Chapter 5

Trade Unions and Other Collective Associations of Employees

What the Chapter Covers

This chapter covers the topic of collective employee associations, and its material is presented in the following order:

- First, because trade unions are by far the most significant type of collective employee association, the chapter starts by defining them, together with an explanation of their purpose and functions.
- Second, trade union membership in Great Britain is examined.
- Third, because of the decline in trade union membership, the chapter then explores a number of potential union renewal strategies.
- Fourth, the matter of the legal provisions for statutory trade union recognition is considered.
- Fifth, the all-important topic of workplace trade unionism is considered, and how this can differ from a national union structure is explained.
- Finally, the chapter reviews other types of collective representation for employees, such as staff association, professional associations and civil society organisations.

The chapter contains four themes concerning collective employee associations:

1. Since the structure and aims of the trade union movement can be diverse, the purpose of what trade unions are for is an important theme;
2. Different trade unions also tend to represent different groups of workers, all of whom have their own interests to pursue or defend, and therefore, there can be wide diversity in how unions go about protecting their members’ interests;
3. The important matter of the changing nature of British trade unionism is addressed, and for this, models that explain union growth and decline are reviewed, together with a number of possible union renewal strategies. How union structures differ at the level of the workplace is an important dynamic in this respect;
4. Finally, other collective associations that represent employee interests are explained.
New Concepts Introduced in Chapter

**Bargaining unit:** a group of employees covered by a collective agreement.

**Civil society organisations:** associations that include charities, campaign groups and non-governmental advocacy organisations and articulate the concerns of employees

**Closed shop:** an arrangement in which union membership is a condition of employment.

**Convener:** a lay officer of the workplace union appointed from among accredited shop stewards.

**Economic regulation:** the trade union function of securing the highest possible real wages for its members.

**European Trades Union Confederation** (ETUC): a pan-European federal body to promote and coordinate the interests of trade unions across European countries

**Free rider:** a person who receives the benefits of union membership, but who avoids any associated costs by not joining the union.

**Functions of trade unions:** the means used by trade unions to achieve their aims

**Geographic federalism:** a form of union government which gives a degree of decision making autonomy to districts or regions

**Geo-occupational federalism:** a more complex form of union government in which geographic and occupational autonomy exist together.

**Health and safety representatives:** a union representative at the workplace who has, among other things, the legal right to inspect the workplace on behalf of union members.

**Iron Law of Oligarchy:** a theory which predicts that union officials are likely to become incorporated into the ranks of management rather than pursuing membership concerns.

**Job regulation:** the trade union function of being one of the joint authors of the rules and procedures that govern employment in a firm.

**Leader stewards:** a union steward who tends to be politically and ideologically committed to trade union principles, and who seeks to influence the opinions and actions of the membership accordingly.

**National delegate conference:** the supreme decision-making body of a trade union, which is comprised of lay representatives.
**Occupational federalism**: a form of union government which gives a degree of decision making autonomy to the union’s different occupational groups.

**Organising unionism**: a strategy based on empowering local activists who, in turn, can recruit new members and leave in place a strong, self-reliant cadre of workplace activists.

**Populist stewards**: a steward who is content to let his/her constituents dictate how he/she acts in representing member interests.

**Power holding**: the trade union function of acquiring power relative to management, so that it is capable of taking retaliatory action in pursuing its objectives.

**Professional association**: a voluntary organisation which aims to improve professional practice: by providing a qualification, by controlling conduct, by coordinating technical information, by pressing for better conditions of employment.

**Service unionism**: the provision of a range of professional membership services by the parent union, such as the representation of members’ interests and legal advice.

**Shadow legal effect**: an indirect outcome of statutory trade union legislation, which has led employers and unions to agree new voluntary recognition arrangements.

**Shop steward**: a general (but not universal) term used to describe a representative accredited with management by the trade union, who is elected by a specific group of members to represent their interests.

**Social mobilisation theory**: a theory which argues that when people experience an injustice or grievance, they have a tendency to form into collective groups.

**Staff association**: a voluntary in-house collective association that caters for particular employees, mainly salaried staff, who all work for the same employer.

**Strategy**: a set of consistent planned actions by an organisation in response to conditions in its environment.

**Trade union**: an organisation, whether permanent or temporary, which consists either wholly or mainly of workers whose principle purposes include the regulation of relations between workers and employers, or employers’ associations.

**Trade union government**: the internal management decision-making processes of an individual trade union.

**Trade union purpose**: to protect and improve the interests of union members, vis-à-vis those of management or the employing organisation.
**Trade union recognition**: an arrangement in which an employer agrees that one or more trade unions will represent the interests of some or all of the employees in the organisation, for the purpose of collective bargaining

**Trade union strategy**: the critical choices a trade union makes when interacting with its wider contextual environment

**Trade union structure**: the groups of employees represented by a particular union

**Trades councils**: local bodies formed to coordinate union activities in cities throughout Britain.

**Trades Union Congress**: a federal body for the coordination and cooperation of member unions in Britain.

**Union learning representative**: a union representative at the workplace who has legal rights to advise union members on their training needs, and make representations to management.

**Wider social change**: the trade union function that involves engaging in activities to bring about changes in wider society, often by political lobbying.
Teaching Materials in Textbook

Pause for Reflection Exercises: Hints for Completing

Exercise on page 132: Classification of union types
This exercise is designed to critique the types of unions given in Table 5.1 on page 132. These may be appealing, but try to think of some potential shortcomings for each type. It might help to think about the diverse range of employee occupations, and which unions represent what type of employees. Do they fit neatly into the types listed in table 5.1?

Exercise on page 141: Union democracy
This exercise deals with a very abstract concept; democracy. This can be viewed in both philosophical and practical terms. Think about how a company is structured and governed. Is this different from the government structures of a trade union? Is there a set of criteria to assess whether a union is likely to be democratic or not?

Exercise on page 152: Why do workers join trade unions?
Table 5.5 on page 152 reports some survey responses to this question. But also think about your own reasons: would you join a trade union, and if so what would be your primary reason? Do any of the reasons fit or contradict some of the theories in the chapter, such as social mobilisation theory?

Critical Discussion Questions: Hints for Completing
As with the Pause for Reflection Exercises, the Critical Discussion Questions are help you discuss competing ideas with co-students.

Critical Discussion Question, p139: ‘are trade unions a thing of the past?’
There is no right or wrong answer, and justifying an argument is an important learning objective. So think about ‘why’ trade unions may be relevant or not relevant in the modern business environment. What do they do for their members (workers)?
Case Studies: Hints for Completing
There are two case studies in the textbook chapter, and two additional supplementary case studies later in these web-based materials.

Case Study 5.1: A Different Blend of Union Organising: The Case of the RMT Union
You will probably need about an hour to work through the data for this case study, and it can be more beneficial to do this in a small group with some of your class mates. In tackling this case study, think about what might measurable or tangible outcomes of the RMT’s approach to union organising and some of the less tangible but perhaps equally as important aspects.

Real World Case Study 5.2: Union Leaders Search for a New Generation of Members at Glastonbury
This case can about an 45 minutes to an hour to work through. It can help to think about whether the activities described may or may not be attractive to younger type employees, and why. The idea of the Glastonbury initiative is revitalise trade unions. Do think it achieves this objective, and why?

Exhibits
There are two exhibits in this chapter, Exhibit 5.1 (page 112) and 5.2 (page 113).

Exhibit 5.1: Asda and UNITE tackle migrant worker discrimination
This Exhibit (page 135) draws shows how UNITE negotiated an agreement with Asda about the rights of migrant employees working in food processing firms that supply Asda.

Exhibit 5.2: Statutory Trade Union Recognition Provisions
This Exhibit (page 153-54) provides a summary of the main statutory trade union recognition provisions: ballots, timing, an appropriate bargaining unit, and the role of the Central Arbitration Committee (CAC).
Supplementary Case Study 5.3: Organising Hotel Workers in America

Source: adapted from Mayerson (2008) and Sherwyn et al (2007)

Roberto Sanchez had been a welder in the mining towns of New Mexico for almost twenty years when he decided to move to Las Vegas. Roberto is hard working and a well-respected member of the company. But he was fed-up of the long hours, the dirt, the rain, and above all the poor pay. He and his family moved to Las Vegas and Roberto decided to ‘try the casinos’.

He got a job as a dishwasher at the Dunes Hotel on the Las Vegas Strip. However soon after his wife and four children joined him in Las Vegas, he was made redundant as the Dunes Hotel was demolished to make way for the new Bellagio. Undeterred he got another job as a dishwasher at the Luxor casino, also on the Las Vegas Strip.

He has been employed at the Luxor for 5 years now. Roberto is engaged in his work and he and his family are happy with their lifestyle. Pay is good and the working conditions are enjoyable. Roberto and his family now live in a nice neighbourhood on the outskirts of Las Vegas. Some of his neighbours include other hotel and casino workers, accountants and bank clerks, and his children go to school with other middle-class Americans.

Roberto’s situation seems unusual for a hotel dishwasher. National data would indicate that hotel work in America is one of the lowest paid. Employment benefits such as training, job security and healthcare provision are virtually unheard of in the industry. Worse still, many of the luxury hotel and casino chains have been cutting the hours of hourly paid staff. Indeed, studies suggest that many hotel employees have to hold down two or even three jobs just to make ends meet. Despite this, Roberto and many of his co-workers insist they are satisfied and enjoy their work.

The reason behind Roberto’s story is the development of a new form of union organising which has improved the lives many such employees. Roberto is a member of the Hotel
Employees and Restaurant Employees International Union (HERE). Along with other unions in the American labour movement, HERE is part of a coordinated mobilizing campaign (known as ‘Change to Win’ and ‘Unite to Win’). As a result Roberto’s union has experienced membership growth and HERE now represents workers in almost all the main hotels on the Vegas Strip.

**From an ‘old’ to a ‘new’ model of union organising**

The organising model adopted by HERE and other American unions has not been easy and is constantly challenged by hostile and anti-union employers. For example:

- In the 1980s Las Vegas hotels and casinos were amongst the lowest paid in the country. Many workers earned about the same or even below the national minimum wage.
- Six of the big named hotels derecognised HERE that almost wiped-out union membership.
- Many employers intimidate and coerce employees to resign their union membership or face unemployment.
- Hotel owners started to renege on benefits that had been agreed with the union, such as health provision.

**Establishing the core building blocks for a ‘new’ organising model:**

The union movement faced a crisis in the years of both the Regan and Bush presidencies. In response to an almost total wipe-out, unions began to establish locally-based workforce committees instead of relying on full-time paid union officers. In doing this its main aim was to ‘to unite the 50 million plus American employees who work in industries that cannot be outsourced or shipped overseas’. Alongside this shift in union organisation, the strategy sought to build wider community-labour coalitions along with political support. In summary this meant, among other things:

- Empowering workers to make their own decisions.
- Workforce committees would target key hotels and plan organising campaigns to secure union recognition agreements.
Importantly, new recognition agreements were sought not through secret workplace ballots under US laws, which employers could manipulate by intimidating workers, but through signed check-off cards.

It was also realized that some hard and difficult struggles were necessary to demonstrate union solidarity. A strike at the Horseshoe in 1989 led to the arrest of hundreds of striking workers. Nonetheless, it demonstrated to other employers the union’s capacity for action with a continuous nine month dispute, at which point the hotel conceded recognition.

Another strike the Frontier hotel in 1991 ran for six years. No union member crossed the picket line in all that time. Owing to bad publicity and failing business, the hotel agreed to recognise the union in 1998.

The solidarity and resolve shown by the workers and union led other hotel employers to sign recognition agreements and bargain with HERE rather than jeopardize business.

**Embedding and extending ‘new’ organising:**

In addition to the above, newer and more elaborate initiatives emerged over time. For example:

- One tactic included a new lobbying task force of union activists. In Washington the lobbying approach derailed a plan to withhold the casino winnings of non-citizens, which would have drained the high-roller casino trade.

- The union now demonstrated it had political clout to help employers by influencing the country’s political masters.

- Union bargaining extended to improved employee training and skills. One of the most notable developments in this area was a union-run training academy. Worker employability was enhanced from language and non-supervisory work skills across different hotel job grades, with courses such as the ‘wines of Australia’ so waiters can move the career ladder.

- The training academy was funded by employees paying 3 cent from their hourly rate.

- Over time these union organising initiatives have led to some mutual worker-employer gains. For example union members are now some of the better
skilled workers in the hotel and casino industry who are in high demand by employers.

- In 2006 the union refined its organising approach by developing a multiple negotiation strategy across several big-city hotel chain operators. Several contracts were due to all expire at the same time. This allowed the union split one big hotel chain against another.

- In San Francisco employers sought to test the union’s plan, with a series of strikes and lockouts.

- However the show of workforce solidarity in San Francisco brought other hotel and casino operators in other major cities to the negotiating table. In short, the resolve of collective mobilisation was necessary to secure improvements in pay and conditions, along with industrial peace elsewhere.

It is because of these innovative and workforce-led organising initiatives that Roberto, and many other hotel and casino workers like him, are satisfied at work and enjoy a decent living wage and some relative job security.

Questions

1. What particular tactics and strategies in the case described above stand-out as distinctively ‘ organising’ features?

2. How might unions in Britain develop what is described as a ‘community-labour coalition’ in the case study?

3. What industries or sectors in Britain could be the target for similar union organising strategies?

4. What are the likely barriers or constraints to the success of such organising drives from a union perspective?
Supplementary Case Study 5.4: Trade Unions, Blogs Twitters and the Internet

The trade union movement has embraced the use of information and communication technologies in promoting their aims and objectives. The TUC and each of its affiliate trade unions all have their own web sites. The TUC has blog informing union activists of various issues with several links to other sites providing various resources. There are also competitions, such as the ‘TUC’s 60 Second Challenge’, which is an invitation for people to make and submit a short film about the benefits of unionisation, in the hope of attracting a younger audience and a generation more familiar with social networking sites, blogs, YouTube and other communication technologies as away to engage people in union issues (see www.tuc.org.uk/tucadvertcomnmt or www.youtube.com/strongerunions). Therefore unions now provide a wide range of resources to existing members as well as the general public. The use of the internet has the potential to alter the character and form of unionisation in several ways:

1. **Services to existing members:** Through email and electronic communications, members can request information and services from their union official in a much quicker manner than traditional face-to-face meetings. Advice on agreed terms and conditions, grievance or discipline matters can be provided in a timely and cost-effective manner.

2. **A virtual network for workplace stewards:** Many trade unions have set-up simple to use discussion forums and bulletin boards for workplace union stewards. In this way union activists can exchange information with stewards in other companies, they can compare members’ terms and conditions and share information on particular employer practices and policies.

3. **Recruitment:** Web-site material can be used to explain the benefits of union membership to employees considering union membership. Unions have found it increasingly difficult, for example, to attract into membership young workers, and the internet is one possible platform to promote union services and membership benefits.

4. **Organising new workplaces:** These days, many employers are quite hostile to the idea of unionisation in their company, especially among the thousands of smaller
firms. Individual employees may be pressured by management or face victimization should they espouse the idea of union representation. Union web-sites contain a wealth of resources and advice that can help employees, union activists and representatives organise in the many non-union companies in Britain without the immediate fear managerial reprisals.

5. *Training and on-line learning*: The TUC and many of its affiliate unions now promote the objective of life-long learning and the advancement of transferable skills. The internet has become a source for invaluable advice and, in some cases, the delivery mechanism for training initiatives for workers and shop stewards.

**Some useful union web-sites**

TUC Bargaining to Organise Project
http://www.tuc.org.uk/organisation/index.cfm?mins=444&minors=444

TUC Stronger Unions blog
http://www.strongerunions.org.uk/

TUC Organising Academy site
http://www.organisingacademy.org.uk/

UNISON - union web site
http://www.unison.org.uk/

GMB - union web site
http://www.gmb.org.uk/

UNITE the union web site
http://www.unitetheunion.com/

Communication Workers Union (CWU) web site
http://www.cwu.org

Union Smart – union-related web site
http://www.worksmart.org.uk/unionfinder/
New Unionism: a network site sharing ideas
http://www.newunionism.net/

Amnesty UK Trade Unions
http://www.amnesty.org.uk/content.asp?CategoryID=377

Left Foot Forward: news and development on politics related to the labour movement
http://www.leftfootforward.org/

Questions
1. Review and research the above web-sites and answer the following:
   a) Do they provide useful and user-friendly information for someone who is not a union member?
   b) Assuming you have started work as an apprentice baker, do any of the above web resources help you find an appropriate union to join?
   c) Assuming you have recently been elected to the role of Union Learning Representative in a medium sized company. Do any of the above web sites provide information and resources to help you in your new role?
   d) After reviewing the above web sites, would you feel confident thinking about union membership in a company where management is known to be hostile to the idea of union representation for its employees?

2. Look at some specific union web sites in detail (e.g. UNITE, GMB, UNISON, CWU). In what ways and to what extent are unions adopting a ‘new organising’ culture?

3. Can the use of the internet have any drawbacks for unions?
Useful Sources of Additional Material

Books and Journal Articles


**Web-based Materials**

Below are a number of potentially useful websites that give further information on the topic of trade unions covered in the chapter.

http://www.tuc.org.uk/theme/index.cfm?theme=newunionism
A dedicated web site through the TUC that reports on union campaigns in less organised sectors of the economy.

http://www.tuc.org.uk/organisation/index.cfm?mins=444&minors=444
A TUC web site about promoting the activities and skills of bargaining for members’ interests.

http://www.tuc.org.uk/
The TUC home page, with links to a range of other useful sites. It contains resources, publications and current news items about trade unionism.

http://www.etuc.org/
The home page of the European TUC, with publications and links on European trade union related matters.

http://www.aflcio.org/corporateamerica/
A web site organized by the American trade union federation, the AFL-CIO, which reports on the employment relations strategies and practices of some of America’s business leaders and top multi-national corporations.
Multiple Choice Questions

Try the following multiple choice questions to test your knowledge of the information in Chapter 5. You should note that each question has only one correct answer, and this is one of the four alternatives (a), (b), (c) or (d) listed below the question. When you have answered the questions, move to the grid at the end of this chapter to see the correct answers.

This activity contains 12 questions

1. In Britain, trade union membership is noticeably higher in which of the following sectors?
   a. Private manufacturing  
   b. Public sector  
   c. Small to medium-sized enterprises  
   d. Engineering sector

2. Which of the following can be said to be one of the main strengths of early craft unions in Britain?
   a. Its strength through large numbers of members  
   b. A strong degree of influence with the government of the day  
   c. Its control over entry into the particular craft occupation through an apprenticeship  
   d. A combination of all of the above

3. An industrial union can be defined by which of the following characteristics?
   a. A union representing all workers in all industries across the economy  
   b. A union with very few restrictions on membership  
   c. A union representing all grades of workers in a defined industrial sector  
   d. A union which caters only for semi and un-skilled workers in one industry

4. According to the Bain and Price model for union growth and decline, which of the following variables is most likely to lead to a growth in membership?
   a. When the real price of goods and services rise, workers feel more confident in joining a union  
   b. During recessionary periods workers will join a union because unions are more powerful.  
   c. Workers tend to join unions when they encounter an anti-union employer who is exploitive  
   d. A rise in the participation of women in the labour market tends to result in a corresponding rise in union membership
5. Which of the following best describes the activities of the TUC?
   a. A body that lobbies the government for legal and social reform
   b. Conducts and publishes research on employment-related matters
   c. Providing a voice for British workers at an international level
   d. All of the above

6. Which of the following is NOT one of the main functions of a trade union?
   a. To secure the highest possible wages for workers
   b. To ensure management are competent in relevant employment laws
   c. To agree with management procedural and substantive rules of employment
   d. To change wider society through political lobbying

7. Research evidence indicates that workers join unions for which of the following reasons?
   a. Because they have a belief in the ideals of unionism
   b. To obtain support for problems they face at their workplace.
   c. Because they want improvements in their wages and working conditions
   d. All of the above.

8. Which of the following is said to be an almost inevitable paradox facing all collective employee associations?
   a. All governments tend to pass laws that create a disincentive for an individual to join a union
   b. Individual employees can obtain the benefits that come with high union membership in an organisation, but can also avoid the cost of membership by remaining a non-member.
   c. Efficient decision-making is almost impossible to achieve because there are inevitably too many opposing views among employees, shop stewards and full-time officers
   d. Unions are plagued with what Michel’s calls an iron law of oligarchy in terms of democracy

9. According to the arguments presented by Kelly, partnership between unions and employers is unlikely to be a successful union renewal option for which of the following reasons?
   a. Through partnership unions can actually become weaker because they become too reliant on management
   b. Workers in partnership companies earn higher wages than those in non-partnership firms; therefore there is less incentive to unionise.
   c. Most partnership agreements prohibit the existence of a closed shop
d. Union management partnerships explicitly exclude the inclusion of non-union employees in organisational decision-making processes.

10. The statutory trade union recognition provisions allow unions which of the following legal rights?

   a. A recognised union can negotiate collectively with an employer on behalf of employees over wages, holidays and working hours
   b. A recognised union can only provide advice and counselling to members in the recognised bargaining unit.
   c. A recognised union has the legal right to extend its membership beyond the initial bargaining unit to include employees in other plants of the same company.
   d. A recognised union has the right to attend all European Works Council meetings of the company.

11. A Staff Association can be defined by which of the following characteristics?

   a. A collective employee association that represents particular groups of employees who all work for the same employer
   b. A voluntary association that regulates the qualifications of its members in a particular industry.
   c. An external association that supports workers with particular problems
   d. None of the above.

12. At the workplace level, a ‘leader’ shop steward is defined by which of the following characteristics?

   a. The senior shop steward elected or appointed by a joint shop stewards committee
   b. A workplace representative who deals mostly with health and safety issues.
   c. A workplace representative who is political and ideological motivated to influence the actions and opinions of the union members.
   d. The convenor of plant-wide combine committee.
## Answers to Multiple Choice Questions

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