Confusopoly in the 21st Century Employment Relationship

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Abstract

Employee deskilling through division of labour formed a key critique of the way workforces were managed in capitalist market economies throughout the 20th century, a genre of criticism crystalized in Braverman's Labour and Monopoly Capital. In the digital age, new, epoch-distinctive, industries have emerged. In this article, the construct of *confusopoly* is broadened to embrace labour management. This study draws on telco industry vendor focus-group results to highlight three themes that support the claim that *confusopoly* is not merely a feature of the firm-client relationship in digital age sectors. Rather, in such industries, the term aptly describes an aspect of the modern employment relationship. This interpretation is consistent with the observation that Western society's middle class is disappearing as its recent arrivals are disadvantages in gaining competitive advantage across multiple domains, specifically when negotiating purchases as well as the terms of their employment.

Keywords: digital age, confusopoly, deskilling, labour strategy, labour control

Introduction

Worker deskilling through division of labour formed much of the substance of critiques of the way workforces are managed in capitalist market economies throughout the 20th century [1–3]. In recent times, this genre of criticism is perhaps best crystallised in Harry Braverman`s Labour and Monopoly Capital [1]. The central tenet of the deskilling thesis is that when a production process is organised so that workers are required to do simple tasks, they become interchangeable and thus further denuded of, an already unequal, bargaining power [1]. Such critique of the capitalist mode of production is really a denunciation of the options that capitalism affords managers. It represents a charge that managers can, and often do, adopt labour-use strategies that are exploitative or unethical [1, 4].

Strategy is a multifaceted affair. Insofar as the world of business and commerce is concerned, authors have examined ways it can be disaggregated [5–7]. For example, notions of corporate strategy are often seen as overarching in nature [8]. Walmart pursues a low cost/generalist strategy. Rolls Royce a differentiation/niche strategy. These big-picture orientations establish the *raison d`être* of such firms, otherwise viewed as their role within an industry context [9–11]. Underpinning their overall stance, there is widespread consensus that firms produce subordinate/ancillary strategies that are supportive and somewhat specialised. In

this sense, terms such as “labour-use” strategy, “sales and marketing” strategy, “information technology” strategy, “financing” strategy and “procurement” strategy are expressions that often become associated with individual elements of an organisational structure [7]. It is orthodoxy that, largely for reasons of efficiency, a firm’s suite of strategies should be aligned [7, 12].

In the digital age, for purposes of exposition, roughly the period from the advent and widespread uptake of the Internet [13], new and unambiguously epoch-distinctive, industries have emerged on the corporate landscape [9]. In key respects, such new sectors have challenged generic industrial-age conceptions of strategy [9]. Furthermore, at a functionally specific level, the new industries have produced a novel menu of options for profit maximisation. Consider, for example, the term *confusopoly*. This word was originally coined in a somewhat whimsical way by the cartoon character Dilbert to describe a distinctively contemporary phenomenon whereby several firms band together to create befuddlement for customers concerning what they should be purchasing [15]. Outside of comic strips, there exists in literature various perspectives about the extent to which this occurs and the industries that are the biggest culprits [7, 16].

In this article, we propose that the term *confusopoly* has broader strategic import than that pertaining solely to sales and marketing within digital age industries. Indeed, the term can embrace another domain of strategy options; those concerned with labour management. Using focus group-derived data taken from telecommunication-sector sales vendors, we show that the way that these employees are dealt with by their employer(s) has key points of correspondence with the way they are trained (and required) to sell their wares to an unwitting public (described above using the disparaging term *confusopoly*). Hence, the argument of this article can be can be presented as a single proposition: Dilbert`s *confusopoly* [15] is pervasive in distinctively digital-age sectors of modern economies, effecting, at a minimum, elements of sales and marketing strategy as well as labour-use strategies. This study’s research question is: In what ways is the conception of *confusopoly* relevant to employment relations strategy in distinctively digital age industries?

The structure of this work is as follow. First, a review of literature that canvases relevant perspectives of the employment relationship is undertaken. Second, the methodology is this study is presented, a method – for reasons to be defended - that relies on focus groups. The third section presents the study’s results and discussion. Findings are interpreted as three related themes that (together) form the substance of what is being argued. Fourth, a conclusion with implications, in particular, for employees and public policy makers is presented.

Literature Review

A perennial analytic concern of pluralist-orientated employment relations scholars is how can the institution of the employment relationship endure in spite of systemic elements of employer/employee interest misalignment? In the industrial age, roughly speaking the pre-Internet era, analysts examining this matter mostly adopted one of several research paradigms. For example, to shed light on the problem, scholars have used variants of the Fox and post-Fox framework [17, 18]; ideas based on conceptions of a dual labor market theory [19], international comparative literature [20]; strategic management literature focusing on high performance work teams through mutual gains bargaining theory [3]; varieties of capitalism literature [21], and labor control/labour-process theory [1, 22]. More recently, several of these conceptions have been augmented. For example, one such revision agenda addresses how elapsed time will

interact with key consequential variables. Such effort has been done through conceptualising time itself, as in chronology, as deterministic [23], or through using proxies for time, including conceptions of cyclical economic fluctuation [22].

The deskilling thesis, particularly as instantiated in the writing of Braverman`s *Labour and Monopoly Capital* [1], has a narrative which unfolds as follows: deskilling is an employer agenda that leads to subjugation of a workforce and, as its goal, enhanced control of that workforce [1, 24]. Another way to view such a strategy is to consider it as the conscious reduction or elimination of the distinction between the capital and labour business input elements. The deskilling genre, although in recent decades held out as a critique of capitalism [1, 24, 25], in fact draws much of its inspiration from seminal advocates of market economies, for example Adam Smith [26, 27]. Smith`s concern here was to understand the elemental aspects of a manufacturing process, largely based on the assumption that efficient output supplied to an unsaturated market is beneficial for myriad parties. Thus, acting as a philosopher (and advocate for the new capitalist system) as opposed to a strategist, he was somewhat neutral about what he was proposing insofar as the competitive consequences for individual firms are concerned [26].

Precarious Employment in the 21st Century

Whilst industrial sociology literature has mostly focused on how Western-style market economies adversely effect the lives and well being of those who contribute their labour as an input to production, the emergence of distinctively digital-age industries, such as modern telecommunications, has been associated with new views of corporate and business-level strategy [9, 28, 29]. One such new approach has nothing to do with labour management but rather concerns the widespread exploitation of information asymmetry in the way retailers deal with their customers [12]. However, there is a paucity of literature exploring the link between the way vendors treat customers and the way those same vendors, when they take on the role of employers, treat their employees. It is somewhat axiomatic that both kinds of relationships involve strategy considerations for the firm [7, 30].

The *portmanteau* word *confusopoly* was coined to describe, in essence, new elements of the retail customer experience when interacting with vendors in industries whose principal product is internet-enabled offerings including, for example, cell phones, tablet devices, and sectors where value being added is somewhat less tangible, such as personal finance and online dating, brokerage, etc. Initially illustrated in the comic Dilbert [15], the economist Richard Cordray [31], when describing large financial institutions, later elevated the construct to a serious status. Specifically, Corday [31] describes the phenomenon as:

> *There's actually an economic term for this; it's called "Confusopoly." If [the sellers] can confuse the consumer enough then the consumers won't necessarily know what choice they're making, and they can be talked into just about anything.*

The substance of this approach embodies something of industry-level collusion. Specifically, when firms in the same sector offer roughly equivalent, but nonetheless functionally complex offerings, rather than competing on conventional dimensions such as price and desirable attributes, the block of entities act in concert to confuse the consumer such that they misanalyse their requirements. An example of *confusopoly* is in the modern telecommunication consumer sector, where there abounds myriad price plans based on combinations of available

minutes, text messaging capabilities, Internet bandwidth, music options, etc. Such a suite of options often renders comparisons problematic [12].

In the digital age, the word *confusopoly* has been used to characterise the relationship that vendors have with their (generally retail) clients [32–34]. The term has not been used in other contexts and certainly not to characterise the nature of the employment relationship that exists in digital-age industries. In this article, we propose that such a narrow usage is unduly restrictive. We prosecute the case through using focus group data to establish that the two aforementioned applications of *confusopoly* are, insofar as corporate strategy is concerned, similar, in fact near identical. At the heart of this conception is the notion that certain workers in distinctively digital-age sectors (eg vendors within the telecommunications industry) are not in a position to analyse their current economic and lifestyle circumstances to secure for themselves an optimum employment arrangement. Perhaps even more importantly, the same sellers are even less well equipped to analyse their future prospects as industry employees. In such a vacuum, employers control the narrative and craft it to suit their interests; similarly to that which occurs when the same employer (now in the role of a vendor) dominates deliberations concerning a hapless client`s smartphone requirements [12]. The key idea here concerns narrative, the story to be told. In taking control of the storyline, the employer activates one/several of circumscribed options/stories. In other words, they choose the plot.

Methodology

To shed lights on its research question, this study draws on telco-industry outlet-based vendor focus-group results for its data. Two 90-minute focus groups were held in Quebec City. There were six former retail telco salespeople in each meeting and hence 12 individual contributors across the two sessions. One of the author of this article who, for several years managed telecommunications outlets in Canadian shopping malls recruited these participants as a convenience sample however took care to ensure that more than four of Quebec`s seven teleco firms were represented (creating a sense of industry representation as opposed to firm-only representation). Each recruited focus group participant had a minimum of six months experience working in industry retail outlets.

Consistent with the recommendations of authors such as Yin [35] and Silverman [36], three strategies where used to avoid concerns such as demand characteristics and other systematic sources of error that may have biased focus-group findings. First, the purpose of the study was deliberately kept vague. Second, *post-hoc* questionnaires were administered which asked questions addressing whether participants were aware of the purpose of the focus groups and/or if they felt at ease discussing the way they do their job and their relationship with their employer. Third, there was *a-priori* development and pretesting of focus-group thought-starter questions.

Focus groups used the same format. Contributors were asked unstructured/opened-ended questions about how they interact with their employer, what is expected of them when it comes to making sales, and how they are dealt with when they fail to meet performance targets or otherwise run afoul of their outlet manager. By default, they were invited to give basic responses and then to elaborate. During the sessions, those who were not responding directly to questions were asked to add-to, modify and/or clarify points being made by primary contributors.

The dialogue provided by focus group participants was recorded on audiotape, transcribed and subsequently presented to two research assistants for interpretation. The assistants were given broad instructions. They were invited to create superordinate categories (themes) and – if called upon – to explain the process they used for creating such themes. The researcher subsequently examined the themes created by the assistants and wrote them-up formally. To avoid the possibility of data (quote)-mining and/or a tendency to favour evidence which confirms pre-existing hypotheses/prejudices, independent – and separate – "analysts", as needed, were used to identify themes emerging from vendor focus groups.

Results and Discussion

1. The Promise of a Traditional Career Path but without Traditional Career Path Remuneration

«*They convinced me that becoming a manager will be great. I ended up returning to my regular sales job once I realised my new pay would not be so great.* »

When a vendor first becomes a manager, they are expected to keep making sales but will no longer receive commissions. The idea is that they must be role-models for the workforce; demonstrating, as leaders, how to do the job. As an industry standard, they will typically gain a percentage of the store total sales revenue if they surpass their current quarterly quota. Their first assignments will often be in poorly performing outlets, those with low sales quota. This can be financially attractive for the newly-minted supervisor as it places them in circumstances where it will be relatively easy to better previous commercial performance. Senior managers will explicitly draw the new supervisor's attention to this opportunity. They will point out that exceeding a previous target will be relatively easy and use a variety of visual aids (graphs and historical data) to convince the novice that their new role is lucrative. In so doing, they will deemphasise the ephemeral nature of such an expected bounty. Indeed, it is an industry standard that a super-normal percentage of outlet sales revenue returning to frontline managers as a remuneration fillip becomes incrementally harder to obtain as a lower-performing outlet regresses towards an enterprise-wide mean. A combination of related factors ensnares the new supervisor to continue in their role. Such elements variously include their initial inability to analyse the time-horizon of a prospective remuneration profile, early enthusiasm, and a heightened desire on the part of young people in particular to be consequential.

In circumstances where an outlet-manager loses their "overall-bonus" remuneration component, circumstances that are inevitable as the regression towards-the-mean phenomenon plays-out, the manager faces a choice involving two –somewhat bleak and unexpected – options. First, they can stay in their current role, with a greatly diminished, or non-existent, ongoing prospect of an enhanced "overall-bonus" remuneration component. Second, they can (at least in theory) be reinstated in a non-managerial sales role. However, most firms in the industry often have internal fine-print style policies which render such a move, when it is requested by an employee, as unlikely to occur. Hence, beyond a certain point, outlet managers often face the prospect of parting ways with their employer and may perhaps find work with a competitor.

2. Lack of Transparency in Remuneration Arrangements and Potential for Employer Malfeasance

«*... I asked my supervisor if I could see the report of my commissions and she told me: No, I don`t have it with me but don`t worry you can trust me.* »

In the telecommunication industry, vendors are paid a fixed per-hour wage and receive bonuses in the form of sales commissions. Commission rates vary depending on factors including the product sold, the contract-term for a service (monthly, 1 year or 2 years) and cross selling (eg. an accessory sold with a cellphone). Because fixed hourly wage rates are mostly minimum wage, vendors require commissions to sustain a basic standard of living. An ongoing problem for vendors is determining how much commission they are entitled for a given period. Typically, they will be paid a commission but will often have difficulty knowing if these fillips in fact represent an actual entitlement. Such a lack of transparency and ensuing inability to calculate non-fixed components of their salary is due to several factors including cancelled sales, lack of dissemination of knowledge about what a commission should actually be and, transaction-related data not immediately being posted, etc. By contrast, employers typically claim that there exists pay-related transparency for vendors. They will point out that, within their industry, there is no widespread evidence of wage-theft or fraud and apparently have no qualms about inviting their employees to ''find and report errors'' if they think they been short-changed. Such an employer stance does not address the problem of wage opaqueness but rather sets-up conditions whereby the syndrome endures.

For vendors in the telecommunication sector, there are four reasons why the non-fixed elements of their variable pay are near impossible to calculate. First, commission structures are complex. For example, focus group participants indicated that internal firm policy documents create up to 90 combinations of possible outcomes across a suite of offerings. At the point of sale there is no system in place to automate and make obvious to the vendor what a commission will be. Hence, vendors themselves must carry out the tedious task manually of monitoring commissions. Second, commissions are not paid contiguously with sales. Specifically, firms mostly have a fortnightly pay-cycle, but any bonus earned within a given cycle will not be remitted within that cycle. The official reason for such a delay is the need to avoid *clawback*, that is, avoid complications arising when a customer returns a product for a refund within 30 days following its purchase. Third, there are administrative policies that prevent vendors from verifying the accuracy of their commissions. Such policies are often presented by the employer as a *white knight* for higher ethical standards in relation to dealings with customers. For example, if a vendor is refused a commission because a customer returns the product, outlet-management systems typically allow for an agent of the firm to log-in to that customer`s account and check their transaction history. However, most firms have a policy that agents of the firm should not be able to access customer data without their approval. In other words, the vendor is not able to check if the reason they are being denied a commission is real. The fourth reason why the verification of commissions for vendors is challenging concerns the fact that they are typically busy when they are at work and are obliged to attend to customer needs and, of course, make sales. Due to the aforementioned presence of policies that restrict easy access by vendors to management information systems, including customer account databases, for practical purposes, the sales-person who wants to keep a running tab of their commissions typically must informally access corporate data without authorisation and/or in a way that is at odds with stated policy. Such "off-the-grid" activity can only be carried out within busy outlet environments because

relevant firm management information networks are point of sale systems (POS) and hence only accessible onsite. In this regard, it is noteworthy that, within the industry, resource allocation that is not mission-critical invariably prompts a rebuke from outlet managers. In the specific case, an example was given of a manager who said, «*stop looking at past sales and go get a new one !*».

3. After Hours Training Presented as Being in Employee Interests

«At first, they asked us to stay after work for a meeting. When we asked if we are going to get paid for that hour, they told us that the meeting will help us get more sales and therefore, will paid itself. »

In the course of a reference period of weeks or months, telecommunication-sector outlet vendors will typically have multiple meetings outside of their allotted working hours. In a sense, such meetings are mandatory in that, if vendors refuse to attend, they will be admonished, suspended or perhaps fired. Such sessions are often held for reasons which may include to explain new policies, issue warnings about a specific vendor's behavior or general behaviour that is deemed unacceptable, or for training purposes.

In Canadian jurisdictions, it is typically a legislative requirement that, within most industries, employee-meeting time is counted, in one way or another, as paid time. For example, according to the Quebec Labour Code [37], mandatory meetings held in the retail sector must be considered as hours worked and paid accordingly. If an employee who is to attend such a meeting is not scheduled to work on the day of the meeting and thus has to be called-in, a minimum of 3 hours salary must be paid to that employee. However, the fact remains that within the telecommunications sector, vendors attending meetings held outside of work hours are not necessarily correctly remunerated for their participation and, in some cases, may not be paid at all.

Outlet managers are reluctant to approve appropriate compensation for out-of-hours vendor participation in meetings. The pseudo-rationale (often implicit) for this kind of employer stance is that such expense does not have a direct association with increased sales and therefore is illegitimate. In practice, managers have evolved several ways to curtail out-of-hours employee payment. These include exploiting ignorance on the part of vendors concerning their pay entitlement. For example, employers are mostly aware that, in the telecommunication industry, most vendors are young and largely unaware of employment-related rights. In our focus group, 9 of the 12 participants were below 25 years old, and one participant was 29 years old. The majority of participants indicated that were not formally made aware of provincial laws governing their work-entitlements. A large majority of them relied on their outlet manager to informally assist them in this regard. In one case, a vendor was spoken to sternly about the issue and told to keep their mouth shut. A relevant quote here is: « *I told them I knew it was illegal since my mom is a lawyer. They [Management team] told me they will pay my hours, but I had to keep my mouth shut to the other employees.* ».

The second method used by telco-employers to circumvent paying their vendors out-of-hours meeting entitlements pertains to the narrative they invoke to describe, not just their business, but also the nature of their role in society. For example, when a meeting is about either the presentation of a new product or pursuant to a training-related initiative, managers will often point-out that attendance at such a meeting should be viewed by the vendor as an investment in their future. A relevant quote here is from a focus group participant who said: *«At first, they*

asked us to stay after work for a meeting. When we asked if we are going to get paid for that hour, they told us that the meeting will help us get more sales and therefore, will pay for itself ».

A third strategy that telco-sector managers sometimes use to avoid their payment obligations for out-of-hours vendor meetings concerns task apportionment of minimum payment periods. For example, in one case, a manager acknowledged to a vendor that they accept that they must pay them a minimum of three hours for a meeting that was to take no more than one hour. However, the same manager also said that they would make the vendor stay in the outlet for the remaining two hours to do unpleasant duties such as cleaning the toilets. A relevant quote here is what a participant reported about his manager at the end of a meeting : « *So he [the manager] told us that if we wanted to be paid for three hours, even if the meeting only took 1 hour, we would have to clean the store and that he will make us scrub the toilet and the microwave in the backstore for the remaining time.* »

Conclusion

The emergence of distinctively digital-age sectors of commerce has been associated with rising information asymmetry in these same sectors. It is somewhat non-contentious that Internet-enabled devices that are marketed as life changing and infinitely customisable are also those that are costly but, more particularly, the costs of which are hard to analyse (at least for the consumer). In these circumstances, consumers enter into a relationship with a vendor that will give them ongoing access to a suit of services that are tailored-made. They typically pay for such utility – not through a one-off upfront transaction - but through receiving recurrent monthly bills that will usually be of varying and unpredictable size. It appears that there is an element of firm collusion (or at least cooperation) in this endeavour. This phenomenon has been described as *confusopoly*, a term that started as a flippant reference to contemporary marketing duplicity but has now been at least partially embraced within serious literature. It is striking that firms, as noted largely acting collusively, invoke such an approach to product development and costing as a strategy option. In this sense, such a stance is not incidental or merely serendipitous.

By way of an answer this study's research question (in what ways is the conception of *confusopoly* relevant to employment relations strategy in distinctively digital age industries?), it has been shown that *confusopoly* is not merely a feature of the firm-client relationship in digital age sectors. Rather, in such industries, the term aptly describes a key dimension of the employment relationship. Such an interpretation is consequential. It is broadly consistent with conjecture that Western society's middle class is disappearing as its recent arrivals are unable to continue to secure for themselves competitive advantage in multiple domains; including those concerning making purchase decisions and to negotiating terms and conditions of digital-age industry employment. Certainly, technology provides across the board benefits. However, when these benefits are manifest in a context of pre-existing economic inequality, they are likely to fuel an exacerbation of such inequality.

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