

October 2015

UNISON activist briefing

Talking to your MP about the Trade Union Bill

Remember your MP is paid for by your taxes, they are accountable to you and you are well within your rights to ask them any questions (politely!).

If your MP is a Conservative this is a real chance to make them realise the negative impact of the Bill. If they are not Conservative they are likely to be supportive of us but you can tell them about these issues and ask them to talk to Conservative MPs that they know.

The Trade Union Bill undermines the ability for ordinary workers to carry out collective bargaining and undermine the positive working relations that trade unions and employers have developed – it does this by:

- Imposing many bureaucratic and legal hurdles which will take up members' time when they could be carrying out work that improves the workplace for employees and employers
- Making strikes almost impossible and therefore disincentivising employers to take part in discussions, unscrupulous employers will feel free to ignore their employees concerns
- Enabling the Government to limit the amount of time ordinary members can spend on trade union activity (facility time)

You know that the ability to carry out collective bargaining is what enables people in unions to ensure health and safety in their workplace for all employees, campaign for better pay for all employees, make sure people get holiday and sick pay, and combat discrimination and bullying in the workplace.

In talking about this Bill the Government has focused on thresholds for strike ballots, so your MP may not realise all the other negative consequences the Bill will have on ordinary workers in their constituency. This is your chance to tell them that the Bill will impact the people they have been elected to represent, the people who they need to vote for them in 2020 if they want to keep their job!

Below are some issues we suggest you raise with your MP.

Public services

The cuts to public services combined with the Trade Union Bill will have a detrimental impact on the public services in your area.

- Trade union reps play a huge role in resolving workplace problems, they deal with issues before they escalate and have to be dealt with by managers, they stop discrimination and promote learning amongst staff and they generally improve morale. Tell your MP about what you or other reps do in the workplace.
- Facility time improves industrial relations - issues that would otherwise go to tribunal are resolved before that stage. If an employer has good facility time arrangements, disciplinary hearings and grievance hearings, for example, are conducted in a timely fashion. If facility time is interfered with the time taken to resolve grievances and other problems in the workplace will slip drastically. With the imminent cuts to public services trained union reps will be needed more, not less.
- STATISTIC: 11.3 million days per year are lost through stress and depression (according to government statistics). Without trade union reps, and with cuts, this is likely to increase.
- Less trade union activity, along with the planned cuts to public services, will have a harmful effect on schools, hospitals and all other local services.

The Bill will outlaw payroll deductions (DOCAS/check-off). Across the UK employers and trade unions work together in partnership to provide effective services, having union members pay through payroll deductions is a key part of this.

- Many employers value what trade unions do and work well with trade unions - they like that trade union reps support their employees when they're having difficulties. They like the workplace learning that union reps encourage, they like the help union reps offer in implementing health and safety requirements, and they like the support union reps offer when they have to go through structural changes in the workplace.
- For example, NHS HR directors said this in a letter to Matthew Hancock MP: *"You will appreciate these are challenging times across the public sector with significant challenges ahead and this will involve significant consultation and negotiation with trade unions. We have worked with trade unions over the last few years often in partnership arrangements both locally and nationally (such as the National Social Partnership Forum in Health) to bring about change. These discussions require good will and transparency on both sides. Although we understand the government*

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will want to explore all elements of cost avoidance (as we do), we want to highlight the cost savings we achieve through effective consultation and communication with and through trade unions. It is also helpful for us to easily understand our union density, particularly when we work with multiple trade unions."

- In many public sector workplaces employers allow union members to pay their union fees straight out of their wages. Payroll deductions (known as DOCAS or check-off) are a key part of this partnership working as it is an efficient method and benefits employers as well as employees.
- Payroll deductions are easy, efficient, very cheap to administer, and create a transparent relationship between the employer and the union. They are used in a variety of ways by employers such as charitable giving, pension contributions and bike loans, but at present the Government is proposing only to prevent union subscriptions being paid through the payroll.
- No one has forced employers to implement payroll deductions or to continue to use the method, they use it because it is part of the way unions and employers work in partnership. UNISON has 9,334 voluntary payroll deduction agreements with employers. These employers have all freely entered into these arrangements as part of constructive industrial relations and none has been asking for their removal. Many HR professionals value the information it gives them for a variety of purposes.
- Many councils across the UK are not happy with the suggestion to change this because they feel it is interfering in local politics.
- The government has said it is looking at taking away payroll giving because it is 'tax payer funded' but actually in many cases UNISON pays an administrative fee to the employers and in some cases this raises valuable extra revenue for the public service.
- Terry Walker, former Chair of Avon Fire and Rescue Authority, called on the government to *"listen to those of us with experience as employers who have worked with Trade Unions... I served for 34 years as the Chair of Avon Fire Authority and employed a large number of staff within Avon Fire & Rescue Service. All of my experience tells me that instead of attacking Trade Unions, the government should be looking at measures which enhance the vital role that unions play within the workplace."*
- Peter Cheese, chief executive of the CIPD, said: *"It's time to start talking about prevention rather than cure when it comes to strike action and the public sector's workforce challenges in particular. Taxpayers' interests are best served by an efficient, engaged and productive public sector workforce. We need to see more consultation and ongoing dialogue, and engagement with, the workforce, rather than the introduction of*

mechanisms that reflect the industrial relations challenges of the 1980s. To jump straight to legislating strike activity without considering this seems to be a significant step back.”

Inequality

People in trade unions do a large amount of work to combat inequality, this work will be hindered by the Bill.

- UNISON has 1.3 million members. 81,000 of them are men who earn under £17,000 per year. 481,000 of them are women who earn under £17,000 per year.
- Organising through trade unions is one of the most effective methods for reducing the gender pay gap. Restricting time union reps can spend on union activity will affect this, as will all the measures in the Bill that undermine trade union organisation.
- The 2015 Conservative manifesto said: “We want to see full, genuine gender equality. The gender pay gap is the lowest on record, but we want to reduce it further.”
- Trade unions help reduce the gender pay gap. In local government and the NHS, where 78% of the workforce are women, trade unions worked with employers to produce non-discriminatory pay systems. As a direct result of this and other measures jointly agreed to improve women's workplace opportunities, the pay gap in the public sector has been consistently lower than the private sector since 2003. It currently stands at 11%, compared to 17.5% in the private sector. This work was carried out because trade union reps achieved it through collective bargaining, underpinned by a credible right to strike. Measures that undermine trade union organising will slow down progress.
- A large part of what UNISON reps do is challenge discrimination in the workplace, for example UNISON trains reps to deal with a range of issues, including bullying and harassment and promoting equality at work and in the community.
- Is the government planning to implement any sort of programme to replace this programme of work?

Health and safety

Health and safety in the workplace is under threat because the Bill will enable employers to use agency workers during strikes, it will enable the Government to cap health and safety work specifically, and the cumulative effect of the Trade Union Bill will weaken collective bargaining around health and safety.



let us
work for
a better
future
drop the
Trade
Union Bill

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- Union safety reps saved taxpayers between £181 and £578 million every year by reducing lost time from occupational injuries and work-related illnesses. (According to government research from the DTI, now the department for Business, Innovation and Skills carried out in 2007).
- Union workplaces are safer workplaces. Every year more than 10,000 union health and safety reps are trained to raise safety concerns in the workplace.
- Health and safety committees and collective bargaining arrangements all help keep our workplaces safer and leads to far fewer accidents at work.
- The use of agency workers during strikes could impact on the safety and quality of the services normally provided by trained and qualified staff.

Reporting back

Please do email tradeunionbill@unison.co.uk to let us know how your meeting went, it's really useful to know if there were certain aspects of the Bill your MP is concerned about.