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**trade union information**

THE TRADE UNION MOVEMENT

IN THE EUROPEAN COMMUNITY

THE BRITISH TRADE UNION MOVEMENT

X/14/83-EN

*Published by the Trade Union Division of the Directorate-General for Information*

**European Communities (DG X Information) - 200 rue de la Loi, 1049 Brussels - Belgium**

## INTRODUCTION

The British trade union movement is a movement which prides itself on its history, on its methods of achieving trade union objectives, and on its democratic tradition. With around 11.5 million members the British movement is the largest in Western Europe, and this size factor alone has given it a decisive role in the establishment and development of the European and international trade union movement.

For historical reasons the British trade unions have had a different relationship with the development of the political parties, with the legal regulation of workers rights, etc. than in continental countries. Whilst differences in the ideological bases of some continental movements have caused difficulties in inter-union relations from time to time, the British movement has in a sense not experienced these difficulties but rather problems arising from the structure of the movement with its predominance of horizontal trade unions having overlapping jurisdiction with each other.

Unlike other countries, the trade union movement in the United Kingdom has not had the guarantees of law regulating issues such as recognition, collective bargaining rights, but rather has won these rights through industrial action against employers over the years, a strategy which the movement has and still does prefer. Finally within the factory trade unions have not had a parallel workers body to contend with, i.e. works councils, as in several other European countries. Instead the unions themselves have assumed the responsibility of advancing workers' benefits and rights.

## HISTORY OF THE MOVEMENT

The history of trade unionism in Britain is inseparable from the formation of the Labour Party, and an examination of the links which have existed up to the present between the two is worthwhile since they are often referred to collectively as 'The Labour Movement'.

The birth place of modern trade unionism was in the City of Manchester. It was here that a meeting was convened by the Manchester and Salford Trades Council in 1868, and attended by 34 delegates, representing some 120,000 trade unionists, constituting the first 'official' Trades Union Congress (TUC).

It is important to realise that the establishment of durable and legitimate working class organisations had however been preceded by many years of often bitter struggle and conflict.

During the Industrial Revolution, with the prevailing 'laissez-faire' philosophy, furtherance of employers' aspirations for unrestricted enterprise led to resistance to any attempt to protect working people against gravely hazardous working conditions or arbitrary action by employers. The earliest trade unions had to contend with the most severe penalties against even elementary efforts to combine.

The significance of industrialisation and the factory system in the development of trade unionism was that it created large concentrations of working class people and a closer association of workers in the factories and trades.

#### The Combination Acts, 1799-1800

These Acts were passed to strengthen the statute laws and made illegal all combinations by workers and any discussion between workers on matters of their trade or employment (wage increases or reduction in hours, etc.). This meant that workers could only belong to purely self-help organisations.

Oppressed and deprived of legitimate organisation, secret oath-bound societies developed. Outbursts of organised machine-breaking by the 'Luddite' movement occurred (1811-12-19) in protest against conditions and in defence against mechanisation, especially in weaving trades. The Government reacted by the imposition of further regressive measures which in effect denied freedom of public meeting, freedom of speech and freedom of the press.

#### Legalisation of Trade Unions

In 1824 the Combination Acts were repealed and trade union organisation - now legalised - expanded rapidly and strikes increased. The subsequent attempts by the employers to re-impose prohibition were only partially successful in reducing the area of freedom gained, and never again was the movement driven underground.

#### The Struggle for Continuity

Early trade unions were localised and often proved short-lived, their finances easily dissipated and their solidarity undermined when under attack. It was realised that only the formation of national organisations would produce effective unions with a sound financial base. In 1830 an attempt was made to create a national union in the textile industry - the National Association for the Protection of Labour - which prospered with 100,000 members until 1832.

Working people had been led to believe that their conditions would be improved by constitutional action, but the Reform Act of 1832 only extended the franchise to the middle classes and excluded the working classes.

Disillusionment with 'Parliamentary politics' gave fresh impetus to trade union action and the activities of Robert Owen who, together with the Operative Builders' Union, promoted discussions on amalgamation and ideas of radical social change, culminating in the formation of the Grand National Consolidated Trades Union (1834). This trade union development so alarmed the Government and employers that workers were prosecuted under any pretext including leaving work unfinished and the illegal administration of oaths, the most famous case being in 1834 when six Dorchester labourers were arrested merely for the act of administering oaths whilst forming a friendly society. These six 'Tolpuddle Martyrs' as they became known were sentenced to seven years' penal transportation to Australia, and after attacks from Government and employers the GNCTU finally collapsed in 1835.

Working people turned again to political action and an era of 'New Model Unionism' developed, favouring prudence, respectability and financial stability.

Chartism arose as a mass political movement pressing demands for radical reforms of Parliament, for freedom of the press, the trade union rights and for a ten hour day, embodied in the famous 'Six Points' of the Charter:

- i) universal suffrage
- ii) secret ballot
- iii) annual elections
- iv) equal electoral districts
- v) payment for MPs
- vi) abolition of property qualification for Parliamentary candidates.

Chartism was characterised by mass meetings, petitions to Parliament, national holidays (general strikes), all tactics which failed at the time in achieving any of their main demands. Chartism's success was through its influence upon social reformers and the developing Labour Movement.

The 'New Model Unions' had successfully established themselves on a permanent basis, and turned their attention to political reform in collaboration with middle class radicalism. The 1867 Act nearly doubled the proportion entitled to vote (to 1 in 11) and signified the end of the old Radical-Tory Party. Both the new parties that emerged - Liberal and Conservative - competed for the working class vote.

The development and activities of local Trades Councils had become widespread, and their earlier conference efforts had led to that first annual Trades Union Congress (TUC) of 1868. The Labour Representation League was formed in 1869 to "secure the return to Parliament of qualified working men", and in 1872 the TUC set up the Parliamentary Committee, to promote their interests through Parliamentary legislation. The prevailing philosophy of the Labour leadership of the period was overwhelmingly Liberal. Eventually, however, realisation came that neither of the existing political parties would ever advance working people's interests to the full, and efforts increasingly became directed towards the formation of a party to represent those interests in Parliament.

'New Unionism' was characterised by the unionisation of unskilled and semi-skilled workers, coupled with the belief that provision against unemployment, sickness, old age, etc. was not the responsibility of trade unions, but that of the State. Organisation was achieved through the impetus of such famous events as the Match Girls' Strike (1888), The Gasworkers' Eight-hour Day, and the London Dock Strike (1889), and the efforts of many notable activists. This gave a tremendous boost to trade union membership which increased from three-quarters of a million in 1888 to one and a half million by 1892 and led to the formation of the Independent Labour Party (ILP) in 1893.

Attempts by the establishment to set the clock back through the employers' offensive and adverse legal decisions were epitomised by the Taff Vale judgment of 1901, where the House of Lords awarded damages to the Taff Vale Railway Company for losses sustained during a strike by the trade union The Amalgamated Society of Railway Servants.

The Labour Representation Committee (LRP), 1900 was formed through leaders of the trade unions uniting with delegates from the ILP, the Social Democratic Federation (SDF), the Fabian and Cooperative Societies to endorse candidates for forthcoming elections. But it was not until the General Election of 1906, when 29 candidates were successfully elected, that the Labour Party was officially formed.

## CONTEMPORARY HISTORY

The Labour Party derives most of its financial support from the trade unions, and this has been the source of many attacks (e.g. the Osbourne Judgment 1909) over the years by successive governments. Trade union subscriptions usually include a political levy payable to the Labour Party.

In 1913 frustration at the failure to deal with working class grievances led to support within the trade union movement for Syndicalism. Syndicalism was much popularised by the Plebs League, a breakaway movement from Ruskin College, Oxford. There occurred an unprecedented wave of strikes, often unofficial, with the Government reacting frequently by using troops to suppress industrial disputes. Syndicalism reached its peak with national dock and rail strikes, the strike of a million miners in 1912, and the formation of the Triple Alliance in 1914 (of the Miners' Federation, the National Union of Railwaymen and the Transport Workers' Federation), but the movement lacked wider political direction and support, and the 1914-18 war effectively ended its momentum.

The First World War consolidated the position and role of the trade unions and the TUC was firmly part of the national scene and the governing system. The economic depression of the 1920s and the employers' demands for a reduction of the miners' wages and an increase in hours led to the first and only National General Strike in 1926, which lasted for nine days before being called off. The miners' cause was then lost, even though they bitterly fought on alone for another seven months before returning to work. A direct challenge to the Government had been averted, with the Labour Movement suffering severe defeat and setback.

Unemployment was a constant fear throughout the rest of the 1920s and 30s, with the TUC advocating adoption of Keynesian economic policies, and measures of public control in some industries.

The political coalition formed between the Conservative and Labour Parties during the 1939-45 World War meant that cooperation between government and trade unions reached new levels. During the final year of the war the TUC defined its policies for a new system of national welfare and economic controls. The Labour Party, which was elected to power in 1945, subsequently established a National Health Service and the Welfare State, public ownership of coalmining, transport, electricity, steel, etc., as advocated by the TUC.

The TUC played a major role in the advocacy and promotion of increased industrial productivity in the 1950s, and its affiliated unions gave it the power, in 1955, to intervene in a dispute before any breakdown of negotiations, where there was a likelihood of other workers becoming affected. This has meant that the TUC has in effect often played the role of conciliator in industrial disputes, a role which it continues to play.

### RECENT INDUSTRIAL RELATIONS ISSUES

The framework of industrial relations in Britain has come under review several times since the Second World War and the Labour Government elected in 1964 set up a Royal Commission on the trade unions, headed by Lord Donovan. Its report, published in 1968, made a number of useful suggestions for the improvement of industrial relations. It favoured the existing voluntary approach, with industrial relations being regulated mainly through collective bargaining between employers and unions and rejected detailed legal intervention and the use of legal sanctions in industrial relations issues. The British trade union movement continues to support this essentially voluntary approach to industrial relations.

#### a) Trade unions and the Law

British trade unions have generally endeavoured to avoid the introduction of law or lawyers into the conduct of industrial relations, preferring to rely upon voluntary arrangements and agreements. The trade union movement's view of the role of law has been influenced in part by its experiences with cases which have come to the final court of appeal, namely, the House of Lords. It has always been a contention of the movement that the traditional background and composition of the members of the House are unlikely to produce legal decisions favourable to the trade union movement, and a number of now famous decisions lend substance to this traditional view.

In 1966-70 the Labour Government produced proposals entitled "In Place of Strife", which proposed compulsory measures, including penal sanctions, against unions or workers taking strike action. This created trade union resentment, and it was only after prolonged discussions between the TUC and Government that the proposals were withdrawn, subject to the TUC itself adopting new powers to deal with inter-union disputes and unofficial strikes.

The Conservative Government elected in 1970 renewed their attempts to radically reform industrial relations and place them within a legal framework, and in 1971 the Industrial Relations Act became law, imposing legal

restrictions upon the unions and their use of strike action. However, the trade unions decided to boycott the Act and practically all unions refused to register under it. The very small number of unions that did not abide by TUC policy were suspended and later expelled. In the conflict that followed under the Act, heavy fines were imposed upon trade unions taking industrial action.

In 1972 five London dockers were gaoled during a dispute for the continued 'blacking' of vehicles, and this led to a national strike of some 170,000 dockers.

The transport and the engineering workers' unions bore the brunt of the penalties, and were in the forefront of the opposition to the Act.

#### b) Statutory incomes policies

The attempts to solve wider economic problems and rising inflation by means of a National Incomes Policy had begun when the Conservative Government of 1959-64, alarmed at a growing balance of payments deficit, instituted a wage freeze. The Labour Government of 1966 also introduced a pay standstill with the reluctant acquiescence of the trade unions, and later, after talks with the Government, it was agreed that the TUC should examine all wage claims to ensure that they complied with norms set by the TUC - a voluntary system which worked well for a time. The trade union movement's established view has always been, however, that free collective bargaining is the most effective way of regulating developments, i.e. pay, so that the movement has resisted the introduction of statutory pay policies under both Conservative and Labour Governments.

By the early 1970s, however, rising inflation precipitated a round of major wage increases for the then Conservative Government. In 1972 the first national miners' strike since 1926 led to a national state of emergency and the reduction of industrial activity to a three-day week. Lord Wilberforce headed the court of enquiry which conceded the miners' claim and this was interpreted as a personal setback for Prime Minister Edward Heath. Although the Conservatives had declared their opposition to a statutory incomes policy at the general election of 1970, they imposed a three-phase incomes policy, which was to last until 1974 - freezing wages and limiting increases. However, the miners' victory encouraged other workers to follow, and in 1972 the building workers called the first national official strike in their history, securing the major element of their claim after a bitter ten-week struggle.



The miners were soon in dispute again, taking industrial action over a pay claim under Stage III of the Government's policy. The Government launched an energy campaign, enforcing fuel economies and introducing another three-day week for industry, to conserve coal supplies. Following the miners' notification to hold a national strike, the Government called a 'snap' general election in February 1974, focussed on the issue of the miners' dispute and the question of "who runs the country?". The Conservative Government lost the election and instead a minority Labour Government was formed, which repealed the 1971 Industrial Relations Act.

Discussions between the TUC General Council and the new Labour Government through a new TUC - Labour Party Liaison Committee, had proposed a Social Contract to effect a permanent system of price controls to prevent the erosion of real wages, and which was subsequently endorsed by the TUC Annual Congress. But after August 1975, increases under Phase I and II were limited to £6, then 5% (£2.50 to £4) respectively under the Social Contract, which meant that real earnings had fallen significantly by the end of 1977, and the TUC rejected further restraint (Phase III). Public expenditure cuts instituted by the Labour Government and their insistence in pursuing a Phase IV, 5%, pay limit, contributed to a series of strikes during 1978/79, known as the 'Winter of Discontent'. In the 1979 General Election following this winter of industrial disputes the Labour Government was defeated, and a new Conservative Government with a substantial Parliamentary majority was formed.

### c) New legislation

- Employment Act 1980. Despite the defeat and subsequent repeal of the 1971 Industrial Relations Act, the Conservative Party remained committed to legislation enabling legal compulsion in industrial relations. The Conservative Government introduced the Employment Act, described as only the start of a wider programme of trade union and labour legislation. Changes in the law are believed by trade unions to undermine the well-established rights of workers to picket in the course of legitimate disputes; to interfere with union membership agreements, and to reduce individual rights on unfair dismissal and maternity. The TUC totally opposed the Act, and organised a national campaign to boycott it, similar to the campaign against the 1971 Industrial Relations Act.

The 1974-79 Labour Government in cooperation with the TUC introduced a great deal of new legislation helpful to the trade unions during that period, briefly comprising:

- Trade Union and Labour Relations Act 1974 and Amendment Act 1976
  - repealed the Industrial Relations Act, restored and strengthened traditional trade union rights.
- Employment Protection Act 1975 - considerably extended the rights of employees, set up the Advisory, Conciliation and Arbitration Service (ACAS), introduced paid maternity leave obligations, time off for union duties, and union rights to recognition via ACAS.
- Health and Safety at Work Act 1974 - Health and Safety Commission set up, Health and Safety Executive takes over from factory inspectors, etc., with wide powers to prohibit processes, etc. Employers obligated to recognise safety representatives, and set up joint committees in the workplace, etc.
- Industry Act 1975 - Government capacity to intervene in industry. Disclosure of information obligation, ability to make planning agreements, etc.
- Sex Discrimination Act 1975 - unlawful to discriminate in employment, in hiring, promotion, terms and conditions, etc. Equal Opportunity Commission set up. Equal Pay Act amended.
- Social Security Pensions Act 1975 - a consolidating act providing earnings related pensions and certain other benefits, equal access to membership by either sex and minimum standards for schemes 'contracting out'.

Following the defeat of the Labour Government in 1979, the new Conservative Government which came into office had different ideas about labour and trade union legislation, and it embarked upon a repeal of significant parts of the previous Government's legislation and also introduced new proposed legislation of its own.

#### STRUCTURE AND ORGANISATION OF THE TRADE UNION MOVEMENT

The major structural characteristic of the British trade union movement is the predominance of horizontal organisations, that is, individual unions having members distributed over a wide range of different industries. For example, the largest British union has members in transport, chemicals, agriculture, engineering, public services, etc. This contrasts sharply with the vertical organisations of industrial unions which exist in most other European countries. A second important characteristic of the British movement is that it has never been organised on political, religious or ideological bases as in many other European countries. Thus there is only one national

confederation, the Trades Union Congress (TUC), to which member unions affiliate. There are not therefore several unions, differentiated by their ideological or political basis of organisation, organising members in a given industry.

The predominance of horizontal union organisation is related to the historical development of the movement organising on the basis of workers' skill. Hence British unions traditionally divide into two main types: first, craft unions, recruiting skilled workers, for example, in the engineering industry, and general unions, recruiting workers at any level of industrial skill. Over the years, however, the craft unions have widened their recruitment base to include less skilled workers, white collar workers, etc., whilst at the same time larger general workers' unions have also broadened their membership base to include white collar workers, etc. The result of these developments has been an overlap in the jurisdiction, member recruitment areas and activities of unions in many industries, and to multi-union representation at plant and shopfloor level, where for example ex-craft unions, general workers unions and white collar unions may all have members.

In addition, the situation is further complicated by the rapid growth of specifically white collar unions. Indeed, white collar unionisation has been the major growth sector in recent years. In practice these structural developments have led to disputes between unions over recruitment rights, and job jurisdiction and demarcation issues. From time to time two unions attempting to organise the same section of a workforce are unable to agree on recruitment or organisation rights, problems related to the "poaching" of members, etc. In these circumstances the trade union movement in 1920 devised an internal TUC procedure to handle such problems. The procedure is governed by the so-called Bridlington Agreement, under the terms of which a panel of senior trade unionists adjudicate upon the issue under dispute. The decisions of this panel have traditionally been accepted by the unions in the dispute.

Finally, there are one or two unions which approximate to the industrial union form, for example, the National Union of Mineworkers, and the National Union of Railwaymen. However, even in these industries other unions organise different sections of the labour forces, for example, supervisory grades and railway locomotive drivers and white collar personnel.

The TUC has undertaken examinations of the problems of British trade union structure in 1924, 1944 and 1964. Although the merits of reorganisation along industrial union lines are recognised, so are the problems of effecting such a change within the present organisational structure. TUC policy has relied on reducing the number of unions by means of mergers and amalgamations between unions, and by attempting to persuade unions applying for TUC affiliation to join an already affiliated union.

The number of unions has gradually diminished. In 1918 there were 218 unions, which has dropped to 108 by 1980.

The membership distribution among the individual trade unions is lopsided. At one extreme there are a large number of unions with very small memberships whilst at the other there are a small number of unions with a disproportionate share of total union membership. For example, three of the largest unions have more than 40% of all TUC membership, and the largest 14 out of over 100 TUC unions organise 75% of trade union members. Table 1 below gives membership details of the top 14 TUC affiliates.

TABLE 1: TOP 14 LARGEST TRADE UNIONS (1981)

	<u>Total Membership</u>	<u>Women Members</u>
1. Transport and General Workers Union (TGWU)	1,695,818	257,373
2. Amalgamated Union of Engineering Workers (AUEW)	1,024,205	n.a.
3. General, Municipal, Boilermakers and Allied Trades Union (GMBATU)	865,814	297,281
4. National and Local Government Officers Association (NALGO)	796,145	408,820
5. National Union of Public Employees (NUPE)	703,998	469,332
6. Union of Shop, Distributive and Allied Workers (USDAW)	437,864	n.a.
7. Association of Scientific and Managerial Staffs (ASTMS)	427,500	n.a.
8. Electrical, Electronic, Telecommunications and Plumbing Union (EETPU)	395,000	30,000
9. Union of Construction, Allied Trades and Technicians (UCATT)	275,251	1,732
10. National Union of Mineworkers (NUM)	249,711	-
11. Society of Graphical and Allied Trades (SOGAT)	236,660	75,393
12. Confederation of Health Service Employees (COHSE)	230,709	180,282
13. National Union of Teachers (NUT)	224,090	n.a.
14. Civil and Public Services Association (CPSA)	209,894	n.a.
n.a. = not available	TOTAL	9,662,659
		1,720,213

Source: TUC Statistical Annex 1982

Table 2 indicates the number of unions organising a particular industrial/occupational sector, the number of members per sector, and the number of seats on the TUC General Council per sector.

TABLE 2: TUC AFFILIATED UNIONS BY TRADE GROUP (1981)

<u>Trade Group</u>	<u>Number of Unions in Trade Group</u>	<u>Total Membership in Trade Group</u>	<u>Number of seats on General Council</u>
1. Mining and Quarrying	3	285,056	2
2. Railways	3	250,602	2
3. Transport (other than railways)	6	1,795,360	4
4. Shipbuilding	1	119,585	2
5. Engineering, Founding and Vehicle Building	10	1,227,282	4
6. Technical Engineering and Scientific	3	657,690	2
7. Electricity	1	395,000	1
8. Iron and Steel and Minor Metal Trades	8	120,272	1
9. Building, Woodworking and Furnishing	3	346,709	2
10. Printing and Paper	3	405,623	1
11. Textiles	12	72,763	1
12. Clothing, Leather and Boot and Shoe	6	195,056	1
13. Glass, Ceramics, Chemicals, Food, Drink, Tobacco, Brushmaking and Distribution	9	554,407	2
14. Agriculture	1	85,000	1
15. Public Employees	12	2,287,532	5
16. Civil Servants and Post Office	13	923,964	3
17. Professional, Clerical and Entertainment Entertainment	10	418,269	2
18. General Workers	1	865,814	3
Women Workers	-	-	5
TOTAL	<u>105</u>	<u>11,005,984</u>	<u>44</u>

Source: TUC General Council Report 1982.

## White Collar Unionism

The fastest growth of trade union membership in recent years has been among white collar workers, at a time when traditional manual occupation membership has been declining. The trade unions have responded in two major ways to this change, first, by general and ex-craft unions establishing or extending white collar sections in the union, and secondly, by a dramatic growth in membership among specifically white collar unions, this growth frequently involving overlap with general workers' unions. For example, the ASTMS - Association of Scientific, Technical and Managerial Staffs - quadrupled its membership from 123,000 in 1970 to 491,000 by 1980, and the major local government employees union, NALGO - National and Local Government Officers Association - almost doubled in membership from 397,000 to 753,000 over the same period, almost half of the new total being women.

## Trade union organisation at the workplace - Shop Stewards

Given the evolution and resulting complexity of the British trade union structure, it is not surprising that no single description of union organisation at the workplace could adequately cover the overlapping and interlocking relationships arising from national level organisations.

At workplace level therefore the trade unions operate in an environment characterised usually by multi-union representation of the workforce; the absence of a statutory works council system; and by and large the absence of the legally conferred rights for workers representatives or statutory regulations on the activities of the trade unions. In practice British trade unions rely to a large extent upon the voluntary services of elected union representatives in the workplace, usually referred to as Shop Stewards. In white collar workplaces these voluntary officers are called Office Representatives, in the printing industry Fathers of Chapel - their role however is essentially the same, namely to act as the union's representative vis-à-vis both the members and the management at workplace level. Shop stewards have little if any statutory right or protection other than that accorded employees in general; their strength and effectiveness emanates from their membership and its willingness to take collective industrial action against the employer to back and protect the steward, etc. It is estimated that there are around 300,000 shop stewards, about 10,000 being full-time, that is, by agreement with management occupied full-time on union business in the workplace.

The growth in the numbers and effectiveness of shop stewards has paralleled the growth of workplace wage bargaining in the post-1945 period, and both phenomena have been most rapid in the engineering industry.

The Donovan Report analysed the shop steward phenomenon and concluded there was a need to integrate shop stewards into the formal organisational structure of the unions. The Report showed that shop stewards' responsibilities cover to varying degrees workplace negotiations on pay and conditions complementary to those laid down in national and industry-wide agreements; the handling of members' grievances with management; dealing with disciplinary cases, threatened dismissal of a member, and similar issues; collecting union subscriptions and recruiting members; acting as a communication link between the union organisation and shopfloor member, e.g. advising members of union policies, decisions, etc.; and ensuring that management respects and implements the terms of agreements.

Given that several unions are likely to be found in a workplace, it follows that each section of the workforce organised by different unions elects its own shop stewards. Thus if there are five unions there will be shop stewards elected for each of the five unions' memberships. In practice, the stewards of the several unions usually form a Joint Committee for the workplace in order to coordinate union strategies and action vis-à-vis management. For larger memberships of an individual union there will usually be a number of stewards and a senior steward is elected and is usually known as a Convener. Joint Committees also elect one of the stewards as Convener or Chairman of the Committee. In large undertakings such as Ford, British Leyland, etc. in the engineering industry, the several Joint Committees from different plants have formed informal linkages on an inter-plant basis - usually known as Combine Committees. Such committees do not always receive recognition for bargaining and other purposes from management.

Both the Joint Committees and the Combine Committees have a certain similarity to the Works Council and Company Works Council found in countries like West Germany for example, but it would be a mistake to conceive of a shop steward as being a works councillor. There are important distinctions to be made. A shop steward is elected by trade union members only; a steward has no protection in labour law for the role and work undertaken on behalf of the union and membership; they are frequently unpaid for their services; they are subject to re-election or votes of confidence by all the membership at any time. Joint and Combine Committees have no statutory basis nor does the law confer rights on these committees vis-à-vis management,

nor are members of the committees accorded any special legal protection against the employer. A shop steward is therefore a negotiator with management, a vital link between union administration and membership, a handler of grievances with management, and managements' natural partner in the workplace. The role, rights and powers of shop stewards have tended to develop as a result of industrial disputes with employers and the growth of "custom and practice", i.e. precedent in establishing and regulating relations with the employer. It is a concrete manifestation of the voluntary approach which characterises the British industrial relations system.

### THE TRADES UNION CONGRESS

The British trade union movement is characterised by its unity within one national representative body, the TUC. Though the various unions remain sovereign, the TUC is the national coordinator and spokesman on many trade union matters. The TUC has been a permanent association of trade unions since 1868, and comes together as an assembly of delegates for one week in September each year, at its Annual Congress, to discuss common problems and collectively determine policy.

#### The Annual Congress

Congress is composed of delegates from affiliated TUC trade unions who must be either working members (at the time of appointment) or be full-time paid officials of the union they represent. Each union can send one delegate for every 5,000 members; 1,200 delegates attended the 1980 Congress. Most issues are decided on a vote by a 'show of hands'. When resolutions before Congress are decided by 'card' vote, the leader of each delegation casts a 'block vote', based on its affiliated membership, unions being entitled to one vote for every 10,000 of their members. The 'block vote' system has been the centre of some controversy over the years, both at the TUC and Labour Party Annual Conferences, where similar methods apply.

Congress determines policy and conducts its business in the following ways:

- It considers and endorses each paragraph of the General Council's Report on the past year's activities;



- It debates and endorses or rejects motions by affiliated unions, who are each entitled to submit two resolutions and two amendments to resolutions.
- It elects the General Council for the coming year.
- It elects the General Secretary when the occasion arises.

The meetings of Congress are open to the public and the press, except on the rare occasions when it goes into closed session.

### The General Council

Established in 1921, the General Council acts as the executive body of the TUC with the responsibility of carrying out policy and conducting business between congresses. Nominations are by 'trade groups' to ensure that the General Council includes representatives from all sections of the movement. In practice, most candidates are full-time officers of their union.

The allocation of seats on the General Council, according to trade groups for the 1981-82 congress year, is indicated in Table 2 (p. 12).

The General Council (G.C.) meets monthly and examines the detailed work carried out by its sub-committees: these consist of:

- Standing committees, composed entirely of G.C. members, e.g. Finance and General Purposes, Economic, Education, International, etc.
- Industry committees, comprising representatives from affiliated unions in addition to G.C. members, and covering the major industries.
- Joint committees, on which G.C. and other union representatives sit, together with representatives of other outside bodies, e.g. TUC-CBI (Confederation of British Industry) Committee, TUC - Labour Party Liaison Committee, etc.

The 1982 Congress decided on certain changes relating to the General Council, and among these is the introduction of automatic General Council representation for unions of over 100,000 members.

At present there are seven main specialist departments of the TUC and all, except Finance, are concerned with the servicing of TUC committees and preparation of information on policy. They also monitor government policy, maintain relations with various national and international organisations, and provide a service to affiliated unions, trades councils and other bodies seeking advice or help.

## Inter-union relations

Given the horizontal structure of British trade unionism, the number and complexity of unions can be a source of friction, particularly through competition at local plant level - a situation that can be further aggravated by the effects of unemployment and the breaking down of occupational structures, skills and traditional spheres of influence - through technological change and 'rationalisation'.

As indicated earlier, a TUC disputes procedure (Bridlington Procedure) exists for the settlement of inter-union disputes concerning 'poaching' of membership, demarcation or inter-union recognition issues, etc. Judgments supported by the authority of the TUC have always been accepted, and the Bridlington procedure has come to play an important role in inter-union relations.

## Regional Structure

The TUC also has a regional and local structure extending throughout England and Wales. The Wales Trade Union Council has held its own Annual Conference since 1974, whilst at the same time remaining part of the TUC's regional and national structure. TUC Regional Councils are composed of representatives of those affiliated unions with members in the region, and representatives of the County Association of Trades Councils. In Scotland, there is a Scottish Trades Union Congress (see below).

## Trades Councils

In most areas, branches of trade unions affiliate on a voluntary basis to form local trades councils. Trades council organisation is based on towns, cities and counties, and a Joint Consultative Committee with the TUC exists and is responsible for the arrangements and business of the Annual Conference of Trades Councils. Trades Councils deal with a wide range of industrial, social and community issues, whilst relating TUC policy to their affiliates, and local reaction and opinion back to the TUC.

The Scottish TUC (STUC) is the national coordinating body for the trade union movement in Scotland, formed in 1897 as a result of a disagreement over the TUC's decision in 1895 to exclude 'trades councils' from direct representation at Congress. All 45 'trades councils' in Scotland are directly affiliated to the Scottish Congress. Close cooperation and coordination exists between the two bodies, and unions often affiliate to

both. Current membership affiliation to the STUC is about one million.

### Federations of Trade Unions

Other general labour organisations exist that are accepted as part of the wider trade union movement, and are associated with the TUC. The GFTU General Federation of Trade Unions - formed in 1899, unlike the TUC has its own contributory funds, that can be used for providing financial relief for its affiliates during industrial disputes. There are many more of these federated labour organisations, and those such as the CSEU (Confederation of Shipbuilding and Engineering Unions) can also act as coordinating bodies for their many constituent unions.

### COLLECTIVE BARGAINING

The wages and conditions of employment of the majority of workers in Britain are determined by collective bargaining machinery, even though only just over 50 per cent of the workforce are unionised. The level of the negotiated rates in the labour market also exerts a beneficial influence upon the wages paid by employers to non-union labour. Collective bargaining can occur at both national and local levels and negotiations can be formal, often resulting in signed agreements, or informal where, for example, shop stewards bargain with local management on a day-to-day basis.

In some industries like engineering, national negotiations between the Confederation of Shipbuilding and Engineering Unions (CSEU) and the Engineering Employers Federation (EEF) set the national minimum hourly wage rates and lay down national minimum conditions for holidays, hours of work, overtime and shift work premiums, etc. for the three main categories of manual worker, skilled, semi-skilled and unskilled.

Bargaining at plant or company level by shop stewards and sometimes local union officials takes place through, for example, negotiations on piece-work rates and incentive bonus schemes, increasing actual earnings and improving terms and conditions above the nationally-agreed minima.

In the public sector industries and services, wages and conditions are determined by negotiations at national level, although local bargaining does take place on many issues, largely dependent upon the degree of standardisation prevailing in the individual concerns. In recent years there has been a growing militancy amongst public service workers during negotiations, and they have demanded through their shop floor representatives, a more effective

participatory role in the determination and settlement of their claims. This trend is evidenced by the formalising of industrial conferences at regional and national level within the union structures. These conferences attempt to coordinate industrial policy and formulate demands throughout 17 major areas of membership, large percentages of which are in the public services.

### Low Pay

In some of the traditionally poorly organised, poorly paid areas of employment, where no effective collective bargaining power existed, statutory wages councils were established in 1945, able to recommend legal minimum wages and conditions of employment. Wages councils cover industries ranging from hotel and catering to retail distribution and hairdressing, etc. In reality most employers in these industries have only conceded the minimum terms legally enforceable and in general the councils have proved incapable of either promoting collective bargaining or in remedying low pay in those areas. Trade unions have also held the view that wage councils militate against the growth of trade union organisation in these industries.

The general distribution of earnings has changed relatively little in post-war years: in 1959 the top ten per cent of the population received 25 per cent of the total earnings after tax, whilst the bottom 50 per cent of the population also only shared 25 per cent. By 1976 the top ten per cent received a slightly smaller proportion, 22.5 per cent, and the bottom 50 per cent had increased their share to 27.5 per cent.

### The Future of 'Free Collective Bargaining'

Shop floor activists have strongly favoured free collective bargaining, which has provided them with an effective role to play. However, the use of incomes policies, along with the continuing development of multi-plant firms, multinational corporations, recession and high unemployment, have all increased the importance of pay determination at industry and national level - whilst encouraging amalgamations of negotiating groups into larger bargaining units. All this questions the survival of both workplace plant bargaining as a major factor in British

industrial relations, and the assumption that collective bargaining has been evolving irreversibly into a decentralised - plant orientated - direction.

### UNEMPLOYMENT

Other major problems facing the Labour Movement both currently and in the future emanate from government reductions in public expenditure and services and the continuing economic recession. These factors together with policies of technological 'rationalisation' have produced the highest levels of unemployment in Britain since the Great Depression of the 1930s, the official registered unemployment figures at the end of 1982 standing at over three million.

Unemployment is much higher when the number of unemployed people that do not register - those temporarily catered for by special employment measures, and those reduced to short-time working - are taken into account. There is no doubt that unemployment has had a significant negative effect upon both the growth and level of trade union membership, after what can be considered a period of almost continuous growth up to the 1980s.

Len Murray, General Secretary of the TUC, warned of the sharp drop in membership and unions have attempted to meet this challenge through determined recruitment drives in poorly-organised areas.

The urgency with which unions are to retain unemployed members on the reduced subscription, is illustrated by one of the unions' recruitment leaflets: "WHEN MEMBERS LEAVE THEIR JOBS - KEEP THEM IN THE UNION", and the recent TUC Conference, which resolved to establish the Unemployed Workers Centres, to advise, assist and involve the unemployed, indicates that in contrast to the 1930s, a new approach is being adopted.

## NEW TECHNOLOGY

New technology is being used to effect 'rationalisation', reducing labour costs and eliminating jobs on a permanent basis. The new technology is particularly suitable for introduction into the service industries and white collar sectors, and this will have drastic effects upon employment and job opportunities - especially for women. It is, however, apparent that neither shop stewards combine committees, nor initiatives in workers' self-determination alone, are likely to succeed, unless they form or become an integral part of wider proposals for radical change. The TUC and many unions have published their own reports concerning 'New Technology', outlining policy and model agreements. On paper they make commendable demands, whether these can be achieved in practice remains to be seen.

## INDUSTRIAL DEMOCRACY

Whilst little seems to have happened since the Donovan Report in 1968, the subject of industrial democracy and workers' participation in decision-making in their firms has become more popularly and widely debated in Britain in recent years. The TUC's attitude and continuing commitment, outlined in their publication 'Industrial Democracy', reflects the change in attitude from that expressed in 1944: "It does not seem by any means certain that it would be in the best interests of the work people of a nationalised industry to have, as directly representative of them, members of the controlling board who would be committed to its joint decisions ... trade unions should maintain their complete independence". Following the TUC - Labour Party Liaison Committee discussions on the Bullock Committee Report and the Government's White Paper on Industrial Democracy in 1978, the annual congress resolved that, "This Congress believes that the next stage of industrial strategy depends critically on full trade union involvement in decisions at company and plant level, legislation should provide, in trade union terms, no less favourably for the public sector than for the private sector, to establish joint controls of industrial decision-making at all levels ... that workers representation must be fully based on trade union structures ....".

The British experience of experiments in employee involvement and worker directors - although limited as such - have not been encouraging. Whilst some have occurred in the private sector, the most widely known examples have been at British Steel and the Post Office. In the case of British Steel the main reasons given for the lack of success have been that:

- the boards on which worker directors have sat have been advisory only and not policy making;
- worker directors have not been directly elected as representatives of the workforce, the final decision of selection/appointment remaining with the Chairman of the undertaking;
- and links with trade union machinery have been weak.

In the experiment conducted by the Post Office, it is believed that worker directors were not in reality ever granted any policy-making power. Since the return of the Conservative Government in 1979, the scheme has been opposed by management and Government and largely abandoned - continuing only at regional and area level.

The TUC, however, is continuing, "to press for an extension of trade union rights and facilities in multi-national corporations, such as those proposed in the recent draft EEC directive", and recently adopted a joint TUC-Labour Party report on planning and industrial democracy.

#### THE TUC ALTERNATIVE ECONOMIC STRATEGY

Policy on industrial democracy should be viewed as an integral part of the TUC's "Economic Alternative: Plan for Growth", which sees the key question as, "not so much where the money is coming from, but rather when and how it is put to use. Planning bodies must avoid being over-centralised or obsessed with narrow-sighted 'rationalisation'. These problems can be avoided if economic planning is firmly rooted in rapid advances in industrial democracy, extending the influence and activities of workplace union organisation."

In order to overcome the scale of the problems facing the economy in the 1980s, the main points of the TUC's Plan for National Economic Recovery consist of:

- action to stimulate all sectors of the economy, making their growth mutually supporting;
- financing the plan by channelling North Sea revenues through a new North Sea fund and by cutting the wasteful cost of unemployment;
- essential public sector capital investment projects, in public transport, housing, sewerage, and also in high-technology sectors such as telecommunications and the energy industries;
- a coherent and powerful planning system, an essential part of which would be a national investment bank and a body like the National Enterprise Board, but with greater powers of initiation, to bring it about;
- industrial development that assists existing industries to adapt to new techniques and new industries to emerge;
- industrial democracy, which will be a pre-condition for success - meaning stronger trade union influence, especially at workplace and company level;
- action at international level to implement the recommendations of the Brandt Report; recycle OPEC surpluses and speed up the development of third world countries.

#### TUC EUROPEAN POLICY

At the outset it should be stressed that the British trade union movement has played a key role in the establishment and development of international and particularly European trade union organisations, and it is the largest single affiliate of the European Trade Union Confederation, the TUC General Council taking a leading part in the creation of this body in 1973.

Whilst being active in developing European trade union organisation, the British trade union movement's view on the European Community has, by and large, been hostile. In 1973 when Britain entered the Community, support for TUC participation to promote the British trade union view in the Community was narrowly defeated at Congress. Subsequent Congresses have endorsed the movement's reservations about Britain's membership of the European Community to varying degrees, and on the economic side TUC statements have expressed doubt as to Britain's net economic advantages arising from membership. The TUC has taken the view from time to time that Community



membership could benefit British working people. On the other hand, the TUC has always opposed the inequitable operation of the Community budget and Britain's net contribution to it and the adverse effect of the Common Agricultural Policy on food prices and hence on the real incomes of British workers.

Whilst the 1973 Congress expressed opposition to Community membership, the 1974 Congress proposed stringent conditions for the then Labour Government's re-negotiation of Britain's terms of membership as well as the need for a referendum on the issue, which subsequently took place. At the same time the TUC expressed the need for cooperation between British and European trade unions.

Following the referendum decision to remain in the Community, the TUC took up its full part in the various EEC advisory and consultative committees. The TUC has actively supported ETUC initiatives for example on the Campaign for Reduced Working Time, and indeed incorporated parts of this programme in its own Campaign for Economic and Social Advance.

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