1%	100%
	MoL	243	11%	60%	29%	0%	100%
	Court	225	17%	22%	55%	6%	100%
	Police	194	2%	3%	6%	89%	100%
	Other	29	28%	3%	3%	66%	100%

The same question, as presented above (see Table 3.52), was then disaggregated according to organizational type, in order to further understand how certain stakeholders measured the AC's independence in comparison with other institutions. Similar to the previous information, the AC was ranked first among all respondent groups; however, union federations (90%) were far more likely to rank the institution as so, if compared to workers' unions (75%) and employers (72%). The trend noted previously also held true among this disaggregation, with the MoL ranked as second, for the most part, and being followed by the court system, police and others, respectively. Employers' representatives (21%) seemed to place more faith within the court system, as these individuals were more likely to rank this institution as first.

**Table 3. 52: Ranking the Independence of the AC Compared to Other Institutions,
By Organization Types**

Respondents	Institutions	(n)	First	Second	Third	Fourth	Total
Workers' union	AC	120	75%	23%	3%	0%	100%
	MoL	113	13%	55%	32%	0%	100%
	Court	105	16%	22%	58%	4%	100%
	Police	86	0%	2%	6%	92%	100%
	Other	7	43%	14%	14%	29%	100%
Federation	AC	30	90%	10%	0%	0%	100%
	MoL	25	12%	64%	24%	0%	100%
	Court	19	5%	26%	32%	37%	100%
	Police	19	0%	5%	26%	68%	100%
	Other	1	0%	0%	0%	100%	100%
Employer	AC	104	72%	13%	12%	3%	100%
	MoL	105	9%	64%	28%	0%	100%
	Court	101	21%	21%	55%	3%	100%
	Police	89	3%	3%	2%	91%	100%
	Other	21	24%	0%	0%	76%	100%
Total	AC	254	76%	17%	6%	1%	100%
	MoL	243	11%	60%	29%	0%	100%
	Court	225	17%	22%	55%	6%	100%
	Police	194	2%	3%	6%	89%	100%
	Other	29	28%	3%	3%	66%	100%

Respondents were then asked to specify the reasons why they perceived the AC to be more independent than the court system, from a predefined list of options (as noted below, see Table (3.53). The following list was disaggregated by client type, and shows that both clients and non-clients held higher proportions concerning the AC's independence when compared to the formal court system. Non-clients, generally, held a lower proportion of individuals noting positive responses. While clients were more likely to state that the AC was much easier to access than the court system (91%), as opposed to other answers, non-clients (84%) were more likely to confirm their thoughts that hearings held at the AC would save time and followed a faster process. Non-clients were not assessed on one option (i.e. easy to access), as it would be difficult for this group to evaluate this statement.

**Table 3. 53: Reasons Contributing to Independence of AC as Compared to Courts,
By Client Types (AC Client/Non-client)**

Respondents	Items	(n)	AC as Compared to Court			Total
			Lower	Same	Higher	
Client	Easy to access	95	3%	6%	91%	100%
	Independent from other parties	93	6%	11%	83%	100%
	Effective in resolving disputes	91	14%	10%	76%	100%
	Trustworthy in dispute resolution	90	4%	9%	87%	100%
	Transparent work	90	7%	9%	84%	100%
	Saves time and fast process	95	6%	5%	88%	100%
Non-client	Easy to access (N/A)					
	Independent from other parties	133	15%	18%	67%	100%
	Effective to resolve the dispute	130	17%	18%	65%	100%
	Trustworthy in dispute resolution	135	7%	22%	70%	100%
	Transparent work	135	8%	19%	73%	100%
	Save time and fast process	132	4%	12%	84%	100%
Total	Easy to access	95	3%	6%	91%	100%
	Independent from other parties	226	12%	15%	73%	100%
	Effective to resolve the dispute	154	16%	14%	70%	100%
	Trustworthy in dispute resolution	225	6%	17%	77%	100%
	Transparent work	225	8%	15%	77%	100%
	Save time and fast process	227	5%	9%	86%	100%

Data was then disaggregated according to organizational type, as it was important to note how certain stakeholders perceived the AC's independence compared to the formal court system. As with the previous disaggregated table for these respondent groups (see Table 3.54), union federations generally held a greater proportion of individuals noting positive responses (i.e. 'Higher'). Notably, an adequate proportion (25%) of union federation representatives noted negative answers (i.e. 'Lower') concerning the AC's effectiveness in resolving disputes, if compared to the court. This is interesting as union federations tended to have the highest proportion of representatives noting awareness and understanding of the AC and the LAP; however, it seems that select group of individuals are still not highly satisfied with the effectiveness of the court. Among all aggregated data, this option held the lowest proportion (70%) while the ease in accessing the AC's services were cited most (91%).

Table 3. 54: Reasons Contributing to the Independence of AC as Compared to Courts, By Organization Types

Respondents	Items	(n)	AC as Compared to Court			Total
			Lower	Same	Higher	
Workers' union	Easy to access	51	4%	6%	90%	100%
	Independent from other parties	108	15%	13%	72%	100%
	Effective to resolve the dispute	108	14%	10%	76%	100%
	Trustworthy in dispute resolution	110	7%	14%	79%	100%
	Transparent work	112	8%	13%	79%	100%
	Save time and fast process	110	5%	10%	85%	100%
Federation	Easy to access	21	0%	5%	95%	100%
	Independent from other parties	31	6%	0%	94%	100%
	Effective to resolve the dispute	28	25%	4%	71%	100%
	Trustworthy in dispute resolution	29	0%	7%	93%	100%
	Transparent work	27	0%	0%	100%	100%
	Save time and fast process	29	7%	0%	93%	100%
Employer	Easy to access	23	4%	9%	87%	100%
	Independent from other parties	87	9%	23%	68%	100%
	Effective to resolve the dispute	85	15%	24%	61%	100%
	Trustworthy in dispute resolution	86	7%	24%	69%	100%
	Transparent work	86	9%	22%	69%	100%
	Save time and fast process	88	3%	11%	85%	100%
Total	Easy to access	95	3%	6%	91%	100%
	Independent from other parties	226	12%	15%	73%	100%
	Effective to resolve the dispute	221	16%	14%	70%	100%
	Trustworthy in dispute resolution	225	6%	17%	77%	100%
	Transparent work	225	8%	15%	77%	100%
	Save time and fast process	227	5%	9%	86%	100%

3.3.2 Credibility of AC

The following section provides a descriptive analysis of how workers' and employers' representatives perceived the credibility of the AC. Respondents' perceptions were assessed by asking questions related to: trust in the AC's decision making, based upon facts, argument and relevant laws; agreement on the level of transparency at the AC; and arbitrators' skills in LDR.

Respondents were first asked to state their agreement on whether the AC bases its decisions upon facts, arguments and relevant laws. According to both clients (97%) and non-clients (97%), respondents perceived that the decision-making process during LDR were factually based and focused on parties' arguments and relevant laws. Additionally, respondents – by organization type – also held high proportions of positive responses (i.e. 'Yes) in regards to this statement.

Table 3. 55: Whether the AC's Decisions were Based upon Facts/ Arguments/ Relevant laws

Types of Respondents	Respondents	Yes (%)	No (%)
By Client Type	Client (n=99)	97%	3%
	Non-client (n=134)	97%	3%
	Total (n=233)	97%	3%
By Organization Type	Worker Union (n=117)	95%	5%
	Federation (n=31)	100%	0%
	Employer (n=85)	99%	1%
	Total (n=233)	97%	3%

Respondents were then asked to rank their level of agreement with a series of statements, regarding the AC's credibility as an institution. In total, eight variables were included within this assessment, however, non-clients were only asked to answer three questions as they would not be able to judge certain aspects of the AC's credibility – since certain questions pertained to service provision (i.e. clients would only be able to assess the institution's service provision).

Among clients, answers were mainly centered on the three highest agreement levels – i.e. neutral (neither agree nor disagree), agree, and strongly agree. For the most part, majorities were not

present as answers varied across all categories, although the largest proportions all fell within the category of ‘agree’. Client did, however, reach a majority for two statements – (1) Arbitrators treat parties with dignity and respect (54%); and, (2) arbitrators are highly knowledgeable about labor law (54%). Furthermore, clients were least less likely (41%) to agree with the first statement, declaring that the “AC is trustworthy in resolving labor disputes”. This is quite interesting, though, as a strong majority of clients (87%) previously mentioned that the AC was more trustworthy than the court system, in handling labor disputes (see Table 3.54). Although clients may consider the AC to be more independent than the court system, especially regarding its trustworthiness in handling labor disputes, they do not seem highly satisfied with the institution’s credibility regarding the same aspect. Additionally, non-clients’ answers held greater proportions, although not majorities, within the ‘neutral’ category of agreement.

Table 3. 56: Respondents’ Level of Agreement to Statements Related to the AC’s Credibility, By Client Types (AC client/non-client)

Type of Respondents	Items	(n)	Strongly disagree	Disagree	Neutral	Agree	Strongly Agree	Total
Client	AC is trustworthy in resolving labor disputes	99	1%	4%	37%	41%	16%	100%
	AC is accountable for their duty and perform them with integrity	98	0%	3%	39%	47%	11%	100%
	AC's decision making is fair	98	1%	10%	22%	46%	20%	100%
	Arbitration process is transparent	97	0	7%	28%	47%	18%	100%
	AC is a credible institution	99	1%	9%	28%	45%	16%	100%
	Arbitrators treat parties with dignity and respect	98	1%	3%	26%	54%	16%	100%
	Arbitrators are highly knowledgeable about labor laws	97	1%	2%	24%	54%	20%	100%
	Arbitrators have good skills in labor dispute resolution	99	2%	3%	24%	47%	23%	100%
Non-client	AC is trustworthy in resolving labor disputes	154	2%	3%	50%	36%	9%	100%
	AC is accountable for their duty and perform them with integrity	149	1%	2%	47%	42%	9%	100%
	AC is a credible institution	149	0%	1%	49%	38%	11%	100%
Total	AC is trustworthy in resolving labor disputes	253	2%	3%	45%	38%	12%	100%
	AC is accountable for their duty and perform them with integrity	247	0%	2%	44%	44%	10%	100%

	AC's decision making is fair	98	1%	10%	22%	46%	20%	100%
	Arbitration process is transparent	97	0	7%	28%	47%	18%	100%
	AC is a credible institution	248	0%	4%	41%	41%	13%	100%
	Arbitrators treat parties with dignity and respect	98	1%	3%	26%	54%	16%	100%
	Arbitrators are highly knowledgeable about labor laws	97	1%	2%	24%	54%	20%	100%
	Arbitrators have good skills in labor dispute resolution	99	2%	3%	24%	47%	23%	100%

As previously done, answers were then disaggregated by organizational type in order to understand the perceptions of various stakeholder groups. Interestingly, the answers provided by each respondent group were highly variable compared to their counterparts. For example, while a majority of workers' union representatives (61%) agreed that "arbitrators are knowledgeable about labor laws" (see statement 7, Table 3.58), fewer union federation representatives (35%) fell within this same category, as the former group held a higher proportion of individuals strongly agreeing with this statement. Moreover, the answers provided by union federation representatives seemed to be more evenly distributed among the three highest agreement levels – i.e. neutral (neither agreed nor disagree), agree, and strongly agree – whereas workers' union and employers' representatives held majorities which agreed (i.e. 'Agree', fourth highest level) with a series of statements.

Table 3. 57: Respondents' Level of Agreement to the Statements Related to the AC's Credibility, by Types of Organization

Types of Respondents	Items	(n)	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
Workers' union	AC is a trustworthy in resolving the labor dispute	123	2%	4%	42%	44%	8%	100%
	AC is accountable for their duty and perform them with integrity	119	0%	4%	40%	47%	8%	100%
	AC's decision making is fair	51	0%	16%	24%	47%	14%	100%
	Arbitration process is transparent	50	0%	12%	28%	50%	10%	100%
	AC is a credit institution	122	1%	7%	37%	43%	11%	100%
	Arbitrators treat parties with dignity and respect	52	2%	6%	27%	58%	8%	100%
	Arbitrators are highly knowledgeable about labor laws	51	2%	4%	22%	61%	12%	100%
	Arbitrators have good skills in	52	2%	4%	25%	56%	13%	100%

	labor dispute resolution							
Federation	AC is a trustworthy in resolving the labor dispute	31	0%	0%	39%	29%	32%	100%
	AC is accountable for their duty and perform them with integrity	31	0%	0%	35%	42%	23%	100%
	AC's decision making is fair	23	4%	0%	22%	35%	39%	100%
	Arbitration process is transparent	23	0%	0%	39%	30%	30%	100%
	AC is a credit institution	30	0%	0%	33%	33%	33%	100%
	Arbitrators treat parties with dignity and respect	22	0%	0%	27%	41%	32%	100%
	Arbitrators are highly knowledgeable about labor laws	23	0%	0%	26%	35%	39%	100%
	Arbitrators have good skills in labor dispute resolution	23	4%	0%	22%	35%	39%	100%
Employers	AC is a trustworthy in resolving the labor dispute	99	2%	3%	51%	34%	10%	100%
	AC is accountable for their duty and perform them with integrity	97	1%	1%	51%	40%	7%	100%
	AC's decision making is fair	24	0%	8%	21%	54%	17%	100%
	Arbitration process is transparent	24	0%	4%	17%	58%	21%	100%
	AC is a credit institution	96	0%	2%	48%	41%	9%	100%
	Arbitrators treat parties with dignity and respect	24	0%	0%	21%	58%	21%	100%
	Arbitrators are highly knowledgeable about labor laws	23	0%	0%	26%	57%	17%	100%
	Arbitrators have good skills in labor dispute resolution	24	0%	4%	25%	42%	29%	100%
Total	AC is a trustworthy in resolving the labor dispute	253	2%	3%	45%	38%	12%	100%
	AC is accountable for their duty and perform them with integrity	247	0%	2%	44%	44%	10%	100%
	AC's decision making is fair	98	1%	10%	22%	46%	20%	100%
	Arbitration process is transparent	97	0%	7%	28%	47%	18%	100%
	AC is a credit institution	248	0%	4%	41%	41%	13%	100%
	Arbitrators treat parties with dignity and respect	98	1%	3%	26%	54%	16%	100%
	Arbitrators are highly knowledgeable about labor laws	97	1%	2%	24%	54%	20%	100%
	Arbitrators have good skills in labor dispute resolution	99	2%	3%	24%	47%	23%	100%

3.3.3 Effectiveness of AC

In this section, respondents were asked to state their level of confidence in the AC, based on a number of criteria, such as: the fact that the AC hears disputes and issues decisions within a limited time – 15 days; AC’s decision-making based on relevant laws and evidence; the use of AC decisions in further negotiation and agreement; and the fact that labor dispute are resolved by the AC. As noted below in the tables below, a five-point scale was used in order to place a consistent rating system based upon confidence levels.

In essence, the criteria below were judge in two different ways by clients and non-clients. While clients may have judged their confidence in the AC’s effectiveness based upon previous experiences, non-clients most likely judged the AC’s effectiveness based upon their perceptions. As non-clients have not obtained the AC’s services, they would have to provide answers to the best of their knowledge, as many of the criteria are based upon specific norms and procedures with the LAP at the AC.

Among the four criteria used in gauging overall respondents’ confidence levels, clients typically held higher proportions within the fourth highest level of confidence (i.e. fair confidence) while the majority of non-clients’ responses fell within the level directly below (i.e. the mid-point or third level, ‘Fair confidence’). Interestingly, a low proportion of clients were more likely to place no confidence in the effectiveness of the AC, whereas non-clients did not hold any individuals within this category. Non-clients also felt more confidence with the first statement (i.e. ‘AC hears disputes and issues decisions within 15 days unless parties agree to extend time’) than the last statement (i.e. ‘Labor disputes are successfully solved at the AC’), as can be evidenced from the higher proportion of responses falling between ‘fair’ and ‘high’ confidence for the former option. On the other hand, clients’ were slightly more likely to feel the contrary, as proportions were a bit skewed toward more favorable responses (i.e. ‘High confidence’) for the last statement.

Table 3. 58: Respondents’ Level of Confidence in the Effectiveness of the AC Because of Various Reasons, by Client type (AC client/non-client)

Types of Respondents	Items	(n)	Level of Confidence					Total
			No confidence	Little confidence	Fair Confidence	High Confidence	Very High confidence	
Clients	AC hears disputes and issues decisions within 15 days unless parties agree to extend time	98	1%	3%	36%	51%	9%	100%
	AC provides reasons for its decisions, based on law and evidence, and make decision public and transparent	99	1%	0%	27%	55%	17%	100%
	Parties can use AC decisions in further negotiations and agreements	98	2%	0%	48%	39%	11%	100%
	Labor disputes are successfully resolved by AC	98	1%	6%	35%	45%	13%	100%
Non-Clients	AC hears disputes and issues decisions within 15 days unless parties agree to extend time	127	0%	3%	50%	38%	9%	100%
	AC provides reasons for its decisions, based on law and evidence, and make decision public and transparent	148	0%	1%	51%	40%	8%	100%
	Parties can use AC decisions in further negotiations and agreements	145	0%	1%	57%	36%	6%	100%
	Labor disputes are successfully resolved by AC	143	0%	3%	59%	31%	6%	100%
Total	AC hears disputes and issues decisions within 15 days unless parties agree to extend time	225	0%	3%	44%	44%	9%	100%
	AC provides reasons for its decisions, based on law and evidence, and make decision public and transparent	247	0%	0%	42%	46%	12%	100%
	Parties can use AC decisions in further negotiations and agreements	243	1%	0%	53%	37%	8%	100%
	Labor disputes are successfully resolved by AC	241	0%	4%	49%	37%	9%	100%

Using the same criteria, data was then disaggregated by organizational type in order to understand the various confidence levels felt by different stakeholder groups. Interestingly, data for this table was more varied among each of the respondent groups. Obvious trends were apparent for workers’ union and employers’ representatives, while union federations held the most variation within confidence levels. Among workers’ union representatives, confidence levels were more evenly distributed between ‘fair’ and ‘high’ confidence levels, while the majority of employers’ representatives seemed to only feel ‘reasonable confidence for all criteria. Union federations, in

contrast, did not seem to follow a trend; however, as this group seemed to be best informed of the AC and the LAP, their answers may be based more upon actual experiences with the AC. As can be seen from this group’s responses, a majority (52%) felt ‘high’ confidence levels concerning the first statement (i.e. ‘AC hears disputes and issues decisions within 15 days...’), but an even larger majority (60%) only confirmed a ‘fair’ level of confidence in the third statement (i.e. Parties can use AC decisions in further negotiations and agreements). Additionally, union federations were also more likely (52%) to only feel a ‘fair’ level of confidence in the last statement (i.e. “Labor disputes are successfully resolved by AC”), if compared to other criteria and workers’ union representatives.

Table 3. 59: Respondents’ Level of Confidence in the Effectiveness of the AC Because of Various Reasons, by Types of Organization

Types of Respondents	Items	(n)	Level of Confidence					Total
			No confidence	Little confidence	Fair Confidence	High Confidence	Very High confidence	
Workers’ Union	AC hears disputes and issues decisions within 15 days unless parties agree to extend time	111	1%	4%	42%	41%	12%	100%
	AC provides reasons for its decisions, based on law and evidence, and make decision public and transparent	121	1%	0%	37%	48%	14%	100%
	Parties can use AC decisions in further negotiations and agreements	118	1%	1%	47%	41%	10%	100%
	Labor disputes are successfully resolved by AC	115	1%	7%	44%	37%	10%	100%
Federation	AC hears disputes and issues decisions within 15 days unless parties agree to extend time	31	0%	6%	29%	52%	13%	100%
	AC provides reasons for its decisions, based on law and evidence, and make decision public and transparent	30	0%	0%	33%	43%	23%	100%
	Parties can use AC decisions in further negotiations and agreements	30	3%	0%	60%	20%	17%	100%
	Labor disputes are successfully resolved by AC	31	0%	3%	52%	29%	16%	100%
Employers’ Representatives	AC hears disputes and issues decisions within 15 days unless parties agree to extend time	83	0%	1%	52%	43%	4%	100%
	AC provides reasons for its decisions, based on law and evidence, and make decision public	96	0%	1%	50%	44%	5%	100%

	and transparent							
	Parties can use AC decisions in further negotiations and agreements	95	0%	0%	59%	38%	3%	100%
	Labor disputes are successfully resolved by AC	95	0%	1%	55%	39%	5%	100%
Total	AC hears disputes and issues decisions within 15 days unless parties agree to extend time	225	0%	3%	44%	44%	9%	100%
	AC provides reasons for its decisions, based on law and evidence, and make decision public and transparent	247	0%	0%	42%	46%	12%	100%
	Parties can use AC decisions in further negotiations and agreements	243	1%	0%	53%	37%	8%	100%
	Labor disputes are successfully resolved by AC	241	0%	4%	49%	37%	9%	100%

3.4 RESPONDENTS' PERCEPTIONS OF THE INSTITUTIONAL CAPACITY OF THE AC TO UNDERTAKE LDR

The following section aims to understand respondents' perceptions as to whether they feel the AC is capable in undertaking LDR. Thus, clients of the AC were observed under this section, as direct experience would be needed in order to evaluate this facet of the institution.

To first assess respondents' perceptions, regarding the AC's capacity to undertake LDR, they were asked whether they felt arbitrators held adequate knowledge of Cambodian industries. Interestingly, employers' representatives were more likely (89%) to feel that arbitrators held adequate knowledge of industries, while union federation representatives were least likely (85%). Nonetheless, a strong majority of all respondents (92%) confirmed that they perceived arbitrators as having a good knowledge of Cambodian industries.

Table 3. 60: Respondents' Perceptions of the Arbitrators' Knowledge of Cambodian Industries

No	Types of Respondents	Yes (%)	No (%)	Total (%)
1	Workers' union (n=48)	96%	4%	100%
2	Federations (n=20)	85%	15%	100%
3	Employers (n=19)	89%	11%	100%
4	Total (n=87)	92%	8%	100%

Clients were then asked to assess their level of agreement to a number of statements, regarding the capacity of the AC in undertaking LDR; responses were then disaggregated by the organization to which the individual belonged. Among all respondents, agreement levels normally fell within the second highest range (i.e. 'Agree'), as a majority of individuals could be found providing such answers. Additionally, a higher proportion of representatives from workers' unions and employers seemed more likely to 'agree' with statements. Representatives from union federations held varied answers, as they seemed more likely to 'strongly agree' to statements, if compared to other respondent groups. Workers' union representatives were the only group which 'strongly disagreed' with any statement, as a small proportion (2%) of individuals felt that hearings did not have clear rules nor were they professionally managed; nonetheless, a strong majority (71%) from this group placed a high levels of agreement on this statement (i.e. 'Agree').

Table 3. 61: AC Clients’ Level of Agreement to the Statements Related to the Capacity of AC, By Types of Organization

Type of Respondents	Items	(n)	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	Total
Workers’ union	Arbitrators have good knowledge of labor law and regulation	53	0%	0%	28%	60%	11%	100%
	Arbitrators have good labor dispute resolution skills	53	0%	0%	19%	66%	15%	100%
	Hearings have clear rules and are professionally managed	51	2%	2%	20%	71%	6%	100%
	Arbitrators provide clear explanation to parties about procedures for arbitration	53	0%	0%	26%	64%	9%	100%
	Arbitrators give both parties opportunities to speak their arguments and present relevant documents	53	0%	0%	23%	62%	15%	100%
	Decisions of the AC are clearly written and understandable	53	0%	0%	25%	57%	19%	100%
Federation	Arbitrators have good knowledge of labor law and regulation	23	0%	0%	30%	52%	17%	100%
	Arbitrators have good labor dispute resolution skills	23	0%	4%	30%	48%	17%	100%
	Hearings have clear rules and are professionally managed	23	0%	0%	22%	48%	30%	100%
	Arbitrators provide clear explanation to parties about procedures for arbitration	23	0%	0%	13%	61%	26%	100%
	Arbitrators give both parties opportunities to speak their arguments and present relevant documents	23	0%	0%	9%	61%	30%	100%
	Decisions of the AC are clearly written and understandable	23	0%	0%	26%	61%	13%	100%
Employers	Arbitrators have good knowledge of labor law and regulation	24	0%	0%	21%	71%	8%	100%
	Arbitrators have good labor dispute resolution skills	24	0%	4%	33%	54%	8%	100%
	Hearings have clear rules and are professionally managed	24	0%	0%	21%	63%	17%	100%
	Arbitrators provide clear explanation to parties about procedures for arbitration	24	0%	0%	17%	67%	17%	100%
	Arbitrators give both parties opportunities to speak their arguments and present relevant documents	24	0%	0%	8%	71%	21%	100%
	Decisions of the AC are clearly written and understandable	24	0%	0%	8%	75%	17%	100%
Total	Arbitrators have good knowledge of labor law and regulation	100	0%	0%	27%	61%	12%	100%

Arbitrators have good labor dispute resolution skills	100	0%	2%	25%	59%	14%	100%
Hearings have clear rules and are professionally managed	98	1%	1%	20%	63%	14%	100%
Arbitrators provide clear explanation to parties about procedures for arbitration	100	0%	0%	21%	64%	15%	100%
Arbitrators give both parties opportunities to speak their arguments and present relevant documents	100	0%	0%	16%	64%	20%	100%
Decisions of the AC are clearly written and understandable	100	0%	0%	21%	62%	17%	100%

3.5 RESPONDENTS' PERCEPTIONS OF THE AC'S SERVICES AND THEIR BEHAVIORAL INTENTION TO SEEK FUTURE AC SERVICES

All respondents were asked of their perceptions on the services offered by the AC. Then, based upon clients' experiences with the AC, it was sought to understand this group's perceptions of the actual services received, and also any future intention to demand these services in the future.

3.5.1 Respondents' Perceptions of the AC's Services

This following sub-section is related to respondents' perceptions of the AC's services, based upon a number of factors, such as: accessibility of the AC; user-friendliness of, and ease-of-access to, the AC; and the availability of information related to the AC.

Respondents were first asked to note their perceptions on whether information about the AC's LDR stages were easily accessible (i.e. respondents were asked whether they agreed with the following statement, by answering either 'Yes'/'No'). Clients, who had already received the services of the AC, were more likely (93%) to perceive that information was accessible, whereas a smaller proportion of non-clients felt the same. After disaggregating the data by organizational type, the usual trend found within other questions held true, with union federation representatives (90%) providing more agreeable responses to the statement, while employers' representatives (70%) were least likely to respond positively when compared to their counterparts.

Through the findings, it was usually shown that non-clients held lower awareness levels of the AC and the LAP; thus, it seems that a number of these individuals (30%) perceive that information about the AC's LDR stages are not easily accessible. For some reason, these individuals may be interested in attaining information regarding the AC's LDR stages; however, they feel that this information is not been readily available. This may hold true for a number of reasons, such as the unfamiliarity of non-clients with certain sources provided by the AC, such as informational booklets and the institution's website, and training sessions.

Table 3. 62: Respondents' Perception on the Accessibility of Information About the AC's LDR Stages

Types of Respondents	AC's LDR Stages are Easy to Access	Yes (%)	No (%)	Total (%)
By Client Type	Clients (n=87)	93%	7%	100%
	Non-clients (n=180)	70%	30%	100%
	Total (n=267)	78%	22 %	100%
By Organization Type	Workers' Union (n=116)	81%	18%	100%
	Federation (n=30)	90%	10%	100%
	Employers (n=121)	70%	30%	100%
	Total (n=267)	78%	22%	100%

Among the services provided by the AC, conciliation is offered ten to fifteen minutes prior to the hearing of cases. In order to understand clients' awareness and perception levels of this service, two questions were asked accordingly; data was then disaggregated by organizational type to offer a comparative analysis among stakeholder groups.

A majority of clients seemed to be aware of the conciliation process prior to the start of hearings, although slight differences were noted among respondents from various organizations. While union federation representatives were all aware of this process, less than three-quarters of workers' union representatives could note the same (74%). Among those familiar with the conciliation process at the AC, questions were then asked regarding their perceptions on the effectiveness of this service. Once again, union federation representatives (91%) were more likely to perceive the services of the AC in a better light, whereas workers' union (81%) and employers' (80%) representatives held similar proportions in regards to this question.

Table 3. 63: Clients' Awareness and Perception Levels on the Effectiveness of Conciliation at the AC, Prior to Hearings

No	Type of Respondents	Yes (%)	No (%)	Total (%)
Awareness of the Conciliation at AC Prior to the Hearing				
1	Workers' Union (n=43)	74%	26%	100%
2	Federation (n=23)	100%	0%	100%
3	Employers (n=21)	95%	5%	100%
4	Total (n=87)	86%	14%	100%
Perception on Effectiveness of the Conciliation at AC				
1	Workers' Union (n=32)	81%	19%	100%
2	Federation (n=23)	91%	9%	100%
3	Employers (n=20)	80%	20%	100%
4	Total (n=75)	84%	16%	100%

In order to provide qualified conciliation services to disputing parties, the AC organizes an arbitral panel to solve cases, while labor arbitration services are also offered. The AC's clients, who hold experience with the LAP at the AC, were then asked to identify their perception regarding the percentage of disputes which they thought could be solved through the processes of conciliation or labor arbitration, at the AC. A majority of the AC's clients (57%), in all respondent groups, stated that 80% of disputes could be solved through the LAP at the AC. When asked of the percentage of cases which could be solved through conciliation, responses seemed to vary across a number of categories, although the largest proportion (33%) believed that 80% of cases could also be solved through this process. Thus, it seems that clients are more confident that the LAP is more effective in solving cases than conciliation.

From the disaggregated information among organizational types, all respondents held a majority (i.e. ranging from 64—68%) which thought that 80—100% of disputes could be solved through the process of labor arbitration. As previously mentioned, data was more variable when clients were asked to consider the process of conciliation and its effectiveness. Union federations (43%) held the highest proportion of individuals which perceived that 80% of disputes could be solved through conciliation, although none of the respondents from this group believed all disputes could be solved in this manner. Interestingly, none of the respondents thought that labor arbitration would amount to an absence of cases being resolved (i.e. 0% of cases being solved), whereas a

small proportion of workers' union (2%) and union federation (4%) representatives felt this way when asked of the conciliation process. Respondents may feel that the conciliation process is less effective as they may be seeking the services of the AC in order to resolve disputes where conciliation has already occurred, internally within the workplace. Additionally, conciliation may be seen as less effective than labor arbitration, as it does not hold legal standing.

Table 3. 64: Respondents' Perception on the Percentage of Disputes Thought to be Solved by Conciliation and Labor Arbitration at the AC

No	% of disputes to be solved	To be Solved by Conciliation at AC				To be Solved by Labor Arbitration at AC			
		Worker Union (n=43)	Federation (n=23)	Employer (n=21)	Total (n=87)	Worker Union (n=42)	Federation (n=23)	Employer (n=21)	Total (n=86)
1	0%	2%	4%	0%	2%	0%	0%	0%	0%
2	20%	9%	30%	19%	17%	2%	4%	0%	2%
3	40%	7%	9%	5%	7%	5%	4%	4%	5%
4	50%	28%	9%	29%	23%	14%	22%	14%	16%
5	60%	16%	4%	14%	13%	10%	4%	14%	9%
6	80%	30%	43%	29%	33%	55%	57%	62%	57%
7	100%	7%	0%	5%	5%	14%	9%	5%	10%
8	Total	100%	100%	100%	100%	100%	100%	100 %	100 %

Respondents' perceptions were then assessed regarding the effectiveness of the later stages of the LAP, especially concerning the arbitral award. In order to do so, respondents were asked to state their perceptions regarding the percentage of agreements reached by disputing parties using the arbitral award as reference for dispute resolution. As noted within the table below (see Table 3.65), a larger proportion of union federation (35%) and employers (43%) representatives perceived that 80% of agreements could be reached in this manner, whereas the largest proportion of workers' union representatives (36%) only noted that 50% could be reached. On the other hand, workers' union representatives (17%) were also more likely to perceive that 100% of disputes could be reached, if compared to other respondent groups. Respondents' perceptions of arbitral awards may be related to past experiences, and whether they held direct experience with binding or non-binding awards; thus, perceptions may have varied due to personal familiarity with the process of seeking agreements through arbitral awards.

Table 3. 65: Respondents' Perception on the Percentage of Agreements Reached by Disputing Parties Using Arbitral Awards as a Reference for Dispute Resolution

No	% of Agreements Reached by Each Party, Using Arbitral Awards	Type of Respondents			
		Worker Union (n=42)	Federation (n=23)	Employers (n=21)	Total (n=86)
1	0%	7%	4%	10%	7%
2	20%	5%	9%	0%	5%
3	40%	0%	4%	5%	2%
4	50%	36%	26%	14%	28%
5	60%	14%	17%	19%	16%
6	80%	21%	35%	43%	30%
7	100%	17%	4%	10%	12%
8	Total	100%	100%	100%	100%

3.5.2 Respondents' Behavioral Intention towards the AC's Services

Respondents' intentions, regarding the possibility of seeking the AC's services in the future were then assessed, in order to understand whether various groups (i.e. by client and organizational type) were more likely to demand the services of the institution in the future, and the reasons behind these motivations.

Interestingly, among the responses provided, it was found that clients (54%) were less likely to be interested in paying for the AC's services in the future, if compared to non-clients (70%). Although a majority from both groups was interested in paying for these services in the future, AC's clients may not be willing to do so especially as they have already obtained these services free-of-charge. Additionally, as more employers' representatives were included within the list of non-client respondents, these individuals may have the necessary means in paying for such services as opposed to workers' unions and union federations, which usually operate from membership fees. A great majority of both clients and non-clients were recorded as responding positively to all other statements, as can be seen from the table below. Additionally, a greater majority of non-clients (98%) were interested in directly accessing the services of the AC in the future, if compared to clients (93%).

Table 3. 66: Behavioral Intention of Respondents towards the AC's Services in the Future, by Client Type (AC Client/Non client)

No	Behavioral Intention	Response Rate					
		Client		Non-client		Total	
		n ^(*)	%	n ^(*)	%	n ^(*)	%
1	Those who wish to pay for the services in the future	99	54%	179	70%	278	64%
2	Those who wish to use AC services in LDR in the future	98	94%	179	90%	277	92%
3	Those who wish to recommend AC to others	100	92%	167	96%	267	94%
4	Those who wish to contact AC directly	99	93%	165	98%	264	96%

(*)Total number of respondents

After data was disaggregated by organization, it was noted that employers (69%) were more willing to pay for the AC's services in the future, as opposed to workers' unions (62%) or union federations (55%). Although employers were more likely to pay for these future services, they (89%) were actually less likely, when compared to other respondents groups, to see a potential demand for LDR in the future. Nonetheless, all respondents (92%) noted a high proportion of representatives interested in attaining the AC's services in the future. Furthermore, employers' representatives (98%) also expressed a higher interest in directly contacting the AC in the future. The high interest among this group, in directly accessing these services, may indicate that organizations are willing to incorporate specific clauses within their CBAs, granting such access to the AC in the future.

Table 3. 67: Behavioral Intention of Respondents towards the AC's Services in the Future, by Types of Organization

No	Behavioral Intention	Response Rate							
		Workers' Union		Federation		Employers		Total	
		n ^(*)	%	n ^(*)	%	n ^(*)	%	n ^(*)	%
1	Those who wish to pay for the services in the future	126	62%	31	55%	121	69%	278	64%
2	Those who wish to use AC services in LDR in the future	125	93%	31	97%	121	89%	277	92%
3	Those who wish to recommend AC to others	125	94%	31	90%	111	95%	267	94%
4	Those who wish to contact AC directly	124	94%	31	97%	109	98%	264	96%

(*)Total number of respondents

The last question involved the respondents’ recommendations for the improvement of the AC’s services, which for a better understanding of clients’ and potential users’ needs and demands. Interestingly, respondents were most interested (53%) in the improvement of the AC’s “accountability, transparency, honesty, independence, and effectiveness” (i.e. see option 6th, Table 3.68). This recommendation can be seen as being in line with the lack of awareness and understanding that many respondents held of the AC and of the LAP. Thus, it seems that respondents are actually willing to learn about the institution and the process of labor arbitration. Additionally, both clients (14%) and non-clients (19%) were also interested in having the scope of the AC’s services widened. Most recommendations held similar proportions of both respondent groups, although it seems that clients (12%) were more interested in speeding the process of award issuance, whereas non-clients mentioned opening courses to both employers and workers (13%).

**Table 3. 68: Recommendations to Improve the AC’s Services,
By Client type (AC Client/Non-client)**

No	Recommendations to improve AC services	Type of Respondents		
		Client (n=66)	Non-client (n=139)	Total (n=205)
1	Widen the service at AC	14%	19%	18%
2	Enhance capacity and knowledge on labor law to arbitrators	5%	6%	6%
3	Strengthen more service of AC	5%	5%	5%
4	Speed up the time for issuing the award	12%	4%	7%
5	Open training courses to employers and workers	2%	13%	9%
6	Improve accountability, transparency, honesty, independence and effectiveness	62%	48%	53%
7	Omit binding or non-binding award	2%	4%	3%

Among organizations, workers’ unions (62%) held the greatest proportion of respondents interested in the improvement of the AC’s “accountability, transparency, honesty, independence and effectiveness”, which is interesting as these individuals often held the lowest levels of awareness and understanding concerning the AC and the LAP. As previously mentioned, those with less understanding may actually be willing to learn more about the AC and the LAP; thus, there seems to be an opportunity for the AC to offer more training courses, to assist in building the capacity of those within workers’ unions. Additionally, employers’ representatives (12%)

seemed interested in the attainment of such training courses. If training sessions were provided by the AC, to both workers' unions and employers' representatives, individuals would be aware of the same facets of the LAP; in turn, potentially leading to better collaboration and more understanding between parties during the process of dispute resolution. There seems to be a general interest among all respondents (18%) concerning the expansion of the AC's line of services. Interestingly, union federation respondents (15%) were not only interested in speeding the process of award issuance, but were also interested in omitting the option of choosing binding or non-binding awards. These two factors may be related, as opposing parties may prolong the process of issuing awards if the decision was non-binding.

Table 3. 69: Recommendations to Improve AC Services, by Organization Type

No	Recommendations to improve AC services	Type of Respondents			
		Workers' Union (n=85)	Federation (n=27)	Employers (n=99)	Total (n=205)
1	Widen the service at AC	14%	19%	20%	18%
2	Enhance capacity and knowledge on labor law to arbitrators	2%	15%	6%	6%
3	Strengthen more service of AC	2%	0%	9%	5%
4	Speed up the time for issuing the award	7%	15%	4%	7%
5	Open training courses to employers and workers	8%	4%	12%	9%
6	Improve accountability, transparency, honesty, independence and effectiveness	62%	37%	48%	53%
7	Omit binding or non-binding award	4%	11%	0%	3%

3.6 SPECIFIC INDICATORS MEASURING THE OBJECTIVES OF THE AC

The following section contributes to the analysis of the main indicators which measure the objectives of the study. Many indicators were computed on a standard *Likert* scale, from 1 (i.e. “very poor awareness”, “very poor understanding”, or “very low confidence”) to 5 (i.e. “very good awareness”, “very good understanding” or “very high confidence”). To maximize the accuracy of indicator measurement, the variables used to measure each indicator were selected upon consultation with ACF.

3.6.1 Level of Awareness of AC among Employer and Worker Representatives

To gain insight on how well respondents are aware of the AC, the report included indicators measuring this level of awareness, based on variables that mainly reflect on the respondents’ knowledge of AC, especially concerning the status and role of the AC. Such variables and their respective scores include:

- *First variable*, awareness of the AC as an independent institution (see questionnaire item number 1.5 of AC-client questionnaire): In this case, this variable was given a score of 1, if respondents chose the correct answer (i.e. “AC is an independent institution”). Otherwise, a score of 0 was applied if respondents chose other answer.
- *Second variable*, awareness of the AC as a Cambodian body (see questionnaire item number 1.6 of AC-client questionnaire): This variable was given a score of 1, if respondents chose the correct answer (i.e. “AC is a Cambodian body”). Otherwise, a score of 0 was applied if respondents chose other answer.
- *Third variable*, awareness of role of the AC (see questionnaire item number 1.7 of AC-client questionnaire): In this case, all roles mentioned under question 1.7 were relevant, except one option (i.e. “teach about law”). This variable was measured from 1 (“very poor awareness of the role of the AC”) to 5 (“very good awareness of the role of the AC”). The main role of the AC (i.e. “providing labor dispute resolution”) was given a weight of 75%, while the sum of the remaining five correct roles (i.e. secondary roles) was given a weight of 25%. The variable was valid if respondents chose the most relevant answer (i.e. “labor dispute resolution”) and any of the five remaining correct answers. Otherwise, a score of 0 was applied if respondents did not know any of the AC’s roles.

- *Fourth variable*, awareness of the AC as resolving collective labor disputes (see questionnaire item number 3.1 of AC-client questionnaire): This variable was given a score of 1 if the correct answer (i.e. “collective labor disputes”) was solely chosen. If the answers “individual labor dispute” or “both collective and individual labor dispute” were chosen, a score of 0 was applied.
- *Fifth variable*, awareness of the AC as providing services free of charge (see questionnaire item number 3.29 of AC-client questionnaire): this variable was given a score of 1 if the correct answer (i.e. “yes”) was chosen. Otherwise, a score of 0 was applied.

Formula for calculating awareness levels of the AC

Suppose:

- Y is the indicator measuring the awareness of the AC
- X1: first variable
- X2: second variable
- X3: third variable
- X4: fourth variable
- X5: fifth variable

$$\text{Then, } Y = \frac{(X1 + X2 + X3 + X4 + X5)}{9} \times 5$$

The indicator, “respondents’ levels of awareness of the AC”, was measured on a scale from 1 (“very poor”) to 5 (“very good”). Each level of the indicator was the sum score of the five variables listed above. Each of the five variables, except the third variable, was given a score of 1 or a score of 0, depending on the nature of the answer, as described above. To obtain a level of measurement representative of all five variables, the sum score of all variables was divided by 9 and then multiplied by 5.

If the indicator obtained a score of [0—1], the awareness of respondents was considered “very poor”, while a score of [1—2] was considered as “poor”. On the other hand, if the score for the indicator was between [2—3], [3—4] or [4—5], then awareness levels of the AC were considered to be “fair”, “good” or “very good”, respectively. The mean score of awareness levels was also computed, in order to provide insight on the average awareness level of respondents toward the AC. In order to account for outliers within the data, the median score was also calculated and

presented below.

It is noted that, in this case, only those who are aware of the AC were taken into account for the analysis of this indicators. Therefore, there 196 samples contributed to data analysis of this indicator.

The table below depicts respondents' awareness levels of the AC, among the groups of employers' representatives and unions, with information disaggregated by client type (i.e. client or non-client of the AC). The percentage of respondents, corresponding to each level of awareness, was also provided.

From the table below, it can be seen that, on average, respondents possess a fair awareness of the AC. More than 60% of respondents held either "good" or "very good" awareness levels of the AC. Typically, AC's clients tended to have a better awareness of the institution.

In addition, it is noted that respondents possessed a "fair" awareness of the AC (mean score, 2.99), on average. Additionally, a strong majority of clients held "good" or "very good" awareness levels (77%) of the AC, while fewer non-clients (39%) could be assigned to the same categories. A more obvious indicator depicting the disparity between clients' and non-clients' awareness levels were the mean scores calculated between these two groups. On average, clients held a nearly one-point advantage, regarding awareness levels of the AC, over their non-client counterparts (i.e. mean of 3.46 for clients and 2.49 for non-clients). For the most part, median scores were quite similar to the computed means, although somewhat (i.e. from 0.3—0.4) higher. Median scores fell within the same ranges for disaggregated information for both clients (3.89) and non-clients (2.71); however, the median, aggregated score presented a slightly different picture, as responses fell wholly within the level of "fair" awareness (i.e. mean score was calculated as 2.99, which could still be considered under "poor" awareness levels, if strictly assigning categories based upon the actual figure).

As noted, the difference in awareness levels, between these respondent groups, was notable; however, this disparity should be further examined. By examining this indicator, with no further reference to others, it is only apparent that respondents are much more likely to hold higher awareness levels regarding the AC, after having been provided services by the institution. After analyzing other indicators, it may be possible to attain a more comprehensive picture which explains the disproportionate awareness levels between clients and non-clients.

Table 3. 70: Level of Awareness of the AC, by Type of Client (AC Client/Non-client)

No	Level of Awareness	Client (n=100)			Non-client (n=96)			Total (n=196)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very poor	1%	3.46	3.89	16%	2.49	2.71	8%	2.99	3.33
2	Poor	16%			11%					
3	Fair	6%			33%					
4	Good	44%			33%					
5	Very good	33%			6%					
	Total	100%			100%					

The table below shows respondents' awareness levels of the AC, among employers' representatives and workers' representatives (i.e. workers' unions and union federations). Union federations tended to have the highest awareness levels among the three groups, with the slight minority (47%) obtaining the highest score (i.e. score of 5/ very good awareness). Workers' unions, on the other hand, generally possessed a nearly "fair" awareness level of the AC (i.e. mean score of 2.83), as many of these representatives did not have direct experiences with the institution; rather, indirectly learning about it through information provided by union federations.

Interestingly, employers' representatives held a higher mean score (3.01) than representatives from workers' unions (2.83). While the highest mean score (3.49) was recorded for respondents from union federations, the level of information held by these individuals did not seem to be passed along to counterparts at the local workers' union level, as can be evidenced by the latter group's lower levels of awareness. As union federations and workers' unions often collaborate with one another, it is interesting to note that these individuals did not hold nearly the same levels of awareness of the AC. More precisely, if union federations are responsible for assisting and providing information to workers' unions, then the levels of awareness for workers' union representatives should not be much lower. Thus, this may raise the question regarding the extent of collaboration between workers' unions and union federations, if based solely upon the information from this indicator. If analyzing the median score for workers' unions, it is seen that responses would be divided at a higher score (3.19), which would indicate that respondents held a "fair" level of awareness, as opposed to the "poor" level noting from the mean score (2.83). Additionally, median scores for union federation responses were actually closer to "good" awareness levels (3.89), showing that poor knowledge on the part of certain representatives (i.e. low-value outliers) may have slightly skewed this data.

Table 3. 71: Level of Awareness of the AC, by Types of Organization

No	Level of Awareness	Workers' Union (n=103)			Federation (n=30)			Employers' Representative (n=63)			Total (n=196)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very poor	11%	2.83	3.19	0%	3.49	3.89	8%	3.01	3.19	8%	2.99	3.33
2	Poor	17%			17%			8%			14%		
3	Fair	18%			10%			25%			19%		
4	Good	42%			27%			40%			39%		
5	Very good	13%			47%			19%			20%		
	Total	100%			100%			100%			100%		

3.6.2 Level of Awareness of Labor Arbitration Process among Employer and Worker Representatives

The following section provides information which was used to assess the extent that respondents were familiar with the labor arbitration process (LAP). In this case, only those who used to hear the term labor arbitration process (171 respondents) contributed to the analysis of the second indicator.

To measure this indicator, the analysis took into account five main variables, with their respective scores as follows:

- *First variable*, awareness of how labor disputes arrive to the AC (see questionnaire item 2.4 of AC-client questionnaire). This variable was given a score of 1 if the correct answer (i.e. “labor dispute gets to AC through Ministry of Labor (MoL)”) was chosen. A score of 0 was given to an incorrect answer and those stating they were “unaware”.
- *Second variable*, awareness that the AC resolves disputes within 15 days (see questionnaire item 2.5 of AC-client questionnaire). The answer was only valid if respondents chose the correct, corresponding answer (i.e. “know that AC resolves dispute within 15 days”). Valid answers were provided a score of 1, while a score of 0 was given to incorrect answers and those that were “unaware”.
- *Third variable*, awareness of correct stages for labor arbitration. This variable was given a score of 1 if respondent knew the stages for labor arbitration at the AC (see question 2.6 of questionnaire for AC-clients) and correctly identified the order of each stage (see question 2.7 of questionnaire for AC-clients).
- *Fourth variable*, awareness of who decides cases (see question 2.8 of questionnaire for

AC-clients). The variable was given a score of 1 if the correct answer (i.e. “the arbitration panel decides the case”) was chosen. All other answers were afforded a score of 0.

- *Fifth variable*, awareness of the fact that there can be objections to the decisions made by the arbitral panel (see question 2.9 of questionnaire for AC-clients). This variable was given a score of 1 if respondents provided the correct answer (i.e. “aware that the objection to arbitral panel can be made after the award was issued”). A score of 0 was given to respondents who stated otherwise.

The indicator, “level of awareness of respondents of labor arbitration process”, was measured on a scale from 1 (“very poor”) to 5 (“very good”). As five variables were used, the sum score was taken among the respondents’ answers to each level; thus, resulting in a scoring format consistent with a five-point scale. Each variable was given a score of 1 for correct answers, while a score of 0 was assigned to incorrect answers or those stating they were “unaware”. If the sum of scores from all five variables was 1, i.e. the indicator received a score of between [0—1], the respondents’ awareness was considered “very poor”. If the score was between]1—2], the awareness was considered to be “poor”. On the other hand, if the score fell as either between]2—3],]3—4] or]4—5], then the awareness of the LAP was considered to be “fair”, “good” or “very good”, respectively. The mean score of awareness levels was also computed, in order to provide a general understanding on the average awareness levels of respondents toward the LAP. In order to account for outliers within the data, the median score was also calculated and presented below.

The table below presents the awareness level of the labor arbitration process (LAP) among respondents. It also shows different levels of awareness of those who have received services of the AC (i.e. clients) and those who have not (i.e. non-clients). In general, less than 30% of total respondents had a “good” to “very good” awareness of the LAP. Clients of the AC tended to have a better understanding of this process. This may be due to direct experiences with the labor arbitration process at the AC. Consequently, clients’ knowledge of pertinent issues – e.g. how disputes arrive at the AC, who decides cases, and the duration of dispute resolution – were better than those who are familiar with the AC but have not yet used its services.

On average, all respondents held between a “poor” and “fair” awareness of the labor arbitration

process (mean score of 2.54). A significantly higher proportion of clients (41%) were considered to have either “good or “very good” awareness levels; however, non-clients were far less likely to hold this distinction (9%). Among non-clients, the greatest proportion of individuals (41%) was considered as having a “very poor” level of awareness regarding the LAP. Moreover, this difference concerning the LAP was further substantiated by the mean score calculated for both clients (3.04) and non-clients (1.83). While clients, as a group, could be considered under the category of “fair” awareness of the LAP, non-clients still fell below “poor” awareness levels. The median figures under this data show that mean scores were slightly skewed toward more negative responses, as can be seen by the slightly higher levels of awareness presented for both clients (3.00) and non-clients (2.00).

This higher level of awareness, for clients, may be attributed to prior experiences with labor arbitration at the AC, as respondents would have been able to directly note the actual process. According to the answers provided by clients, as compared to non-clients, the former group held a better understanding of the five, aforementioned variables used to measure this indicator. Thus, clients were not only able to attain services from the AC, but these experiences with the institution seem to also act as exercises in capacity-building concerning the LAP. Additionally, direct experiences during the LAP may have also led to clients’ increased awareness levels of the AC’s roles and responsibilities, as previously mentioned in Indicator 1 (i.e. Level of awareness of the AC). These direct experiences may also explain why clients held greater levels of awareness for each of the variables from Indicator 1; thus, contributing to a higher average score over non-clients.

Table 3. 72: Level of Awareness of the LAP, by Client Type (AC-Client/Non-client)

No	Level of Awareness	Client (n=100)			Non-client (n=71)			Total (n=171)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very poor	11%	3.04	3.00	41%	1.83	2.00	23%	2.54	3.00
2	Poor	20%			25%			22%		
3	Fair	28%			24%			26%		
4	Good	32%			8%			22%		
5	Very good	9%			1%			6%		
	Total	100%			100%			100%		

Information was further disaggregated by the type of organization, in order to attain a better understanding between certain groups – e.g. workers’ unions, union federations and employers’ representatives. As with other indicators, representatives from union federations held higher awareness levels if compared to the other sub-groups; this can be noted by the majority (69%) holding either “good” or “very good” awareness levels of the LAP. Furthermore, none of the individuals within this group were considered as having “very poor” levels of awareness, whereas workers’ unions (30%) and employers’ representatives (25%) held far greater proportions under the lowest category. The mean scores among these groups were also highly variable, as union federations nearly recorded a “good” understanding of the LAP (mean score, 3.72), while workers’ unions and employers’ representatives were within the lower range of the “poor” category. Additionally, it should be noted that a majority of union federation representatives (55%) were aware of at least four of the five variables used in measuring this indicator. As with the previous table, median scores were presented and it was found that responses were slightly higher; thus, moving certain respondent groups into high awareness levels. Most notably, employers’ representative – if categorized under mean score – would be seen as having a “poor” awareness level (2.38); however, the median score would raise this group’s awareness level to “fair”. This would then illustrate workers’ unions held the lowest level of awareness (i.e. “poor”), whereas mean scores for workers’ unions and employers were quite similar (i.e. mean score of 2.24 for workers’ unions versus 2.38 for employers).

As respondents from different representative groups held varied awareness levels regarding certain variables, these figures were captured and represented within the mean scores for each group. One example of group differences regards the understanding of essential variables concerning respondents’ knowledge of the LAP, such as how disputes arrive at the AC. While nearly all union federation representatives (93%) were able to correctly state that disputes arrived at the AC by referral from the MoL, lower proportions of workers’ unions (68%) and employers’ representatives (79%) were able to state the same.

Table 3. 73: Level of Awareness of the LAP, by Organization Types

No	Level of Awareness	Workers' Union (n=90)			Federation (n=29)			Employers' Representative (n=52)			Total (n=171)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very poor	30%	2.24	2.00	0%	3.72	4.00	25%	2.38	3.00	23%	2.53	3.00
2	Poor	26%			10%			23%			22%		
3	Fair	27%			21%			29%			26%		
4	Good	14%			55%			17%			22%		
5	Very good	3%			14%			6%			6%		
	Total	100%			100%			100%			100%		

3.6.3 Level of Awareness of AC and LAP among Employer and Worker Representatives

To measure how well employer representatives and worker representatives were aware of the AC and the LAP, the analysis incorporates the five variables measuring the level of awareness of the AC and the five variables measuring awareness levels of the LAP.

The indicator, “level of awareness of respondents of the AC and the LAP”, was measured on a scale from 1 (“very poor”) to 5 (“very good”). To attain a level of measurement consistent with the five-point scale used for the indicators, the average score from each five levels of all the two previously mentioned indicators (score from five Likert scale of first and second indicator were used as variables for this new indicator) was computed. In addition, because this third indicator was computed by taking the average of two indicators, the total sample contributed to this indicator analysis was only 184, which was the average of 196 samples from first indicators and 171 samples from the second indicator.

The mean score for this level of awareness was also computed, in order to provide a general view of respondents’ awareness levels toward the AC and the LAP. In order to account for outliers within the data, the median score was also calculated and presented below.

As with other indicators, the mean score was provided for all respondents (2.58); however, this figure deviated quite a bit from the disaggregated data (i.e. client versus non-client), as the

difference between the mean scores for these sub-groups was high. While clients could be classified as having more than a “fair” level of awareness (mean score, 3.25) of both the AC and the LAP, non-clients, on the other hand, could still not be considered within the category of “poor” awareness levels (mean score, 1.88). More distinctly, between clients and non-clients, were the proportions recorded for each level of awareness. The majority of clients (59%) fell within the categories of “good” or “very good”, whereas the majority of non-clients (44%) were considered as having either “very poor” or poor” levels of awareness of the AC and the LAP. Median scores were almost identical to the mean score for clients (i.e. median of 3.27 versus mean of 3.25), whereas the median score for non-clients (1.66) was slightly lower. As scores were quite similar, responses fell within the same awareness levels.

As previously mentioned, clients not only held high awareness levels of the AC – as an institution – but also concerning the process of labor arbitration. This may further substantiate the information that clients were not only able to familiarize themselves with the organization, but were also able to develop essential knowledge of the LAP, throughout their experience with the AC. Thus, it becomes apparent that the results of clients’ direct experiences with the AC may be two-fold: higher awareness of the institution and LAP capacity building.

**Table 3. 74: Level of Awareness of the AC and the LAP,
by Client Type (AC-Client/Non-client)**

No	Level of Awareness	Client (n=100)			Non-client (n=84)			Total (n=184)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very poor	6%	3.25	3.27	26%	1.88	1.66	15%	2.58	2.88
2	Poor	18%			18%			18%		
3	Fair	18%			26%			23%		
4	Good	36%			25%			31%		
5	Very good	23%			5%			13%		
6	Total	100%			100%			100%		

Furthermore, the data from this indicator was further disaggregated among the organizations to which respondents belonged. Based upon the information presented thus far, there seems to be a trend in the level of awareness and understanding between union federation representatives versus workers’ union and employers’ representatives. Additionally, employers’ representatives (mean

score, 2.44), much like the previously mentioned indicators, held a higher level of awareness over workers’ unions (2.38); however, the mean score for the former group was only slightly higher for this indicator. The proportions presented within this section are similar to those within the previous two sections, as this third indicator was the average from all previously mentioned variables. Although a majority of workers’ unions and employers’ representatives were familiar with the AC, the mean score for these groups fell for this indicator, as both groups were not highly familiar with the LAP. As with the last table, median scores for each organizational type were quite similar to respective mean scores, although slightly higher. For example, the median score for employers’ representatives (2.60) actually moved the group much closer to “fair” awareness levels of the AC and the LAP.

Table 3. 75: Level of Awareness of the AC and the LAP, by Organization Types

No	Level of Awareness	Labor Union (n=97)			Federation (n=29)			Company (n=58)			Total (n=184)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very poor	20%	2.38	2.47	0%	3.54	3.73	16%	2.44	2.60	15%	2.58	2.88
2	Poor	21%			14%			15%			18%		
3	Fair	22%			15%			27%			23%		
4	Good	29%			41%			30%			31%		
5	Very good	8%			31%			13%			13%		
6	Total	100%			100%			100%			100%		

3.6.4 Level of Understanding of LAP among Employer and Worker Representatives

This section presents the indicator measuring the level of understanding of the LAP, among employers’ and workers’ representatives. To assess this indicator, the analysis incorporated six variables, as follows:

- *First variable*, awareness of those responsible for selecting arbitrators (see question 3.2 in questionnaire set for AC-clients): This variable was given a score of 1 only if respondents knew that “both parties are the ones who select the arbitrators”. The variable received a score of 0 if respondents did not select the correct answer.
- *Second variable*, awareness of how to form an arbitral panel (question 3.6 of questionnaire set for AC-clients): A score of 1 was assigned to this variable when respondents chose the correct answer (i.e. “arbitrator was selection from three main

- lists: list of employer, list of worker union and list of MoL”), while the variable received a score of 0 if all other answers were chosen.
- *Third variable*, awareness of the number of arbitrators in a single case (question 3.7 of questionnaire set for AC-clients): The variable was given a score of 1 when respondents provided a correct answer (i.e. “knew correctly that number of arbitrator in a single case was 3”), while a score of 0 was applied for other answers.
 - *Fourth variable*, awareness of the right to present facts and arguments during an AC hearing (question 3.17 of questionnaire set for AC-clients): A score of 1 was assigned for correct answers (i.e. “yes”), while incorrect answers (i.e. “no”) received a score of 0.
 - *Fifth variable*, awareness of the basis on which arbitral panel makes decision (see question 3.20 of questionnaire set for AC-clients): This variable was given a score of 1 if respondents knew any of the three correct answers: (1) by law, (2) by fairness and (3) by facts/evidence. On the other hand, a score of 0 was applied when other answer were chosen (i.e. “based on tolerance” or “don’t know”).
 - *Sixth variable*, awareness of that parties are able to lodge an objection to decisions (question 3.21 of questionnaire set for AC-clients): A score of 1 was given to the variable when respondents chose the correct answer (i.e. “the objection could be lodged by either party of the dispute”). A score of 0 was applied to the variable when respondents chose all other answers.

Formula for calculating understanding levels of the LAP

Suppose:

- Y is the indicator measuring the awareness of the LAP
- X1: first variable
- X2: second variable
- X3: third variable
- X4: fourth variable
- X5: fifth variable
- X6: sixth variable

$$\text{Then, } Y = \frac{(X1 + X2 + X3 + X4 + X5 + X6)}{6} \times 5$$

This indicator, “level of understanding of respondents of labor arbitration process”, was measured on a scale from 1 (“very poor”) to 5 (“very good”). The sum score of the six variables listed above

were used to measure this indicator. Each variable was given a score of 1 or 0, depending on the nature of the answer, as previously mentioned. In order to obtain an answer consistent with the five-point scale format, the previously mentioned formula was used. Thus, if the score (Y) of all variables was between]0—1], i.e. the indicator received a score of 1, the understanding of respondents was considered “very poor”, while scores of two (i.e. sum score of]1—2]) were considered as “poor”. On the other hand, if the score was three, four or five (i.e. sum score of]2—3],]3—4] and]4—5]), the understanding of the LAP was regarded as “fair”, “good” or “very good”, respectively. In addition, mean score of the indicator for each category of respondents were also calculated to assess general level of understanding of respondents in the LAP. In addition, the median score was also calculated in order to account for outliers within the data.

On average, the aggregate information for both clients and non-clients resulted in a nearly “fair” understanding of the LAP. As with other indicators, there is a trend regarding higher levels of awareness or understanding by clients (mean score, 3.26), as opposed to non-clients (2.42). Additionally, only a small proportion of clients (10%) were considered as having “very poor” or “poor” levels of understanding; therefore, showing that most (90%) correctly understand at least four of the variables used to measure this indicator. Non-clients, on the other hand, were more equally proportioned among the categories measuring levels of understanding, with all figures only slightly deviating from one another (i.e. all figures were near 20%, which would represent an equal distribution among the five categories). Furthermore, for clients, average understanding can be seen as quite high, as the majority (59%) was able to correctly identify at least five of the six variables (i.e. those represented by rankings of “good” or “very good”).

As previously mentioned, clients held higher levels of awareness and understanding; thus, it seems that holding direct experiences with the AC assisted in reinforcing information about the LAP. At times, both clients (96%) and non-clients (85%) held a majority of respondents familiar with certain variables (*see sixth variable*, awareness of that parties are able to lodge an objection to decisions); however, other variables (*see second variable*, awareness of how to form an arbitral panel) were not as familiar to clients (51%) and non-clients (31%). Nonetheless, a majority of clients were able to correctly respond to all variables, and these differences are further evidenced by the fact that non-clients were far more likely (i.e. 42% versus 10%, for “very poor” and “poor”) to be included within the lower levels of understanding. Median scores for each group were slightly

higher, although the difference between the median and mean scores for all respondents was most notable (i.e. mean score of 2.91 versus median score of 3.33). If analyzing the following table by considering the mean score, respondents’ levels of understanding would fall slightly below the category of “good”, while the median score fell completely within this range.

Table 3. 76: Level of Understanding of the LAP, by Client Type (AC-Client/Non-client)

No	Level of Understanding	Client (n=100)			Non-client (n=71)			Total (n=171)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very poor	3%	3.26	3.33	18%	2.42	2.5	9%	2.91	3.33
2	Poor	7%			24%			14%		
3	Fair	31%			20%			26%		
4	Good	25%			21%			23%		
5	Very good	34%			17%			27%		
	Total	100%			100%			100%		

Representatives from union federations, (mean score, 3.97), held higher levels of understanding regarding the LAP, while workers’ union (2.65) and employers’ representatives (2.76) held similar scores; thus, moving along the trend noted in previous indicator measurement. Notably, nearly all representatives from union federations (90%) were able to correctly respond to at least five of the six variables measured under this indicator; workers’ union (28%) and employers’ representatives (29%), on the other hand, held significant proportions with low levels of understanding (i.e. those with “very poor” or “poor” understanding of the LAP).

As with clients and non-clients, disparities also appeared among organizations, concerning the understanding of certain variables. While a majority of representatives from union federations correctly answered all variable used for the measurement of this indicator, representatives from workers’ unions and employers’ representatives did not; thus, contributing to the stark differences among mean scores and proportions among these groups. A majority of respondents from all groups were familiar with the right to present facts and arguments during an AC hearing (*see fourth variable*). However, essential aspects of labor arbitration, such as the formation of the arbitral panel (*see second variable*), were not familiar to workers’ union (37%) and employers’ (43%) representatives. Given this information, it seems that certain aspects of labor arbitration are more familiar to those holding direct experience with the AC (i.e. clients) and union federations, which are often

responsible in representing cases during the LAP. Interestingly, while median scores tended to rise for other respondent groups, if compared to mean scores, the corresponding figure for workers' unions actually fell (i.e. mean score of 2.65 to median score of 2.5). For the most part, figures only rose or fell slightly; however, the median score for employers' representatives shifted most. Thus, if considering employers' responses under their median score, this group would have a "good" understanding of the LAP, whereas mean scores would show otherwise (i.e. mean score of 2.76 would be categorized under "fair", or nearly "good").

Table 3. 77: Level of Understanding of the LAP, by Organization Type

No	Level of Understanding	Workers' Union (n=90)			Federation (n=29)			Employer Representatives (n=52)			Total (n=171)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very poor	11%	2.65	2.5	0%	3.97	4.17	12%	2.76	3.33	9%	2.91	3.33
2	Poor	17%			0%			17%			14%		
3	Fair	36%			10%			19%			26%		
4	Good	19%			24%			31%			23%		
5	Very good	18%			66%			21%			27%		
6	Total	100%			100%			100%			100%		

3.6.5 Level of Confidence in Independence of AC among Employer and Worker Representatives

To examine respondents' levels of confidence in the AC as an institution, the analysis included an indicator based on a five-point scale, from 1 ("very low confidence") to 5 ("very high confidence"). The underlying variables used to measure this indicator include:

- *First variable*, perception of the AC as an independent institution (question 4.1 of the questionnaire set for AC-clients): The variable was given a score of 1 for positive answers (i.e. "yes") and 0 for negative answers (i.e. "no" or "don't know").
- *Second variable*, perception of the AC as not holding bias of any form (question 4.2 of the questionnaire set for AC-clients): A score of 1 was provided if respondents thought the AC was not biased toward any party (i.e. answer choice, "no"). On the other hand, a score of 0 was applied for all other answers (i.e. "don't know" or "yes").

- *Third variable*, perception of the AC as being more independent than the court (question 4.3 of questionnaire set for AC-clients): This variable was given a score of 1 for positive answers (i.e. “yes”) and a score of 0 for all other answers (“no” or “don’t know”).
- *Fourth variable*, more confidence in the AC than the court system, due to the AC’s independence from any party (question 4.6, Section B, of questionnaire set for AC-clients): In this case, this variable was given a score of 1 if respondents chose the positive, corresponding answer (i.e. “higher confidence”). A score of 0 was applied if the respondents felt otherwise (i.e. “lower confidence”, “same confidence” or “don’t know”).
- *Fifth variable*, more confidence in the AC than the court system, due to the AC’s transparency in performing this duty (question 4.6, Section E, of questionnaire set for AC-clients): Similar to the fourth variable, a score of 1 was applied for positive answers (i.e. “higher confidence”), while a score of 0 was applied for all others (i.e. “lower confidence”, “same confidence” and “don’t know”).

This indicator was based upon a five-point scale in order to measure respondents’ confidence in the independence of the AC, from 1 (“very low confidence”) to 5 (“very high confidence”). The indicator was measured by taking the sum score of the five variables described above. Each listed variable was given a score of either 1 or 0, according to the nature of the answers, as previously mentioned. If the sum score fell within the range of [0—1], respondents were considered to have a “very low confidence in the independence of the AC”. If the sum score fell within a range of]1—2],]2—3],]3—4], or]4-5], respondents were considered to have either a “low”, “fair”, “high” or “very high” level of confidence in the AC’s independence, respectively. In addition, mean score of the indicator for each category of respondents were also calculated to assess general level of confidence of respondents in the independence of AC. The median score was also calculated in order to account for outliers within the data.

Interestingly, while other indicators held great differences between clients and non-clients, respondents’ levels of confidence concerning the independence of the AC did not vary much between groups – as both fell within the category of “high” confidence. Although clients and non-clients held disparate awareness levels of the institution, and its specific roles and responsibilities,

these factors did not, however, lead to distinct differences in their levels of confidence. As seen within the data provided in the table below, proportions for each level of confidence (e.g. “very low”, “high”), between clients and non-clients, were quite similar or identical. Moreover, as the sub-samples for these groups were also similar (i.e. clients numbered 73, while 74 non-clients were considered for this indicator), it indicates that the absolute number of individuals responding as so were also comparable.

It seems that the AC’s reputation as an independent institution stands true for both clients and non-clients; indicating that direct experiences with the institution only holds a slight effect upon respondents’ levels of confidence. The information which should be further explored, in this case, is among clients which still held “very low” to “fair” confidence levels of the institution’s independence (*see second variable*). Although these representatives’ organizations received services from the AC, they still felt that the institution was not independent. For example, only a small proportion of clients (19%) mentioned the biased nature of the AC, but these clients (67%) were actually more likely to state that the institution’s decisions favored employers, as compared to non-clients (37%). This may be attributed to a number of factors, especially concerning the decision made by the AC; as clients may disagree with the actual decision of a hearing and feel that the institution was biased toward the other party. After computing the median score for both clients and non-clients, it was found that responses tended to fall more within the highest range (i.e. score of 5/ “very high” confidence), whereas mean scores would only place respondents’ confidence levels as “high”.

**Table 3. 78: Level of Confidence in the Independence of AC, by Client Type
(AC Client/Non-client)**

No	Level of Confidence	Client (n=73)			Non-client (n=74)			Total (n=147)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very low	4%	4.27	5	3%	4.19	5	3%	4.23	5
2	Low	7%			8%			7%		
3	Fair	7%			14%			10%		
4	High	19%			19%			19%		
5	Very high	63%			57%			60%		
	Total	100%			100%			100%		

On the other hand, disparities rose among respondents from different organizations, as the trend of higher awareness/ understanding/ confidence with union federation representatives still held true for this indicator; however, the difference was not as notable as previously mentioned indicators. All groups held “high” levels of confidence in the AC, while respondents from union federations recorded a nearly perfect score (i.e. the mean score, 4.79, indicates that nearly all respondents held a “very high” confidence in the institution’s independence). Similarly to the last table, all respondent groups fell within the range of “very high” confidence in the independence of the AC, if median scores are computed and analyzed. While the median score was quite similar to the mean score for union federation representatives, the median figures for both workers’ unions and employers’ representatives would place them in a higher category of confidence (i.e. mean scores would place these groups under “high” confidence, whereas median scores would place them under “very high” confidence levels).

This “very high” level of confidence among union federation representatives may be attributed to the low number of respondents within this group – as there is less variation within this sample; however, the trend from other indicators illustrates that these respondents tend to hold a better view and understanding of the institution. This may be due to the fact that union federation respondents interacted and collaborated with the AC more than other groups, as they often act as representatives for workers’ unions during hearings and other proceedings. Although a number of clients felt that the institution was biased toward employers, only a slight majority of employers’ representatives (53%) were convinced of the AC’s independence (*see first variable*).

Table 3.79: Level of Confidence in the Independence of the AC, by Organization Types

No	Level of Confidence	Workers’ Union (n=78)			Federation (n=24)			Employers’ Representative (n=45)			Total (n=147)		
		%	Mean	Median	%	Mean	Median	%	Mean	Median	%	Mean	Median
1	Very low	4%	4.12	5	0%	4.79	5	4%	4.11	5	3%	4.23	5
2	Low	9%			0%			9%			7%		
3	Fair	12%			4%			11%			10%		
4	High	19%			13%			22%			19%		
5	Very high	56%			83%			53%			60%		
	Total	100%			100%			100%			100%		

3.6.6 Level of Confidence in the Credibility of AC among Employer and Worker Representatives

In order to understand the respondents' levels of confidence concerning the credibility of the AC, the analysis took into account eight variables reflecting the perceptions of respondents. Since not all respondents could provide their perceptions on all the eight variables, only three variables were selected in measuring the level of confidence for the non-client group. Conversely, all eight variables were taken into account when analyzing confidence levels for AC's clients (see question 4.8 of the questionnaire set for AC clients). These variables are as follows:

For AC client group:

- *First variable*, AC is a trustworthy institution in resolving labor disputes
- *Second variable*, AC is accountable for their duty and perform them with integrity
- *Third variable*, AC is a credible institution
- *Forth variable*, AC's decision making is fair
- *Fifth variable*, arbitration process is transparent
- *Sixth variable*, arbitrators treat parties with dignity and respect
- *Seventh variable*, arbitrators are highly knowledgeable about Labor Law
- *Eighth variable*, arbitrators have good skills in labor dispute resolution

For AC non-client group:

- *First variable*, AC is a trustworthy institution in resolving labor disputes
- *Second variable*, AC is accountable for their duty and perform them with integrity
- *Third variable*, AC is a credible institution

For both client and non-client groups of respondents, each variable was based upon a standard five-point *Likert* scale, from 1 ("strongly disagree to the statement") to 5 ("strongly agree to the statement"); with assigned scores depending on the respondents' levels of agreement to the statement. For this indicator, the levels of confidence of respondents were based on the five level of agreement of respondents to the statements related to the credibility of AC. It is assumed that each level of agreement (from 1 to 5) were equivalent to level of confidence of the indicator for 1(very low confidence) to 5 (very high confidence) in the credibility of the AC.

The indicator was measured by grouping the sum score of the aforementioned variables into 5

Likert scales such as group 1 ranging from [0—1] for “very low level of confidence”; group 2 ranging from]1—2] for “low confidence”; group 3 ranging from]2—3] for “fair confidence”; group 4 ranging from]3—4] for “high confidence”; and group 5 ranging from]4-5] for “very high level of confidence”. Mean score of the indicator for each category of respondents were also calculated to assess general level of confidence of respondents. The median score was also calculated in order to account for outliers within the data.

Sample presented in the table of this indicator was computed based on the answers of respondents who provided their opinion to the questions. Those who did not provide the idea or did not know the answers were not taken into account, hence only 240 of 286 respondents contributed to the analysis of this indicator.

As can be noted from the table below, clients were more likely to feel higher levels of confidence, as opposed to non-clients (23% of clients vs. 12% of non-clients held very high confidence). As for clients, the highest rankings among variables were present for the last three variables (i.e. variables six to eight, with response rates of more than 70% agree and strongly agree to the statements, see table 3.56), which revolved around confidence levels in arbitrators.

Among the first three variables, clients were more likely to agree (i.e. 58% of response rate were agree and strongly agree, scale 4 and 5), whereas only around 45% to 50% of non-clients fell within the forth and fifth ranks (i.e. scale of 4 and 5), see table 3.56 for details. As non-clients did not have a basis to judge the institution, it seems that many opted in choosing a neutral stance concerning these statements; although few individuals disagreed (i.e. ranking of one or two, or “strongly disagree” or “disagree”, respectively). Given the nature of clients’ answers, it seems that many were highly satisfied with the roles played by arbitrators, as the mean scores nearly fell within the category of “strongly agree”. In addition, it is also noted that the majority of total respondents (around 69%, table 3.80) showed high and very high confidence in the credibility of AC.

**Table 3. 80: Level of Confidence in the Credibility of the AC, by Client type
(AC Client/Non-client)**

No	Level of Confidence	Client (n=95)			Non-client (n=145)			Total (n=240)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very low	0%	3.78	4.00	1%	3.54	3.67	0%	3.64	3.75
2	Low	2%			1%			1%		
3	Fair	14%			41%			30%		
4	High	61%			46%			52%		
5	Very high	23%			12%			17%		
6	Total	100%			100%			100%		

Among different organizations, the trend continued as union federation representatives were more likely to provide positive answers; although, as with the last indicator, the difference was slightly less pronounced. Furthermore, as with other indicators, employers' representatives also held a higher mean score, overall, if compared to workers' union representatives; however, this group held lower response rates mentioning high and very high agreement for certain variables, such as confidence levels in the trustworthiness of the AC (44%), while response rate in union group were represented by 52% and federation by 61%, see table 3.57. Also of note, employers' representatives held a higher confidence, as opposed to all other groups – in the transparency of the arbitration process (i.e. 79% agree and strongly agree, compared to 61% for union federations and 60% for workers' unions).

Much like the last table, the highest percentage reporting “agree” and “strongly agree” (scale 4 and 5) for all organizational types were present within the last three variables (at least 70%, see table 3.57), as it seems respondents were confident that arbitrators could fulfill their roles and responsibilities. Additionally, the difference in mean scores was most profound concerning the representatives' confidence over the credibility of the AC, in general.

Table 3. 81: Level of Confidence in the Credibility of the AC, by Organization Types

No	Level of Confidence	Labor Union (n=116)			Federation (n=29)			Company (n=95)			Total (n=240)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very low	0%	3.61	3.75	0%	4.00	4.00	1%	3.56	3.67	0%	3.64	3.75
2	Low	3%			0%			0%					
3	Fair	30%			10%			36%					
4	High	53%			52%			51%					
5	Very high	15%			38%			13%					
6	Total	100%			100%			100%					

3.6.7 Level of Confidence in the Effectiveness of AC among Employer and Worker Representatives

To measure the level of confidence of respondents, regarding the effectiveness of the AC, the analysis incorporated four variables that reflect this aspect. In order to measure effectiveness, respondents’ perceptions were noted, regarding a number of relevant factors, such as the duration of AC hearings, the criteria used by arbitrators to make decisions, and the actual use of the AC’s decisions for further negotiation. The following list provides the variables used for analysis:

- *First variable*, AC hears disputes and issues decisions within 15 days, unless parties agree to extend time
- *Second variable*, AC provides reasons for its decisions, based on law and evidence, and makes decisions public and transparent
- *Third variable*, party can use AC decisions in further negotiations and agreements
- *Forth variable*, labor disputes are successfully solved by AC

Each variable was then measured on a five-point *Likert* scale, from 1 (“No confidence”) to 5 (“High confidence”) in the AC. Thus, each response (i.e. variable) received a score from 1 to 5, depending upon the respondents’ levels of confidence to each respective question. The indicator was measured by grouping the sum score of the aforementioned variables into 5 Likert scales such as group 1 ranging from [0—1] for “very low level of confidence”; group 2 ranging from]1—2] for “low confidence”; group 3 ranging from]2—3] for “fair confidence”; group 4 ranging from]3—4] for “high confidence”; and group 5 ranging from]4—5] for “very high level of

confidence”. Mean score of the indicator for each category of respondents were also calculated to assess general level of confidence of respondents. The median score was also calculated in order to account for outliers within the data.

The same as the previous indicator, sample used for this indicator was computed based on the answers of respondents who provided their opinion to the questions. Those who did not provide the idea or did not know the answers were not taken into account, hence only 218 of 286 respondents contributed to the analysis of this indicator.

The results showed that, clients held higher confidence (mean score, 3.68) in the effectiveness of the AC if compared to non-clients (3.54). The greatest disparity resulted from the variable regarding the AC’s use of the law and evidence in making decisions, and the public and transparent nature of these decisions (72% of clients vs. 48% of non-clients reported high and very high confidence, see table 3.58). As non-clients would not have the basis to judge this aspect, the responses were clearly not as positive; however, it does show that non-clients may not have the appropriate knowledge of how decisions are made, thus resulting in a possible apprehension to use the AC’s services in the future.

Furthermore, non-clients (37% with either agree or strongly agree responses) were less likely to perceive labor disputes as being solved successfully by the AC, if compared to clients (58% with either agree or strongly agree responses), see table 3.58. As previously mentioned (*see Table 3.3*), clients and non-clients received information about the AC from similar sources (i.e. while 48% of clients received information from union federations, 42% of non-clients confirmed this source); thus, it would be interesting to further explore if non-clients held lower levels of confidence from the information provided by these sources, or for other non-related reasons.

Table 3. 82: Level of Confidence in the Effectiveness of the AC, by Client Type

No	Level of Confidence	Client (n=95)			Non-client (n=123)			Total (n=218)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very low	1%	3.68	3.75	0%	3.54	3.50	0%	3.60	3.50
2	Low	0%			0%					
3	Fair	22%			37%					
4	High	59%			53%					
5	Very high	18%			10%					
6	Total	100%			100%					

As opposed to most indicators, when disaggregated by respondents’ organizations, workers’ union representatives held a high level of confidence in the effectiveness of the AC, when compared to employers’ representatives. Additionally, the primary trend was discontinued, as union federation representatives did not provide the most positive answers to each variable (see third variable, only 37% had fair and high confidence that party could use AC’s decision for further negotiation and agreements), while the majority of worker union (51%) reported so.

Nonetheless, the aggregated responses for all respondents were still considered as “high”. Additionally, it should be further noted that the last variable (*fourth variable*) held the lower response rate reported high and very high confidence, for all respondents (46%), see table 3.59. For some reasons, respondents were less inclined to respond positively to the statement attached to this variable. It is possible that respondents may only feel disputes are solved successfully when decisions are awarded to them, and not the opposing party.

Table 3. 83: Level of Confidence in the Effectiveness of the AC, by Organization Type

No	Level of Confidence	Labor Union (n=109)			Federation (n=30)			Company (n=79)			Total (n=218)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very low	1%	3.63	3.75	0%	3.67	3.50	0%	3.54	3.50	0%	3.60	3.50
2	Low	0%			0%								
3	Fair	28%			27%								
4	High	55%			50%								
5	Very high	17%			23%								
6	Total	100%			100%								

3.6.8 Level of Confidence in Independence, Credibility and Effectiveness of AC among Employer and Worker Representatives

The respondents' levels of confidence regarding the independence, credibility and effectiveness of the AC were also measured on a five-point scale, from 1 ("very low confidence") to 5 ("very high confidence"). This confidence level was measured by using the following three indicators – (1) *fifth indicator*, Level of confidence in the independence of AC; (2) *sixth indicator*, Level of confidence in the credibility of AC; and (3) *seventh indicator*, Level of confidence in the effectiveness of AC. Because this indicator is the average the three aforementioned indicators, the sample used in this indicator was only 202.

The indicator, "level of confidence in the independence, credibility and effectiveness of the AC", was measured on a scale from 1 ("very low") to 5 ("very high"). To attain a level of measurement consistent with the five-point scale used for the indicators, the average score from each five levels of all the three previously mentioned indicators (score from each of the five Likert scale of 5th, 6th and 7th indicator were used as variables for this new indicator) was computed. The proportion for each variable was also included, in order to illustrate the composition of the responses provided by representatives. Mean and median scores of the indicator were also computed to receive respondents' general perception of the independence, credibility and effectiveness of the AC.

In addition, because this indicator was computed by taking the average of three previously indicators, the total sample contributed to this indicator analysis was only 202, which was the average of 147 samples from fifth indicators, 240 samples from sixth indicator and 218 samples from the seventh indicator.

Around 71% of respondents held either a "high" or "very high" level of confidence in the independence, credibility and effectiveness of the AC. The mean score between clients (3.94) and non-clients (3.86) did not differ much; however, clients still held a higher level of confidence. Notably, limited number of the respondents felt a "very low" or "low" confidence concerning these aspects.

Although respondents' awareness levels differed greatly (i.e. the mean score for clients was 3.46, whereas 2.49 was recorded for non-clients), this did not seem to highly affect confidence levels

between the two groups. Although non-clients were not highly aware of the AC, or its roles and responsibilities, respondents were only slightly less likely to hold lower confidence levels in its independence, credibility and effectiveness. This may illustrate that non-clients have received positive information concerning the institution’s reputation; however, this would need to be further explored. After computing median scores for this indicator, it was found that scores were higher for both clients (i.e. median score of 4.00 versus mean score of 3.94) and non-clients (i.e. median score of 3.94 versus mean score of 3.86). Under strict categorization of confidence levels, clients would be specified as having “high” levels of confidence if the mean score was used, and this group’s median score would also place it under a “high” level of confidence in the independence, credibility and effectiveness of the AC.

Table 3. 84: Level of Confidence in the Independence, Credibility and Effectiveness of the AC, by Client Type (AC Client/Non-client)

No	Level of Confidence	Client (n=88)			Non-client (n=114)			Total (n=202)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very low	2%	3.94	4.00	1%	3.86	3.94	1%	3.90	4.00
2	Low	3%			2%					
3	Fair	15%			34%					
4	High	49%			42%					
5	Very high	32%			21%					
6	Total	100%			100%					

As with the previous indicator, union federation representatives (mean score, 4.12) held the most positive perceptions of the AC, if compared to workers’ union (3.84) and employers’ representatives (3.88). Furthermore, the majority of union federation representatives (86%) held either “high” or “very high” confidence levels, while the most from both workers’ unions (71%) held the same categories. In addition, more than half of employers’ representatives (65%) also fell within the same ranks.

Workers’ union representatives seemed to have lower levels of understanding concerning the AC’s roles and responsibilities, and regarding the process or labor arbitration (*see Indicators 1—4*) – if compared to all other respondent groups. In addition, workers’ union representatives (3.84) still tended to have slightly lower levels of confidence in the AC, as an institution, when compared to

employers’ representatives (3.88). Thus, it seems confidence levels among workers’ union representatives may be founded more upon an actual understanding of the roles and responsibilities of the AC and/ or the process of labor arbitration. As with the previous table, median scores were quite similar for all groups; however, the median score for union federations (4.02) was actually lower the group’s mean score. Nonetheless, all groups fell within the same categories of confidence levels.

Table 3. 85: Level of Confidence in the Independence, Credibility and Effectiveness of the AC, by Organization Types

No	Level of Confidence	Labor Union (n=101)			Federation (n=28)			Company (n=73)			Total (n=202)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very low	1%	3.84	4.00	0%	4.12	4.02	1%	3.88	3.98	1%	3.90	4.00
2	Low	3%			0%			2%			2%		
3	Fair	24%			14%			31%			25%		
4	High	45%			40%			47%			45%		
5	Very high	26%			46%			18%			26%		
6	Total	100%			100%			100%			100%		

3.6.9 Level of Confidence in Capacity of AC among Employer and Worker Representatives

The ninth indicator was then measured to understand the level of confidence felt by respondents, concerning the capacity of the AC to resolve labor disputes. To obtain this measurement, the analysis incorporated six variables, mainly involving the perceptions of respondents, including: the knowledge of arbitrators regarding labor laws; dispute resolution skills; hearing formalities; and decisions made by the AC. The following list of variables was used:

- *First variable:* Arbitrators have appropriate knowledge of labor laws and regulations
- *Second variable:* Arbitrators have good labor dispute resolution skills
- *Third variable:* Hearings have clear rules and are professionally managed
- *Forth variable:* Arbitrators provide clear explanation to parties about procedures for arbitration
- *Fifth variable:* Arbitrators give both parties the opportunity to raise arguments and present relevant documents

- *Sixth variable:* Decisions by the AC are clearly written and understandable

Each variable was measured using a standard five-point *Likert* scale, from 1 (“strongly disagree”) to 5 (“strongly agree”), which was assigned according to the answers provided by respondents.

The indicator was measured by grouping the sum score of the aforementioned variables into 5 Likert scales¹. Mean score of the indicator for each category of respondents were also calculated to assess general level of confidence of respondents. In order to account for outliers of data, median score for the indicator was also calculated for each category of respondents.

In this section, only AC clients were taken into account, as non-clients would have difficulty to evaluate the institution’s capacity in LDR. There were totally 98 respondents, who were clients of the AC, provided their perception and opinion on the capacity of the AC. Hence, 98 samples were used to measure respondents’ level of confidence in the AC’s capacity

On average, clients held high levels of confidence for five of the six variables (more than 70% reported agree and strongly agree to the statements related to AC’s capacity), except fifth variable with 84% of respondents agree and strongly agree that arbitrators give both parties opportunities to speak their arguments and present relevant documents, cf. table 3.61; thus, resulting in a “high” level of confidence, overall (mean score, 3.91). Clients seemed content with the capacity of the AC, as an institution, and the arbitrators chosen for cases. Furthermore, clients seemed to agree most with statements concerning the procedures of hearings (at least 79% of response rate fell within the rank 4 and 5 of Likert scale, i.e. agree and strongly agree), whereas the respondents held slightly lower confidence levels in the knowledge and skills of arbitrators (73% agreed or strongly agreed).

¹ The five groups of confidence level are: group 1 ranging from [0—1.5] for “very low level of confidence”; group 2 ranging from [1.5—2.5] for “low confidence”; group 3 ranging from [2.5—3.5] for “fair confidence”; group 4 ranging from [3.5—4.5] for “high confidence”; and group 5 ranging from [4.5—5] for “very high level of confidence”.

It is noted that, with suggestion from ACF’s expert, the above grouping method was changed from the five groups of [0 –1]; [1 –2]; [2 –3]; [3 – 4] and [4 –5]. This new grouping method was introduced to adjust the level of confidence in the AC’s capacity, as it was assumed based on respondent’s agreement to the statement related to the capacity of ACF. With consistent method to each of other indicators of the study, i.e. if the range of [0 – 1]; [1 –2]; [2 –3]; [3 –4] and [4 – 5] were used, the level of confidence for “high” and “very high” were up to 92%.

**Table 3. 86: Level of Confidence of AC Clients in the Capacity of the AC,
By Organization Types**

No	Level of Confidence	Labor Union (n=51)			Federation (n=23)			Company (n=24)			Total (n=98)		
		%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median	%	Mean Score	Median
1	Very low	0%	3.85	4.00	0%	3.99	4.00	0%	3.95	4.00	0%	3.91	4.00
2	Low	0%			0%			0%					
3	Fair	20%			22%			12%					
4	High	74%			56%			83%					
5	Very high	6%			22%			4%					
6	Total	100%			100%			100%					

All mean scores provided by representatives from each organizational type were categorized between “high” or “very high” confidence levels (around 81% of response rate), which resulted in an overall mean score of 3.91. The usual trend continued for this indicator, with union federation representatives (3.99) holding the highest individual mean score among the groups. However, union federation representatives did not hold the highest confidence levels for each variable, as this shifted among the three respondent groups. For example, while union federations were more likely to hold higher confidence levels concerning the fact that arbitrators provided opportunities to both parties to present arguments and relevant documents (91% agreed or strongly agreed to the statement, cf. table 3.61), workers’ union representatives held higher confidence levels concerning arbitrators’ skills in labor dispute resolution (81% agreed or strongly agreed to the statement, cf. table 3.61). On the other hand, employers’ representatives seemed more likely to agree with the statement regarding clearly written and understandable decisions (92% agreed or strongly agreed to the statement, cf. table 3.61). In effect, the individual mean scores for each group were not highly distinctive from the others, as confidence levels for each variable seemed to balance all respondent groups right below “very high” confidence levels.

QUALITATIVE ANALYSIS FROM FGDS

Focus group discussion was conducted, in addition to the semi-structure interview with the worker and employer representatives, to gain more knowledge of the awareness and perception of respondents of AC services. Main theme reported in this section relates to impression or feedback of employer and worker representatives as well as stakeholders from development partners in legal issues of labor arbitration process, independence of AC, effectiveness of AC and the capacity of AC. The last part of this section contributed to respondents' intention on further access to AC services along with recommendations to improve AC services.

Participants in the discussion consisted of 5 groups which are: (1) one group of worker union representatives, (2) one group of federation representatives, (3) one group of NGOs representatives, and (4) two groups of combination of worker union, federation, NGOs and employer representatives, (mixed stakeholder group).

Impression/feedback of respondents in labor arbitration process at AC

Generally, among all groups, respondents tended to perceive that the labor arbitration process at AC was good, fair and transparent.

They were mostly aware about each step of the process of labor arbitrators, by first stating that AC resolved disputes that could not be solved by the Ministry of Labor (MoL). It was also stated that at AC, party of dispute needed to choose the arbitrators from three lists (one from worker union list, one from employer list and one from neutral list). The next step was reported to be conciliation before hearing, and then it was followed by the hearing and issuing the awards.

In addition, it was mentioned that the arbitrator selection process was a good and transparent mechanism. The reason was because each party had the right to choose the arbitrator from the three lists of arbitrator, which made respondents felt that they contributed themselves in finding justice to their disputes.

Though the majority of respondents were optimistic about the arbitrator selection system, a few mentioned their dissatisfaction because of various reasons such as presence of few numbers of arbitrators for the selection and absence of the chosen arbitrators without reasons.

“One thing that I was not happy about the arbitrator selection was that one of the chosen arbitrators withdraws himself from the hearing without any reason. One more thing that I did not satisfy was that there was too few number of arbitrators for us to choose”. As noted a respondent from NGO group.

It is worth noting that, when exploring about detail stages of arbitration process, federation and NGO groups tended to have better knowledge and more arguments about the arbitrator selection system than worker union group. Some of the respondents were not clear about the selection process. Some mentioned that there was a lucky draw system for a replaced arbitrator if the arbitrator, whom the party of dispute chose, was absent for any reason. Limited awareness of worker union was due to their less direct involvement in labor arbitration process at AC. Most of the worker unions got their disputes resolved at AC through support of and representation by union federation.

Talking about the conciliation, most respondents tended to have positive perception of the process. It was stated that conciliation was useful because it could cool down the situation to some extent. It was also added that conciliation could reduce number of dispute cases that need to be resolved during the arbitration process. The majority of respondents from federation and NGO groups tended to positively perceive about the conciliation by adding that it was a good method as both parties had time to negotiate some cases of disputes.

“I think conciliation before hearing is really good because sometime worker union and employer made agreement on some points of disputes when the arbitrators asked them to conciliate. For instance, among five cases of disputes, it is possible that two or three cases could be solved during the conciliation before hearing.” As stated by a respondent from an NGO group.

Though positive perception, some worker union seemed to have less confidence in the conciliation. It was reported that conciliation was not so effective because each party always wanted to go to hearing directly considering that it was time wasting to conciliate before hearing.

“Conciliation was good but it was not so successful since employer side always wanted to go to the hearing. They did not want to conciliate anything.” State a respondent from worker union group.

Related to the hearing process, respondents tended to give positive opinion by stating that AC has a professional and clear administrative procedure. In addition, it was reported that parties of disputes had the right and chance to present the evidence and their argument during the hearing. The arbitral award was also perceived by most respondents to be acceptable as the arbitrators made decision based on evidence, supported documents and relevant law.

Federation and NGO representative groups tended to provide more explanation and be more optimistic of AC hearing. While worker union tended to have lesser idea about the hearing process, despite their positive perception.

“Before the hearing started, there was an introduction about the procedure of the hearing and about the three arbitrators. The arbitrators also presented their respective professional background and experience in resolving labor disputes.” Stated a respondent from the federation group.

“Each arbitrator always stated that, if I were related to any party of dispute, I would like to withdraw myself from this dispute resolution. It meant that the procedure was transparent.” Stated one respondent from worker union group.

“The hearing had good procedure. In addition both parties had rights to speak out their argument. Each one could speak it out turn by turn and without any threat or any pressure.” Reported a respondent from mixed stakeholder group.

Independence of AC

It was reported by all respondents that AC is an independent institution in resolving labor disputes. Many reasons were provided to support this argument. Among many others, one of the reasons was related to the arbitrators' capacity and arbitrator selection system. For instance, arbitrators solve disputes based on fact, evidence and relevant law. Also, arbitrators were stated to be not bias to any party, neither worker nor employer side because there were three arbitrators for each case (one from worker union list, one from employer list and one from MoL list). The arbitrator selection system which provided parties of dispute rights to select their preferred arbitrator based on their professional background and rich experience also contributes to

confidence of respondents in the independence of AC. In addition, AC was generally perceived as not being biased to any political party, nor any government institution due to the fact that AC received funds from international donor.

“What the arbitrator decided was not biased, i.e. they judged the case based on relevant law. Hence, AC is an independent institution.” Stated a respondent from mixed groups.

“There are two meanings when talking about independence of AC. First, it relates to budget of AC. AC receives funds from international donor, so AC is not working for any political party. Second, AC is independent because it is not influenced by any party.” Mentioned a respondent from NGO group.

However, a few respondents felt that AC had a tendency to support employer sides because AC procedure required party of dispute to show all relevant documents that were easier to have access to employers while it was quite difficult for workers to gather relevant documents.

“I think the arbitrator selection system is good but I feel that the arbitrators are biased to employer side.” Stated a person from worker union group.

If compared to the court, AC was perceived to be much better than the court system. Some of the reasons leading respondents to be more confident relates to the right of selecting arbitrators at AC over the judge selection at court. Time and high cost for dispute resolution services at the court were also the factors expressed by most respondents about court as not good in service delivery as AC.

“If compared to court, AC is much better than the court because in the court system, each party of dispute does not have the right to choose the judge they like while at AC they could do it.” Stated a respondent from NGO group.

“I have more confidence in the AC than the court. As we know that, we cannot confide in the court since we need to pay a lot of money.” Reported a respondent from NGO group.

“AC is an independent institution with arbitrators from three different lists (worker union, employers and MoL) and the service is also free which is different from the court where we need to pay for the services.” Stated a respondent from federation group.

Effectiveness of AC

Related to the effectiveness of AC, it was observed that most respondents felt that dispute resolution at AC was acceptable. Some disputes got solved during the conciliation process and some got solved during the hearing process. However, not all cases could be successfully solved by the AC hearing. There were a few cases left unsolved due to the objection after the hearing. Even though, most of respondents added that, despite non-bonding award was chosen, the awards could be used for further discussion and negotiation. Some stated that the award was used as supportive documents for furthering judgment at the court. Some stated that the award was used as the evidence and reference for making a legal lockout. When comparing responses between groups, it was noted that there was not much difference in perception towards the effectiveness of AC. All respondents stated no doubt about the hearing process of AC but raised concern about the implementation of the awards after hearing. In particular, worker union group tended to have more concern in this area.

“So far, the AC hearing and decision making of the arbitrators were acceptable. There have been not any further problems after the awards issued.” Mentioned a respondent from a mixed stakeholder group.

“We confide in the capacity of AC. 80% to 90% of the disputes could be solved. So the dispute resolution at AC is acceptable.” Stated a respondent in federation group.

“The arbitrators do not have any rights to force the loss party to follow the arbitral award. It means that the arbitrators gave rights for the party to lodge objection to the awards. Therefore, when the company did not follow the award, it was workers who suffered.” Expressed one respondent from federation group.

Capacity of AC

Overall, respondents from all groups in the focus group discussion perceived that AC was a good institution because it composed of arbitrators with high capacity in labor dispute resolution. A lot of criteria were stated to contribute to the capacity of AC. Those criteria include knowledge of the

arbitrators of labor law and of the industry, their professional skill in labor dispute resolution, the ways that arbitrators treated parties of dispute with respect and integrity, and also the arbitrators' experience in labor disputes and in various legal institutions.

"Each word the arbitrators used was direct and easy to understand. He also could catch up the problems quickly. Hence I think they have high capacity in labor dispute." Stated a respondent from federation group.

"The arbitrators have rich experience in labor dispute resolution and good knowledge both in legal term and dispute resolution skills." Mentioned a respondent from a mixed stakeholder group.

"I trust the capacity of the arbitrators in labor arbitration because they have a lot of experiences." Reported a respondent from NGO group.

Behavioral Intention for Further Services at AC

Based on their experiences with the services at AC, most respondents showed positive intention towards the services of AC in the future. Some mentioned that they would approach AC again if the dispute happened because they felt confident that the dispute could be fairly resolved, even not all, at least 50% were successful. All the groups of respondents tended to have similar willingness towards AC but with little different reasons. Worker union group tended to have favor for the AC services because the service is free of charge. Some stated that easy-to-access to AC and less time consuming in dispute resolution contributed to their willingness to approach AC in the future.

"It was easy to get the services at AC and it was also less time consuming in resolving dispute. Hence I would come to AC again in the future if the dispute happened." Sated a respondent from mixed stakeholder group.

IV. CONCLUSIONS AND RECOMMENDATIONS

Overall Observation

As Cambodia does not yet have a labor court for dispute resolution between workers and employers, the AC – with the support of the ACF – assists in solving collective labor disputes as they arise (and usually after referral from the AC). However, not all business entities and workers' representatives are familiar with the services provided by the institution. Employers' and workers' representatives who have formerly used the AC's services during the labor arbitration process are aware of the organization, while those with no experience have limited knowledge regarding the role of the AC. Furthermore, among those who are actually familiar with the institution, awareness levels of the LAP could not be considered as high. It seems that many could not correctly identify particular stages of the LAP, or other specific aspects of the arbitration process, such as the time limit in which decisions must be made by the AC.

Although respondents were aware of the AC and the existence of the LAP, it was found that fewer respondents (from both client and non-client groups) actually possessed a good, technical understanding of this process. The AC's clients tended to have a better understanding of the hearing process when compared to non-clients, but this group of respondents still did not have an adequate understanding of many fundamental aspects – such as the formation of an arbitral panel and the issuance of arbitral awards.

Many respondents tended to have strong confidence in its independence, credibility and effectiveness. From the responses attained from various stakeholders, a majority even evaluated it as being more independent than the formal court system. The services delivered by the AC are stated to be of good quality by the majority of employers' and workers' representatives. Various reasons contributed to this positive perception, which includes easy access to, and user-friendliness, of the AC's services. In addition, according to most respondents, the AC was perceived as having a high capacity in providing labor dispute resolution services. This capacity was acknowledged as so, by respondents, from the knowledge of arbitrators concerning the Labor

Law and labor dispute resolution and the fact that parties are given equal opportunities to present arguments and evidence.

Based upon these findings, the following section presents a number of conclusions and recommendations, as set out below:

- **The AC: Incomplete Understanding**

Despite the fact that a majority of respondents correctly noted the AC as “an institution who resolves collective labor disputes”; clients were less likely (49%) to perceive the AC in this way, as compared to non-clients. Additionally, among the respondents, representatives from union federations were least likely (48%) to consider the AC as such. Furthermore, the results indicate that although respondents may have received services from the AC, they were not highly aware that the AC only handles collective labor disputes; thus, indicating that the respondents are not clear of the exact role of the AC. In the future, this may pose a problem as clients may incorrectly seek or expect the AC’s services for other forms of disputes. Furthermore, with respect to non-clients, only a small majority (21%) correctly indicated that the AC only resolves collective labor disputes.

Respondents’ knowledge of the differences between binding and non-binding awards was quite varied. While a majority (83%) of union federation respondents pointed out that they were knowledgeable of the differences between binding and non-binding awards, this was followed by only 42% of workers’ unions and 52% of employers.

While a majority of the respondents were aware that objections could be lodged concerning arbitral awards, fewer (26%) could actually confirm that these objections should be lodged within eight days after the issuance of an award. It should also be noted that only a slight majority of union federation representatives (55%) could provide this correct answer, while workers’ unions (12%) and employers (24%) recorded even lower figures. Based upon respondents’ answers, the number of days for lodging an objection ranged from one to thirty days.

In order to ensure that awareness levels of the AC and of the LAP are not heavily skewed toward various stakeholders, it is imperative that the AC ensure that its training sessions have representatives from all groups. The composition of training courses may be conducted with a mixed group of representatives – among employers’ and workers’ representatives – or training could be provided separately for both groups. Nonetheless, it is evident that information gaps exist among stakeholder groups – i.e. union federations hold higher awareness and understanding than representatives from workers’ unions and employers. This may present the possibility of future tensions between various stakeholders, as employers’ and workers’ representatives may have difficulty in collaborating and consulting with one another as disputes arise, due to varied information and knowledge of the AC and the LAP.

Furthermore, the AC may also consider working with union federations and involving them in the dispersal of information and/ or monitoring the process of information dissemination, in order to ensure that the information reaches the level of the local workers’ unions. With respect to information dissemination to employers, the AC could seek the help of NGOs or employers’ organizations as well. As the media was cited by a number of non-clients, as a primary source of information, the AC could use this source more liberally and extensively. This would not only assist in increasing awareness levels, but would also help in attracting more clients. With respect to existing clients, the AC should maintain contact with these organizations, on a regular basis, by inviting representatives to seminars, training sessions or public relations events.

It would also be possible, and helpful, if direct feedback sessions were organized with these representatives, in order to attain information regarding their thoughts of, and experiences with, the AC. Feedback could be attained either from occasional FGDs or follow-up calls; thus, establishing an easily implementable and systematic internal monitoring system with the purpose of learning from clients. This would allow service delivery to be based upon clients’ thoughts, needs and potential demands, which could provide further insight into the present trends within certain economic sectors and stakeholder groups.

- **Knowledge Divide Between Union Federation and Others**

Despite the fact that a significant majority of the respondents were familiar with the AC, the disparity between clients and non-clients was still quite high; indicating that familiarity or knowledge of the AC may come as a result of direct contact with the organization. Furthermore, while a strong majority of union federation respondents (88%) were familiar with the AC, it is not the case with employers. In addition, more than two-thirds of union federation respondents had previously attended training session, which contrasts sharply with workers' union attendance rates (27%). This may indicate that union federations opt to directly collaborate with the AC, and then convey information to their respective workers' union membership. Although practical and cost-efficient, in theory, the appropriate information does not seem to trickle down to workers' union representatives; in turn, keeping workers' union members outside the process.

As previously mentioned, the disaggregated findings from respective stakeholder groups would support the conclusion that there is a knowledge and information divide between union federations and others. This is quite interesting as a number of respondents identified union federations as a source of information, regarding the AC and the process of LDR. The results also show that representatives from union federations were most active during hearings and most knowledgeable of the process; thus, it is vital that union federations are adequately informed, in order to facilitate the LAP and further disseminate information to workers' union members.

- **Involvement of Respondents**

The role of the AC and its processes are not clearly understood by all, as was stressed within the findings. It appears that this may be due to the fact that some clients are not directly involved with the labor dispute resolution process. For example, although many workers' unions could be considered clients of the AC, many have been represented by their respective union federations when disputes are brought to the AC for resolution. Hence, these individuals may have limited knowledge concerning the actual order of stages within the LAP, such as: conciliation, arbitrator selection, award issuance, and the lodging of objections.

It has also been noticed that there is a great level of non-involvement on the side of workers. In this regard, it may be useful for the AC to call upon hearing representatives (i.e. union federations and workers' unions) to involve and increase actual participation of the ultimate service user (i.e. the workers). However, it may not be seen as appropriate if the AC were to conduct this activity on its own, as it should remain unbiased. Nonetheless, increasing the participation and involvement of workers, during disputes, would lead to greater levels of awareness and knowledge concerning the AC and the LAP; in turn, leading to the possibility of improved social accountability. This would be particularly useful in ensuring that clients gain faith in the AC's credibility, and continue to utilize the institution's services. Furthermore, if the AC decides to levy a fee in the future, satisfaction and understanding on the part of the ultimate service consumer (i.e. the worker) would come into play.

- **Expansion of Client Base**

On a more positive note, the AC's approval rating among respondents was quite high. A majority of clients, among all respondent groups, believed that 80% of all disputes brought to the AC could be solved through the process labor arbitration. Furthermore, a majority of respondents felt that arbitrators were skillful and held a good knowledge of the labor law and regulations.

A strong majority of respondents (around 90%), clients and non-clients alike, stated they would use the AC's services in the future. Furthermore, it is noteworthy that all respondents seemed more willing to recommend the AC to others. More importantly, they tended to be more willing to pay for the AC's services in the future, if required. However, among all groups, union federations had the least intention to pay.

Based on the findings, it seems that there is potential to expand the AC's client base. While most non-clients would demand the AC's services in the future, they would also be willing to pay for them, and would also recommend the institution to others as well. Although the AC may not levy a fee in the future, the willingness to pay for this service can act a proxy indicator – in confirming that users see a definite benefit and worth to this service (i.e. respondents would be willing to pay for these services if they found the potential benefits as outweighing any potential costs).

It is also evident that the respondents held confidence in the AC's credibility. The findings show that respondents (clients and non-clients alike) felt that the AC had the institutional capacity to undertake and deliver good-quality labor arbitration services. The findings show that the AC has already laid the foundation for attracting potential clients, as its credibility has been confirmed by most respondents (i.e. service users would be less willing to demand services if the credibility of the institution was unfounded); thus, the institution may be able to attract a greater number of service users with the correct strategies. Pertinently, if the AC desires to expand its clientele base in the future, it should first endeavor to expand the knowledge base of non-clients. As previously mentioned, potential clients should be knowledgeable of the actual roles and responsibilities of the institution. It is also imperative that the AC look into the recommendations provided by respondents.

- **Managing Client Expectations**

Overall, a majority (80%) of all respondent groups mentioned that the AC is unbiased. Regarding the answers provided by those believing that the AC is biased toward one party, half (50%) stated that the institution favors employers when decisions are made. This was believed as respondents felt that employers held an advantage over workers, due to more money and more reasonable documentation. In addition, nearly half of workers' union respondents were not sure of the trustworthiness and accountability of the AC, in resolving disputes; this also held true among a minority of union federation respondents (39%).

Thus, the findings in this respect seem to be quite mixed among various respondent groups (i.e. clients versus non-clients, and union federations versus others). Overall, most respondents believed in the credibility of the institution; however, this majority is met by a number of varied perceptions – i.e. while some respondents believe that the AC was created to defend workers, other feel that its purpose is to protect employers. The perception that the AC is biased needs further attention from the organization, as it may prove to be a stumbling block in the future.

Although it may simply be a misunderstanding on the part of certain respondent groups, this could be further corrected by publicizing and disseminating the correct information to a more public audience; although, the belief that the AC is biased or in favor of a specific party may actually be

reflective of respondents' expectations. For example, clients may find that the AC is biased if decisions and award issuance are not satisfactory, in their minds. On the other hand, clients may also assume that the AC will solve all problems and disputes, without understanding that arbitration, in principle, differs from an adversarial court process. Thus, it may be beneficial to educate the prospective parties before disputes are heard at the AC, in order to inform them that – as opposed to usual court proceedings – arbitration proceedings can work only when parties want to reach a solution amicably and honorably.

APPENDIX

List of Variables Used to Measure Each Indicator of the Analysis

All the question numbers are reference to questionnaire set for “client” type.

No	Variables	Answers Taken for Analysis	Questionnaire Items
1st Indicator: “Awareness of AC”			
1 st variable	Awareness of AC as an independent institution	Independent institution	Question 1.5
2 nd variable	Awareness of AC as Cambodian body	Cambodian body	Question 1.6
3 rd variable	Awareness of role of AC	<ul style="list-style-type: none"> - Training course - Labor dispute resolution - Conciliation - Resolve disputes - Judgment on the case - Help make agreement 	Question 1.7
4 th variable	Awareness of AC as resolving collective labor disputes	Collective labor dispute only	Question 3.1
5 th variable	Awareness of service charge of AC	“Yes” , AC service is free of charge	Question 3.29
2nd Indicator: “Awareness of Labor Arbitration Process (LAP)”			
1 st variable	Awareness of Labor disputes get to AC	- By Ministry of Labor	Question 2.4
2 nd variable	Awareness of Labor Arbitration within 15 days	- 15 days	Question 2.5
3 rd variable	<ul style="list-style-type: none"> - Awareness of the stage of labor arbitration process - Awareness of correct stages of Labor Arbitration 	<ul style="list-style-type: none"> - (1) Ministry of labor refers the case...; (2) Selecting arbitrator...; (3) Conciliation/Hearing; (4) Issuing award...; (5) Objection to award. 	Question 2.6 Question 2.7
4 th variable	Awareness of who decides the case	- The arbitration panel	Question 2.8
5 th variable	Awareness of the fact that there can be objection to arbitral panel	- After award issues	Question 2.9

3rd Indicator: “Awareness of AC and LAP”			
1 st variable	Awareness of AC as an independent institution	Independent institution	Question 1.5
2 nd variable	Awareness of AC as Cambodian body	Cambodian body	Question 1.6
3 rd variable	Awareness of role of AC	<ul style="list-style-type: none"> - Training course - Labor dispute resolution - Conciliation - Resolve disputes - Judgment on the case - Help make agreement 	Question 1.7
4 th variable	Awareness of AC as resolving collective labor disputes	Collective labor dispute only	Question 3.1
5 th variable	Awareness of service charge of AC	“Yes”, AC service is free of charge	Question 3.29
6 th variable	Awareness of Labor disputes get to AC	- By Ministry of Labor	Question 2.4
7 th variable	Awareness of Labor Arbitration within 15 days	- 15 days	Question 2.5
8 th variable	<ul style="list-style-type: none"> - Awareness of the stage of labor arbitration process - Awareness of correctly stages of Labor Arbitration 	<ul style="list-style-type: none"> - (1) Ministry of labor refers the case...; (2) Selecting arbitrator...; (3) Conciliation/Hearing; (4) Issuing award...; (5) Objection to award. 	<p>Question 2.6</p> <p>Question 2.7</p>
9 th variable	Awareness of who decides the case	- The arbitration panel	Question 2.8
10 th variable	Awareness of can be objection to arbitral decision	- After award issues	Question 2.9
4th Indicator: “Understanding Labor Arbitration Process”			
1 st variable	Knowledge of respondents of who selects arbitrators	- Each party (worker/union and employer) or their respective representatives select arbitrators	Question 3.2
2 nd variable	Knowledge of respondents of how to form an arbitral panel	- 2 primary steps: (1) Each party choose their arbitrator from their list; then (2) the two selected arbitrators choose the neutral arbitrator	Question 3.6
3 rd variable	Knowledge of respondents of number of arbitrators in an arbitral panel	- Three	Question 3.7
4 th variable	Knowledge of respondents about presenting facts and arguments during AC hearing	- Yes	Question 3.17
5 th variable	Knowledge of respondents of basis on which arbitral panel makes decisions	<ul style="list-style-type: none"> - By law (labor law) - By fairness - By facts/evidence 	Question 3.20

		- Base on tolerance	
6 th variable	Knowledge of respondents about who could lodge objection to award	- Either party of dispute	Question 3.21
5th Indicator: “ Independence of AC”			
1 st variable	Perception of respondents of AC as an independent institution	Yes, independent	Question 4.1
2 nd variable	Perception of respondents of AC as not being biased to any parties	No, not bias	Question 4.2
3 rd variable	Perception of respondents of AC as more independent than court	Yes, more independent than court	Question 4.3
4 th variable	Independence from any party, as compare to court	Higher confident in AC than court	Question 4.6 (b)
5 th variable	Transparency in performing the duty	Higher confident in AC than court	Question 4.6 (e)
6th Indicator: “Credibility of AC”			
For AC’s Clients			
1 st variable	AC is a trustworthy institution in resolving labor disputes		Question 4.8.1
2 nd variable	AC is accountable for their duty and perform them with integrity		Question 4.8.2
3 rd variable	AC’s decision making is fair		Question 4.8.3
4 th variable	Arbitration process is transparent		Question 4.8.4
5 th variable	AC is a credible institution		Question 4.8.5
6 th variable	Arbitration treat parties with dignity and respect		Question 4.8.6
7 th variable	Arbitrators are highly knowledgeable about Labor laws		Question 4.8.7
8 th variable	Arbitration have good skills in labor dispute resolution		Question 4.8.8
For Non-AC’s Clients			
1 st variable	AC is a trustworthy institution in resolving labor disputes		Question 4.8.1
2 nd variable	AC is accountable for their duty and perform them with integrity		Question 4.8.2
3 rd variable	AC is a credible institution		Question 4.8.5
7th Indicator: “Effectiveness of AC”			
1 st variable	AC hears disputes and issues decision within 15 day		Question 4.11.6
2 nd variable	AC provides reasons for its decisions, based on law and evidence, and makes decisions public and transparent.		Question 4.11.9
3 rd variable	Confidence to use AC decision in further negotiation and agreement		Question 4.11.10
4 th variable	Labor disputes are resolved by AC		Question 4.11.11
8th Indicator: “Effectiveness of AC”			

8th Indicator: “Combined the three (independence, credibility and Effectiveness)”			
1 st variable	Perception of respondents of AC as an independent institution		Question 4.1
2 nd variable	Perception of respondents of AC as not being biased to any parties		Question 4.2
3 rd variable	Perception of respondents of AC as more independent than court		Question 4.3
4 th variable	Independence from any party		Question 4.6.2
5 th variable	Transparency in performing the duty		Question 4.6.5
6 th variable	AC is a trustworthy institution in resolving labor disputes		Question 4.8.1
7 th variable	AC is accountable for their duty and perform them with integrity		Question 4.8.2
8 th variable	AC’s decision making is fair		Question 4.8.3
9 th variable	Arbitration process is transparent		Question 4.8.4
10 th variable	AC is a credible institution		Question 4.8.5
11 th variable	Arbitration treat parties with dignity and respect		Question 4.8.6
12 th variable	Arbitrators are highly knowledgeable about Labor laws		Question 4.8.7
13 th variable	Arbitration have good skills in labor dispute resolution		Question 4.8.8
14 th variable	AC is a trustworthy institution in resolving labor disputes		Question 4.8.1
15 th variable	AC is accountable for their duty and perform them with integrity		Question 4.8.2
16 th variable	AC is a credible institution		Question 4.8.5
17 th variable	AC hears disputes and issues decision within 15 day		Question 4.11.6
18 th variable	AC provides reasons for its decisions, based on law and evidence, and makes decisions public and transparent.		Question 4.11.9
19 th variable	Confidence to use AC decision in further negotiation and agreement		Question 4.11.10
20 th variable	Labor disputes are resolved by AC		Question 4.11.11
9th Indicator: “Level of Confidence of Respondents in the Capacity of AC to Undertake LDR”			
1 st variable	Arbitrators have good knowledge of labor laws and regulations		Question 4.13.1
2 nd variable	Arbitrators have good labor dispute resolution skills		Question 4.13.2
3 rd variable	Hearings have clear rules and are professionally managed		Question 4.13.3
4 th variable	Arbitrators provide clear explanation to parties about procedures for arbitration		Question 4.13.4
5 th variable	Arbitrations give both parties opportunities to speak their arguments and present relevant documents		Question 4.13.5
6 th variable	Decisions for the AC are clearly written and understandable		Question 4.13.6