

TEACHER RECRUITMENT, SELECTION, AND PROMOTION: THE ROLE OF TEACHERS' UNIONS IN MALAYSIA

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ABSTRACT – The topic reviews the roles of Teachers' Unions in teacher recruitment, selection, and promotion and their impacts on the timely graduate teachers as well as to the educational system in general. The objectives of the research were to analyze the current situation in the Malaysia's Ministry of Education from the Human Resource Management (HRM) point of view. It outlines the issues that exist within HRM particularly on the influence of teachers' Unions in the formation of Human Resource policy in education on teachers' recruitment channel, selection methods and promotion and its effects on the timely graduate teachers. Special reference was given to the latest Malaysia's educational policy - Malaysian National Education Blueprint (2013-2025) which inter alia has included human resource management in its transformation program. We argue that Teachers' Unions have their influence in the formation of policy by the Ministry of Education on recruitment, selection and promotion of teachers. How the policy benefits the college-qualified teachers and affect the timely graduate teachers in particular and the educational system in general.

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INTRODUCTION

Human resource management (HRM) is a vital part of any organization. Recruitment and selection have become imperative in organizations because individuals need to be attracted on a timely basis, in sufficient numbers and with appropriate qualifications Human Resource Division (HRD) of the Education Ministry is responsible for the management and administration of the Ministry's personnel. But they are not in any position solely authorized in the appointment or selection of teacher candidates. This function is performed by the Education Service Commission. According to the Trade Union Act 1959, Trade Union is any organization or association of employees/workers or employers. Industrial Relation Act 1959, defines it as any Union registered under any Act in relation to the registration of any Union of workmen Lester(1964) defines a trade union as "an association of employees designed primarily to maintain or improve the conditions of employment of its members". Therefore the main function of trade unions is for the maintenance and enhancement of the workmen's economic status by insisting on a rise in money wages and improvement in working conditions and benefits. Maimunah Aminuddin(2011) shares the same opinion when she maintains that there are three factors which drive workmen to form or join a union. Economic motive is the first goal and followed by protection of rights and social reasons. The struggle of the Teachers' Unions in Malaysia focuses more on economic returns. The literature review provided in this study for Teachers' Unions in Malaysia, mostly relied on online resources for the most up to date information as there is a dearth of literature on it.

By virtue of Section 27(2)(f) and 27(3)(aa)(i) of the Trade Unions Act 1959, graduate government servants in the management and professional groups are prohibited from setting up a union and holding positions in workers' unions. Thus, all trade unions are controlled by the non-graduates and this includes teachers' unions. As a result, the unions have been fully utilized by the members to fight for their own interests, sidelining most of the timely university graduates. The non-graduates or College-qualified teachers (CQTs) were later made graduate teachers after the government decided to convert their certificate level of qualification to Diploma level in 1999. Thereafter, when they government opened up opportunities for the non-graduate teachers to pursue graduate studies in 2010, the majority of them have a degree. This scenario took place as a result of the pressure put on by the Unions on the Ministry of Education. The present study seeks to better understand Teacher unions' effectiveness at influencing policy and its impacts on timely graduate teachers in particular and on the educational system in general.

Background of Teacher Recruitment And Selection

There are various methods of recruitment but for the sake of simplicity, they have been categorized under three broad headings: internally, externally or an internal promotional selection. In most cases, a company will allow current employees to apply for the position before posting the position externally. Recruitment of teachers in Malaysia uses all the three methods mentioned but internal recruitment has been the most used method. . In this heading, we shall discuss the internal recruitment only as it is the issue in this paper.

Internal Recruitment

Internal recruitment sources basically provide the best candidates for open positions which can be found within a company. This type of recruitment seeks prospective candidates for vacancies from among those who are already on a pay-roll of an organization (Sarma, 2008). In order to raise the prestige and status of teaching profession as outlined in the ministry's Education Development blueprint for 2001-2010, which recognises that primary school teachers provide the foundation for education and need to be well-qualified, teacher training colleges were upgraded to institutes of teacher education. The aim is to produce teachers with Bachelor of Teaching degrees with the hope that by 2010 this degree programme would meet the target of having only graduate teachers in secondary schools and 50% graduate teachers in primary school. Thus in the year 2007 the Bachelor of Teaching program was rolled out based on Malaysia's conceptual framework for the teacher education curriculum. Whereas for the present teachers who do not possess a degree, they go through a Special Degree Programme (for non-graduate teachers) which is an in-service teacher education. Teachers are sent to local public universities to do their basic degree. The advantages of using internal resources are presented by Patel & Rana (2007) where they noted that internal recruitment gives better motivation of employees. Their capabilities are considered and opportunities offered for promotion. Employees can be better utilized where the company can often make better use of their abilities in a different job. It is more reliable than external recruitment as the present employee is known more thoroughly than an external candidate. The impacts of this method of recruitment are in promotion, salary and seniority and are discussed in the following paragraphs.

Teachers' Union and Its Influence in Hrm In Education

One of the reasons workers join a trade union because they believe that a union can negotiate for better pay. D Checci, J Visser and H.G van de Werfhorst (2010) share the same ideas when they say that workers join Trade Union for economic, equality and human rights reasons. The issue is whether the teachers' Unions represent all categories of teachers. Section 27(2)(f) and 27(3)(aa)(i) of the Trade Unions Act 1959, disallow graduate government servants in the management and professional groups from setting up a union and holding positions in workers' unions. Thus, all the Public Service Unions in Malaysia are controlled by the non-graduates. Teachers' Unions in Malaysia are unique. There are two categories of members in the Unions. They are the graduate and the non-graduate teachers. It might be weird to hear that a union practices discrimination in its struggles for its members. There is a dearth of literature regarding a union practices discrimination and bias. But this situation does happen in Malaysian's Unions of teachers.

In Peninsular Malaysia, there are two popular teachers' Unions namely, National Union of the Teaching Profession or NUTP and Kesatuan Guru-guru Melayu Malaysia Barat or KGMMB. NUTP is the dominant and has the most number of members. Due to its high number of members, NUTP has been playing significant roles in voicing out non-graduate teachers' rights and problems. O'Brien (1992) might be right when he claimed that increased union membership leads to higher compensation and employment for members. As now almost all the college-qualified teachers have a degree, their Congress of Unions of Teachers in the Malaysian Education Service wants the government to reassess the enforcement of the law (Section 27(2)(f) and 27(3)(aa)(i) of the Trade Unions Act 1959) prohibiting them from holding positions in teachers' unions.

Secondly, do the unions fight for the group (timely graduate teachers who are also their members) who they have regarded as their competitor for their claims? To answer this question, it is useful to look at the concept of Homologous Reproduction Theory which was first conceptualized by Kanter (1977). This theory holds that the dominant group in an organization reproduces itself in its own dominant social and/or physical characteristics. In this framework, opportunity, power, and proportion represent structural variables within an organization that can explain the hiring of, or discrimination against, individuals. Thus, organizations hire individuals with characteristics similar to the dominant group, whereas individuals who are perceived to have characteristics differing from the dominant group are either not hired or are fired or laid off. This is evident from the Union's bulletin where from the 76 list of successful claims made by the Union, all were for the benefits of the non-graduate or ex-non graduate teachers (NUTP, 2017).

Homologous Reproduction Theory was further expanded by the subsequent writers on education issues. Schneider B, Goldstein H.W., and Smith, D.B (1995) emphasize that the issue of becoming stagnant and too homogeneous is rooted in the frameworks of homologous reproduction and Attraction-Selection-Attrition. A workforce that is composed of only internal recruits can start to think alike and become resistant to change (Youst & Lipsett, 1989). That might compromise the organization's growth and even its survival (Schneider, 1987).

Basically, all primary school administrative positions are held by the non-graduates whereas in secondary schools, they are the majority office bearers compared to the timely graduates. Through the Unions, policies on human resource particularly on recruitment and selection and promotion are in favour of the non-graduate teachers. Instead of meritocracy, teachers' Unions played their roles in the promotion process. There are many ex-CQTs holding the post of principal in primary and secondary schools. However, in primary school, all the post of headmaster or head of school are dominated by the ex-CQT. The timely-graduates have been ignored on no specific ground given by the upper authority.

Unions' Interference in Promotion and Salary

The mission of Ministry of Education is to produce world class education and ensure the development of individual potentials and to fulfill nation's aspiration. This mission is embedded in the MEB. The Ministry has worked to improve the quality of teachers by upgrading the college-qualified teachers' level of education. Improving remuneration and

opportunities for promotion are amongst the actions taken in order to hit the target. However, the Teachers' unions play a crucial role in this matter. The policy drawn on this matter benefits the majority members of the Unions. As a negotiating machinery, negotiations include the proposals made by one party and the counterproposals of the other. An example on this proposition is the working paper by KGMMB for the promotion for the CQT or ex-Diploma's teachers (KGMMB, 2012). Hirsch, Macpherson, and Winters (2012) find a positive relationship between collective bargaining and teachers' salaries, and Freeman and Han (2013) find a positive link between union density and earnings, employment, and retirement benefits for teachers, even in states that prohibit collective bargaining. The Unions' success in their claims is proven from the letter of agreement from the Ministry of Education to the proposal given for salary increase for the CQT or ex-Diploma's teachers (Ministry of Education, 2011a).

Public sector unions seek higher wages, better benefits, and job protections for their members, which are costly for governments to provide. Promotion within a grade or to a higher grade typically is accompanied by a salary increase. And because unions can mobilize money and manpower in ways the unorganized cannot, there is good reason to believe that government workers will exercise greater power when they are unionized, resulting in higher costs (Freeman and Medoff, 1984). For example Machin (1999) states: "Trade unions have traditionally been seen as defenders of egalitarian pay structures. This is reflected in 'equal pay for equal work' notions and the standardisation of pay setting mechanisms, often in the form of rigid pay scales attached to jobs rather than individuals." Teachers have voiced their concerns about promotional opportunities in their career via the National Union of Teaching Profession (- NUTP Presents 9-Point Memo to Ministry, 2012). These grouses arose despite the government's announcement earlier in the same year to allocate of RM934 million for teacher promotion exercise and about 60,000 teachers were being promoted or recognized for promotion progressively (Dermawan, 2012).

Time-based system was implemented in 2012, through the New Remuneration System of Malaysia (SBPA). Under SBPA, according to the time-based method, a teacher would obtain grade 44 in his eighth year of service and grade 48 on the 16th year of service when in the earlier scheme, the teacher would have to wait for 20 years to get promotion. Teachers of excellent performance are rewarded through the Excellent Teacher promotion scheme. A non-graduate teacher from grade 29 to 32 would need eight years compared to 10 years (Ministry of Education, 2010a)

The Unions have successfully influenced the government to give priority for job promotion to their majority members instead of all members regardless of category. Many schools employee teachers in Malaysia who do not have at least a basic university degree become the superior of those university graduates with bachelor degree or even PhD? This can be seen in the primary school where the school managers are from the ex-CQT teachers. These College Qualified teachers (CQTs) have been given very special position and treatments by the Ministry of Education who is controlled by the same quarter as well. The promotion process is that the immediate supervisor is normally the recommending official responsible for initiating a request to make an appointment based on the supervisor's evaluation in order to fill a vacancy for higher position or grade of salary. The principle of meritocracy is not obviously adopted in the promotion process. Homologous Reproduction Theory is applicable in this situation as we can witness this ex-under qualified teachers bear various posts at the Ministry, State Education Department and Education District Office levels. Since the CQTs are in control of both institutions, they inclined to promote their friends or relatives who are also CQTs. They are promoted to Senior Teacher post with the salary scale of DG 48, though they have just been promoted to DG 44 just 2 years earlier. The graduates have to wait for 8 years (after the restructuring) to qualify for DG 48 (see Table 1 below) Most pure university graduates who have attended top rated Malaysian university but they only teach and remain at the school level as ordinary teachers in permanent basis. Xiaoyi (2016) stressed that collective bargaining is an effective method to upgrade union members' earnings. They joined the unions to voice out their dissatisfactions and with the aim of the unions solving their problems through direct negotiation with the employer.

The National Union of the Teaching Profession (NUTP) had proposed (and the Ministry had agreed) that a special incentive be given to CQT who pursued higher studies in the form of special annual increments (Ministry of Education 2011b). On May 2011, another announcement of salary increase was made by the Prime Minister (as he was then). And at this second time, only few groups of teachers benefit from it (Star Online, 2011). Looking at the 2012 Budget unveiled by Prime Minister Datuk Seri Najib Tun Razak, the unfairness was apparent. In line with Najib's Teachers' Day message earlier, when he announced a better career path for the ex-diploma teachers. The New Civil Remuneration Scheme (SBPA) offered time-based promotion where teachers would reach grade 44 in their eighth year and grade 48 in the 16th year of service. However for the non-graduate teachers, it would take eight years to be promoted from grade 29 to 32 and only 5 years from DGA34 to DGA38 compared to 6 years for the graduate teachers to reach DG52. According to SBPA, teachers on grade DG48 received a maximum salary of RM8,710, an increase of 37.7% from RM6,325.39 under the Malaysia Remuneration System (SSM). For non-graduate teachers on grade DG34, the maximum salary increased by 39% from RM3,860.52 under SSM to RM5,370 under SBPA (The Star Online, 2011a). Belman, Heywood, and Lund (1997) estimate the effect of public-sector union membership on public-sector earnings for state and local government workers, and they find higher earnings to be correlated with strong bargaining rights. It is obvious the teachers' Unions' claims for salary increase involved only certain groups of teachers and not the whole of them (refer to Table 1 below) for clearer explanation on the processes of the system.

Effects to Pure Graduate Teachers

If a person described in a CV is not who the job applicant really is, they may not be able to do the job that you're hiring them for. This could have a negative impact on productivity, as other staff may need to work harder to meet targets and deadlines, damaging group morale. poor recruitment and selection can drive the best team members away, often right

into the hands of the competition, taking the skills, knowledge and expertise –that the system have helped develop– with them. They can also lower the standards for the rest of the team. Internal recruitment has resulted in college-qualified teachers whose academic results did not meet the requirement to enter university to have a university degree through the government’s policy. They were then appointed to higher scale of salary and positions. In primary school, all administrative positions (middle-level managers) were held by them. Not only the primary school, they also become office bearer at secondary school, and at all levels of the Ministry of Education. Some of them become decision makers at the Ministry level.

As they control the school administration, the tendency of making decisions based on specific characteristic such as friends or associates cannot be ruled out. They have unions to protect and fight for their rights whereas the pure graduate teachers have no avenue to channel their dissatisfaction. In business, effective management is critical in order to make a business work profitably. People are the most valuable asset in any company. If poor decisions are made at the selection stage the businesses will suffer. When it comes to Human Resources Management, choosing the wrong candidate to be a team leader can have long term negative consequences on the business. When recruiting and selection systems fail, meritorious candidates are rejected and non-meritorious are selected. More than just losing money from lack of productivity, hiring the wrong people negatively affects many aspects of daily business and productivity. If a qualified person is passed over for a promotion, this may affect the organization in long-term.

Not only is this an expensive mistake to make, but it can be highly disruptive to the team and the organisation. Sarma (2008) and Rashmi, (2010) stressed that another important point is that the selection of a candidate may be unfair based on the management likes and dislikes, which can lead to promoting not the most suitable applicant, resulting in insufficient efficiency and disgruntlement across the company. It not only involves ensuring that an organization has the right number of people in the right positions at the right time but also that the right experience and skills sets reside within the organization, genuinely qualified, and that the right talent continues to be recruited, developed, and retained.

Disgruntled teachers who are not satisfied with their job could not be committed and productive. In order for the teachers to play a key role in the educational process, they need to be satisfied with their teaching job; otherwise the government policy and effort will fail. Teachers, who receive great satisfaction from their job, will largely contribute towards effective program of education and finally helping the country to achieve the vision 2020. In other words, the teachers truly need to be satisfied with their work in order for them to function efficiently and also effectively. By doing so, the schools can achieve their goals and missions and can contribute to the nation success.

Effects to the Educational System

Recruiting and selecting the wrong candidates who are not capable come with a huge negative cost which businesses cannot afford. Brandon Hall Group (2015) describes a bad hire as somebody who negatively impacts the productivity, efficiency, performance and culture of an organisation, as well as someone who only remains with the organisation for a short period of time. The significant effects are on the cost of retraining teachers and the teachers’ quality which directly affect the organization’s (Ministry of Education’s) goals.

Through the Unions, policies on human resource particularly on recruitment and selection and promotion are in favour of the non-graduate teachers. After the government opened up opportunities for the non-graduate teachers to pursue graduate studies in 2010, the majority of teachers have a degree. The declining standard of English proficiency among graduates has become a serious issue in Malaysia, exemplified by the shocking admission by a top education ministry official recently that two thirds of the 70,000 English-language teachers in the country failed to reach a proficient English level. It is said that improving the English standard among students poses “the most acute challenge” of the Malaysia Education Blueprint 2013–2025, which was launched in September 2013 (Azman Ujang, 2013; Doss, 2012; Educationfactory, 2013; Hariati & Lee, 2011). It is widely feared that the quality of education has also declined in other, more important respects as well. Weaknesses in the education system affect all sectors and have attracted serious public and government concern. It is uncertain as to whether this downfall took place because of the situation mentioned in the preceding paragraph. (MEB, Chap 4: 10)

There seems to be a general agreement that the processes of teaching and learning are highly dependent on quality of teachers’ preparation and skills. The dispensation of quality education depends on the quality of teachers available in the education system. The MEB clearly states that the quality of teachers is the most significant school-based determinant of student outcomes (MEB, 2012) It goes further to highlights that teachers only managed to deliver 50% of their teaching effectively The MEB (MOE, 2012a, p. 28). This is attributed to their passive delivery in teaching and it indicates that the in-service training teachers receive in Malaysia is inadequate for improving their teaching ability. Immediate measures must be taken to resolve the problem, as more than 60% of the current crop of teachers will continue teaching for the next 20 years (MOE, 2012a).

DISCUSSION AND CONCLUSION

On many major educational issues, teachers’ unions are inherently in conflict with the public interest. Over time, they overreached, negotiating pay and benefits packages for their selected members and sidelining the other category of member. They interfere in the making and execution of education policies. One important consequence of this interference is the unconventional practice in recruitment and selection of teachers as discussed at length in the previous paragraphs. The country has come up with numerous blueprints and committees since independence on how to improve

the education system. Unfortunately, those who had pushed for these blueprints and committees were under-qualified people who had different ideas on how to build a progressive education system for the country due to their vested interests.

Teachers' Unions in Malaysia have successfully fought for the CQTs demands beyond their targets. From a certificate level which equal to a clerk's status to a Diploma then a Degree and eventually they pass over their timely graduate colleagues in terms of promotion, seniority and salary. Noblet and Rodwell (2008) commented that while fair performance management systems have the potential to reduce burnout, unfair performance management systems tend to create uncertainty, make it more difficult for academic employees to reach their goals and disrupt social relations in the workplace. In such situations, stress and burnout tendencies are likely to emerge (Moliner et al. 2008). Table 1 below shows the comparison of status between College-Graduate and Timely Graduate Teachers.

Table 1. Comparison of status between college-graduate and timely graduate teachers

				Difference	
	Subject	College	Graduate	College	Graduate
1.	Administrative Positions	Primary and Secondary Schools	Only in Secondary school	Eligible to hold administrative positions in both Primary and Secondary Schools. They are superiors to timely grad teachers	Not eligible for administrative positions in primary school. They become ordinary teachers and inferiors to the college-qualified teachers.
2.	Time Duration for promotion. (Time-based system)	8-8-8-5 (DG29- 32-34-38)	8-8-8-6-3 (DG41-44-48-52-54)	29 years	30 years
3.	Difference in % of starting salary (2018)	RM1,698.00 (DG29)	RM2,188.00 (DG41)	Rm490	22.4% (difference of salary in %)
4	Other profession (difference in % of starting salary (2018)	JA29 : RM1,935.02) Engineer (Diploma)	RM2,529.00 (Degree) J41	Rm594 (difference of salary in RM)	Source: http://www.spa.gov.my/web/guest/deskripsi-tugas/ijazah/1227 23.5% (difference of salary in %)
5.	Other profession (difference in % of starting salary (2018)	Pegawai Belia dan Sukan Gred S29 RM1362.00 (Diploma)	Pegawai Belia dan Sukan Gred S41 RM2078.00 (Degree)	RM716 (difference of salary in RM)	Source: http://www.spa.gov.my/deskripsi-tugas/diploma/2131 34.5% (difference of salary in %)
6	Working hours	7.30 – 1.30 (Primary school)	7.30 – 2.30 (Secondary School) 7.30 – 3.30 (for Form 6 teachers)	6 hours	8 hours
7	Pre-service Period	Fully sponsored by the government	Self-sponsored or Government loan	No repayment of loan	Repayment of loan for a period up to 10 years

From Table 1, it is obvious that CQTs have wider opportunities for promotion, earlier salary increment, shorter time for promotion, enjoy the lowest percentage in difference of salary between graduate and diploma holders compared to other professions, shorter period of working hours and better treatment from the government during their pre-service period.

The conclusion and recommendations suggested that Teachers' Unions in Malaysia fight only for the CQTs and they have great influence in the making and carrying out of educational policies. The impact on the organization, of making a

mistake in the recruiting process, will not only be felt financially, but also by the effects that it will have on the existing employees. This will eventually give negative effects on the efforts to achieve the nation's education objectives.

SUGGESTIONS

The above discussion shows that in spite of many efforts, made by the ministry of education of Malaysia, to increase efficiency of education and particularly teacher education many hindrances are still there to be removed. Several Malaysian researchers (Musa, 2003, Ibrahim et al., 2015) identify the hierarchy of education management as a major factor inhibiting effective policy implementation. However, little empirical evidence available linking the roles of teachers' unions in influencing the formation and effective implementation of the education policies.

Section 27 of the Union Act 1959 should be repealed or amended to give way for pure graduate to union. In this context, pure graduate teachers should have the same rights as any other employee to organize and join unions so that they can bargain collectively to negotiate for better wages and working conditions. As stressed by Sauter (1988), public-sector unions are powerful special interest groups. They lobby and vote for bigger government programs; they enjoy monopoly powers over labor supply when it comes to the provision of public services; and they may block changes to the status quo when the changes harm members.

For performance appraisal, policymakers can draw on the latest performance evaluation to craft effective policies that reward and attract highly skilled teachers. The evaluating persons themselves should be a competent and high quality individuals so that they are capable to make a fair, effective and efficient evaluation on their subordinates. Hence, the subjective system of teacher promotion should be reviewed. National education policy then, needs to resolve the debate around standards, accountability and equity in education to further improve inclusive practice and ensure that the next generation of teachers are brought up in inclusive settings which develop appropriate attitudes and values.

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