



UNIT-13

Working with Trade Unions Employers

Learning Outcomes

By the end of this unit the learner will be able to:

- ✓ Discuss the potential benefits of a workplace forum
- ✓ Take part in the collective bargaining process with trade unions
- ✓ Understand the basic rights and entitlements of trade union members

Unit 13

Working With Trade Unions: Employers

Overview

Key Facts about Trade Unions:

- 1. In the United Kingdom, there are 6.4 million trade Union members.**

This equates to 25% of all employees. It's a smaller number than in previous decades, but it's still a significant number, making trade unions Britain's largest social movement.

- 2. The number of private sector union members is increasing.**

The number of union members in the private sector has risen for the fourth year in a row. Since 2010, there have been an additional 200,000. Although the numbers are still far too low (only 14% of the private sector is unionised, compared to 54% in the public sector), it's encouraging to see progress. It's unmistakable evidence of the importance of planning.

- 3. Members of private sector unions earn 8% more than non-members.**

In the private sector, the average hourly wage for non-unionized workers is £12.64. For union members, it's £13.67. The "union premium" is even greater for young workers aged 16 to 24, who earn 39% more than their non-unionized counterparts (£7.84 to £10.18).

- 4. Members of Public sector unions Earn more Money as well.**

21% more., on average. Although not all of this can be attributed to being a union member, it is clear that a union, whether in the private or public sector, does provide its members with fairer and better pay. Being a member of a union also gives you a say in what happens at work.

- 5. Unionized Women Earn 30% more than non-unionized Women.**

Women who are members of labour unions earn on average 30% more than non-unionized women.

- 6. The majority of union members are women.**

For the 13th year in a row, women are more likely than men to belong to a trade union. Women make up 55% of union members. This helps to dispel the myth that unions are dominated by men, especially since women make up a small percentage of the workforce.

If you are an employer who recognises a union in your workplace, you must follow certain rules. You must do the following:

- Provide information to the union ahead of time to aid in collective bargaining
- Notify and consult the union about major workplace changes
- If you're deducting union dues from your employees' pay (the 'check off'), follow proper procedures.
- Allow union reps and members to take time off to participate in union activities.
- Not discriminate against a worker who is a member of a labour union

Collective Bargaining

To discuss changes to your employees' terms and conditions, you'll need to work with unions. This is referred to as "collective bargaining."

The terms and conditions of workers in a defined "bargaining unit" are covered by collective bargaining. This can apply to all employees in a workplace or to specific groups of employees, such as technicians.

It's up to you and the union to decide which terms and conditions are covered, but they typically include things like pay, vacation, and working hours.

Managing the Collective Bargaining Process

Employers and labour unions must figure out how to conduct collective bargaining, for example:

- Who will be the workers' representative?
- Who is a member of a bargaining unit?
- When and how frequently meetings will take place
- What to do if there are multiple recognised unions
- The topics that will be discussed
- What to do if the union and the employer can't agree on anything

Information to help with Collective Bargaining

Employers are required to provide certain information to the union in order to assist it in the bargaining process, such as the company's pay and benefit structure, as well as information about the company's profits, assets, and liabilities.

Unions must be informed and Consulted.

Employers are required to notify and consult with a recognised labour union about:

- Collective redundancies
- Transfers of business ownership

- Certain changes to pension schemes
- Health and safety

You'll be breaking the law if you don't consult the union about any of these, and you could be fined - the amount depends on the situation.

The guidance below contains more information on the pension scheme changes that you must consult.

Informing and consulting through a Workplace Forum

Any important workplace matters should be discussed with employees by an employer. These debates are frequently held in a workplace group ('forum') that includes both the employer and the employees (or representatives).

It's critical to get your employees' feedback on the best way to inform and consult with them, whether you use a workplace forum or something else.

The advantages of a Workplace Forum

A workplace forum should be used to discuss and try to resolve issues in a collaborative manner.

It also provides a way for:

- The employer to present their ideas to employees and listen to their opinions and concerns.
- Employees or representatives to present ideas and questions to senior management and receive feedback

A Workplace Forum can help you:

- Create a bond of trust between you and your employees
- Test out ideas and get feedback in a confidential environment
- Boost employee morale, engagement, and productivity
- Improve employee well-being – for example, by reducing workplace stress
- Make decisions quickly and with everyone's input
- Make decisions in a way that reduces the likelihood of future disagreements

This type of forum may make it easier to consult with employees in the event of a business transfer or redundancy.

A workplace forum is most effective when:

- It includes people from all parts of the company or organisation.

- Representatives are trained to understand their role and possess the necessary skills, such as the ability to collaborate constructively with people who hold opposing viewpoints.
- Both employers and employee representatives are at ease speaking and listening to one another.
- Rather than focusing on individual employees, it addresses issues that affect or could affect the entire workforce.
- Rather than focusing on one or two solutions, it considers all possible solutions to a problem.

The law

Employees must be 'informed' and 'consulted' on:

- Any possible redundancies
- Modifications to employment contracts
- A change of ownership
- Alterations to pension plans

Legal terms:

- The term 'inform' refers to management's communication with employees to keep them informed about workplace issues.
- The term 'consult' refers to a situation in which management actively seeks and considers employee input before making a decision.

If your company has 50 or more Employees

If your company has 50 or more employees, they have the right to request a formal agreement that allows them to be informed and consulted on important matters and decisions. Typical examples include:

- The working environment
- New working methods
- The quantity and quality of the company's products or services
- Training
- Safety and health
- New machinery
- The size of the workforce
- Mental and physical health

This agreement is also known as:

- An ICE agreement (which is required under the 'Information and Consultation of Employees' regulations)
- A contract for information and consultation

Employees can also request this agreement if one already exists but does not meet their current requirements.

If you enter into an information and consultation agreement, it does not imply that you must change any business decisions you have made. However, it does imply:

- Employees will be able to provide feedback and voice any concerns they may have.
- You'll be in a better position to make an informed decision.

If you want to formalise your Agreement

You can create a workplace forum without the employees' permission.

If you believe a formal process is required, you can begin drafting an information and consultation agreement. Giving notice is the first step in this process.

If you give notice:

- The information must be written down, dated, and distributed to as many employees as possible, such as by emailing all of your employees.
- Because it's a requirement of the Information and Consultation of Employees (ICE) Regulations, you must inform employees that you're doing this.

Union Membership

Some members of trade unions pay their dues directly from their paychecks. The employer then distributes the funds to the union.

This is commonly referred to as the 'check-off.'

If you want to run the check-off, that is entirely up to you. If you haven't agreed to it in your workers' employment contracts, a union can't force you to run the check-off.

Authorising the check-off

A worker must give you written consent to deduct their union dues from their pay.

This document needs to be signed and dated. Their permission will begin on this date and will end when they say otherwise.

You could be taken to an employment tribunal if you take the check-off without proper permission.

You can print consent forms ahead of time as long as the employee signs and dates them. Unions are also permitted to obtain the worker's written consent and forward it to you.

Stopping the check-off

If your employee requests it, you must stop accepting check-off payments.

If they want to stop the check-off, they must give you written notice and a reasonable amount of time to do so.

You can pause the check-off process at any time. You may be required to give notice to your employees if it is stipulated in their employment contracts.

The union's role in the check-off

The union is not required to assist with the check-off. You can, however, include it if you want to. You could, for example, ask the union to assist you in obtaining preliminary approval from its members.

You could also bill the union for the time spent administering the check-off system.

Employees' rights in trade unions

If you join a union, one or more of your employees will be designated as local workplace representatives ('reps').

Certain rights are granted to union reps. They are given reasonable vacation time:

- With remuneration for union work and training at the appropriate times
- Without pay to participate in union activities, such as the annual conference of the union (trade union members are entitled to this as well)

Annual leave is not required for reasonable time off.

Block Lists

You can't discriminate against people just because they belong to a union or participate in union activities.

It's also illegal to compile, use, sell, or supply a "block list" of union members that will be used to discriminate against them, with a few exceptions.

Further Reading:

- ✓ *Crossing Boundaries: Work and Industrial Relations in Perspective 1st Edition* by Russell D. Lansbury, December 29, 2020
- ✓ *Employment, Trade Unionism, and Class: The Labour Market in Southern Europe since the Crisis 1st Edition* Forthcoming by Gregoris Ioannou July 19, 2021