

Dependence on a hostile state: UK trade unions before and after Brexit

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1. Introduction

British unions have a reputation for being in crisis. At their 1979 peak they had 13 million members, density of over 50 per cent and 30 million lost work days due to industrial disputes. During the recessions of the early 1980s and 1990s union membership dropped rapidly along with the incidence of strikes. This reflected the Thatcher government's anti-union offensive (see, for example, Waddington 2000; Howell 2005) and the weakness of Britain's manufacturing sector, which failed to produce the kind of industry structure that in Germany formed the basis of a highly unionised private-sector industrial core. Membership is currently around 7 million and density only around 25 per cent, with only four years since 1990 with more than 1 million work days lost to strikes (DBIS 2015).

Current events in Britain would seem to reinforce this diagnosis. The Trade Union Act 2016 introduced a new wave of restrictions on the right to strike, on picketing and protest, on political funds and on check-off and facility time in the public sector (Bogg 2016). Equally devastating was the outcome of the 'Brexit' vote, in which the largest unions campaigned to remain in the European Union, but in which a large number of their members voted to leave, leading to concerns over the future of employment rights, the competitiveness of internationally exposed industries and racial and ethnic tensions, among other things.

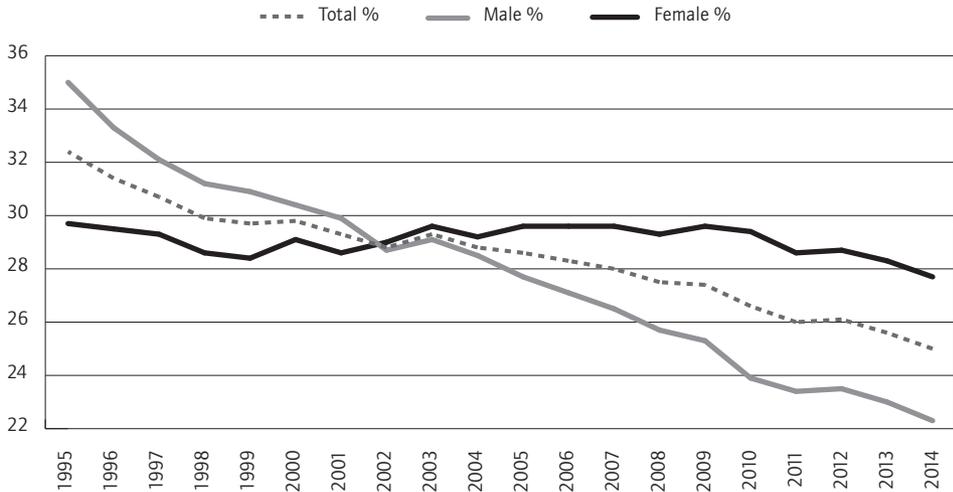
The problem with the crisis diagnosis, however, is that trade unions remain an important presence in Britain. Under Conservative-led governments since 2010, they have played a crucial role in the insurgent left-wing campaign of Jeremy Corbyn to be Labour Party leader and campaigns to protect the National Health Service and combat 'austerity'. In the face of low and declining power resources – organisational, institutional and structural – unions are able to assert themselves very effectively as a key social force.

In fact, the *organisational power* of British unions is moderately strong by international comparison. Membership among female public-sector workers increased with the expansion of public spending under Labour, partly offsetting the decline among men and private-sector workers. Nor are there very clear insider/outsider dynamics or destructive conflicts within the trade union camp discussed in other chapters in this volume. Women are more likely to be members than men, and in 2014 membership density was 22 per cent for men and 28 per cent for women (Figure 1), well above that

¹ We would like to thank Sian Moore for her valuable suggestions.

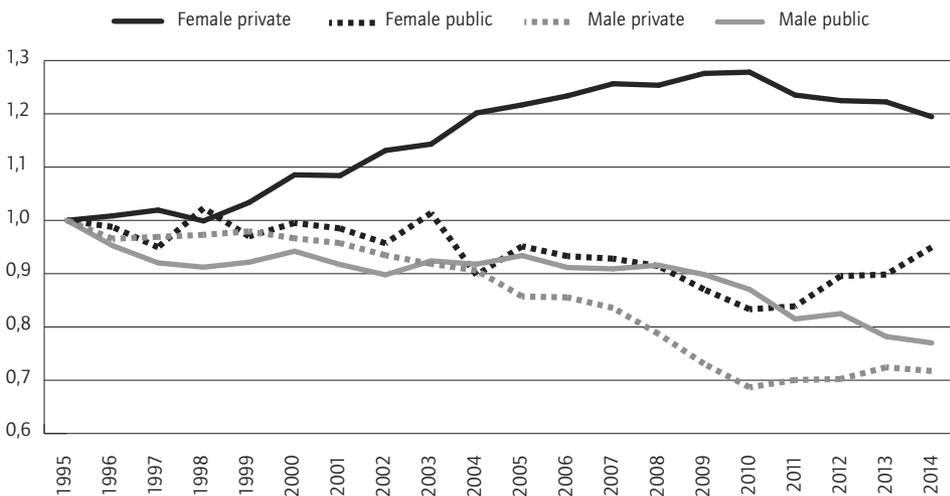
of Germany, for example. While public sector union membership has declined since 2010, it is still much higher than it was in 1997; and private sector density has increased slightly since 2010 (Figure 2) (Lewis 2014).

Figure 1 Changes in trade union density, 1995–2014 (employees)



Source: Office for National Statistics (2015).

Figure 2 Changes in trade union membership, 1995–2014 (1995 = 1)



Source: Office for National Statistics (2015).

In the public sector, by contrast, the largest unions have a stable or increasing membership, especially teachers, medical professionals and transport union the RMT. In the first five years of the previous Labour government every major union in the public sector increased its membership; however, after 2010, cuts to public-sector jobs and employer-funded time for union work ('facility time') has hit some unions, most notably the civil service union PCS, and to a lesser degree UNISON. (Table 1 shows membership trends in the largest unions.)

But British unions do have *structural weaknesses*, most famously due to the collapse of employment in union strongholds such as mining, heavy industry and ports. (Blanchflower and Bryson [2009], however, found that union decline is caused by more within-industry changes than changes in the industry structure.) It is tempting to interpret the membership increase in the public sector as representing structural power, and in parts of public transport such an interpretation is difficult to avoid. Nevertheless, since 2010 the public sector workforce in Britain has been vulnerable to austerity. This was a real shift in economic policy from the previous Labour government, which had used increased government spending as an engine of growth. One reason for this vulnerability has been the divide-and-conquer tactic of the government, which has portrayed public sector workers as 'privileged'. Another reason has been the model of British capitalism and the economic policies that constitute it. Under high and increasing income inequality, stagnant wages and weak and shaky growth, enabled mainly by consumer debt (Onaran 2015), British unions – with the notable exceptions of the RMT and USDAW – have a common structural weakness.

Table 1 **Membership of Britain's main unions ('000)**

	Years of operation	1998	2003–2004	2013–2014
Unite	2007–			1,405
Transport and General Workers Union (T&G)	1922–2007	882	817	
Amicus	2001–		935	
Amalgamated Engineering and Electrical Union (AEEU)	1851–2001	728		
Manufacturing Science and Finance Union (MSF)	1988–2001	416		
Graphical Paper and Media Union (GPMU)	1992–2001	203		
Banking Insurance and Finance Union (BIFU)	1946–2004	106	137	
Total membership of unions that formed Unite		2,335	1,889	1,405
UNISON: The Public Service Union	1993–	1,272	1,301	1,283

Table 1 **Membership of Britain's main unions ('000) (cont.)**

	Years of operation	1998	2003–2004	2013–2014
Royal College of Nursing of the UK (RCN)	1916–	320	373	422
National Union of Teachers (NUT)	1870–	287	324	388
Public and Commercial Services Union (PCS)	1998–	245	295	247
National Association of Schoolmasters and Union of Women Teachers (NASUWT)	1976–	251	305	333
Association of Teachers and Lecturers (ATL)	1978–	168	202	198
British Medical Association (BMA)	1832–	107	129	153
University and College Union (UCU)	2006–			106
National Union of Rail Maritime and Transport Workers (RMT)	1990–	56	67	80
Total membership of main public sector unions		2,707	2,996	3,210
GMB (formerly General, Municipal and Boilermakers)	1924–	712	600	617
Union of Shop Distributive and Allied Workers (USDAW)	1947–	303	332	433
Communication Workers Union (CWU)	1995–	288	259	202
Union of Construction Allied Trades and Technicians (UCATT)	1971–	112	111	87
Prospect	2001–		105	116
Community	2004–			27
Total		6,456	6,186	5,954
Total for all UK unions		7,852	7,559	7,086

Source: Certification Officer (various years).

They have little in the way of *institutional power* to compensate. Collective agreements are not enforceable in UK courts and the patchwork of collective bargaining and supposedly independent pay review bodies in the public sector have produced real declines in worker pay since 2010. In 2011, 47 per cent of workers were in workplaces in which trade unions were recognised as engaging in bargaining, including 92 per cent of public-sector and 12 per cent of private-sector workplaces (Van Wanrooy *et al.* 2013: 59); even here the role of collective bargaining is limited. Unions negotiate over pay in 56 per cent of private-sector workplaces where they are recognised for bargaining

purposes, but this number is much lower for working time (37 per cent), holidays (41 per cent) and pensions (24 per cent) (ibid.: 81). While this figure may overstate union weakness by leaving out workers in sectoral or occupational collective agreements (Emery 2015: 226), in the private sector only 2 per cent of workplaces are covered by multi-employer bargaining, as opposed to 43 per cent in the public sector (ibid.: 83). Britain has little tradition of institutionalised worker participation in the firm or in policymaking. What improvements in this area were made under New Labour did not enhance unions' institutional power and were aimed at channelling activities in ways that supposedly enhanced economic 'competitiveness' (Ewing 2005). Some of them were rolled back or eliminated by the subsequent government.

As other power resources decline, British unions increasingly rely on their *discursive power* in their campaigning in the public sphere. But it is difficult to say how much discursive power they possess. In terms of public trust, in YouGov polls from 2003 to 2013, trade union leaders were rated above 'people who run large businesses', 'senior civil servants in Whitehall' and 'leading politicians' of the three largest parties. Trust declined in all of these groups and for unions the percentage of respondents trusting them 'a great deal' or 'a fair amount' declined from 32 per cent to 28 per cent (YouGov 2013). Public opinion is divided over public-sector strikes and the 2015 election results appeared to endorse the Conservatives' key policies.

For these power resources and for union activity, the state – usually meaning the Westminster Parliament and Whitehall ministries – is of central importance. In England, local government has little power and the main institutions of regional governance were abolished in 2008–2012. Union members in the public sector outnumber those in the private sector (Corby and Symon 2009). Every government since the mid-1960s has passed legislation to reform industrial relations and since 1979 reforms have been tightly linked to nominally business-friendly, neoliberal economic policies. Though varying in their details these governments have had in common a hostility to powerful, independent unions (McIlroy 2008).

In keeping with the state-centeredness of Britain's trade union movement, this chapter is organised chronologically by government. It starts with the Labour governments (1997–2010). While Labour did little to help unions to rebuild their traditional power resources, it did contribute to union 'modernisation', including organising, partnership with management, administering government-funded programmes and policy work around low wages. Second, the chapter examines union responses to the Conservative-led coalition government (2010–2015), which cut public-sector jobs, froze public-sector pay, marketised and privatised public services, restricted workers' access to employment tribunals, reduced facility time for worker representatives in the civil service and ended government funding for union modernisation projects. We examine some of the many campaigns through which unions responded. Finally, we speculate about how unions are coping with the general election victory of the Conservatives in 2015, which allowed them to govern without a coalition partner, leading to new anti-union legislation and the 'Brexit vote'.

2. 'Modernisation': 1997–2010

Throughout the Labour years the environment of trade unionism was far less hostile than the previous 18 years facing Conservative government, leading to optimism about prospects of union revitalisation (Heery *et al.* 2003). After the Conservatives passed legislation restricting union core activities, Labour passed legislation supporting innovative union practices. A statutory union recognition procedure was introduced, including arbitration in the event of a dispute, as well as a national minimum wage, an end to Britain's opt-out from the European Social Chapter and new government funding for labour–management partnership in the workplace, union-driven learning projects and general 'modernisation' efforts. After the Conservatives had severely restricted spending, Labour increased spending dramatically on public services. Compared with the 1980s and early 1990s, unemployment rates up to 2008 were relatively low.

Unions varied in their policies and approaches. One concept for union renewal was 'organising': the attempt to recruit non-members drew lessons from experiences in the United States and Australia and used the new machinery of union recognition. Another initiative was partnership with employers in pursuit of mutual gains, often with funding and other support from the government. A third was the attempted revival of the militant shop-steward tradition to rebuild the union movement through democratic rank-and-file mobilisation. Fourthly, there was community unionism and equality, expanding trade union action on discrimination, low wages and urban regeneration issues, using political, legal and community organising tactics (again borrowed from the United States). While sometimes viewed as alternative strategies at the level of the organisation, the reality of most national unions was that much organising of the unorganised, partnership with employers, industrial action and partnerships with civil society took place simultaneously and in an ad hoc fashion.

Organising and recognition

One of Labour's early legislative initiatives was the Employment Relations Act of 1999, which created a machinery for union recognition for enterprise-level collective bargaining. Gall (2007) shows an increase in employers and unions reaching 'voluntary agreements' during the late 1990s and a further increase in the number of agreements and workers covered in 2000–2002, with a peak of just over 200,000 workers and 224 agreements. After this the wave of recognition agreements subsided, giving way to concerns about the continued decline in collective bargaining coverage, the concentration of recognition agreements in declining manufacturing sectors – where unions clearly lacked structural power – and in general the weakness of workplace union organisation after campaigns (*ibid.*; Moore *et al.* 2013).

The recognition procedure came as unions were building up a specialised in-house organising function to attract new members in workplaces where they did have a presence (infill organising) and create a presence in workplaces where they did not yet exist (greenfield organising). Unions tended to demand recognition only after they had recruited 50 per cent of the workers. This was supported by the TUC, which created

the Organising Institute to support organising within affiliated unions (Simms *et al.* 2012). This function could be found at most large British unions and most focused their efforts specifically on making their unions more inclusive of women, minorities and young workers, with campaigns targeting sex workers (Gall 2006), marginalised migrant workers (Holgate 2005; Fitzgerald and Hardy 2010), non-profit organisations (Simms 2007) and others. In terms of their methods, however, most unions relied on traditional recruitment via person-to-person interactions in the workplace, and only a minority used practices imported from the US, such as house calls, building links with community groups and mapping workplaces (Heery *et al.* 2000).

While employers did not respond with the consistent hostility of their counterparts in the United States, few observers were impressed with the results, for several reasons. One problem was internal: union staff resisted taking on the increased workload of organising and it was difficult to integrate organisers into the overall decision-making process of unions. Unions also faced external constraints, including the difficulty of gaining access to worksites, competition between unions and resistance by employers (Heery *et al.* 2000). There was, in addition, the difficulty of translating these gains into durable union structures in the workplace and setting up collective bargaining. In many of these cases there was no collective bargaining and even where there was, the statutory support for it is weak (Ewing 2005). Finally, even where organising was implemented, it did not substantially change the ways that people joined the union; the dominant way was via workplace contacts rather than the campaigns of organising departments (Waddington and Kerr 2015).

Workplace partnerships

Central to the Labour government's modernisation plan was encouraging unions to work with employers for 'mutual gains' (Martínez Lucio and Stuart 2004). Strengthened cooperative relations with management took two main institutional forms.

The first was a 'partnership agreement', in which unions traded concessions over flexibility for participation rights and employment security protections. USDAW pursued these as part of its expansion strategy at the large retailer Tesco and they were also observed in the public sector (Kelly 2004). At large construction sites, such as the 2012 Olympics and Heathrow Terminal 5, partnership agreements involved union officials in decision-making, with an eye to preventing accidents, cost overruns and delays and protecting labour standards (Deakin and Koukiadaki 2009; Druker and White 2013). The government promoted such partnerships by means of a 'partnership fund' and with rhetorical support.

The literature on partnership agreements has found that they lopsidedly favoured management. While comparative evidence on the effects of having a partnership agreement at the firm level on outcomes such as worker pay, numbers of jobs and union density was mixed (Kelly 2004), survey evidence suggested that the perceived gains were greater among managers than among workers (Guest and Peccei 2001) and that the lack of improvement in material conditions at work was undermining union

activists' support for partnership (Martínez Lucio and Stuart 2002). By the early 2000s several general secretaries of national unions that had promoted partnership had been replaced by a so-called 'awkward squad' of general secretaries critical of Labour Party policy in general and of partnership in particular (Charlwood 2004).

The second kind of partnership was to promote worker access to training. The government funded such projects using a 'union learning fund' and created a new kind of status for a worker representative, the 'union learning representative', anchored in statute. The TUC created a coordinating structure called 'Unionlearn'. Evaluations found numerous individual success and positive effects for workers least likely to access education, but there was no evidence that they helped unions to reverse their decline in membership (Wallis *et al.* 2005) or increase the overall incidence of on-the-job training (Hoque and Bacon 2008).

Workplace militancy

Although strikes were at historically low levels, important pockets remained of shop-floor militancy. A union mobilising its members, revitalising its workplace structures, framing the relationship with management as 'us versus them' and pursuing goals of social justice rather than mere economic self-interest could be counted as an exception to the overall trend of union decline and weakness. The RMT union, for example, expanded over this period partly on the back of successfully mobilising workers in the London Underground for a series of industrial actions (Darlington 2001). Similarly, the much larger PCS union expanded within the civil service, led by left-wing activists, organised a series of brief strikes, saw its partnership agreement with management cancelled and had particular success organising young workers (Hodder 2014; Martin 2010). Both the RMT and the PCS had high organisation density and energetic left-wing leadership.

There were also significant strikes in response to problems in the workplace and labour market. One of the flashpoints concerned the wave of immigrants that followed the expansion of the EU in 2004 and the increased use of worker posting after the UK government's decision not to introduce a transitional period. There was a dispute at Gate Gourmet over the replacement of a predominately Asian female workforce with Polish agency workers in 2005 (Pearson *et al.* 2010) and skilled construction workers represented by Unite protested the use of posted workers (on substandard wages and working conditions) at the Lindsay oil refinery in northern England (Barnard 2009). In the Lindsay case, media reporting focused on the slogan of some of the strikers, 'British jobs for British workers', even though the union's official goal was to include migrants in collective bargaining. British Airways flight attendants engaged in a series of strikes in 2008–2011 over work intensification unilaterally imposed by management (Taylor and Moore 2015). In 2002–2004 there was a major national dispute over pay involving firefighters, in which the Labour government intervened to defeat the strike, precipitating the union's disaffiliation from the Labour Party (Seifert and Sibley 2011).

These cases show the persistence of strong collectivism among (some) union members and transformative effects of mobilisation in their workplaces and unions. They also

reveal continued hostility on the part of the government and news media under Labour. Such a mixture of radicalism and grassroots democracy was never accepted by the larger unions, which chose labour–management partnership as their main strategy (as with USDAW), mimicked the managerial techniques of their employers (as with Unison) or lacked a coherent strategy due to the diversity of unions that had merged to form them (as with Unite). In USDAW’s case, labour–management partnership was one part of a successful strategy to expand membership; thus different UK unions have built their organisations with starkly contrasting strategies.

Community unionism

A final strand of union activity is an attempt by unions to be more relevant to, and inclusive of, kinds of people outside their historical core clientele, including women, minorities, young people and workers with precarious terms of employment. Wills (2001) argues that a shift towards such community unionism could not only benefit unions but also help to overcome the fragmented nature of the British left; she points to the organising efforts of the Iron and Steel Trades Council outside its steel-industry stronghold and the community development efforts of the Battersea and Wandsworth Trades Council and its social enterprise, the Workers Beer Company. The local focus beyond the workplace seemed particularly promising given the proliferation of urban regeneration schemes and regional governance under Labour (Symon and Crawshaw 2009) and because of the proliferation of civil society groups assisting workers with problems in the workplace (Abbott 1998), some of them aimed at particular ethnicities (Martínez Lucio and Perett 2009).

Diversifying union activists and reaching out to allies may have delivered some degree of relevance in a changing world, but it had its limits. Despite attempts to make union leadership more representative of an increasingly female membership profile, it remains disproportionately male (Parker 2003). The union culture remained very different from that of potential partners in the community, with more of a focus on serving the interests of members and less on mobilisation (Tapia 2014); also there was discomfort in union ranks working with religious groups because of the ‘militant secularism’ embedded in Britain’s socialist tradition. It was thus difficult to start or sustain community unionism initiatives.

Overall, the Labour years were bitterly disappointing to unions. Membership continued to decline despite organising; the growth of public sector unions took place alongside the more rapid decline of private sector unions. The benefits of partnership turned out to be lopsided, with little to offer unions in terms of new members or improved outcomes in terms of pay or employment, thus reflecting union weakness. Given the structural weakness of most unions, industrial action was increasingly rare, and only for the PCS and RMT unions was it embedded in an overall union strategy of revitalisation through grassroots mobilisation. While the Labour government sponsored a wide range of ‘modernisation’ projects for unions, it was done with an eye to preventing their revitalisation as an independent force.

3. The struggle over 'austerity': 2010–2015

The Conservative-led coalition government, together with the Liberal Democrats, set out its main objective for the coming years in the first sentence of the June 2010 emergency budget: to deal 'decisively with our country's record debts [...] and to set the country on course for recovery' (HM Treasury 2010a). This was to be achieved through tax rises (15 per cent of the total austerity package) and spending cuts (85 per cent) (Johnson 2013), reducing expenditure by 85 billion pounds from April 2010. The programme reduced departmental budgets by an average 19% and eliminated 490,000 public sector jobs (BBC 2010). The cuts themselves were equivalent to around 13 per cent of the 2010 public expenditure. This was larger than any retrenchment since 1921, other than the exceptional restructuring of 43 per cent after the Second World War, when the economy shifted from a command to a market economy (Taylor-Gooby 2012). These cuts were swift. In five years, the government aimed to cut the deficit from 8.4 per cent in 2009 to 0.4 per cent of GDP, while reversing the growth of public debt. This was despite the recommendation by the Organisation for Economic Cooperation and Development (OECD) for a 14-year plan (OECD 2010). 'Austerity' in the United Kingdom was thus self-imposed (Bach and Stroleny 2013).

Cuts hit capital spending and public-sector employment. Those public workers who kept their jobs found themselves hit by successive wage freezes. Cuts to services predominated, with 36 per cent of the retrenchment by value, plus 17 per cent in investment spending cuts (Crawford 2010). Service cuts targeted mainly local government, with a 27 per cent cut in the central support that finances the bulk of local services and a 68 per cent cut in the communities budget, which includes social housing. Education kept almost its entire budget in cash terms but suffered a 60 per cent cut in capital. While the NHS was protected against inflation, it experienced an 18 per cent capital cut (IFS 2011).

Under the Conservatives, Labour's 'modernisation' initiatives met varying fates. While the Union Modernisation Fund ended, the minimum wage, living wage, trade union recognition machinery, and Union Learning Fund lived on. The main problem for trade unions was the burden of austerity falling on the public sector. The large-scale cuts imposed since 2010 by the conservative-liberal government threatened many areas of public services and public employment. It involved some half a million public sector job cuts, a pay freeze and major reductions in public sector pensions, as well as massive cuts in welfare spending (Grimshaw and Rubery 2012).

For British trade unions, formulating a coherent response to cuts and austerity has been tricky. One factor which has hindered trade union action has been public opinion, which, on the whole, has not been favourable to strike action, often seen as an open fight for public sector 'privileges' ('gold plated' public sector pensions, for example). A 2011 YouGov poll found that more than 30 per cent of people thought that the average public sector pension was greater than £15,000 a year, whereas in fact it was only £5,600, while 46 per cent expressed the view that it was wrong for trade unions to take strike action over public pension reforms (TUC 2011a; YouGov 2011).

In order to understand and engage with public attitudes, the TUC launched a large-scale opinion survey designed to test which of their arguments against the austerity policies of

the coalition government was most effective for their campaigns (Gumbrell-McCormick and Hyman 2014). Evolving from these surveys came initiatives and campaigns to demonstrate not only that austerity is in fact economically counterproductive, unfair and ideologically driven, but that there are also viable alternatives.

Although leading national campaigns was not particularly new, having the Conservatives rather than Labour in power removed one barrier. As reforms and cuts were pushed through, unions were jolted into mobilising their societal power resources. This became an opportunity for them to be seen as the defenders of the welfare state. Although organising remained an important objective, unions put much effort into developing different campaigns that would appeal to the general public, linking worker-specific issues to wider social concerns. These revolved around three themes: austerity and deregulation, public services and welfare, and broader social and political issues.

Campaigns against austerity and deregulation

From 2010, trade unions increased their efforts to work with other forces in civil society, both at the national level within TUC campaigning and at the local level. As a result, the TUC and the main unions, such as UNITE and UNISON, launched several national campaigns with overarching objectives, combining general issues with those of the affiliate unions and their members.

On the theme of austerity, the campaign *A future that works*, organised by the TUC, argued for an alternative to cuts. A dedicated website was created to operate alongside social media campaigning and leafleting. Under this same banner, trade unionists organised national protests, first on 20 October 2012 and then on 13 March 2013, partly tapping into the success of the successful *March for the Alternative* in 2011. The TUC also commissioned an in-depth report on the effects of austerity on public services, called *Austerity Uncovered*, which was used in various speeches and events organised by the confederation (TUC 2015a). The campaign page *False Economy* aimed to gather and map information and personal testimony about the cuts and their effects, to show that there are alternative economic approaches to austerity. On the launch of its website in 2011, it reported that more than 50,000 NHS staff posts were set to be cut despite assurances from the government that the NHS was 'safe in their hands' (TUC 2011b). As a collective, it organised various local campaigning initiatives and while the site relies on social media activists, funding comes mostly from the TUC and the main UK trade unions.

The TUC has also supported a number of coordinated strikes by public sector workers and organised a national demonstration, the *March for the Alternative*, against the planned public spending cuts, on 26 March 2011 (Milmo *et al.* 2011). It attracted between 250,000 and 500,000 people and was considered to be the largest protest in the United Kingdom since the 15 February 2003 anti-Iraq war demonstration. It was also the largest union-organised rally in London since the Second World War (BBC 2011). A TUC-commissioned survey, published on the same day as the march, showed that 53 per cent of people in the United Kingdom backed the aims of the TUC *March*

for the *Alternative*, with 31 per cent disagreeing. This backing by the general public added weight to the march's objectives and TUC General Secretary Brendan Barber stated that: 'I'm sure that many of our critics will try to write us off today as a minority, vested interest. This poll nails that lie' (TUC 2011c). The TUC even saw the possibility of a general strike, which had not been officially considered since 1926 (Milmo 2012). The TUC congress voted overwhelmingly in 2012 to support a resolution, originally proposed by the prison officers' POA union, committing it to explore the 'practicalities' of a general strike against austerity. This was seen by the main trade unions as the way forward for anti-austerity campaigning, following on from the success of the demonstrations coordinated by the TUC since 2011.

From these general initiatives and campaigns on austerity, several smaller campaigns ensued that focussed on different themes, such as pay and working conditions, public services, welfare, equality and tax avoidance. While *The Living Wage* campaign had been around since 2001, it gained further momentum in the light of public sector cuts (TUC 2014). The TUC created the campaign *Britain Needs a Pay Rise* with objectives such as a properly enforced minimum wage, a higher minimum wage for employers who can afford to pay more, an increased commitment to the living wage and a crackdown on excessive executive pay (TUC 2013).

The aim of the annual TUC *Fair Pay Fortnight* was to tackle what was claimed to be the growing pay crisis. Over the course of these two weeks, trade unions organised a series of local campaigns and activities around fair pay. The initiative *Tweet for Fair Pay* also formed part of the *Fair Pay Fortnight* and involved people across the country using the social media site Twitter to put pressure on employers, encouraging them to talk to unions about fair pay. One high profile case, which was at the centre of the *Tweet for Fair Pay* initiative, was the campaign led by staff at Picturehouse Cinemas and their union BECTU. Despite winning a significant pay rise at the Brixton branch of the chain, the company decided not to pass on this pay increase to workers in their other cinemas around the country. Campaigners asked for help in putting pressure on Picturehouse via Twitter, with the aim of embarrassing them online about their refusal to pay their staff a living wage (TUC 2015b)

Unions have been active in specific campaigns against zero hour contracts, jobs in which the employer has discretion to determine working time down to zero hours per week. With 1.4 million people on zero hour contracts, according to the Office for National Statistics (2014), the issue has been at the centre of several debates and has attracted much media attention. One of Unite's campaigns against exploitative zero hour contracts, called *Say no to zero hours contracts*, involved lobbying MPs via email and the collection of personal stories in an effort to compile a proper picture of what life is like on zero hours contracts. UNISON's efforts against the use of zero hour contracts entailed supporting local campaigns against employers (particularly in local government homecare services with the introduction of the ethical care charter), parallel to efforts by local and regional trade unionists to recruit and organise workers in such contracts. In a document aimed at local trade unionists, UNISON explained that:

‘A recruitment and organising strategy needs to focus on what we can do for workers on zero hours contracts in practical terms, while being careful to ensure that we don’t over-complicate matters or give false hope. However, we can drive home the message that joining the union will help zero hours workers find out what their rights as workers are and enforce those rights.’ (Unison 2015)

These efforts tie in with other campaigns by groups such as 38 Degrees. They have helped to set up online petitions to lobby parliamentarians, particularly Vince Cable who was the Business Minister at the time, and put pressure on specific employers such as the retailer Sports Direct, which is said to have 90 per cent of its staff on zero hour contracts (Priestley 2013).

Campaigning for public services and welfare

A large number of campaigns developed around protecting public services, mostly to safeguard the NHS, such as the TUC’s *All Together for the NHS* and UNISON’s 999 campaign. The *All Together for the NHS* joint campaign, coordinated by the TUC and bringing together trade unions and campaigners from across the health sector, had as its first objective fighting the Health and Social Care Bill 2012.² It originally urged people to ask their MP to vote against the Health and Social Care Bill and sign the online petitions being run by campaign groups 38 Degrees and Save Our NHS. Events were organised all over the country and, in an effort to raise the profile of the issue, 1 April 2011 was declared as ‘All Together for the NHS’ day. Although the bill received royal assent in March 2012, the campaign lived on, focusing on various issues affecting health care, such as pay freezes for NHS staff and privatisation efforts by the government. In parallel, UNISON’s 999 NHS campaign aimed to fight both cuts in the NHS and threats of privatisation. Trade unions also supported the *People’s March for the NHS*, which took place in August 2014 when thousands of NHS staff, trade unionists, campaigners and activists marched for 300 miles, from Jarrow in north-east England to Westminster in London, to raise awareness and opposition to NHS reforms and cuts (Musgrove 2014). A number of strikes by NHS staff and demonstrations organised around protecting health services also took place. In 2014, NHS staff went on strike over pay cuts in health care for the first time in over 30 years (Triggle 2014). The roll call included the Royal College of Midwives (RCM), which went on strike for the first time in its 133-year history as part of coordinated industrial action (Campbell 2014). The decision by the RCM to participate in public sector industrial action formed part of the professional organisation’s new, more militant approach, tuning in to the views of its members (RCM 2013). More recently, it has applied to become affiliated to the TUC, also illustrating the Royal College’s willingness to be more than a professional organisation in order to better fight for its members (Warwick 2015).

2 The Health and Social Care Act introduced a number of key changes to the NHS in England: giving groups of GP practices and other professionals budgets to buy care on behalf of their local communities; shifting a number of responsibilities from the Department of Health to politically independent NHS England; the creation of a health-specific economic regulator (Monitor); and moving all NHS trusts to foundation trust status. The Act specifically encouraged the participation of private providers in the delivery of NHS care. See <http://www.nuffieldtrust.org.uk/our-work/projects/coalition-governments-health-and-social-care-reforms>

Other public sector campaigns led by trade unions have received less media and public attention. These include *Action for Rail*, which has argued for the renationalisation of rail services, and *Education Not For Sale*, which opposes the introduction of profit making in the education system. A number of unions, such as UCU, NUT, PCS and Unite, have organised one-day public sector strikes in response to pay cuts and pension ‘reforms’. Some coincided with government announcements, as in the case of the Chancellor’s budget speech in 2013. Tens of thousands of its members walked out of government departments, while picket lines were mounted outside government offices, museums, galleries and the Houses of Parliament (BBC 2013).

Campaigns around welfare have also had some success. The TUC’s *Saving our Safety Net* campaign focused on cuts and reforms to benefits and the introduction of the controversial universal credit system. It also wishes to dispute the increased use by Jobcentres of sanctions, the removal of a person’s benefit payment for weeks or sometime for years. A survey by the PCS union showed that 23 per cent of those working in Jobcentres had an explicit target for sanction referrals and that 81 per cent had an ‘expectation’ level. Ministers and the Department of Work and Pensions denied that such targets existed (PCS 2014).

Unite was also involved in campaigning to defend the welfare state. Unite’s *#no2sanctions* also focused on the unfair and excessive use of sanctions. In addition to organising the usual online petitions and Twitter campaigns, Unite Community also called for a ‘no to sanctions’ day of action in March 2015, ahead of the general elections, with events taking place across the country. Unite also led campaigns against ‘workfare’, the government schemes that require benefit claimants to do forced unpaid work or face cuts to their benefit payments. They successfully lobbied a number of local authorities that pledged not to use these workfare schemes and worked to organise claimants as Unite community members.

Unite announced in 2011 that it would open its membership to the unemployed, students and others not in paid work. These community memberships, which provide members with various services such as a legal helpline and financial advice, were launched with the specific aim of recruiting and training new members in order for them to become campaigners against cuts in services. This was made clear in their press release: ‘Community members will be developed as community activists, bringing together people across their locality who have felt let down or excluded by politics to ensure that they, too, have a voice at a time of economic turmoil and social change for the nation’ (POA 2011). Since then, a number of community branches have formed and have been involved in campaigning against sanctions, workfare and the bedroom tax, along with providing support to industrial members in local disputes. While other unions such as Community had created ‘holding structures’ to include people not in paid work, Unite also hired an organiser in each region to coordinate such branches.

Social and political campaigning

The TUC and other unions also added their support to a variety of other general campaigns. Still on the subject of austerity and the effects of the banking crisis, the

Robin Hood Tax campaign proposes a tax on financial transactions in reparation of the damaging effects of the banking crisis. It has been supported by almost 50 organisations, including trade unions, Oxfam, Barnardo's, The Salvation Army, ActionAid and Save the Children. Unions supported the *Robin Hood Tax* campaign by raising awareness among members, publicising their petition and encouraging donations to the cause. Similar support has been given by trade unions for the *Stop TTIP* (Transatlantic Trade and Investment Partnership) campaign. Many unions opposed this bilateral agreement being negotiated between the EU and the United States as a threat to employment rights and public services (TUC 2015c).

In an effort to show solidarity on issues in tune with their social and political ethos and those of the British public, trade unions have also added their support to campaigns unrelated to employment and welfare issues. Examples include the Palestine Solidarity campaign and *Show Racism the Red Card*, an anti-racism educational charity, which uses the high-profile status of football and football players to help tackle racism in society (Unionlearn 2014).

With regard to the 2014 Scottish independence referendum, unions felt pressured to pick which campaign would receive their support. This also included pressure from the Labour Party, to which most unions are affiliated. Nevertheless, most unions found it impossible to choose a side. Despite the Scottish TUC refusing Labour's invitation to join the *Better Together* anti-independence campaign, claiming that its members were more attracted by the pro-independence campaign, they chose to remain neutral along with the two largest unions, Unite and UNISON. While it was rumoured that the PCS might back the *Yes Scotland* campaign, its members voted overwhelmingly to remain neutral on the matter (Maxwell 2013). In the end, only a few trade unions sided formally with the Labour Party and the *Better Together* campaign (GMB, NUM, Community, Aslef, USDAW and the CWU), while even fewer were prepared to back independence with the militant RMT union and the Prison Officers Association who formally backed *Yes Scotland* (Pickard 2014). Even within the trade unions themselves, the position on the matter was difficult, as was the case with the CWU, one of whose Scotland branches decided to break away from the national backing of the No campaign and to support a Yes vote. The position of the GMB was also ambivalent, as it attempted to both back a No vote and refuse to join the *Better Together* campaign in order not to seem to endorse the Conservative Party and its wealthy campaign donors (Carrell 2013).

Overall trade union action outcomes

In the context of weaker structural and institutional resources, trade unions from 2010 to 2015 have focused on their societal power resources. By broadening their interests and turning to more active mobilisation, unions have to some extent rediscovered their role as 'swords of justice'. This has also encouraged coalition-building between unions and other civil society groups. Although trade unions have had to tread carefully with regard to public opinion, the presence of a more hostile state has resulted in unions opting for a more militant and 'social movement unionism' approach than during the Labour years. The effectiveness of such an approach has nonetheless had mixed results.

In general, unions were successful in mobilising members for strike action and demonstrations during this period and took the lead on some issues. Several days of industrial action have been organised, often in coalition with other parts of civil society. Nonetheless, this campaigning fell short of being part of a conscious revitalisation strategy. While there were campaigns linking unions' concerns about public services, welfare and bad jobs, they were not part of some overall strategy for strengthening unions via member participation. Grassroots mobilisation remained limited to the traditional methods of striking, demonstration and petitions, and work with civil society groups outside the labour movement remained on the margins of union strategy.

Also, the effectiveness of these initiatives has been mixed. Despite the fact that a majority of Britons continue to see the government's cuts as 'too drastic', this percentage has been trending downward, especially among those who have been unaffected by government spending cuts over the past few years (Jordan 2013a). As one pollster noted,

'The government's arguments about the need for austerity do now seem to have taken a firm hold with the majority of the public, as people appear to be adjusting their expectations, and – for many services – don't seem to be noticing a significant direct impact on service quality. It also suggests good work has been done by those working in public services to maintain public satisfaction despite the cuts.' (Ipsos Mori 2015)

Nonetheless, support has grown for specific campaigns, particularly regarding the privatisation of the NHS and welfare reform. Indeed, these became part of the main issues debated in the run up to the 2015 elections, along with the economy, immigration, welfare and housing (Jordan 2015). However, the public opinion remained unfavourable toward the use of industrial action in opposing government policies, with 57 per cent of respondents stating in a YouGov poll that they would be against a general strike (Jordan 2013b). With respect to the NHS, campaigning was largely successful. Strike action was eventually suspended and an agreement was reached on pay in March 2015 after members voted to accept an improved government offer, which included further support for those in the lowest pay grades, despite falling short of trade union demands (BBC 2015a). Unions were also generally successful in campaigning against the privatisation and marketisation of public health care. One factor that seems to have helped campaigning around health care is the eagerness of Britons to protect the NHS. This was noted in a recent Ipsos Mori survey on austerity: 'one area where the government needs to tread very carefully is health services. Fear for the future of the NHS is at the highest level we've measured, and the risks are very real for the government if they are seen to damage one of the UK's most treasured institutions' (Ipsos Mori 2015). Moreover, the lack of expertise of local decision-makers on commissioning and their lack of appetite to get the private sector involved in service delivery does appear to have stunted privatisation efforts (Krachler and Greer 2015). However, the civil service still saw a pay squeeze and an attack on trade union rights (PCS 2015; Syal 2015). This is despite the fact that the PCS has an organisational density of 85 per cent in the civil service and takes a highly militant and politicised approach (Upchurch *et al.* 2008). Campaigns against workfare and sanctioning did gain some momentum, with the PCS regularly meeting with claimant groups such as DPAC, Boycott Workfare and

Black Triangle, but coalition-building with these groups has proved to be difficult, with disagreements arising over what tactics to use.

The starring role during this five-year period was played by the state, which is at once legislator, employer and paymaster. One striking example of this is the legal challenge launched by the Fawcett Society, with the help of UNISON, against the emergency budget tabled by the coalition government in 2010 (Fawcett Society 2013). Using the powers of the Gender Equality Duty 2007 Act, their case demonstrated that the 2010 emergency budget would have a disproportionately negative effect on women. Their 2010 report showed that 72 per cent of the cuts announced in the budget were being met from women's income as opposed to 28 per cent from men's and therefore the government had failed to carry out the impact assessment required under its gender equality obligations. In the lead-up to the case, it was also noted in a letter leaked to the *Guardian* newspaper that the government was already aware of these issues and had been warned by the Home Secretary, Theresa May (now prime minister), that the budget was open to legal challenge (Jamieson 2010). While the case reached the High Court on 6 December 2010, the campaign was unsuccessful in its attempt to obtain a judicial review. This is despite the fact that the government admitted that it had not undertaken the equality impact assessment required under the law:

'It is submitted that the Budget was arguably unlawful because the defendants did not consider their section 76A duty or produce a Gender Equality Impact Assessment. There is no dispute that no such assessment has been produced. It is not disputed but that the provisions of section 76A are in principle broad enough to apply to government action such as the preparation and presentation of the Budget, including public expenditure limits.' (Conley 2012: 6)

Nevertheless, permission to seek a judicial review was not granted as the challenge was ruled 'not arguable' and 'academic' (ibid.: 22). The ruling rejects the challenge on three main grounds: the budget was too complex to assess gender impacts in a short amount of time; parts of the budget would have no discernible impact on gender and therefore a full impact assessment was not necessary; and finally, the Fawcett Society had delayed its application, causing 'problems of a significant order for the certainty which the public and corporate world (individual and foreign) is entitled to have in the budgetary affairs of the United Kingdom' (ibid.: 18). While all three of these claims are controversial, it would appear that the court deemed political stability to be more important than gender equality (Conley 2012).

Despite the government's failure to achieve its financial objectives over the course of parliament, attracting fierce criticism from economists, those in support of austerity have come to interpret these same results as a sign that further cuts are needed (Chu 2015). Campaigning efforts of trade unions and other activists against austerity during this period also appear to have done little to stop the Conservatives winning a majority of seats in the May 2015 general election. The Conservative Party's plan to implement £12 billions of cuts to the social security budget by 2017–18 involves a two-year freeze on the rates of various working-age benefits, lowering the household benefits cap and changes to benefit entitlements for 18 to 21 year-olds (IFS 2015). For trade unions and

campaigners, the fight against austerity is far from over, with the full effects of ongoing cuts to services and welfare still to be felt.

During 2010–2015, unions mustered their resources to combat a series of policy initiatives from a hostile state. But the government effectively undermined the unions' organisational power by reducing employment in the public sector, the unions' main stronghold; their institutional power by attacking public-sector unions' facility time; and their structural power by reducing workers' employment rights and welfare entitlements, as well as through austerity which cut jobs. While unions were in some ways effective in keeping up pressure on the government by mobilising their societal power resources, the outcome of the 2015 election ensured that these battles would continue.

4. Outlook

While anti-austerity protests have brought down governments elsewhere in Europe, Britain's Conservatives increased their share of parliamentary seats (a net change of +24 seats compared to 2010) in the 2015 general election on a platform of further spending cuts. Unemployment has fallen, but this has not increased workers' bargaining power, in part due to restrictions on striking, assaults on the social safety net and an increasingly punitive welfare state. While there is no evidence that the innovations under Labour governments helped unions to revitalise themselves, this is much evidence that the actions of Conservative governments have weakened them. The domination of British society by a central state has thus worked against the unions.

To express it in the power resources framework, British unions have weak structural and institutional power, and moderate but declining organisational power. While they are building up their discursive power, it is unclear how much this has helped them in countering the initiatives of a hostile state. Trade unions now excel at presenting a clear message on the problems facing Britain's workers: low wages, job insecurity, inadequate pensions and threats to what remains of the social safety net. But they are in a weak position to extract concessions from the government and employers, because their power to disrupt and their ability to influence are both strictly limited, along with their membership and bargaining coverage.

Another major Conservative Party assault on trade union power was the Trade Union Bill, a key legislative priority of the new government. The Bill proposed a minimum 50 per cent turnout in strike ballots, with strikes in 'important public services' also requiring the backing of at least 40 per cent of those eligible to vote, while doubling the length of notice unions have to give before a strike can be held from 7 to 14 days, requiring notice of social media messages to be sent out and allowing employers to use agency workers to replace striking staff. It introduces fines of up to £20,000 on unions for repeatedly failing to ensure that picket supervisors wear an official armband, and ending the 'check-off system' for collecting union subs directly from wages (BBC 2015b; Umney 2015). TUC general secretary Frances O'Grady stated that the bill was 'the biggest attack on unions in 30 years', while the GMB's Sir Paul Kenny said 'he would be

prepared to go to prison if measures such as fining pickets for not wearing an arm band become law' (BBC 2015b). Polls by YouGov found that a large majority of the people questioned (around 70 per cent) did not favour some of the clauses in the legislation – such as the new picketing rules and restrictions – but supported higher thresholds for strike action (YouGov 2011; YouGov 2015).

The House of Lords voted against the bill twice (Morris 2016) and it was passed in somewhat watered-down form in 2016. The 50 per cent turnout threshold remained, but concessions included allowing electronic voting; limiting the number of members subject to the new rules on political funds; providing some flexibility concerning strike notice and picket supervisors, and dues checkoff; and postponing decisions on other issues, such as what constitutes an 'important public service', the reduction in facility time for public-sector union representatives and a code of practice concerning picketing and protest (Ford and Novitz 2016; Bogg 2016). It therefore remains unclear exactly how repressive the new regime will be for unions.

Aside from continued hostility from the state, trade union campaigns will also take place against the background of the continued fragmentation of Britain's left. Since the 1990s, many trade unionists have seen the Labour Party as biased towards business. However, the change in leadership in September 2015 could be the turning point. Despite some attempted to steer Labour further to the right following their party's defeat in the May 2015 elections, its members ultimately voted overwhelmingly for the only anti-austerity candidate – Jeremy Corbyn – as new leader. After receiving the minimum number of nominations from his colleagues to enter the race, Corbyn quickly became the favourite to win the leadership (Elgot 2015). His popularity frustrated many, with some saying that it showed 'the party's desire never to win again' (Wintour 2015); former prime minister Tony Blair even pleaded with members 'not to wrap themselves in a left-wing comfort blanket' and Alastair Campbell, former No. 10 communications director, urged the party to vote for 'anyone but Corbyn' (Mason 2015).

Corbyn did not have the support of all of the unions. GMB, for example, made no recommendation, citing divisions in the membership, and USDAW and Community backed other candidates. For its part, UNISON delayed making a recommendation, taking nearly a month longer than UNITE. Nevertheless, Corbyn's campaign attracted thousands of new party members, which resulted in him winning the leadership with almost 60 per cent of the first-round vote (BBC 2015c). After five years of campaigning, Unite and UNISON had little choice but to endorse the only anti-austerity candidate and ride the wave of enthusiasm for Corbyn's candidacy from the trade union camp. His first speech to the TUC conference as Labour leader was met with 'wild applause' and three standing ovations 'from an audience that would listen to Tony Blair in sullen silence at best' (McSmith 2015). Depending on the success of Corbyn's leadership in expanding Labour's share of the vote, this may be the start of warmer and closer relations between the party and the affiliated unions (Harrop 2015).

Nonetheless, the 2015 general election and the 2016 'Brexit' vote have shown a divided nation. The general election showed a divide between southern English voters at odds with those of northern England, Wales, Northern Ireland, Scotland and inner London.

Particularly in Scotland, the Scottish National Party is seen by many in the trade union movement as the social democratic alternative to Labour, and won all but three Scottish parliamentary seats in the 2015 general election. The affiliation of trade unionists to the SNP has fed into the longstanding discussion over loosening the historical ties between the unions and Labour. Scotland also voted by a margin of 62 to 38 per cent to remain in the EU. As the United Kingdom becomes more and more fragmented, unions will most likely look to local communities and regional politics for solutions.

The 'Brexit' vote sharpened trade unions' existing problems. Trade union statements in the wake of the vote noted numerous other sources of uncertainty concerning individual employment rights won over the years through the transposition of EU directives, continued access to the EU as an export market, the availability of foreign investment, an upsurge of racist attacks, and – perhaps most importantly – the status of millions of EU citizens living and working in Britain. An undercurrent in this discussion was that many union members had voted for Brexit, against the recommendations of the unions and the Labour Party. Within the Labour Party the vote triggered renewed infighting over Corbyn's alleged lack of engagement in the campaign to remain in the EU. Corbyn was re-elected in a new leadership election, in which the GMB, USDAW, Community and the Musicians Union supported his opponent.

Although British trade unions campaigned against Brexit, there is little sign that coordination with colleagues in other European countries will form an important part of their future strategies. This is partly a legacy of the past, because some of the most militant parts of the British trade union movement have a strong Eurosceptic tradition, which is reinforced by neoliberal initiatives emanating from Brussels. Trade union capacity to cope with international affairs is weak and much of this international work reflects the political interests of trade union officials rather than a strategy for organising in an industry (Umney 2012). It is also unclear in the context of the abovementioned campaigns against austerity how the European level is immediately relevant, especially to the ongoing policymaking around 'Brexit'. The proximate cause of the unions' problems is the UK government rather than the European Commission. The international context is at present a remote concern for the unions.

Will the unions' campaigning lead to a revival of their power resources? With millions of dues-paying members and a developing campaigning capacity, British unions demonstrate that they remain an important actor in society, to members, non-members and employers. But all of this activity has had only subtle effects on government policy and the British model of capitalism and it is unclear whether it has led to an increase in membership or public credibility. Indeed using any measure of power resources, decline has been almost continuous since 1979. While using such measures may tell us why trade union work is difficult, it does not tell us much about what unions can actually accomplish.

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