Getting learning into the bargain – trade union strategies

for bargaining over learning in the workplace

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The candidate confirms that the work submitted is her own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

This thesis presents a detailed study of bargaining over learning at the workplace. The thesis contends that by understanding the nature of actor exchange and the bargaining resources at play in workplace bargaining that the inherent tensions around workplace partnership can be better understood. Specifically, the research examines negotiations around workplace learning agreements developed by UK trade unions in four workplaces. It presents longitudinal evidence about bargaining processes and the bargaining resources that trade unions bring to influence workplace outcomes.

Key findings are that unions are able to make strategic choices about the bargaining behaviours that they adopt. Bargaining strategies are in part mediated by workplace, union and external contexts, yet these do not pre-determine bargaining outcomes. The study identifies how unions take advantage of opportunities and the key barriers and constraints faced in advancing bargaining objectives.

The central thesis of this study is that unions can secure sustainable learning outcomes through a mix of integrative and distributive bargaining, underpinned by strategies to challenge relationship patterns with employers. The power to extract gains for labour is derived from union capacity to articulate learning with wider union and employer strategies. Successful bargaining over learning focuses not only on extracting employer resources and in codifying 'rights and obligations', but also in challenging relationship patterns to counter-act employer ambivalence. The core contribution to knowledge is in understanding the nature of the social processes underpinning negotiations around the learning theme. The implications for union renewal and the role of ULRs are considered.

Contents

List of Tables and Figures

Abbreviations

AEEU	Amalgamated Engineering and Electrical Union
BERR	(Department for) Business, Enterprise and
BLC	Branch learning coordinator
BMAE	Black and Minority Ethnic
BULO	Bargaining Unit Learning Organiser
CCSU	Council of Civil Service Unions
CLAIT	Computer Literacy and Information Technology
CLF	Collective Learning Fund
CPD	Continuing Professional Development
CWU	Communication Workers Union
DfEE	Department for Education and Employment
DfES	Department for Education and Skills
ECDL	European Computer Driving License
EDAP (Ford)	Employee Development and Programme
EIS	Educational Institute of Scotland
ESF	European Social Fund
ESOL	English for Speakers of other Languages
FDA	First Division Association
FE	Further Education
FTO	union full time officer
GEC	Group Executive Committee (PCS)
GMB	General, Municipal and Boilermakers union
GPMU	Graphical, Paper and Media Union
HMRC	Her Majesty's Revenue and Customs
HRM	Human Resource Management
HRD	Human Resource Development
IT/ICT	Information Technology / Information and Communications Technology
ITB	Industrial Training Board
JCC	Joint Consultative Committee
LAWD	Learning at Work Day
LSC	Learning and Skills Council
MSC	Manpower Services Commission
MSF	Manufacturing, Science and Finance union
NAGCELL	National Advisory Group on Continuing Education and Lifelong Learning
NIACE	National Institute of Adult and Continuing Education
NPM	New Public Management
NVQ	National Vocational Qualification
PCS	Public and Commercial Services union
PDE	Professional Development Exercise
RLC	Regional learning coordinator
SfL	Skills for Life
TEC	Training and Enterprise Council
TGWU	Transport and General Workers Union
TSSA	Transport Salaried Staff Association
TUC	Trades Union Congress
ULF	Union Learning Fund
ULR	Union Learning Representative
UNITE	UNITE the union
USDAW	Union of Shop, Distributive and Allied Workers
VET	Vocational Education and Training
WERS	Workplace Employment Relations survey

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Chapter 1 **Introduction**

This thesis presents a detailed study of bargaining over learning in the workplace in the UK. Specifically, it examines negotiations around workplace learning agreements in four workplaces. This study contributes to knowledge through understanding the social processes underpinning negotiations around the learning theme. The study focuses on bargaining behaviours and the resources unions bring to negotiations and considers the implications for debates on union renewal.

Union-led, workplace learning has seen considerable growth in the past 18 years, contrary to many other aspects of British trade union activity. It is a theme which Brendan Barber, the last General Secretary of the TUC, labelled 'the most significant development in trade unionism for a generation' (TUC 2006a:97). Some observers locate union learning within the 'renewal' debate and ascribe great hopes to a learning agenda as a potential route to the revitalisation of UK trade unions through generating new activism through a new union role, the union learning rep (ULR) (Forrester, 2004; Heyes & Rainbird, 2011; Warhurst, Thompson, & Findlay, 2007) and in building related workplace institutions (Findlay & Warhurst, 2011; Rainbird & Stuart, 2011). Much of the research on union learning locates it within the notion of partnership, framed as co-operative relations focused on mutual gains (Munro & Rainbird, 2004; Stuart, Martínez Lucio, & Robinson, 2011). Union partnership with employers can be seen as a logical strategy in the face of a decline in collective bargaining and the limited regulatory support that frames the employment relationship in the UK (Simms & Charlwood, 2010). Despite the academic critique of union partnership strategies in general (Taylor & Ramsay, 1998; Wray, 2005) and union learning partnerships in particular (Daniels & McIlroy, 2009), others suggest that, when union learning is embedded in workplace institutions and negotiation structures, it can derive gains for employers, workers and unions (Stuart, Cutter, Cook, & Winterton, 2013). In contrast, union learning is seen as further evidence of the weakness of trade unions in the UK and their incorporation into state functions (Keep et al 2010).

Yet, while there has been growth in the number of ULRs, union learning centres and learning agreements (Stuart, 2011) research exploring the social processes that underpin for learning is underdeveloped. It is this gap in understanding that this study seeks to address through a close examination of and how and why learning agreements are developed and implemented at the workplace level.

The central thesis proposed is that unions can secure sustainable outcomes for labour through a mix of integrative and distributive bargaining, underpinned by strategies that challenge existing relationship patterns. The power to extract gains for labour is contingent on union capacity to articulate learning within the wider union and with employer strategies. The research takes a novel approach to exploring union learning by focusing on the nature of exchange between unions and management on the learning agenda through the lens of bargaining behaviours. This helps to identify the bargaining resources that union reps are able (or not) to employ when trying to manage the inherent tensions within workplace partnerships on learning.

The thesis is presented in the following chapters. Chapter 2 reviews literature on union learning and situates it within the evolution of a broader historical context of UK trade unionism, firstly, the evolution of the UK vocational education and training (VET) system and, secondly, the experience of UK unions in bargaining over skills in the 1990s. The chapter identifies how the theme of lifelong learning has presented unions with an opportunity to re-engage in the VET policy arena after a considerable period of exclusion. This chapter also reviews debates about the role of trade unions within the political context of New Labour's support for unions through 'soft regulation' (Stuart, Martínez Lucio, et al., 2011) and debates that suggest union learning partnership offers unions a route to new forms of negotiation (Stuart & Martinez Lucio 2005). The literature points to the importance of understanding the real dynamics of partnership and social and political processes in the workplace.

Chapter 3 reviews the literature on bargaining and provides the key framing concepts of the analysis of negotiations on union learning, notably using Walton and McKersie's (1965) behavioural theory of

labour negotiations. Chapter 3 further develops the concepts of bargaining power to explore the social processes underpinning bargaining outcomes. The chapter concludes by considering the environmental factors that shape bargaining processes. Following on from the literature review, Chapter 4 outlines the main aims of the thesis and the key concerns and research questions of the study. It reviews some of the key methodological challenges in researching bargaining and related processes and how these are addressed. Chapter 4 outlines the ontology employed and research methodology selected. The research included four case studies in two UK trade unions: the Public and Commercial Services Union (PCS) and UNITE the union. Case studies were selected because of the presence of a signed learning agreement between the union and management codifying the scope, roles, responsibilities and workplace structures supporting union learning. Chapter 5 provides an overview of these two case unions and the national internal learning infrastructures that have developed to support workplace learning and ULRs.

Chapters 6 to 9 present the empirical data from the study. Chapter 6 presents data on union learning and the first of the two PCS cases located in HMRC. It illustrates how union learning reps become active, and central to the recruitment of a new group of workers. It shows how ULRs were able to frame learning as a right for these a-typical employees. Chapter 7, also based in an HMRC workplace organised by PCS, illustrates how ULRs attempt to regulate employer HR and lean policy through learning and strategies to affect change in employer perceptions of the union. This case also demonstrates the value of internal union learning infrastructures in mediating issues and concerns between ULRs, the wider union and management. Chapter 8 contains the first of the UNITE cases, based in a food manufacturing plant. This case illustrates how, in the context of supportive local management, ULRs reps develop distributive bargaining strategies to sustain union learning and build the legitimacy of union's role around this theme. The last of the empirical chapters, Chapter 9, outlines the final UNITE case which illustrates how the absence of some of the union capacities noted in the other three cases union learning becomes vulnerable. That is under threat of either closing down or becoming integrated (incorporated) into employer HR or training systems in such a way that

distinguishing features that identify it as union and worker-led is lost. The wider context in terms of economic conditions, HR policy and union contexts is discussed in each case. Chapter 10 concludes with a summary of the empirical findings and conclusions regarding union strategies for bargaining over learning. Notably, the resources that unions bring to the theme of learning and which enable unions to make strategic choices in those negotiations. The study shows how bargaining behaviours are dynamic and shaped the social processes between workplace reps, management and the wider union.

Chapter 2 **Literature review part 1: union learning**

2.1 **Introduction**

The literature review is divided into two chapters. The following chapter reviews literature on bargaining. This chapter introduces union learning and the literature examining the workplace institutions that have developed around the union learning theme. This chapter situates union learning within the evolution of a broader historical context and the evolution of the UK VET system and debates about the role of trade unions within this. This chapter also considers union strategies bargaining for skills and the contrasting theories of union learning, particularly in relation to wider debates about union renewal. The final section of this chapter explores debates on learning partnership and identifies the need for a better understanding of the social process underpinning bargaining for learning at the workplace level.

2.2 **Union learning**

Many trade unions have their origins in worker education, but by the late twentieth century most trade union education focused on building capacity. With some notable exceptions, union education focused on developing union rep and officer skills. The emergence of a new workplace role in the UK, union learning reps (ULRs), presented an interesting development that has drawn attention from government and unions. The development has had significant prominence in UK trade unions and several countries have developed similar experiments including New Zealand, Denmark and Norway (Alexandrou, 2009; Lee & Cassell, 2009; Teige & Stuart, 2012). For the New Labour government union learning represented a '*new and modern role*' (Rainbird 2005:48) for unions within the historical context and the evolution of the UK's VET system (see for example, Wilson 2009a; Rainbird and Stuart 2011; Stuart 2004).

In the UK, union learning has been supported by government in three significant ways, initially by the New Labour government (1997-2010). Firstly, through the Union Learning Fund (ULF) established in 1997. Secondly, through the provision of statutory rights for ULRs in 2003. Thirdly, by the creation of unionlearn in 2006 – a dedicated function within the TUC to administer and support the strategic development of the ULF. Statutory rights given to ULRs were modest, allowing for reasonable time off for duties and for employees to consult with their ULR (ACAS, 2003b) but, nevertheless, represented a new area of opportunity for rep organisation in the context of a wider decline in trade union rights and power. The ULF was originally conceived as pump priming monies to initiate small-scale pilot learning activity. However, the focus of ULF funding shifted in the mid-2000s towards larger scale national union learning projects (Unionlearn 2006; Unionlearn 2007). The ULF has had 16 consecutive years of funding, and received over £150m from government. It has supported over 500 projects involving at least 57 trade unions. Employees have accessed an average number of 210,000 learning opportunities per year in the period 2010-2013 (Stuart et al., 2013; Unionlearn, 2012, 2013). Learning opportunities cover a broad spectrum including: Information technology; vocational learning and NVQs; literacy and numeracy learning; higher education, notably Open University programmes; non-vocational and informal learning such as modern foreign languages and hobbies; and, information and guidance sessions explaining the range of learning opportunities available. Despite some pre-election comments to the contrary, the Coalition government elected in 2010, following consultations with business and unions, continued to fund the ULF at almost the same level of annual funding as that available under the New Labour administration (1997-2010).

The literature on union learning makes reference to three main developments in the UK VET system and related regulatory frameworks that have influenced the union learning agenda (Stuart & Cooney, 2012). Firstly, the new provision of rights for facilities time for ULRs in 2003 presented another opportunity for unions to enter into dialogue with employers about how the right to 'reasonable' time off could be made operational (ACAS 2010). Secondly, the right to request time to train for workers to engage with ULRs around learning was included within the Employment Relations Act 1996 (HMSO

2009). For those that had campaigned for more significant statutory rights to paid educational leave, the Act presented a further opportunity for unions to engage with employers about how this right could be enacted (unionlearn 2011). Thirdly, increased regulation in certain sectors, such as care and passenger transport for minimum occupational standards of competence (see for example, Gospel and Lewis 2010; Rainbird et al. 2011), have provided a basis for further claims on the need for greater investment in workplace education and skills, and formed the basis for activity between unions, unionlearn and sector based VET bodies (Unionlearn 2009). Despite this relatively increased role for UK trade unions in the UK skills policy infrastructure, bargaining on the theme of training and skills remains low.

2.3   Public policy and the regulatory environment

Union learning, boosted significantly by the creation of the ULF and the provision of statutory rights for ULRs in 2003, emerged from within a wider VET policy discourse that placed an emphasis on lifelong learning (see for example European Commission, 2000) and increased participation in learning. This helped to extend the concept of learning at work beyond that of vocational training focused on current skills needs (Ant 2000; Rainbird et al. 2004). While retaining the 'employer-led' rhetoric of the previous administration's VET system, New Labour's skills policy also made reference to lifelong learning and state objectives were formed around increasing adult participation in learning. These objectives shaped much of the Labour Government's policy initiatives launched at the end of the 1990s, including the creation of the ULF (DfEE 1999a; Fryer 1997; DfEE 1998). A range of VET policy instruments and initiatives were developed during this period. Unions have engaged in a number of these initiatives, notably, programmes focused on addressing adult literacy and numeracy needs and the engagement of workers defined as the so-called 'hard to reach' through initiatives such as the Leitch Pledge on basic skills (Leitch 2006). In the late 2000s, government strategy shifted to place increased emphasis on the attainment of vocational qualifications at higher levels (Level 3 or higher) and on expanding apprenticeships (BIS 2010; DIUS 2007). There was a consequential reduction in

support for non-vocational adult learning including funding for English for Speakers of Other Languages (ESOL), a theme that unions campaigned vigorously against.

At the workplace, the core activities of ULRs are centred on engaging with employees to offer information about learning and encouraging participation. A central emphasis is placed on ULRs undertaking surveys with workers in their workplace to ask members about the education and training that they would like to undertake. Although much of the focus is placed on working with employees, union learning can involve member-facing, employer-facing, union-facing and policy-facing roles (Rainbird & Stuart, 2011). Learning activity might be provided by the union, the employer, adult or higher education providers, or on-line. In many cases, union learning involved establishing a learning center in, or near, the workplace. A key distinction of union learning is that it is conceptually different from training (Forrester, 2005; Rainbird, 2000) and rooted in broader concepts of lifelong learning, with ULRs focused on identifying the learning interests of employees, sourcing relevant opportunities and providing information and guidance about accessing those opportunities. A central feature of union learning is the focus on equality of opportunity, targeting activity at those least likely to access learning due to barriers such as cost or confidence to learn, literacy and numeracy needs, or those with limited access to training. ULF projects have variously targeted migrant workers (Perrett & Martinez Lucio, 2008), older workers, those working non-standard hours and those with few formal qualifications (Stuart et al. 2013).

A number of studies describe the profile of those taking up the ULR role (Bacon & Hoque, 2009; Saundry, Hollinrake, & Antcliff, 2011; Wallis, Stuart, & Greenwood, 2005) noting the involvement of women, younger members and people from minority ethnic groups suggesting that ULRs more closely reflect the profile of trade union membership than other types of union rep (Hollinrake et al. 2008). Many of the initial ULRs trained were existing reps, especially those that trained in the phase before ULRs had statutory rights to time for duties. Many of those who become ULRs have been 'returners

to learning' themselves and new activists taking up the ULR role offer the unions potential to develop new relationships with both members and non-members (TUC 2005).

Studies also identify key constraints that ULRs face in carrying out their duties. These include a lack of employer support (Thompson, Warhurst, & Findlay, 2007), limited time for duties (Cassell & Lee, 2009; Wood & Moore, 2005) or access to resources for their role (Wallis et al., 2005). Those ULRs that are existing reps face ambiguity about the fit of their new role with other union duties (Wallis et al. 2005). Expectations of the role by some ULRs new to activism has been characterised as an 'identity…encased narrowly within learning' (Donnelly & Kiely, 2007) and disconnected from wider union agendas and organising. In some cases, early union recruitment drives to engage ULRs deliberately promoted the non-conflictual aspect of the ULR role and some of those new to activism have limited awareness of the union and its functions (Hollinrake et al., 2008). Those with previous rep experience tend to see their role more closely aligned with the wider union (Moore & Ross, 2008) but face being overworked (Thompson et al., 2007).

Learning committees and learning agreements are tools used by unions to engage employers in dialogue around the learning theme and build workplace institutions for learning (Saundry et al. 2011). Stuart et al.'s (Stuart, Clough, & Rees, 2011) analysis of the Collective Learning Fund initiative found that when unions worked with other stakeholders to develop co-funding models, workplace learning activity has the potential to be sustained. Statutory rights for ULRs provided the right to reasonable paid time off for duties but the amount of time is not prescribed, opening up the scope for negotiation. Learning agreements began to emerge as a mechanism to codify terms of reference, objectives and joint-structures to regulate union learning activity (Sutherland and Rainbird 2000). The TUC and some national unions developed model agreements (Wallis 2008; Cassell and Lee 2009) intended as framework documents that workplace actors could develop further. Negotiations around a learning agreement provide a mechanism through which local support structures for learning and ULRs could be established such as facilities time, time off for learners and to specify the type of learning

supported. The signing of a learning agreement is often a stated objective of ULF projects, although this outcome is not always achieved and union officers report a range of barriers faced in reaching an agreement (Stuart et al. 2010).

ULF monitoring systems began to collect data on new agreements and, by 2014, 1,968 new learning agreements were reported as signed. A study of the content of learning agreements identified some key features: just over half made reference to paid time off for learners to take part in courses, often with an arrangement of 50:50 with an hour of the learner's time matched with an hour of paid time; seven in ten made provision for ULR facility but actual amounts were rarely stated; over half set out management, ULR and union roles; three quarters established a learning committee; almost six in ten made reference to ULRs helping employees access work *and* non-work related learning; in some cases the agreements set out specific details for the development of a workplace learning center (Stuart, 2011).

Cassell and Lee (2009) identified four different possible types of learning agreement. The first were short term, effectively 'task and finish' agreements, around a short time-bound project. The second included agreements around longer term union-employer collaborations notably for developing a learning center. Thirdly, unions reported broader based 'framework' agreements that articulated shared interests around learning. These agreements were more likely to include expectations of workplace actors, establish dedicated mechanisms to facilitate union learning, and outline ULR and learner entitlements. A fourth type of learning 'partnership' agreement, potentially encapsulating aspects of the first three of these, included reference to external stakeholders such as learning providers or regional TUC/unionlearn, extending partnership activity beyond the organisation.

In the context of a voluntaristic system, the existence of a written agreement does not guarantee that these formal commitments to learning will be achieved. However, there is a literature that suggests the presence of a learning agreement is associated with building workplace institutions that can help contribute to mutual gains (Bennett, 2014; Hollinrake et al., 2008; Hoque & Bacon, 2011; Stuart et al.,

2013; Stuart, 2011; Wallis, 2008). Further, learning agreements, when developed alongside workplace institutions such as joint learning committees, these may help contribute to wider workplace impacts and benefits for workers (Hollindrake et al. 2008; Munro and Rainbird 2004; Saundry et al. 2010; Stuart et al. 2010; Stuart and Wallis 2007b).

There are contrasting commentaries on how these workplace institutions serve to derive gains for labour. It is suggested, one the one hand, that the public funding and evolving VET policy framework have generated an 'opportunity structure' for UK trade unions; a structure through which UK unions have developed a presence at the workplace around learning and within the VET policy architecture thereby opening up levers of influence in the UK VET system in the workplace and beyond (Rainbird and Stuart 2011). At the workplace level, union engagement in employer learning and development systems has the potential to 'humanise' human resource development (HRD) and employer training programmes and deliver 'socially responsible' outcomes through active employer engagement (Wilson 2009b; Wallis 2008). Hollinrake et al. (op cit) also report the value of learning agreements in generating procedural outcomes for unions and Alexandrou (2009) notes the value of an agreement in legitimising the ULR role. Learning agreements provide a tool to engage employers in workplace dialogue which may increase levels of trust and enhance inter-union working (Wallis and Stuart 2007). Stroud and Fairbrother (2008) suggest, in a study in the steel sector, that to effectively serve their members, that gains for workers are contingent on an 'active stance' by unions around bargaining for learning. They suggest that, in a more dynamic labour market, unions can bargain for access to wider learning opportunities that include skills for 'employability' to help members chart uncertainties in the labour market. Wallis and Stuart (Wallis & Stuart, 2007) also suggest that the nature of the underlying partnership is fundamentally important to the achievement of these outcomes.

In contrast to the more optimistic assessments of union learning, critics suggest that the prospect of union revitalisation through union learning are 'implausible' (McIlroy, 2008: 1), due to the lack of political and legal support that can regulate bargaining on the theme of learning. In the absence of

formal regulation of union learning, other than limited rights for time to carry out their duties, union activity is heavily constrained and vulnerable to cuts in public funding (Keep et al. 2010). While much of the criticism of union strategies for learning is directed towards the TUC and unionlearn administration of the ULF (Ewing, 2005), critics suggest ULRs' focus on learning for employability helps to sustain a neo-liberal ideology and notions of individualism that 'lubricates productivity' (Daniels & McIlroy, 2009:304). McIlroy (op cit) also doubts the capacity of workplace unions to advance worker interests as ULRs are 'not learning shop stewards' (Daniels & McIlroy, 2009: 297). By working in partnership with management on the learning theme Daniels and McIlroy concede that workers may derive a few 'fringe benefits' (op cit: 301) but union learning risks being a subaltern to management training that may ultimately damage workplace organisation through diverting scare resource to union learning efforts (Daniels & McIlroy, 2009). Citing Warhurst et al (2007) Daniels and McIlroy (op cit) argue that, at the workplace, ULRs do not operate strategically to engage with employers on training around a productivist strategy (discussed further under 'bargaining for skills' below). In terms of political economy, union learning can be seen as representing a poor settlement from the New Labour government in 1997 (McIlroy, 2008). Further, that neo-liberal VET policy based on improving the skills supply and not industrial demand is questioned as an appropriate response to the needs of the UK economy (Crouch, Finegold, & Sako, 1999). Although unions are presented as a 'trusted intermediary' in the contemporary VET system, they are seen as having limited influence as a social partner (Keep et al. 2010: 407). Others consider union learning activity, especially the activity of the TUC and its learning division unionlearn, a threat to unions through their incorporation into a state administration function; acting as a distraction from 'real' union concerns (McIlroy 2008; Ewing 2005).

In order to develop a study which seeks to develop further insights and understanding of the contrasting debates surrounding union learning, it is necessary to understand further the context within which union learning has developed. The previous sections in this chapter have referred to the political structures that have facilitated and constrained union activity within the VET system. The remainder of this Chapter situates this within a wider historical context of the changes taking place in

collective bargaining in the UK, the decline of collective bargaining institutions in since the 1970s, the new bargaining agenda of the 1980s and the rise of union management-partnerships at the turn of the Century.

2.4   Trade unions and collective bargaining

In the UK, collective bargaining was the dominant form of regulation of the employment relationship in the post-war era but the latter part of the twentieth century saw a steep decline in collective bargaining activity in the UK. In 1984 collective bargaining covered 71 per cent of workers and 23 per cent in 2011 (van Wanrooy et al., 2011) and the percentage of unionised workplaces fell from 33 per cent in 2004 to 25 per cent in 2011. The fall was particularly marked in the private sector, declining to 17 per cent from 29 per cent over the same period (op cit). Collective bargaining is increasingly concentrated in public sector workplaces, favouring groups of relatively well protected workers. Conversely, employees in smaller firms are characterised as being 'left with no more than their statutory rights as protection' (Brown and Nash 2008: 102).

The decentralisation of the locus of pay settlements from national or sector based agreements to the enterprise or workplace level and the narrowing of the scope of themes on the bargaining agenda were strong and continuing trends in Britain from the end of the 1970s onwards (Charlwood, 2007). The increase in enterprise or workplace level bargaining is, in many cases, the result of the articulation of issues at different levels within multi-level bargaining structures. Traxler (1995), for example, notes the articulation of 'higher-level' agreements that set the parameters for local negotiations. Others note recent trends in, for example, the 'increasing diversity of issues on the bargaining agenda... and particularly innovative practices in respect of the application of collective agreements to non-standard workers' (Hayter, Fashoyin, & Kochan, 2011: 225). However, the overall picture of declining union influence is rarely disputed.

Causes for the decline in collective bargaining are primarily linked to deindustrialisation and the decline in employment amongst groups of traditional membership. Total union membership in the UK fell from a peak of over 13 million in 1979 to 6.5 million in 2013 (BIS, 2014) – half of the peak of over 13 million in 1979. Membership levels in the private sector fell from 3.4 million in 1995 to 2.6 million in 2013 or 14.4 per cent. 3.8 million Public sector employees were union members, with density decreasing from to 55.4 per cent in 2013. Wider environmental influences on collective bargaining trends are noted including the influence of societal change from a post-war era based on collectivism towards a more individualistic society (Phelps-Brown, 1990) and changes in political and legislative environments (Smith & Morton, 2006). Brown et al. (2009) attribute increased competitiveness, especially in global markets, to limiting the possibility of rent sharing and an associated decline of collective bargaining, notably in multi-employer bargaining. However, commentators refer to the changes taking place within organisations as also contributing to the decline of collective bargaining. With the rise in human resource management (HRM) practices during the 1980s workplace employment practices focused on individual rather than collective means.

The WIRS and WERS surveys of managers and union reps have enabled comparison of not only the incidence of union-management negotiation on core and non-core bargaining themes but also participants' views of this activity. Cully et al. (1999) noted for example that when managers and union representatives were asked similar questions in the 1980 and 1998 studies about the nature of this interaction both groups gave broadly similar responses to questions about whether union-management interaction was perceived as negotiation, consultation or information sharing (op cit). Data from the WERS survey in 2004 suggest a divergence in the perceptions of management and union reps about bargaining interactions (Kersley et al., 2006). Although increases in consultation are reported by both management and unions, unions were more likely to make reference to negotiation and employers to consultation or information sharing processes. Brown and Nash (2008) speculate that the union rep response possibly reflects 'the fading of memories of what constituted negotiation in a past era when collective bargaining was more robust' (2008:100). Moore et al.'s (2005) research

on bargaining following the signing of new recognition agreements and Oxenbridge and Brown's exploration of the sustainability of co-operative relations note a 're-labelling' of the employer-union interaction as consultation (Oxenbridge & Brown, 2004). The shift towards consultation may not only reflect employer intent and the reality of weakening of union influence, but also a change in trade union strategy in recognition of a weaker bargaining position. For example, Moore et al. (2005) suggested that following new recognition the union might work to consolidate its bargaining position by taking a more consultative approach.

2.5   The 'new bargaining agenda' of the 1990s

During the 1960s and 1970s trade unions in Britain were located within a weak tripartite industrial relations system which included a role in Industrial Training Boards and joint regulation of the apprenticeship system (Sheldrake & Vickerstaff, 1987). With the dismantling of that system during the 1980s, trade union negotiation on the theme of skills was primarily in relation to changes in work organisation and reward linked to skill levels; although, in the main, pay remained linked to length of service. During the 1990s, the relative importance of skills as policy a tool to enhance competitiveness rose in prominence in the UK and in many other economies (Porter, 1998). The identification of the UK's tendency for a 'low skills equilibrium' (Finegold & Soskice, 1988) prompted state responses seeking to increase the stock of UK skills resulting in the VET policy noted above.

The increased emphasis on skills was viewed as an opportunity for trade unions to develop a more proactive dialogue with employers around training and skill formation (Matthews, 1994; Rainbird & Vincent, 1996). In the face of a reduction in membership and bargaining power, negotiating on training was proffered as a route to developing a 'new' bargaining agenda (Storey & Sisson, 1993) with the inclusion of bargaining themes that could complement wage negotiations. It was suggested that unions and employers could develop a consensual dialogue on training leading to a 'positive-sum' outcome based on shared 'occupational interests' (Peter Leisink, Van Leemput, & Vilrokx, 1996). The TUC suggested that the means to achieve this was through negotiating training agreements and

developing workplace structures such as training committees (TUC, 1992). Bargaining for skills offered a route to developing relations around a productivist agenda and linked negotiation on skills into business processes (Stuart & Wallis, 2007b; Stuart, 1996).

In the UK, a number of unions developed specific policy and resources for negotiators on training (GMB & T&GWU, 1997; MSF, 1991) and included campaigning for training entitlements and paid time off for learning (GMB, 1997; Mace & Yarnit, 1987). Other unions developed their own training and learning services for members including the AEEU's provision of technical training for members. The FORD-EDAP employee development programme (Mortimer, 1990) and UNISON's Return to Learn courses (Munro, Rainbird, & Holly, 1997) focused on the provision of 'softer' education and skills programmes (Grugulis, 2007) but were significant developments in the provision of learning for members. The TUC's Bargaining for Skills projects engaged trade unions and employers in the delivery of VET programmes including NVQs and the Investors in People programme (Dundon & Eva, 1998).

Despite this increased focus on education and skills, the extent of trade union collective bargaining on training remained low. A content analysis of IDS collective agreements in 1994 showed that training was a theme in 40 of 944 agreements (Claydon & Green, 1994). The incidence of negotiation on training in union recognised workplaces increased between 1998 and 2004 from one in thirty workplaces to almost one in ten workplaces, with consultation on training taking place in one in three workplaces in 2004 (Stuart & Robinson, 2007). Yet, these proportions are low compared to the incidence of bargaining on other aspects of the employment relationship in the UK, or in comparison with European collective bargaining systems where unions have greater statutory entitlements around bargaining and established roles within VET systems (Stuart & Wallis, 2007b; Winterton, 2007). Reasons for the low incidence of collective bargaining on training are linked to a number of factors: the broader decline in union influence; UK trade union's exclusion as social partners from the VET system (Keep, Lloyd, & Payne, 2010); employer constraints and management prerogative (Claydon & Green, 1994); and a lack of union organisation and capacity to regulate training, coupled with a disinterest in pursuing a 'softer' item on the bargaining menu. For example, even in the print sector

where a national training agreement did exist, union regulation of training was limited (Stuart, 1996). Building workplace rep capacity was central to Dundon and Eva's assessment of successes observed in the TUC's Bargaining for Skills initiative noting that that 'well-informed shop stewards can add value to the system of training within an enterprise when adopting a proactive orientation toward VET strategy and its implementation, in both a direct (formal) and indirect (informal) way' (1998:4).

Phillimore's (1997) review of similar bargaining reforms in Australia noted that bargaining on training lagged behind national and sectoral policy agreements, partly as a result of union organisation but also because reps were uncertain over strategies about *how* to negotiate on training; whether this should be within an integrative or distributive bargaining frame. The experience of the GPMU in the print sector in the UK, seeking to maintain a national agreement on training and recruitment, suggested these agreements did not easily come within the scope of a 'mutual gains' framework (Stuart, 2001) with empirical studies suggesting that training was not an issue where unanimity of interests exist in the workplace (Stuart 1996). Sutherland and Rainbird (2000) argue that placing training within a distributive approach might encourage employers to see training as a cost rather than an entitlement. Furthermore, they observe that progress in developing negotiating on training in the UK was notably made by unions with craft traditions and experience of the joint regulation of apprenticeships and that other unions representing unskilled workers expressed concerns over a distributive bargaining strategy that linked pay to competence (Rainbird, Sutherland, Edwards, Holly, & Munro, 2004).

Streeck (Streeck, 1992) proposed that independent trade unions should pursue a strategy of conflictual co-operation to help address the market failure in skills training. He posited that changing production regimes towards a post-fordist paradigm of flexible specialisation meant that the workplace was increasingly becoming the location of skills formation. As such, unions could advance bargaining for skills around a supply-side, productivist strategy. This strategy requires a range of complementary union interventions: a focus on the standardisation of the curriculum; bargaining for

employment continuity and higher wages (to cut off a low-skilled route); the negotiation of training plans; 'on the ground' enforcement of labour standards in training, all preferably supported by public policy (op cit p 266-269). In the UK context, the development of such an agenda seems unlikely given the limited traditions of UK trade unions around social partnerships on training, weak capacity to negotiate on training and little prospect to improve regulatory underpinnings.

Despite the difficulties encountered in bargaining on the training theme, research in the UK has identified how informal and formal workplace institutions shape skill formation (Heyes 1993; Rainbird et al. 2003). Dialogue on training takes place through a number of individual and collective mechanisms (BERR, 2008) and Rainbird et al.'s (2003) study of these mechanisms identified six modes of collective voice on training: joint decision making; joint project work; a 'Bargaining for Skills' model focused on access to VET programmes; a broadening of access to learning; separate partnerships on employee development; and, the use of existing collective bargaining channels (Rainbird et al op cit 80). This variety of approaches suggested that unions are both able and constrained in different ways to advance negotiations on the training theme.

Heyes (2000) notes how dialogue over skills acquisition must be seen within the political context of workplace change and how skills will be used in practice. This suggests that, to assess outcomes in terms of balance of interests, further data are needed on 'the objectives that workplace actors seek as a result of training...and the social dynamics of partnership approaches to training' (Heyes 2000:162). Rainbird et al. (2004) note that co-operation on training often took place separately from other industrial relations structures. While recognising that conflict might occur, union reps were able to maintain a dialogue on skills that was based on a co-operative approach to problem solving. Where reps were proactive and brought solutions (expertise and other resources) to the dialogue, partnerships on training were likely to succeed. Rainbird et al. (2004) also suggest that dialogue needs to extend beyond a focus on work-related skills if unions are to advance the interests of members and avoid (the perception of) incorporation into business training systems. The experience of UK unions

around advancing the 'new bargaining agenda in the 1980s and early 1990s' was largely judged to have had only limited success (Heyes & Stuart, 1998). It is this experience that formed the context within the workplace dialogue on lifelong learning within a partnership model developed in the late 1990s.

2.6   Union partnership for mutual gains

Contemporary collective bargaining does not resemble that which existed in the post-war period, viewed by some as the 'high water mark' for British trade unions. A new emphasis on co-operation can be understood in terms of the decrease in unions' 'coercive' power which reduces bargaining power based on 'the credible threat of industrial action' (Brown & Nash, 2008: 93). Faced with this reality, unions look to develop strategies that enhance power relations through other routes (Huzzard, Gregory, & Scott, 2004) and partnership can be viewed as an attempt to enhance legitimacy in workplace relations (Simms & Charlwood, 2010).

If collective bargaining within a voluntarist framework was the main form of expression of trade union collective interests in the mid-twentieth century in the UK, union-management partnership was a prevalent alternative strategy at the turn of the millennium, encouraged by both government and national bodies such as the TUC (2001) and ACAS (ACAS, 2001, 2003a). Whereas Northern European models of partnership include social or corporatist partnership structures at the national, sectoral and enterprise levels, the relative lack of regulatory and institutional frameworks in the UK means that partnership in the British context also refers to activity at the enterprise level (Terry, 2010). Although the exact nature of union-management partnership is subject to debate (Stuart & Martinez Lucio 2005; Johnstone et al. 2009; Samuel & Bacon 2010) the term when applied to 'genuine' (Wray, 2005), as opposed to 'superficial', partnership (Tailby, Richardson, Stewart, Danford, & Upchurch, 2004), suggests an approach to employment relations based on co-operation, positive relations and shared responsibility for outcomes. The suggested logic of this approach is that by doing so, all parties in the employment relationship derive gains. For example, on the premise that effective HRM practice leads

to better productivity and business performance, the mutual gains thesis suggests that the gains generated from union partnership and enhanced productivity can be shared between stakeholders (Kochan & Osterman, 1994). To achieve this, Kochan and Osterman (ibid)suggests that the approach to union-management relations requires systems built on trust, joint-working and with a focus on problem solving, co-operative rather than adversarial industrial relations and an integrative approach to bargaining (discussed further below).

Research in Britain into the partnership phenomenon has focused on a number of levels of analysis: the balance of mutual gains; the conditions that promote 'genuine' partnership'; and, the ideology underlying partnerships. Firstly, writers have considered the gains for the parties in the employment relationship and whether the balance of gains can be observed. Most assessments judge partnerships to favour employer interests or being 'employer-dominant' (Guest & Peccei, 2001; Samuel & Bacon, 2010). Partnerships where the 'balance of advantage' moves towards labour or 'labour-parity' is considered feasible but rare (Bélanger & Edwards, 2007). Those that describe partnership outcomes more favourably set this approach in the context of the dramatic decline in union influence where partnership gains offer an increased 'institutional centrality' or at least the location of trade unions 'within a more favourable terrain' (Ackers & Payne, 1998: 539). In contrast, union co-operation with management around goals such as business performance and functional flexibility has been judged by others as compromising worker interests (Geary & Trif, 2011; Wills, 2004), and union independence (J. McBride & Stirling, 2002), ultimately weakening trade union organisation (Kelly, 2004) or threatening the relationship between union elites and rank and file members (Beale, 2005; Upchurch, Danford, Tailby, & Richardson, 2008). Further, employer motivations for partnership, such as productivity gains and enhanced trust relations, might not be evident (Dietz, 2004), or gains might not endure (Dobbins & Gunnigle, 2009).

A second theme within the literature on partnership is an examination of conditions in the workplace and beyond that promote or inhibit 'genuine' partnership. Partnerships have developed in a number

of different contexts, including the development of single union agreements in the 1980s, those developed in resolution of conflict (Johnstone, Wilkinson, & Ackers, 2004) and those developed as a result of new trade union recognition rights in the 1990s. Simms and Charlwood (2010) note that these varying contexts shape the nature of ensuing partnerships. Oxenbridge and Brown (2004) suggest that co-operative relations are contingent on robust partnerships, boosted by both strong union organisation and employer interest in a vigorous union. Stuart and Martinez Lucio (2005), referring to the work of Cooke (1990), describe the processual aspects of successful labour-management co-operation. These include the need for the partnership to have clear processes for resolving problems; that engender trust; have a degree of openness about 'difficult' behaviour; there is a 'clear delineation' of the distinctive role of labour; and, there is understanding of how the gains from partnership will be shared. Cooke (1990) identified the complexity of achieving co-operative relations within broader contexts and:

> *"(the) inherent difficulty of juxtaposing or balancing co-operation and more traditional collective bargaining …Alternating between traditional contract negotiations and administration of contractual rights via grievance, arbitration, and discipline procedures, on one hand, and co-operative, mutually beneficial problem solving, on the other, requires a delicate balancing of two fairly distinct processes." (Cook 1990: 15)*

Heery et al. (2005: 185) suggest that effective partnership requires independent union bargaining power in order to secure mutual gains, noting in the review of three partnership cases that a union's goal of higher standards for workers and increased collective organisation were 'unlikely to be realised solely on the basis of identifying common interests and relying on employer support'. Terry (2004) notes the functional challenges faced by UK unions in balancing these processes, coupled with the difficulty of developing union rep capacity to engage with employers in partnership agendas on themes of business development and productivity. Terry, furthermore, suggests that some successful partnerships, such as those led by UNISON, are based on union expertise and professionalism rather than the promotion of collective interests, contributing to possible tensions between the employer-facing and member-facing role of union reps (Terry 2010: 293). This revisits a theme discussed by Flanders (1964) in writing of experiments in 'productivity agreements' who observed that even in

cases where the employer held 'a positive human relation philosophy' successful agreements were based on complex interactions between union reps and their union 'as a union' (p 140) and with others within the social system of the business.

In a third level of analysis, McBride and Sterling (2002) suggest that an analysis of partnership requires an understanding of the underpinning ideology and social processes involved in achieving partnership activity. This theme is elaborated on by Wray (2005) who points to the need to understand management and union motivation for partnership in order to explain partnership outcomes. Critics point to prevalent unitarist ideologies that suppress legitimate expressions of workplace conflict (Upchurch et al. 2008). Terry (2010:277) notes the '*two different logics of action*' that lead to potentially incompatible union structures that advance employee rights and contribute to business competitiveness. In this respect, union learning, when used to support workers to access training and education that prepares them for redundancy, could be viewed as a support to members to help them make labour market transitions. Alternatively, union-led learning activity focused on redundancy can be seen as an 'ideological glue' for restructuring (Martinez Lucio & Stuart 2004) that is legitimised for workers through union involvement.

Wray (2005) contends that it is within the bargaining process that assessment of 'genuine' and counterfeit' partnership needs to be understood, suggesting that an understanding of the items for negotiation is helpful in understanding 'genuine' or 'counterfeit' partnership relations. Further, in undertaking an assessment of partnership within the British context, Stuart and Martinez Lucio (2005) pose the question as to whether union strategy for the advancement of material and social concerns is 'just a choice between partnership and collective bargaining'. Their assessment of partnership agenda suggests that it may offer unions 'new forms of negotiation' in the face of employer ambivalence (op cit: 269-270) where partnership is a 'more multi-layered conception of co-operation which encompasses political co-operation, bargaining relations, or workplace and social co-operation of an explicit and implicit manner' (op cit: 271).

Huzzard (2001) contends that within the context of contemporary economic conditions and low rents, union engagement with employers around competence and skills development is a logical strategic response to changing workplace contexts. Further, to be successful, unions need to develop a discourse on this theme that is couched in terms of a productivist strategy in order to secure employer engagement (Huzzard op cit). The following section explores these themes in relation to the extant literature on union learning partnerships in the UK

2.7   Union learning partnerships in the UK

This final section of this Chapter explores the development of union-management partnerships on the learning theme. Studies of early contemporary partnerships around the learning theme in the UK focused on work led by UNISON (Munro & Rainbird, 2000b). Building on UNISON's experience as a learning provider, the Return to Learn (R2L) programme offered learning predominantly aimed at workers with few prior qualifications (Munro & Rainbird, 2000b, 2004; Sutherland, 2000). Munro and Rainbird (2000) note that negotiation with management over the Return to Learn programme was more a 'pragmatic choice' than a clear strategy around partnership (op cit: 236). The success of the initial Return to Learn programmes was highlighted in an internal UNISON study which indicated that a significant proportion of the membership could potentially benefit from taking part (Kennedy 1995). UNISON officials reported that, in order to meet the high level of demand, the union looked to shift some of the costs of expansion to the employer. A description of the way this was presented to employers was that:

> *"The union was not approaching employers seeking concessions but bringing resources and expertise, so we would say to the employer if you want it (R2L) then you need to give PEL (paid educational leave) and fees." (Munro and Rainbird 2000: 236)*

The 'bargain' is based on an argument linked to the joint contribution of resources. Sutherland and Rainbird (2000) assert that dialogue on learning should not be located within wider collective bargaining institutions as demands for rewards linked to learning would bring the broader-based (distinctively union) learning agenda within the ambit of management control. This would lead to the

narrowing of learning opportunities to those more focused on employer interests and work skills. The conclusion drawn is that dialogue on union learning, especially when focused on widening participation, should be developed outside of established collective (distributive) bargaining arrangements. In this respect, UNISON's learning partnerships with employers are typified as being distinct and in a 'separate space' from more general union-management partnerships (Anne Munro & Rainbird, 2004).

In assessing the benefits of partnership arrangements, gains identified for employees include qualifications and access to further learning and development, including employer training and continuing professional development (CPD) programmes. The gains for employers included a range of benefits including more confident staff and improved orientation towards work related training and improved basic skills. Contrary to some of the criticisms levied at the broader partnership agenda, Munro and Rainbird's research concluded that learning could contribute to union organisation in the workplace. Gains were noted for the union through generating activism by a new cadre of activists from amongst workforce groups often under-represented within lay rep and officer roles (Munro and Rainbird 2000).

The research on UNISON's Return to Learn (R2L) programme offers one of the clearest insights into the nature and outcomes from union-management partnerships on learning, especially with respect to union-employer negotiations characterised as 'integrative bargaining'. This body of work became a key reference for much of the ensuing academic discussion on the nature of union-led learning. However, Munro and Rainbird's work (ibid) could be viewed as pertaining to a specific set of historical conditions and contingencies. Within UNISON and its pre-merger unions there was a long established culture and infrastructure providing learning opportunities for members.

A contrasting view of union-employer engagement in the learning and skills agenda was developed by McBride and Mustchin (2007a). Their research, undertaken in the health sector, explored processes and outcomes of the NHS change programme Agenda for Change and union engagement with the

workforce development initiatives that grew from this (McBride & Mustchin, 2007a). In this case, staff development initiatives, such as the Skills Escalator, explicitly linked skills development to career structures which were underpinned by a learning framework. This offered unions the scope to engage in workplace dialogue around the learning theme. The research, based on seven case studies in NHS Trusts, reported the challenges faced by union activists in getting involved in debates on skills in the context of an employer-led initiative on workforce modernisation. Union activists were more focused on the impact of modernisation on pay and conditions than employee learning. In the absence of pre-existing union-management learning partnerships there was limited scope for union reps to critically engage in the learning agenda (McBride & Mustchin, 2007a). Although UNISON was a major protagonist in these workplaces, the learning agenda had been set by management with reference to a national NHS workforce development strategy and union engagement was relatively weak.

McBride and Mustchin's findings expose the potential vulnerabilities of partnerships around learning and skills and the scope to sustain union learning. Union learning activity is also characterised as being contingent on the energies of local enthusiasts within unions, management and wider state agencies (Munro & Rainbird, 2000a). Cassell and Lee (2007) note that achievements on learning are often achieved within a 'difficult and complex balancing act' between union, employer, workers and the state (op cit: 249), noting that employer dominance of the union learning agenda would undermine its success. If, however, union learning is too far distanced from management or state interests, the scope for sustaining union learning may be limited. However, independence from management is needed in order that unions can critically engage over workplace learning processes that are detrimental to labour's interests. Placing learning in a 'separate space' outside of wider IR bargaining machinery, potentially allows partnerships on learning to be flexible and innovative (Stuart & Wallis 2007), separate from wider industrial issues and conflict. Such separation from collective bargaining mechanisms might, however, prove a threat if it distances learning activity from the support of the wider union. Partnership could in effect 'endorse negative practice, effectively undermining rank and file resistance' (Stevenson, 2008: 462; also see Taylor & Ramsay, 1998) and give a 'sheen of legitimacy'

to management control if there is no effective voice mechanism to promote employee interests (Bach, 2004).

2.8   Conclusion

This chapter has located union learning within the historical context of UK trade unionism and debates on union partnership in the late twentieth century. Partnership does not preclude bargaining but the social processes around this needs to be better understood. The literature points to the importance of understanding the nature of bargaining behaviours at the workplace level and, in the context of partnership, how unions balance the tensions inherent in this strategy. This chapter considers union strategies bargaining for skills and the contrasting theories of union learning, particularly in relation those debates that provide contrast views about the union learning and the prospect for union renewal. The following chapter examines literature on bargaining theory and bargaining power to help elaborate the conceptual frames used in this study.

Chapter 3 **Literature review part 2: bargaining**

3.1   **Introduction**

The previous chapter highlighted central debates and the contrasting theories used to explain the development union learning. On the one hand, the emergence of the union learning theme and ULRs is hypothesized as signifying the incorporation of unions into state and business agendas with ULRs typified as apolitical and undermining union efforts at renewal though the pursuit of partnerships on learning. Others view the development of workplace learning as evidence of unions exploiting opportunity structures to advance labour interests. This more positive view sees union learning as a potential route to union renewal through routes to activism and by fostering new forms of engagement with management. This more positive reading suggests that adopting an integrative approach to negotiation enables unions to advance worker interests and build new workplace institutions while recognising that union capacity to do so is constrained by resources and management resistance. In order help understand the union learning phenomenon and provide insight that can inform these debates, this study focuses on union-management bargaining on learning and building on the advice of Wray (2005) and Stuart and Martinez-Lucio (2005) who suggest that partnership can be better understood through a multi-layered conception of partnership and social co-operation.

This chapter examines literatures on bargaining to the explore core concepts that shape the analysis workplace negotiations and discusses three core aspects: bargaining theory, notably behavioural theory of bargaining; secondly, bargaining power and union capacities to affect change in bargaining relations; finally, this chapter concludes by considering the environmental factors that influence bargaining processes. The research questions and methodology are presented in chapter 4.

3.2   **Bargaining theory**

Theories of bargaining have developed within a range of academic disciplines. Neo-classical economic theory explores the bilateral monopoly power of unions and management to negotiate wages, while

game theory explores the rational choices made by those involved in the bargain. Muthoo (1999) for example defines bargaining as 'a situation where two players have a common interest to co-operate but have conflicting interests into exactly how to co-operate' (p1) and continues that 'players can mutually benefit from reaching agreement on an outcome on a set of outcomes but have conflicting interests over the set of outcomes' (p1-2). Theories of bargaining based on game approaches to the understanding of bargaining are critiqued on the assumptions that game theory makes about parties' knowledge of each other's positions and focus on individual decision making that does not account for collective processes within organisations (Thomas Kochan, 1980). However, the concepts of mutuality and conflicting interests of bargaining parties are clearly of relevance in the analysis of workplace bargaining.

Beatrice and Sidney Webb's research, following the work of David Schloss (1898), into workplace payment systems, included the study of bargaining and how unions enhance the material interests of workers around the pay-effort bargain through collective means (Webb & Webb 1902). This early research identified how shop stewards can exercise a degree of control over work flow and payment systems. Chamberlain and Kuhn (1965) refer to this view of regulation as a 'marketing' theory of collective bargaining. They further develop conceptions of workplace bargaining beyond wage determination to include the 'managerial' theory of collective bargaining. This describes negotiation of the functional relationship between unions and employers around workplace governance. In the contemporary UK context, industrial relations research has focused on the nature of representative and regulatory structures both in the workplace and beyond.

The inherent nature of conflict within the employment relationship forms the basis for much of the analysis of institutions that develop around workplace dialogue and bargaining. Advocates of greater regulation, for example through national bargaining systems, see collective bargaining as the arena in which social partners accommodate 'imbalances in the employment relationship' (Clegg 1979). Since negotiation within the pluralist frame leads to the generation of concessions between parties, the

process, it is assumed, helps to bind social actors together (Spencer 2009). This process brings about accommodation between the different standards of negotiating parties (Flanders, 1968). Critics from a radical perspective argue, in contrast, that collective bargaining institutionalises conflict and ultimately provides a way of legitimising the status quo (Hyman 1978). Gains for labour might be achieved in an expanding economy where rents are high, however, when crisis occurs, as a Marxist view contends it inevitably will, the dominance of capital will become evident and accommodation less likely. Furthermore, the excessive power of capital transforms itself into a legitimating authority and an ideology develops of 'rightness' or inevitability of capital's treatment of labour. In this frame, unions working within institutionalised collective bargaining frameworks are only able to challenge management power at the margins or become incorporated into a unitarist system of industrial relations.

Fox's 'auto critique' of pluralism (Fox 1974) agrees that management practices in capitalist economies often advance low trust, undermining the bindings between social agents. Clegg, although a strong advocate of pluralist institutions, also agreed that a paradox existed within collective bargaining: reaching agreement could not be the core value of bargaining parties (1979). Being assured of an agreement would mean that bargaining would be a 'sham'. Collective bargaining within a pluralist frame, therefore, was an incomplete moral philosophy and had to be driven by core values beyond the pluralist model. Pluralism, he contended, is not inconsistent with achieving outcomes based on values such as social justice; however, these values need to form the moral basis upon which parties voluntarily engage in bargaining. Further, where large imbalances in power exist between management and workers, agreements made through collective bargaining can effectively be made under duress. Clegg suggested that forcing values on others lacks a moral base and is, therefore, morally invalid and likely to mean that agreements will not be sustainable (Clegg 1975). This analysis suggests that developing an understanding of bargaining on the theme of union learning requires not only an understanding of workplace institutions around union learning but also the actors, the

behaviours of bargaining parties, their core values and the wider social processes that shape the outcomes of negotiations.

3.3   A behavioural theory of labour negotiations

Sociological and behavioural approaches provide further insights into collective bargaining mechanisms through exploration of the tactics used by negotiators and the likelihood of settlement. Terry (1977) describes both the formal and the informal processes in rule-making within the employment relationship and Goodrich (1975) identified how this manifest itself as local custom and practice influencing the 'frontier of control' between labour and management. Plant level studies have further explored the characteristics and role of shop stewards and how these shape union-management engagement. Beynon (1973) and Batstone (1977) for example, notably describe the activities of shop stewards and the relations between workplace reps, full time union officials and management, exploring how the motivations of workplace actors shape rule-making in the workplace (also see McCarthy 1964; Flanders 1964).

Labour research relating to negotiation processes, Walton and McKersie's (1965) behavioural theory of negotiations explores how negotiators engage in workplace bargaining and the logics and tactics of that engagement. The behavioural theory of bargaining provides a frame for the analysis of social processes surrounding learning agreements, relations at the local level and the nature of the interaction between parties. The analytical framework developed by Walton and McKersie develops the game-theoretic and develops their model using socio-psychological theory to describe the four bargaining processes of integrative bargaining, distributive bargaining, attitudinal structuring and intra-organisational bargaining. For each of the four processes, they outline key concepts and the possible tactics of negotiators in different bargaining situations. The following discusses the four sub-processes in turn.

3.3.1   Distributive bargaining

The purpose of distributive bargaining is to resolve conflicting issues requiring trade-off or compromise for resolution (Martin 1992). Distributive bargaining refers to activity focused on the attainment of one party's goals that are in conflict with those of another party and dividing limited resources, referred to as a zero-sum game. Issues that have an inherent degree of tension are economic items, union, employee or employer rights and obligations, or in attitudes and relationship patterns. Economic items focus on the distribution of resources such as wages, rights and obligations center on the privileges and freedoms of the union and employee job rights versus management prerogative. Elements of conflict can arise in relation to attitudes and relationships patterns where one party seeks more co-operative or arm's length relations. Walton and McKersie describe distributive bargaining around conflictual themes as being where 'there must be some dissimilarity between the value systems of the two parties' (op cit p 17). This reflects Muthoo's (1999) description of bargaining which requires the presence of two parties with conflicting interests and where mutual gain can be derived from co-operation.

Negotiation takes place within a range of mutual dependence within which utilities (gains) are derived from continuing the bargaining relationship. This area of interdependency is bounded by the possible upper and lower limits beyond which parties perceive no value in entering into negotiation. Settlement is reflective of the 'subjective utilities' that parties assess will be gained through an evaluation of potential outcomes (Walton & McKersie op cit p 12-13). In addition to describing the concept of interdependence, Walton and McKersie also point to the potential sources of that interdependence. In the context of wage bargaining, they see market rigidities as playing a role in influencing the upper and lower limits of the range of interdependence. They point to factors such as information or cost barriers that prevent workers from seeking alternative employment elsewhere that influence the limits of the bargaining sphere. While market rigidities might shape the boundaries of the distributive bargain and focus energies on dividing existing resources, Walton and McKersie also

suggest that the process of bargaining itself may generate 'mutually created gains' (op cit p 23) that affect the boundary of the interdependence between parties. Bargaining behaviours that generate trust and lead to enhanced contribution or productivity gains creates interdependency because the gains derived from this relationship are unlikely to be easily found elsewhere. The concept of mutuality is explored in more detail within the frame of integrative bargaining, yet is an important concept in the context of both integrative and distributive bargaining as it helps define the interdependencies between two bargaining parties.

Walton and McKersie outline some core tactics associated with distributive bargaining. These focused on the statement of, and commitment to, positions that seek to influence an opponent's utility functions and obtain commitment in such a way as to shift the range of settlement nearer to the opponent's resistance point. The sharing or retention of information within the bargaining process is a key tactical element and a degree of bluff may be involved where one party seeks to determine the 'real' position or point of settlement that the other will tolerate. It might be that objective conditions do not change but it is the other party's perception of these conditions that may affect the negotiator's position. Distributive bargaining is associated with an element of threat, a concept which is discussed further below in relation to bargaining power, yet moving from an initial to an accommodating position is part of the process of reasonableness that helps reach an agreement. The stylised view of the distributive bargaining process is relatively simple in that it requires preparation for the bargain, an opening statement of positions, bargaining around those positions and the closing agreement.

3.3.2   Integrative bargaining

Integrative bargaining refers to bargaining focused on issues that can be described as shared problems. Hence this perspective is often referred to as problem or interest based bargaining. The nature of the problem is such that there is potential benefit for both parties in engaging in negotiation around it. The focus of the bargaining process becomes one of identifying and addressing common areas of interest, or problem-solving whereby joint solutions lead to better outcomes for both parties

through the expansion of possible gains which can then be shared. There are a number of steps to the process and a key role of the negotiators is to bring a range of potential solutions and discover where the higher pay-off possibilities lie. In this form of bargaining open discussion of interests allows for shared interests to be identified and combined to create greater value (see also Kochan & Osterman, 1994; Lax & Sebenius, 1986). Rather than negotiating within a fixed sum distributive frame, integrative bargaining can be described as a varying-sum game and offering gains for both parties: a win-win.

The tactics for integrative bargaining are based on openness and make less reference to threats or bluffs. The process is stylised into a two-stage process of, firstly, identification of interests and, secondly, the negotiation. In integrative bargaining an emphasis is placed on identifying items of common interest, the ordering of those items on the agenda and an analysis of the consequences of an agreement (Bacon and Blyton 2006). Open dialogue explores alternative solutions and evaluates these options to consider potential mutual gains derived from different options. If the evaluation finds solutions unsatisfactory, the problem is redefined or additional solutions are considered and evaluated. The model implies open dialogue and open access to information that informs the process. The open process in turn requires a degree of trust and a supportive climate to facilitate joint problem solving. The process is facilitated by both parties being motivated to enter into an integrative process and information and language used supports rather than obscures the bargaining process. Some writers point to the open nature of collaborative bargaining as being more ethical and leading to greater levels of trust (Hargrove 2010). Walton and McKersie suggest that the timing of negotiations can be key and negotiations can be convened as a problem arises. The items for the bargaining agenda are also key as it favours items that have the potential to generate 'combined utility' (op cit p 145). They suggest that abstract principles are harder to bargain over than specifics and that the initial focus on problems rather than solutions favours joint outcomes.

As Findlay et al. (2009) note, the level in the organisation in which the negotiation takes place may also affect the nature of the bargain suggesting that if the negotiating team are in the workplace local

actors, that will understand the specific detail that enables alternative solutions to be known and evaluated more effectively. Yet if the problem is in the external environment, this might require negotiators to be at a more senior level in order to understand the nature of the challenge. There are risks with integrative bargaining associated with information sharing, leading to vulnerability if the other party resorts to more adversarial methods and Lax and Sebenius (op cit) note that co-operation can help identify possible gains but may not necessarily result in those gain being secured.

3.3.3   Attitudinal structuring

Walton and McKersie assert that the substantive issues covered in distributive and integrative bargaining relate to economic issues and to rights and obligations. Attitudinal structuring refers to a function within negotiations where negotiators seek to achieve attitudinal change in the other party. Attitudinal structuring can take place within one-off adversarial negotiations. However, the concept is more closely allied to ongoing dialogue where the history of one set of negotiations will influence preferences and approaches taken to future dialogue (Golden & Pontusson, 1992; see for example Miller, Farmer, Miller, & Peters, 2010). A set of antecedents will inform relations, and relationship patterns will emerge that lead to a set of functional consequences for both parties.

The first two bargaining sub-processes (integrative and distributive bargaining) have framed much of the extant theoretical analysis of union-management bargaining outcomes in relation to lifelong learning (see for example ref Bacon and Blyton 2007; Rainbird 2004; Stuart and Wallis 2007). However, the other two sub-processes described by Walton and McKersie as attitudinal structuring and intra-organisational bargaining, are worthy of further exploration.

Attitudinal structuring aims to 'influence the attitudes of participants toward each other and to affect the basic bonds which relate the two parties' (Walton & McKersie 1991:5) and is defined in terms of negotiators seeking to influence patterns of relationships such as friendliness-hostility, trust-mistrust, disregard-respect, competitiveness-co-operation and recognition of legitimacy (op cit: 185). Parties

enter negotiations with a set of attitudes and motivations that shape their 'action orientation' (op cit: 189). A competitive stance is likely to lead to containment and aggression, a more individualistic orientation where parties negotiate on the basis of self-interest leads to accommodation and a more co-operative orientation leads to co-operation or even collusion in negotiations. While recognising that the *content* of bargaining framed within this process might be similar to those contained within either integrative or distributive processes, attitudinal structuring is distinct in that it is not a joint decision making process, but an interpersonal 'social and psychological process' (op cit p 222) designed to effect change in relationships.

Walton and McKersie suggest in the introduction to the second edition of *A Behavioural Theory of Labour Negotiations* (1991), that attitudinal structuring has become a process in its own right. The process is separate yet fundamentally influences the ability of negotiators to find settlement through either integrative or distributive means. Walton and McKersie describe a range of elements that can lead to attitude change drawing on psychological theories of cognitive balance (Heider 1958; Newcomb 1963; Rosenberg et al. 1960) and reinforcement theory (Skinner, 1953). Cognitive balance theory suggests that actors seek to balance their own cognition with their actions and therefore a change in attitude will lead to a change in behaviour. Reinforcement theory suggests that people behave in ways that are rewarded and if reward is repeated then attitudes and behaviours are reinforced. Within negotiation, opposing parties will seek 'change induction efforts' (op cit p 223) to achieve desired outcomes and there is scope to change attitudes and restore balance. This includes action to affect attitude towards the salience of the object under negotiation. The reinforcement of behaviours can be achieved through more frequent interaction, increased valuing of the reward or effective punishment of negative attitudes. In order to build strategies to affect a change in attitude negotiators need to assess prevailing attitudes and these are usually assessed from previous behaviours, actions and cues.

The challenges faced in re-balancing attitudes and employing reinforcement tactics are in ensuring that the expected rewards from proposed mutual gain are achieved and that punishments do not affect trust. Attitude structuring may negatively interact with distributive bargaining as the potential sacrifice needed to change attitudes and 'giving in good faith' might adversely affect the distributive bargain and vice versa. Attitudinal structuring presents a potential challenge to the interests of constituents if negotiators' positive attitudes towards the other party are developed to such an extent that they were not willing to address conflicts in order to avoid violating positions of trust with the other party (op cit 1991: xix). This leads to considerations of intra-organisational relations which are discussed in the following section.

3.3.4   Intra-organisational bargaining

Walton and McKersie reflect that 'organisations participating in negotiations usually lack internal consensus about objectives … this is especially true for labour organisations,' (op cit p 281). Intra-organisational bargaining refers to the forces that shape a process of seeking consensus *within* a party's interacting groups and in aligning objectives and interests of the chief negotiator with those of their constituents. Walton and McKersie suggest that the prime negotiator's role is a 'boundary' role and as such a cleavage can occur between them and others within their own organisation when strategies that lead to successful engagement with the opponent might generate tensions internally. Walton and McKersie also suggest that local union members are likely to exert influence on the nature and strength of aspirations and bargaining objectives and constituents may have a set of expectations about the conduct of negotiations (also see Martin 1992). Union negotiators could be subject to greater organisational constraints than their company counterparts due to the democratic nature of unions, with union negotiators more accountable to a wider range of constituents.

This raises the question as to where and between whom 'primary' negotiations take place and the nature of internal forces which act upon the negotiator(s) that might lead to potential role conflict. Walton and McKersie consider the potential for divergence in role expectations and the response

choices made by negotiators. Negotiators may conform to, ignore, or modify the expectations of others within their own party. The tactics adopted during negotiations may include attempts to revise expectations through logic, threats (real or suggested) or by obscuring issues. Successive negotiations may lead to continued role conflict or to a greater alignment of role expectations between the negotiator and those within their own organisation. Walton and McKersie's main concern is whether negotiators conform, modify, or ignore these expectations. This aligns to wider industrial relations literature on the behaviours of stewards (Batstone, Boraston, & Frenkel, 1977; Darlington, 1994) and the nature of union democracy and social relations within trade unions (Darlington & Upchurch, 2012; Hyman, 1979). These themes are discussed in the Section 3.4 (bargaining power and resources), but first this chapter continues with a discussion of mixed bargaining behaviours.

3.3.5   Mixed bargaining

Since the 1990s there has been an increase, notably in the US, of the study of the processes of negotiation and conflict resolution, and Walton and McKersie's (ibid) work provides a key theoretical touchstone. Academic writers note trends in the use of integrative bargaining, also referred to within the US and Australian contexts as interest based bargaining or IBB (Fisher and Ury 1999). A range of factors are cited as contributing to the trends in interest based or integrative bargaining approaches. These include a change in expectations of co-operative working, the extension of bargaining into arenas beyond terms and conditions, localised bargaining and the increased likelihood of bargaining taking place between principals rather than their agents as Findlay et al (2009) suggest that local actors operate in a more pragmatic and collaborative way. Although the use of integrative bargaining has been observed as being increasingly prevalent, workplace studies also suggest that mixed bargaining strategies are also often employed (Bacon & Blyton, 2007; Findlay, McKinlay, Marks, & Thompson, 2009). For example, Findlay et al's (2009) research on bargaining in newly recognised sites notes that, in the 'abiding paradox of partnership … the union "had" to adopt conflict strategies in bargaining to achieve mutual gains' (p 249). See also Bacon and Blyton (2007). From a radical perspective, Kelly

(1996: 102) argues that this 'militancy' embodies the inherent antagonism between employers and independent trade unions and the fundamental nature of antagonism between labour and employer interest that 'pervades even ostensibly joint-interest issues such as training and equal opportunity'.

In considering how a mixed model would be operationalised, Walton and McKersie explore the possibility of mixed approaches to bargaining. They maintain that, although empirical studies report that the context and patterns of negotiation have changed, the essential components of the bargaining behaviours they describe had remain the same (R. Walton & McKersie, 1991). Mixed bargaining describes how parties may adopt an initial integrative problem solving approach, before they enter into 'hard' bargaining around the gains, as a preferred 'complex strategy'[1] reflecting the realities the 'competition inherent within share allocation' (Walton and McKersie 1965:65). However, mixed strategies present dilemmas for negotiators. The tactics required for each sub-process are contradictory with one approach requiring openness, and the other a degree of bluff. Walton and McKersie conclude that mixed bargaining strategies are ultimately difficult to achieve.

Fells (1998) suggests that negotiators overcome the dilemmas faced in using mixed bargaining approaches by separating the problem solving, identification of gains and negotiation phases. This can lead to the dilution of interests, 'fudging of issues' or conflation of gains. Further, agreeing in advance that there might be disagreement helps to maintain relations during the negotiation process. Having signaled intent to negotiate over areas of conflict, parties do not feel deceived when a shift from integrative to distributive bargaining is employed (Fells 1998). A mixed approach requires a degree of sophistication in negotiation skills and the space within which 'talks about talks' can take place. Findlay et al. show, in a study of formal negotiations within a multi-national at two UK sites, how workplace negotiators operate in the manner of 'a skilled boxer or basketball player...which produces many types of appropriate behaviours on the basis of minimal cues from the situation' (2009: 243).They note the roles of different actors in the bargaining process, namely, how union officials and HR directors adopt

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[1] The alternative of a 'hard' then 'soft' bargain is also possible but much less likely

a joint position of 'guardians of the big picture' within negotiations and as such were more likely to retain respective negotiation stances. In contrast, local convenors and employment relations managers developed a rapport and a more pragmatic approach to negotiations as they became aware that they would be 'the deliverers on the shop floor' of negotiated outcomes (op cit p 243). This suggests that if bargaining for learning is multi-layered that the tendency will be for workplace negotiators to be more integrative and pragmatic in their approach to bargaining in contrast to national officers and managers whose bargaining behaviours will tend towards a more distributive mode.

The extant literature on bargaining for union learning, discussed in Chapter 2, suggests that integrative bargaining behaviours are prevalent. This section has explored further the concepts underpinning the behavioural theory of bargaining and extends the discussion to consider the sub-processes of attitudinal structuring and intra-organisational bargaining. This helps to elaborate the overt approach taken to bargaining and the underpinning processes that might seek to affect change in bargaining relations between parties and, in recognising that negotiators represent a wider base of constituents within their own party, that relations within the organisation will also shape bargaining processes and outcomes. The following section extends the analysis beyond the behavioural theory of bargaining to consider the how change effects might be achieved.

3.4   Bargaining Power

Walton and McKersie's model of bargaining behaviours provides a key frame for the analysis of bargaining for learning, yet the model has its limitations. The approach focuses on the utilities of bargaining parties rather than explanations of how utilities are formed by wider social processes. Katz et al. (2008) highlight, for example, that the legitimacy of an opponent's view or power between organisations also affect bargaining outcomes. Negotiations are based on the exchange of arguments between the parties and the behaviours adopted by negotiators, but the outcomes of negotiations are also influenced by the (assumed) power available to the other party. Brown at al. (2009) contend

that the difference between negotiation and other forms of dialogue is that it is based on a credible threat. Power does not need to be exercised to be effective and may be latent and latent power can be turned into bargaining power through the use of bargaining resources (Martin 1992).

Simms and Charlwood (op cit) note that power can be coercive power, also referred to as 'power over' (Hyman, 1975; R. Martin, 1992), or legitimate power, also defined as 'power to' (Dufour & Hege, 2010; Powell & Dimaggio, 1991; Ruef & Scott, 1998; Suchman, 1995). Levesque and Murray (2010) contend that a union's 'power over' results from power resources and strategic capabilities to marshal those resources. They describe power resources in terms of internal solidarities; network embeddedness; narrative resources; and, infrastructural resources of people, processes and policy (op cit : 333). Referencing developments in institutional theory (for example, Colin Crouch, 2005) Levesque and Murray also identify four strategic capabilities that enable actors to take advantage of power resources and opportunity structures. These are intermediation between contending interests; framing; articulating interests and finally, learning. These themes relating to bargaining power and strategies capabilities are considered in the following sections under the headings of bargaining actors' motivations and solidarities, union learning infrastructures and bargaining strategies.

3.4.1 Bargaining actors, motivations and solidarities

A number of different union actors might be involved in shaping negotiations on learning such as ULRs, branch reps, union officials (including learning specialists) and generalist FTO (Heyes & Rainbird, 2011; Munro & Rainbird, 2000b; Stuart & Wallis, 2007a). Wider literatures on union actors have theorized that reps and officers bring different capacities to union activism. Typologies characterise shop stewards as 'leaders' or 'populists'. Batstone et al. (1977) suggest that 'leaders' are more active having a stronger commitment to trade union values and are more effective in securing gains. In contrast 'populists' or 'delegates' are more passive in the role, reflecting the wishes of members. Darlington (1994) contends that reps' competing member, union and employer facing roles set in the context of dynamic workplace relations mean that reps operate in both leadership and delegate roles as they

seek to balance the contradictions inherent on working co-operatively yet independently from management. Flanders (1970) notes this tension in terms of advancement of wider social 'sword of justice' issues of advancing the or 'vested interests' for certain groups of members (p 15). Debates on the roles of workplace actors and their capacity to mobilise workers (Kelly, 1998) contrasts the role of 'bottom-up' leadership (Fairbrother, 2000) to that of full-time officials (FTOs) and union elites (Waddington and Kerr 2000). Workplace leadership can be seen as offering greater scope for sustaining mobilisation through building legitimacy with workers. However, innovation driven by elites potentially ensures greater sustainability through the delivery of a more strategic approach across the union, building solidarity and securing resources. Heery et al. (2000) describe the efficacy of 'managed activism' in relation to organising campaigns where officials allocate resources and provide guidance frameworks within which workplace activists can drive activity focused on local issues.

Moore et al. (2005) note rep characteristics demographics such as age and gender are associated with certain negotiation outcomes. Personal characteristics but and also identity and ideology shape how actors view their own role and judge the motives of others. Croucher and McIlroy (2007) characterise ULRs as less ideologically motivated than other reps, and focused on learning outcomes for individuals per se, suggesting that ULRs are less likely to promote internal solidarities. Moore (2010), in contrast, identifies how becoming a ULR can be a path to activism for some and that a collective orientation shapes ULR activities. However, others remain sceptical of the agency of ULRs and suggest that their focus on employability and supply-side unionism mitigates against collective aims (Ewing, 2005; McIlroy & Croucher, 2013).

Bargaining is a process that involves the articulation of interests. Kelly (1998) writes of the potential for trade union strategies to organise and mobilise action around shared interests that create solidarities which in turn enable coercive power in the form of collective action, based on ideological resources. Solidarities formed around a sense of injustice, underpinned by shared ideologies, bind individuals into self-identifying groups (op cit). A Marxist perspective sees class as the core basis for

worker solidarity, however, the expression of common interests and 'imagined solidarities' (Hyman, 1999b) often privileges certain groups of workers undermining wider class cohesion. Others see solidarities linked to a number of group identities that make the articulation of a coherent set of 'worker' solidarities more problematic (D'Art & Turner, 2002). Creating wider organising gains from union learning may be problematic and depend upon the ways in which learning as a theme is framed as a collective issue. Hyman (1999a) considers how trade unions might regain the 'battle of ideas' (op cit p 1) by reframing some key concepts (among them flexibility, employability and workplace democracy) away from the vested interests of the 'labour aristocracy' to encompass the experiences of what were once atypical and increasingly now typical workers facing casualisation and insecurity in the labour market.

How union reps see their own role within the learning agenda is likely to influence their approach to management and the articulation of learning needs and issues within wider actions and issues within the union (Alexandrou 2009; Wood & Moore 2005). Interests around learning run across a number of dimensions. Firstly, in terms of types of learning: work and non-work related learning, learning at different levels such as basic education or higher level learning, formal and informal learning; secondly, in terms of learning outcomes, such as accredited or non-accredited learning; thirdly, learning can be expressed in terms of its purpose as a social good, a labour market as a public good or as a competitive good each creating potential tensions in the workplace between employer and employee interests (Stuart & Cooney, 2012). Finally, interests can be expressed in terms of rights to learning.

Much of the rhetoric around union learning policy refers to 'learning for all' (Perrett and Martinez Lucio 2008). However, the nature of interests and how solidarities are framed around the notion of 'learning for all' are not clearly understood. The rhetoric might infer activity focused on privileging the interests of marginalised workers and those normally excluded from learning and development systems (see for example unionlearn 2012: 4) or in emphasising a message of inclusion: that all groups

of workers have rights to equal access to learning. The nature of learning activities offered by the union and learning outcomes might be the same, but the narrative resources developed by local actors may differ and have different implications for building internal solidarities through learning.

Levesque and Murray (op cit) suggest that union power resources derive from collective identities quoting Polletta and Jasper (2001:285) refer to 'an individual's cognitive, moral and emotional connection with a broader community'. They also use the concept of 'deliberative vitality' to refer to member's participation in the 'life of their union' (op cit 338) and the presence and regularity of mechanisms that link members to the union officers and democratic structures. Whether that link is passive or active is also of significance, indicating the processual nature of building solidarities. Further, the connections or networks within the union and beyond to community and social movement groups also offer a power resource. Levesque and Murray suggest that where unions are integrated into diverse horizontal or vertical networks which connect to wider coalitions and a broad range of (non-work) issues that affect workers they are better able to influence change processes (p339) by connecting to a broader base of power resources.

3.4.2 Union infrastructures

Studies of union learning note the association between workplace bargaining institutions positive learning outcomes (Hollinrake et al., 2008; Shaw, Armistead, Hopwood, & Rodger, 2002). Unions differ in their infrastructural resources such as material and human resources, policies and practices (Kelly & Heery, 1994; Levesque & Murray, 2010). The processes shaping union learning as an item for bargaining will be in part affected by the existing or developing structures that support ULRs and learning activity.

In the early stages of the development of the ULR role some structures of support for union learning developed outside of union democratic structures (Donnelly and Kiely, 2007) and were viewed with some scepticism by other activists (Wood and Moore 2006). Within some unions, the initial focus of

union learning was 'bottom-up': union branches were encouraged to identify individuals interested in becoming union learning reps and send them to ULR training courses organised by the TUC. Munro et al.'s (1997) research with UNISON identified a different trajectory for the development of union learning partnerships, where national union officers worked with management teams to develop Return to Learn programmes. This research suggests that negotiations on learning are taking place outside of formal industrial relations (IR) mechanisms (Munro & Rainbird, 2004; Sutherland, 2000). However, Stuart and Wallis (2007a) suggest that the relationship between learning partnerships and these mechanisms was 'complex and fluid' (p 167).

The trajectory for union learning development might affect the bargaining behaviours. Some commentators suggest elites will be moderate in their demands of the state and employers (Kelly and Heery 1994; Fairbrother 2000; Kelly 1988). Conversely, in reviewing developments in the TUC's Organising Academy, Heery et al. (2000) note the role of union officials in managing processes of organisational change that ensured the articulation of renewal strategies across different levels Where successful, organising strategies required leadership and support from the national union in order to support and sustain workplace innovation and in providing legitimacy for local activists (also see Waddington and Whitston 1995).

More recent research has indicated the growth of central union strategies and structures linking learning to organising activity and the development of more 'senior' rep and officer functions with responsibility for learning and organising at national and regional levels (Moore 2009; Moore and Ross 2008; Stuart and Cook 2011; Stuart et al. 2010; Warhurst et al. 2007). Researchers also note the development of new specialist roles on learning within unions such as learning officers or learning organisers (Hollinrake et al., 2008; Stuart, Cutter, Cook, & Winterton, 2010). Heyes and Rainbird (2011) note the role of ULF funded project workers in supporting regional and branch levels and how they support the mobilisation of resources. Furthermore, the creation of unionlearn in 2006 saw the handing of the administration of the ULF to the TUC from the sponsoring government department. A

specific ULF team was created which included the TUC taking on the role of 'national union development officers' (UDOs) (TUC 2006b).

Since 2006, there has been an increased emphasis, through the ULF bidding process, on the development of national strategies for learning (unionlearn 2006) and as a consequence ULF projects increased in size and value reflecting attempts to build larger integrated projects (as opposed to a larger number of smaller site-based projects (see Shaw et al. 2006; Stuart et al. 2010). This suggests an increased centralisation and co-ordination of learning activity and linkages to wider union strategies. What is not clear is whether this implies convergence or divergence across or within unions of learning infrastructures and bargaining strategies as unions adapt their learning infrastructures and align bargaining strategies to union-specific campaigns.

The nature of union learning resources will, in part, be shaped by previous strategic decisions made within the union. Heery and Kelly (Heery & Kelly, 1994) describe three distinct phases in the way that UK trade unions have organised internally since the post-war period. The first period of 'professional unionism' in the 1960s saw the development of structures such as national collective agreements and Joint Industry and Consultative Committees that required professional negotiators who, it was perceived, serviced a passive membership. The second phase of 'participative unionism' saw a move away from professional officers towards a greater focus on the 'rank and file' and the focusing of internal organisation on accountability and building the capacity of 'sophisticated reps' and the rise of officer education within trade union education departments (see for exmaple J. P. Fisher, 2005). The third phase of 'managerial unionism' refers to trends in the centralisation of union administrative functions. The emphasis on union organising is suggestive of a more 'participative' model of trade unionism. However, initiatives such as the Trade Union Organising Academy (Heery et al. 2000), and more recently the development of 'expert' officer roles in learning (Stuart et al. 2010) also suggest trends towards 'professional' unionism.

The different internal organising principles, termed by Fairbrother as 'leadership predominance' versus 'membership participation' (2000) suggesting that strategies for learning will emerge and be shaped within these different structural contexts. Further, in order to build a power base within which to generate legitimacy claims, Hayter et al. (2011) suggest that the co-ordination of bargaining across different levels and the integration of themes of interest to unions within wider state policy arenas and institutions is also needed. Co-ordinating and resourcing such activities has implications for union capacity and strategic choices available and about how best to engage in bargaining and channel scarce resources towards these efforts (Booth, 1995).

3.4.3   Strategic capabilities

Although union reps and officers involved in negotiating over learning might be constrained in by the power resources at their disposal, there remains scope to develop different strategies for bargaining. Levesque and Murray (op cit) refer to the strategic capabilities that negotiators employ to utilize bargaining resources as aptitudes, competencies, know-how and the pragmatic skills engaged to achieve goals. They summarise these capabilities as intermediation, framing, articulation and learning and these are discussed in turn below.

An assessment of negotiation on learning needs to consider the nature of 'mutuality' and how the interests of the bargaining parties are identified and articulated. As ULRs become embedded in different networks, intermediation skills are increasingly required to foster collaborative action and mediate between the often competing interests and repertoires of action of different union and other. Union bargaining claims may be linked to solely workplace issues or those linked wider civil society. Given this a range of potentially contrasting interests, insights into how and by whom conflicts are mediated and which collective interests advanced is central to an understanding of the union role in bargaining on the learning theme.

Levesque and Murray refer to 'framing' as a key strategic capability where unions can shape workplace regimes through advancing their view on how to shape and implement workplace policy and practices and respond to external pressures proactively: a capacity to 'alter the script' (p343). The extent to which bargaining actors are proactive or reactive to the position of the other party and external pressures will also affect the bargaining process and how negotiators engage with a specific theme. The formulation of claims and bargaining objectives within workplace negotiation may not be based around issues emerging directly from that workplace. Negotiators may be responding to issues raised in the external environment through new government policy or regulation. Broader frameworks are often developed by negotiators at the national or sectoral level providing local reps with bargaining objectives set around a core standard. How these are framed by the local union in such a way to provide a point of reference, or salience, for workplace actors will help determine how the issues re responded to and acted upon in negotiations. Existing infrastructures around formal collective bargaining, traditions of co-operative or adversarial industrial relations and internal union administrative structures are likely to shape how articulation takes place within negotiations. Walton and McKersie refer to a similar concept in terms of intra-organisational bargaining but only from the perspective of the lead negotiator. Levesque and Murray's concept of articulation provide a useful extension to this concept extends this analysis, referring to articulation as a strategic capability where unionists consider the multiple levels they need to exert influence and how to co-ordinate inter-actions at these levels. Articulation helps arbitrate between short term and longer term strategies and in organising action across different locations. This helps to 'transpose' (p344) larger issues to or from the local level and integrate levels of action.

Levesque and Murray (2010) suggest that learning is a further strategic capability that enables unions to realise power resources. Where unions are able to learn and share that learning within union networks enables actors to anticipate and act upon change positively. Hyman (2007) suggests that learning is central to union innovation and capability to adapt to new contexts. The following section focuses on the key environmental factors that shape those changing contexts through considering

how business policy and practice, notably HRM along with external economic and labour market conditions may influence bargaining over learning.

The discussion of power complements the literature on bargaining behaviours through considering how union bargaining is shaped by the resources and capabilities that unions use seek to affect change in the workplace. However, the analysis also needs to consider how these actions are constrained or facilitated by the environmental context within which unions and ULRs are situated. The remainder of this section examines three core aspects of the environment that are discussed in the literature on learning; organisational HRM policy and practice, the orientation of management and labour market factors.

3.5 Environmental factors

3.5.1 Business strategy and HRM

A vast array of employer policies such as product market and financial strategies impact on the employment relationship; much of the industrial relations literature centres on the development of human resource management (HRM) practices as a core activity that impacts on trade unions and employment relations. Empirical studies of HRM practices indicate that their prevalence is stronger in unionised workplaces (Cully et al. 1999; Kersley 2006). However, the causal link is not well understood (Heyes 2000; Guest and Peccei 2001) and the response from unions to the rise in HRM is complex. HRM practices focusing on the individual are seen to exemplify the shift in the locus of control within the employment relationship from collective structures to individual relations. Martinez Lucio (2001) observed two union responses clustered in two groups. In the first group, exemplified by the GMB, where the union seeks integration into HRM systems and in the second, unions such as TGWU (now UNITE) seek to maintain a degree of independence from management systems.

HRM rhetoric prescribes that employees are viewed as a resource to be developed (Peter Boxall, 1996). Further, training is aimed not only to improve technical skills but to encourage employee

commitment. Debate surrounds what constitutes a 'bundle' of HRM practices, referred to as the High Performance Work Place (HPWP) paradigm (Godard 2004). But within the high commitment model, HRM generally refers to activities that seek to encourage self-directed work organisation, team-working around quality improvement initiatives and places an emphasis on Human Resource Development (HRD) to pursue a product strategy based on quality rather than price competition.

Empirical data in the UK suggests that HRM practices tend to be 'ad hoc' and 'opportunistic' and unlikely to contain all the elements of suggested best practice (Sisson 1993; Storey 1992). Mechanisms of 'hard' and 'soft' HRM have been observed (Legge 2005) describing contrasting approaches under the banner of 'HRM' practices that aim to enhance worker commitment and discretion through approaches that foster worker development and those that focus more on worker control and an emphasis on micro-management (Weststar 2009). Assessments of the gains for labour from the implementation of HRM practices suggest mixed outcomes (Bacon and Blyton 2006; Godard 2004; Harley 2005). A critical analysis based on analysis of the labour process suggests that worker experience of HRM practices does not match the rhetoric of worker empowerment and increased skill acquisition (Thompson and Harley 2007). Rather, HRM is a range of practices more often associated with change management and work intensification rather than worker autonomy. Critics suggest that the high commitment model of HRM lacks a theory of power and overemphasises shared rather than conflicting interests.

Trends in business organisation such as increased 'divisionalisation', the devolution of responsibility for budgets and internal 'marketisation' create a changed set of responsibilities for local managers with respect to worker development and performance management. The dominance of shareholder interests (Hall 2001) and the rise of 'financialisation' have created pressures that mitigate against building competitive advantage based on quality. Further, the increase in merger and acquisition activity in the private sector and a 'hollowing out' of state functions in the public sector are seen as

factors leading to a state of 'permanent restructuring' within organisations and leading 'an array of unfinished initiatives' and lack of consistency in HRM practices.

Despite mixed evaluations regarding the impact of HPWP on business and recognised problems in its measurement (Purcell and Kinnie 2007) the rhetoric of high commitment HRM remains prevalent in UK management discourses (UKCES 2010). Allied to the concept of HPWP is the notion of building strategies that encourage a 'learning organisation'. Cassell and Lee (2007), referencing Tithe (2004), note that union learning can be represented as a route through which HR managers attempt to institutionalise 'learning to learn'. The literature on union learning reports that employer motivations for engaging with unions on the theme of learning are mostly aligned to the development of HRM (Stuart 2011). In some cases, this refers to building a more strategic approach to HRM, including strengthening planning processes and embedding HRM practices such as Investors in People or improving CPD take-up (Wallis and Stuart 2007; Alexandrou 2009). Munro and Rainbird (2004) note that senior management might hope to improve HR practices at the local level as a consequence of learning partnerships, and achievement of business goals around 'building a learning culture' are also reported (Stuart 2011). Only one study of union learning describes management goals for union learning in the context of the redesign of work organisation and business processes (Wallis and Stuart 2007) and despite a specific TUC/unionlearn initiative focused on learning as a response to recession and redundancy there has been limited study of union learning during the economic downturn.

A range of HRM/HRD related outcomes are reported as being derived from union learning activity. These include perceived improvements in relation to staff and management attitudes towards training and development (Findlay et al. 2006), levels of worker participation in learning (Saundry et al. 2010), increased skills and qualification levels (Stuart et al. 2010) and the embedding of ULR roles within HRD systems (Moore and Ross 2008). Munro and Rainbird (2004) also note gains relating to change processes and increased worker autonomy. The question remains as to whether these outcomes indicate a significant change in social relations that advance collective interests and, if so, how this has

been achieved. Wallis (2008) notes that amongst four case studies where learning partnership had developed, only in two cases did this lead to the union having a greater influence in HRM, and more specifically HRD, at a more strategic level. Martinez Lucio and Stuart (2004: 420) suggest that partnership relations on learning could be seen as providing an 'ideological glue' for 'new wave' restructuring and the 'recycling of labour' if worker interests are not sufficiently defended. An assessment of the ULR initiative did not find any association between ULR presence and increases in employer training (Bacon and Hoque 2010), although more recent data suggests that ULR presence, along with other institutional supports, is associated with improved training outcomes (Hoque and Bacon 2011; Saundry et al. 2011; Stuart 2011; Stuart and Robinson 2008).

Employer support and partnership structures associated with co-operative relations over learning are associated with 'better' workplace outcomes and there is an emerging body of evidence which suggests that these outcomes are more likely to be achieved in settings where negotiation around learning and skills takes place (Saundry et al. 2011; Hoque and Bacon 2011; Stuart and Robinson 2007; Heyes and Stuart 1998). Yet, the experience of ULRs engaged within HRD or CPD focused initiatives (as opposed to non-work related learning), is described in one study as being that they find themselves 'in no-man's land' (Alexandrou and O'Brien 2008:214) signifying the tensions arising from seeking to integrate union learning into management systems. Tension arises from the suspicion that some workers have of the ULR role (Cassell and Lee 2009), from other union reps (Moore and Wood 2004) and also from management and training professionals (Hollinrake et al. 2008).

3.5.2   Management orientation

Employer behaviours and attitudes towards the union in general, and union learning in particular, will also shape the nature of workplace dialogue on this theme. Employer response to unions could be hostile, benign or embracing and be linked to prevailing management and HRM styles (Purcell, 1993), the types of economic and labour market conditions, ownership and management structures (Purcell & Sisson, 1983) or ideology or belief that the management prerogative should prevail (Purcell, 1991). Studies of union learning have identified that management attitudes are a key factor that can facilitate

or inhibit workplace learning activity (Hollindrake et al. 2008; Hoque and Bacon 2011; Wallis et al 2005). Management's general beliefs about the nature of the employment relationship may also affect its approach to negotiating with trade unions. Purcell and Sisson (1983) characterised management approaches into those with 'traditional paternalist' or unitarist beliefs who are unlikely to see any merit in allowing unions to exercise power in the workplace and characterisations such as 'sophisticated' moderns or 'pluralist minimalists' typifying those with beliefs who were less likely to seek to undermine trade unionism. Walton and McKersie's frame is useful here to help consider if and how ULRs and other workplace reps seek to assess and address hostile management behaviours.

3.5.3   Economic and labour market conditions

A wide range of environmental factors may influence collective bargaining (Brown et al. 2009). Within wage bargaining employee claims and interests are influenced by economic and labour market conditions that affect the extent to which claims based on comparison with reference groups are brought into negotiations. In relation to negotiation on learning, Wallis and Stuart's (2007) research of the evolution of eight learning agreements highlighted management motivations for entering into an agreement. This includes the need to address workplace skills gaps, in some cases linked to recruitment difficulties, indicating an influence of the external labour market on employer engagement in the learning agenda. Munro and Rainbird (2004, 2005) identified triggers to the development of learning partnerships in response to workplace crises including the threat of redundancy. There has been limited research to date exploring the impact of the economic downturn on union learning. A survey of union project officers in 2011 found that the impact of the recession was mixed with employer funded training activity declining (Stuart & Cook, 2011), but there was a concurrent increase in the demand for learning by employees and increased interest from employers to access public funds for learning resources. Thus, external economic and labour market conditions form the context within which the dialogue on union learning takes place but many have different impacts on learner, union and engagement in union learning.

3.6 Conclusion

In seeking to understand the social process underpinning bargaining for learning the review of the literature suggests an integrative approach to bargaining can be a logical strategy for trade unions, based on the logic of partnership and co-operation for mutual gain. Yet, others suggest that to advance labour interests, unions need to retain a degree of independence from management to allow them to be critical of management behaviours when conflict arises (Streeck, 1992). Empirical studies of bargaining behaviours suggest that truly integrative bargaining is hard to achieve resulting in mixed bargaining situation: an approach that creates inherent tensions between and within bargaining parties. This chapter has considered the core elements of the behavioural theory of bargaining and elaborated them with theories of bargaining power as key concepts which help to examine the social processes underpinning workplace bargaining on learning. A central focus of this study is the role of workplace union actors, notably ULRs, to better understand the ULR role within the union and whether it can best be characterised as a sub-altern HR, learning advisor or as workplace learning activist. The following chapter summarises the research questions and methodology employed.

Chapter 4 **Methodology**

4.1   Introduction

While there has been previous research on union learning and ULR activity at the workplace level along with accounts of ULRs and union organisation, this study focuses on a new aspect of investigation: social processes underpinning workplace negotiations between union and management on the learning theme. Following on from the review of the literature on union learning and bargaining, this chapter now addresses the research methodology and design employed. It opens by setting out the key research questions and continues with discussion of ontological and epistemological assumptions made, presents the methodological issues and grounding for the approach taken. The choice of locations for the research is outlined, followed by an account of the research method, the sources of data that informed the study and approach to analysis. Finally, the methodological limitations and ethical considerations that have shaped the research are discussed.

4.2   Research questions

The review of literature indicates that a useful focus for understanding union learning partnerships is in the nature of union-employer negotiations on this theme. Union learning activity is couched within the rhetoric of partnership, however, the study aims to develop an approach that 'bypasses the rhetorical nature of the topic' (Stuart & Martinez Lucio 2005: 271). In summary, the research questions for this study are:

> *Q1 What are the bargaining strategies around workplace negotiations over union learning and skills in the UK?*

This question examines bargaining behaviours, the nature of bargaining claims and bargaining processes. The research explores whether behaviours can be described are integrative or distributive in nature and whether elements of intra-organisational and attitudinal structuring are evident.

Q2 What contexts and resources shape bargaining over workplace learning?

This question explores the contexts such as union structures, external factors such as economic and labour market needs or VET policy that influence bargaining on learning. This question also seeks to identify the key actors involved in negotiations on learning in the workplace, their motivations and the resources they bring to negotiations on learning. The ULR role is of particular interest and the study asks whether the role can be characterised as a learning adviser or union activist.

Q3 Do different approaches to bargaining lead to different workplace outcomes and how do they affect the likelihood of union learning being sustained?

The study will explore outcomes of union-management bargaining over learning agreements and the extent to which bargaining behaviours appear associated certain outcomes, notably the sustainability of an autonomous workplace union learning agenda.

4.3   Ontology and epistemology

The study is an exploration of bargaining over learning and the inter-related social mechanisms and contexts that shape workplace outcomes. It is in essence exploratory seeking new insights into the phenomenon of bargaining for over learning in order to, as Robson (2002) notes 'find-out what is happening in little-understood situations, to seek new insights…..and generate ideas and hypotheses for future research' (p59).

The methodology chosen is driven by the nature of these research questions, centred on understanding the nature of social practices and interactions between union reps and their own union and with management. Wider economic and industrial relations processes are recognised as framing the interactions that shape the nature work and forces production and within wider procedural and legal frameworks concerning unions, union learning and ULRs. These wider forces are acknowledged, however it is the nature of social relations at the workplace level that forms the specific focus of this study. It is asserted that there is an inherent antagonism within the employment relationship that produces and re-produces conditions for co-operation and conflict between labour and capital.

Researchers have long recognised the problems associated with researching bargaining processes (Brown & Wright, 1994). Empirically, it is difficult to achieve an understanding of the behaviours of negotiators ex-post, as it is likely that their perception of these will be affected by actual events. Potentially participant observation of the bargaining process may influence the process. However, there is a need for a 'closeness to the data' (Brown & Wright, 1994: 15) in order to understand the subtleties of the negotiation process and the context in which it takes place. Bacon and Blyton (2007), in reflecting on their two year study into bargaining around the introduction of team working, noted the value of interviewing all parties to the negotiation supplemented with research with workers following the completion of the agreement.

These studies have focused on bargaining around relatively well established themes (linked to pay, terms and conditions) where normative behaviours and previous experiences of bargaining on this by participants and researchers might render the understanding of the events under observation reasonably straightforward. However, in the field of union learning, where procedural and legal frameworks are relatively new and normative *behaviours* are less well understood, the study calls for a research approach that develops a interpretation of what is happening at the workplace and the meanings ascribed by participants in that process. But this is not solely an interpretive study. The study seeks to develop understanding of how deliberate strategies for change emerge. The following section discusses the ontological assumptions that have informed the development of the thesis and the epistemological considerations that flow from this.

The ontological assumptions that inform this study are based in a realist approach, seeing the existence of a reality external to the individuals participating in the research. At the beginning of my doctoral studies and introduction to wider philosophical views on the nature of social science debates on the nature and conduct of IR and HRM and Critical Realism (CR) were pre-eminent. A growing literature that sought respond to wider challenges that the study of industrial relations had become a-theoretical and bounded within descriptions of the institutional nature of IR and focused on a

positivist or naturalist ontology: evidenced by the rise in large scale quantitative studies such as WIRS/WERS. Writers such as Paul Edwards (2006) and Rick Delbridge (cf Delbridge & Whitfield, 2007) examine critical realism as a useful 'under-labourer' for the theoretical advancement of management and HRM studies (Fleetwood & Hesketh, 2007; Fleetwood, 2007). The proponents of CR provide a compelling account of the 'variegated ontology' (Benton & Craib, 2010: 181) of the social world where the stratification of 'real' events, *sui generis* or generative mechanisms (which may or may not be enacted) and the 'empirical' appears to provide a harmonious drawing together of opposing philosophical traditions. Others point to the 'seductive' appeal of CR (Brown, 2014:112) and challenge of how to operationalise the link between ontology and epistemology (for an auto-ethnographic account (see Mclachlan & Garcia, 2015). As my research developed and reflection grew on the methodological assumptions underlying the study, the valuable insights from CR writing in understanding social analysis remained, but were superseded when considering further the purpose of social science. Sociological research can be understood in terms of understanding and explaining social phenomenon (Weber, 1947). Given the nature of social entities and that social research subjects, or actors, can define themselves in terms of their own subjective meanings, social research differs from the natural sciences. The nature of the phenomenon under investigation here is not a passive object, but an open social process. Social actors take meaning from a social reality and live, act and think within it (Schutz 1962) and as a result social phenomena are in a state of continuous change.

Weber proposed that sociological research should seek to understand and explain social phenomena to develop an understanding of events and causal explanations for those phenomena. This study does not seek to give an interpretative account of events but understand how and why social actions are directed between different parties and the values that drive those actions as rational (as sensed by different workplace actors), aimed at achieving something practical in the social world. Weber's emphasis on the meaningful social actions of individuals and how cultural meaning affects those actions locates his ontologically as individualist. Yet within this, collective entities do exist to the extent

that society is comprised of actors acting rationally within it and actors recognise it as such. Weber and related writers in Frankfurt School recognise the sociology of knowledge and the task of social researchers in inferring meaning and through interpretive understanding. He points to the emotional identification between actors and researchers *(Verstehen)* and the empathic understanding of human behaviour developed through a participatory research where the researcher is close to the object of research, helping to better enable an understanding of the logical and symbolic systems – the culture - that actors use and inhabit.

A key methodological tool with which to develop an interpretive understanding is the use of 'ideal type' through which researchers undertake thought experiments to develop a construction of what the object under observation might be in its most rational form. The researcher compares the phenomena in the social world to this ideal type to help build understanding in two ways. Weber describes two criteria for judging knowledge, firstly *meaning adequacy*, whether the account of the phenomenon is credible, rational and believable. Secondly, whether knowledge has *causal adequacy* that helps characterises crucial features and pre-conditions that help describe the emergence of key phenomena. Through exploring events or phenomena in similar but slightly different real-world situations and comparing them to the 'ideal type', social research can help identify crucial features or pre-conditions that lead to different outcomes.

4.4   Methodology

The data for this study is gathered through an intensive research design focused on cases exploring the experienced reality of those participating in bargaining processes. The research employed a flexible and exploratory design in preference to an approach using a deductive method using pre-defined categories that might limit the scope for contextual understanding (Saunders, Lewis, & Thornhill, 2003). It is not the aim of this study to deduce new hypothesis, rather to induce new insights into theory and knowledge concerning the social processes surrounding workplace bargaining around

access to learning opportunities through building an understanding of the environment in which this takes place and how bargaining participants interact.

4.4.1 Case Study approach

A case study approach enables the study of an open-system to take place within a 'bounded context' (Miles & Huberman, 1994) and is considered an appropriate approach '*in the development of theory where key relationships and variables are being explored*' (Gibbert, Ruigrok, & Wicki, 2008:1465). Case method is considered useful in exploring 'how' and 'why' questions through following exploratory techniques. Within the field of industrial relations research, field cases are felt to be useful in 'understanding power relations and complex social interactions' (Whitfield & Strauss, 1998: 104).

A number of schema are posited for defining how to select sites for qualitative case research which includes typical, or extreme diverse or deviant cases (Gerring, 2007). Cresswell (2008) notes the variations in intent of case study analysis using different case forms that cover a single case or the multiple-case design. Yin (2009) notes that the single case can elaborate an issue of concern through detailed illustration of that case, notably by focusing on a critical, extreme or unique case. The multiple-case study also focuses on a single area of concern, but by using different sites, provides multiple perspectives on that issue and the evidence from those cases can be considered more compelling (Herriott and Firestone 1983, quoted in Yin 2009: 53).

For this study a multiple-case design was adopted. This is in part because little known about the nature of bargaining over learning within which to devise a typology of cases from which to select a single case that is clearly an extreme or unique case. Previous research has suggested that bargaining for learning agreements tends to take place within an integrative frame (Stuart & Wallis, 2007a; Sutherland, 2000), however there is limited data within the wider domain of union learning from which to identify an extreme or deviant case. A multiple-case design offers the potential to compare cases for similarities and differences. A multiple-case design should not be confused with a positivist

notion of generating a more 'representative' sampling logic. Rather, multiple cases design can follow a 'replication' logic (Yin, Op cit p36) that can be applied to case study research where the selection of cases considers whether a new site would lead to similar results (*a literal replication*) or results that are different for a reason that is anticipated (*theoretical replication*). This approach requires either some prior knowledge of cases or the use of a theoretical framework to help to describe the conditions under which a certain expression of the phenomenon under investigation would be found (or not found). In this study, pre-existing theory on the nature of workplace bargaining is explored in the new context of bargaining for learning. Each of the four cases is treated as 'whole study' exploring the convergent data and conclusions for each case. The conclusions from each are considered in terms of their comparison to replication in the other cases. The study is inductive in the sense that data is not excluded from the analysis of it is not part of the initial framework (as in deductive analysis). Rather, key discoveries during one case required reconsideration of the original proposition and exploration through the selection of further cases, the refinement of study protocols and themes for analysis. Thus, the rationale for multiple-case theoretical replication requires 'prior-hypothesizing of different types of conditions and the desire to have sub-groups of cases covering each type' (Yin, 2009:59). Yin further suggests that a study should have two individual cases within a sub-group in order that theoretical replications are complemented by literal replications within group.

4.4.2   Criteria for effective cases

Yin (2009) is a well quoted source that outlines a set of criteria with which to evaluate the quality of case studies. Although Yin's approach has been challenged as presenting an approach which sits within a positivist model (Marschan-Piekkari & Welch, 2004), Yin's schema provides a useful framework upon which to base the development of a study of this nature. This framework sets out a number of 'quality' criteria for case studies, namely internal validity, construct validity, external validity and reliability.

- **Internal validity** refers to using appropriate measures for the concepts under investigation. This includes ensuring that the focus of investigation is drawn from a review of the relevant

literature that helps 'theory triangulation' – the use of different bodies of literature and 'theoretical lenses' to help provide a framework for the research. Analysis includes 'pattern matching' to identify observed patterns with those found by other authors.

- **Construct validity** includes the use of a range of data from different sources and perspectives (documents, interviews, observations) to enable 'data triangulation'. In addition to using different data sources this process can be enhanced through engaging peers or research participants to review research transcripts. Furthermore, data analysis should be clearly explained.

- **External reliability** refers to the extent to which findings can be generalised beyond the case. Yin and others suggest multiple cases that enable cross-case analysis, that a rationale is set out for case selection and that the specific context of each case is set out in detail.

- **Reliability** refers to a concept in positivist research – that of replication. To enable this to be achieved, Yin and others suggest that a case study protocol is developed, implemented and reported on. A case study database is developed that contains all relevant data and the cases undertaken are named rather than anonymous.

Sources of evidence

Yin identifies six common sources of evidence in case study research shown in Table 1. Four of these (excluding the use of archival records and physical artefacts) are used in this study and the strengths and weaknesses of different approaches identified by Yin (p101) are presented in the following table and discuss in the context of this study.

In the conduct of qualitative research it is also noted that certain conditions regarding the research are also important factors in case selection. These include factors such as selections where entry is possible and the probability is high that the phenomenon of interest is present. Furthermore, environmental considerations are also of importance. These include the capacity for the researcher to build trust relations with participants (Rossman & Marshall, 1995).

Table 1 Sources of case study evidence: strengths and weaknesses		
Source of Evidence	**Strength**	**Weakness**
Interviews	• Targeted-focuses directly on case study topics • Insightful-provides perceived causal inferences and explanations	• Bias due to poorly articulated questions • Response bias • Poor recall • Reflexivity–the interviewee gives what the interviewer wants to hear
Direct observation	• Reality – covers events in real time • Contextual – covers the context of the case	• Time consuming • Selectivity-broad coverage difficult for single researcher
Participant observation	• *Same as for direct observation* • Insightful into interpersonal behaviours and motives	• *Same as for direct observation* • Bias due to observers manipulation of events
Documentation	• Stable-can be reviewed repeatedly • Unobtrusive-not created as a result of case study • Exact detail – of names, references, events etc	• Retrievability – can be difficult to find • Biased selectivity if incomplete • Report bias of the author • Access may be withheld

(Adapted from Yin 2009:101)

4.5 Conduct of the research

4.5.1 Case selection

Four workplaces were chosen as case study sites for this study, located within two unions: one in the public sector with a highly centralised tradition of collective bargaining; the second a private sector union with a stronger tradition of workplace bargaining. While this limits the scope for extending theoretical replication across sites, selecting two workplaces for each union offered the potential to undertake analysis in terms of the literal replication between cases in the same union and the theoretical replication across cases in the two different unions.

The literature review suggested that the research would need to explore the complex set of relationships between ULRs, other senior lay reps, officers and managers and how unions support the work of ULRs.   The voluntarist system of industrial relations in the means that there is no formal

register of agreements and the participants of negotiations are not known. Other key sources of secondary data on workplace employment relations such as the Workplace Employment Relations Survey (WERS) do not include specific items on learning agreements: the 'population' of interest to this study – the workplace actors central to bargaining processes – is 'hidden', therefore key informant interviews were undertaken to identify possible cases.

Key informant interviews took place with senior national officers in unionlearn including the ex-Director who had lead the establishment of unionlearn and the new Director leading unionlearn and the ULF team during the period over which the study took place. The other national officers included those with operational responsibility for ULF development with unions and another with leading a specific project focused on developing resources for unions on bargaining over learning and skills. These interviews focused on providing an overview of the development of union learning, learning agreements and suggestions of key unions actively involved in developing learning agreements. These contacts were deemed as having a good working knowledge of trade unions active in developing ULRs and learning agreements as their roles included a portfolio of unions that they had supported and monitored in relation to ULF project development and administration for a number of years.

From these preliminary interviews, seven unions are suggested as cases where a number of learning agreements were reported as signed or in development. These unions were the Public and Commercial Services Union (PCS), Bakers, Food and Allied Workers Union (BFAWU), Union of Shop, Distributive and Allied Workers Union (USDAW), Communication Workers Union (CWU), Fire Brigades Union (FBU), UNISON and UNITE. Case study unions were selected to include large general unions. The literature indicates that certain characteristics are observable differences regarding the internal functions of trade unions (P Boxall & Haynes, 1997; Waddington & Whitston, 1995) when contrasting large general and smaller specialist unions. From the initial discussions with the lead officers for learning within prospective unions, two were selected, UNITE and PCS. The two trade unions had contrasting traditions of workplace bargaining helping to give insight into whether local bargaining

strategies were path dependent and shaped by these different organisational contexts. The selection of cases in the private and public sectors also offered the scope to compare cases in contrasting market contexts.

While there were limited data available to assess possible cases as 'typical' the judgment of experienced practitioners was felt to be important in suggesting a number of possible cases. A total of 10 cases were suggested (4 in PCs, 6 in Unite). The research design opted to select 'typical' union learning activity. Some of the workplaces that were suggested as possible cases by the key informants could be considered exceptional in the sense that they had been well known within the practitioner community and had been amongst the first management-union learning agreements to be signed and in place for a number of years. These potential cases were discounted because of the length of time elapsed since those processes were initiated. While this study did not follow all aspects of reaching and maintaining agreement in 'real-time' the research did engage with sites where these activities were either current or recent (within the previous 3-6 months) helping participants to recall not only the sequence of events but also their personal reflections on those events.

The broad focus of union learning activity in the chosen sites targeted low skilled workers and those with less access to education and training at work. This does not mean that union learning does not engage professional and technical staff. However, in order to select cases that were 'typical', specialist or 'professional' unions and staff associations were excluded from consideration. The research opted to focus on general rather than 'professional' unions.

Within each union two workplaces identified. The cases were selected because a learning agreement has been reached in each case, indicating some form of negotiation had taken place. All of the workplaces selected focused sites where bargaining for learning took place to support access to learning by workers in relatively low-skilled occupations. See Chapter 5 for further description of the union contexts in which the research took place.

4.6   Conduct and access

Introductions were made by the key informant group to the national union learning contacts in the two union selected. The union leads were introduced the study and the intention explained. A selection of 4-6 were suggested and discussed, with the national union learning officers providing background information on learning activity and the development of learning agreements. Two workplaces in each union selected and approached in the first instance by national or regional union learning officers. A lead union contact was identified in each workplace and sample selection discussed in further detail with those leads. Workplace leads identified the range of participants from the union, management, learners and other partners including unionlearn or local FE providers. In all cases, other national or regional union officers or reps and management that had been involved in negotiations around union learning were also identified. The sample for each workplace was agreed and the workplace lead made arrangements for research visits. Through using the snowballing technique further participants of a similar position were identified until saturation was reached. The case study research included a maximum of 17 in one workplace, with the smallest number of participants being 10 in another. The number of interviews depended upon local factors such as the size and structure of the workplace, management structures, size of union branch and the number of ULRs active in the workplace.

A minimum of two visits were made to each workplace. The number varied in order to respond to workplace differences and the requirements of the participants identified in each case. For example in Case 1, the largest of the four workplaces, there were eight active ULRs operating on different shifts and it was deemed important to engage a selection of those reps in the interview programme. This required a different format for the visit than in the other smaller workplaces. In each case, the initial visits focused on building the researcher's understanding of the workplace context, the learning activity taking place and how and between whom bargaining processes had developed and collected supporting documents. The follow-up visits, usually four to six months later, focused on processes

linked to the maintenance of union-management agreements, any difficulties encountered and how grievances were handled.

4.7   Interviews

Semi-structured interviews were employed as a primary data collection technique as the interviews give opportunity to the researcher to gain a richer understanding of the accounts (Burgess, 1988). The approach to interviewing aligns to that described by Yin (referring to Rubin and Rubin, 1995:122) as an "interview as guided conversation", allowing time for informal discussion, explanation of the research, sharing wider background information about the workplace and the informant's interests. A semi-structured interview schedule was used (see Annex One) used as a guide to the topic for discussion. Some prompts were developed however, these were rarely used in the interview and were more useful as a 'checklist' with which to begin to evaluate the data in preparation for analysis. Central research themes were raised in all interviews and the semi-structured nature of the interview allowed for the discussion to develop into new thematic areas, thereby enriching the research.

Due to constraints on budget, two interviews were undertaken by telephone. These were both with national management that had been involved the process of developing or negotiating learning agreements. In both cases, these interviews were supplemental to discussions with local management. While it is recognised that telephone interviews do not allow for the benefits of a face-to-face interview, these interviews did allow certain specific events to be discussed by those more directly involved in decision making and added greater depth to information provided site level management.

Most of the interviews were carried our one-to-one, with a small number involving group interviews were appropriate. For example, one group of branch officers preferred to meet jointly. Interviews with ULRs, workplace reps and learners were undertaken in relatively informal style. Dedicated space for interviews was always arranged, but in some cases, the respondents preferred to move to a less formal setting, for example in a works canteen or café nearby the workplace. This allowed for a more relaxed

style of interviewing, helped establish a relationship with respondents and allowed for a more in-depth discussion. Interviews with union officials and management were generally held in a more formal style, thus

- Observations

The study included an element of observation, including participant and direct observation seeking to develop a *'thick description'* (Geertz, 1973: 33) referring to the detailed account of field experiences by not only explaining behaviour but also context in seeking to generate meaning through making explicit the patterns of cultural and social relationships within that context (Holloway, 1997). Exploring the process of developing and maintaining learning agreements lends itself to this approach where the conduct of fieldwork includes not only semi-structured interviews but observation of other ongoing events. This also helped build relationships with informants so that observation is made in a more natural way than the relative formality of an interview. Participant observation undertaken in this study relates to time spent with informants in the workplace, taking part in events such as a learning centre launch event (Icefactory), union briefings (TaxOfficeHouse), and learning taster sessions (ProcessingHouse and TaxOfficeHouse). Direct observation included accompanying ULRs in two of the cases (RegionalWarehouse, TaxOfficeHouse) in meetings and observing interactions with management and members in workplace learning centres and on the shop-floor. Two other specific events were observed. The TaxOfficeHouse case refers to the engagement with wider regional civil service management on the learning theme and a briefing event for regional managers was also observed. Finally, the visits to IceFactory provided an opportunity for a focus group with six learners that had taken part in union learning centre courses. Although worker experiences and outcomes have not formed the focus of this study, and therefore is not a central part of the methodology, these interviews offered a further dimension to the study through engaging with learners on the themes of motivation and experience of learning.

At total to 71 individuals were interviewed. A total of 66 semi-structured interviews were undertaken involving local and senior management and workplace reps and national union officers. The interviews lasted between 30 and 90 minutes. A full list of interviews is listed in Annex Two.   The research took place over a period of 26 months from September 2009 to November 2011. The collection of data over this time period allowed for insight into the nature of bargaining activities, the social processes that shaped them, the contradictions that arose and how the different actors framed and reacted to the challenges and opportunities faced.

Additional data was collected from the analysis of documentary evidence, data on learning activities and observation of union and management learning committee meetings where possible. The aim was to engage union reps and management involved in negotiating processes relating to workplace learning and skills training. This included those directly involved in relevant negotiations or those defined as their main bargaining 'constituents': those indirectly involved when negotiators engaged them in dialogue about the negotiation. Typically these were senior union officers or company managers. Table 2 shows a breakdown of the sample by showing the number of research participants by type in each of the cases.

Table 2 Research participants by type						
Local Union	National Union	Management	Learners	Providers	Unionlearn	Total
20	15	11	13	4	8	71

Annex Two shows further details. All of the interviews were either recorded digitally where possible. Key points of the interview were also noted as a back–up. Where it was not possible or desired by the interviewee that digital recording should take place, contemporaneous notes were taken and typed up shortly after the interview. Tape recorded interviews were listened to and transcribed verbatim within 1-2 weeks of the interview. The process of transcribing enabled a familiarisation with the data and reflection on the meanings and themes emerging.

Data Analysis

The inductive nature of the research requires that the analysis of data should, as Bryman and Burgess (1994) suggest, be about 'detection, and the key tasks of defining, categorising, theorising, explaining, exploring and mapping' (p176). Although the approach to the study is, in essence, inductive, the method is not purely inductive as might be implied by a more grounded approach to theory development (Glazier ref). The approach involved a structured approach, exploring and testing of ideas of the causal links between events and actions in the first case. This was followed by an iterative extension of the analysis in the other cases.

Yin (1994) describes this process of 'iterative explanation building' (p143) where the initial theoretical explanations about bargaining behaviours (that union agreements are arrived at through an integrative bargaining process), were explored in the first case and these propositions were then revisited and the details of the next case were then compared to the second case which led to further revisions and comparison of data in the third and then fourth cases. This was achieved through an analysis process that involved familiarization, the transcription process and development of thematic framework.

Familiarization was achieved in several stages including undertaking the transcription process. This enables a re-listening and reflection on the interviews listening again to the voices of participants. The recordings were listened to again when reading the completed transcripts, partly to check for accuracy, but also helping to reflect on the meanings heard and understood. Close listening helps to pick up certain subtleties in the conversation that in some cases significantly altered the meaning. For instance, in one interview, a ULR noted that 'the manager was *really* interested in the skills for life course.' This suggested that the reps understood that local management had a positive attitude towards union learning. However, closer listening revealed that the statement was made sarcastically. The meaning being that, in general, management within the organisation were supportive, but one a

particular manager was very obstructive. Repeated listening and reading of the transcripts enabled these refinements in understanding to be made.

Coding

Structure was given to this process through the identification of themes from the transcripts and notes leading to the development of an initial coding frame. In this first instance this was done with 10 transcripts from Case 1. In this first stage, key concepts emerged. Typically 10-12 main concepts were identified in each transcript and, as Bryman and Burgess (1994) suggest, were closely related to a priori issues. Major themes were identified in relation to bargaining behaviours, actors, learning activity and learning agreement features. Sub-ordinate themes were then developed as further concepts and data was analysed where patterns and recurrent issues began to emerge. This inductive-deductive process identified emerging causal links such as contexts and supporting institutions, key dynamics and critical events that illustrated tensions and apparent sources of bargaining power. Data was compared and contrasted with other data suggesting a similar meaning and coded within a theme or a new theme and code was developed. The intensive thematic analysis continued until the higher level themes and sub-ordinate themes were revised and data organised to assist with the presentation of data and drafting for the empirical chapters. The final coding frame is shown at Annex Three.

Nvivo

The analysis was assisted by using NVIVO, as a tool to assist with the coding and sorting of data. Bazeley (2007) notes that software can help qualitative analysis in five key ways: managing data, managing ideas, querying data, graphical modelling, and reporting from the data. The headline themes are referred to as nodes and sub-ordinate themes organised into 'node trees'. Themes can be easily merged, cut and paste, search and sorted. Documents and transcripts can be assigned attributes, such as respondent characteristics. Memos and notes can also be annotated to data sources. The systems allows for a large number of documents to be stored and backed-up at key points in the research allowing for a 'audit-trail' of the study, for example in storing the initial coding framework to enable

comparison with subsequent iterations. Critics of qualitative data analysis software suggest that researchers lose closeness to their data through the potentially mechanical processes employed. Others suggest that researchers succumb to 'coding fetishism' (Bazeley op cit p9). Gilbert (2002) suggests, the use of digital tools causes researchers to be too close to their data and caught in a 'coding trap', to the detriment of other interpretive activities that include noting patterns, linking ideas and seeing texts holistically. This was, in part, my experience, where the processes of coding and sorting data solely within the software limited the more creative processes of reflecting and texts and creating notes on linkages and testing and re-testing ideas. NVIVO was valuable in managing transcripts and other forms of documentation and re-ordering data quickly to retrieve data relating to newly conceived sub-themes. It was also useful in the process of data triangulation, comparing and issues and themes raised by different participants. However, the use of hard copy transcripts and hand written notes continued to be an essential part of the analytical process in helping to inform an understanding of the core narrative emerging from each case.

Data quality

Although the use of analysis software can help improve the rigour of qualitative analysis in terms of for example, the completeness achieved in the searching the contents of documents uploaded to the system, broader criteria used in assessing the quality of data generated from case study research. Cresswell (op cit) suggest that understanding the deeper structure of knowledge comes from engaging with participants and probing for meanings and that the strength of data comes from using multiple sources of evidence and in generating data through building trust with research participants, defined above as construct validity. Internal validity is sought through using appropriate where measures and concepts drawing on different literature and 'theoretical lenses' to compare data within and between cases and to match observed patterns with those found by other researchers. External reliability refers to the extent to which findings can be generalised beyond the case. The cross-case analysis that is possible with multiple cases enables rough generalisations to be made to other similar phenomena

(instances of workplace union learning) that have certain similarities to the cases described. Both Johnson (1997) and Yin (2009) note that, in order to help generalise to other similar cases, case research should include information about the types and number of respondents, the selection criteria for cases and participants, contextual information and data on research protocols and analysis. The goal of qualitative research is not to generalise statistically but analytically from intensive research (Yin, 2009) and develop explanatory insight into, in this case, the social processes that underpin negotiations on workplace learning.

Data presentation

Chapters 5-9 present data from the case study research. Chapter 5 outlines the contextual data on union learning within the two unions, PCS and UNITE. Chapters 6-9 present data for each of the four workplaces. Consideration was given whether to present the data thematically, for example in as separate chapters of different aspects of bargaining. However, the cases are presented whole, on order to retain the over-arching narrative of the case and the evolution of bargaining on the learning theme. Although the cases were not selected a priori in relation to distinct bargaining contexts, it emerged that the four were distinctive in terms of the central focus of union learning covering organising; skills for life, integration with collective bargaining and integration with employer training systems.

Limitations of Case Study research

Yin (2009) notes that a weakness of case study interviews is that the questions asked can be poorly constructed. The development of questions for this study was informed by both the themes and issues raised in the literature but also by my involvement in undertaking policy and evaluation research with unions and ULRs for ten years prior to starting my PHD. This experience included working on a two studies with CERIC including a national review of the union learning fund (ULF). Those studies included surveys of unions and employers and content analysis of 215 written learning agreements. The

experience taken from these studies included an understanding of the national learning and skills policy context within which union learning had developed and current practice within unions. These studies also illustrated the value and limitations of quantitative research. Each helped to identify and quantify union learning activities and the content of union learning agreements. However, these methods were limited in the extent to which an understanding of 'how' and why' events took place could be established. This prior experience helped inform the identification of relevant and timely questions for the study. The longitudinal nature of the study, undertaken over repeat visits to case study workplaces also gave an opportunity to reflect on early interviews and refine the research questions in subsequent visits to ensure that key topic areas had been explored with a range of informants.

The potential weaknesses of this approach, as noted in Table 1, is that the selection of events that to observed due to time and location issues (being off-site and 200 miles away in some cases), means that some key events are not witnessed, and there is potential for the workplace gatekeepers to limit access to more contentious meetings and events. Furthermore, the researcher's presence at these events may affect how interactions take place as participants might limit or exaggerate behaviour. I was conscious this might be affected if union reps knew me as a practitioner and evaluator for the TUC of the ULF. This was minimised by not selecting those workplaces suggested cases where I was well known and in explaining my role clearly to the study participants both by written material and verbally at the start of the interviews,

4.8   Ethical issues

The main ethical consideration related to potential sensitivity of discussing bargaining strategies. It was not known a priori whether workplace bargaining relations were open and integrative or adversarial. Assuring the anonymity of research participants and non-disclosure of bargaining objectives to other workplace actors was also a key consideration. Anonymity was achieved by ensuring that participant's personal details were not disclosed in the study write-ups and that research

interviews were undertaken one-to-one where possible. Attributable data such as quotations were labelled using a generic role title and names or other identifiers were not used. In addition, the location of the research sites was kept anonymous. With the exception of HMRC, sites were re-named and references to geographical location removed. The case write-up shared with the participants contained material that was non-controversial and described bargaining processes, workplace context, learning activity and mutual interests.

Chapter 5 **Union contexts**

5.1   Introduction

This chapter provides a brief overview of the two case unions and the learning infrastructures that

have developed to support workplace learning. The main empirical data is contained in the following

four chapters outlining the detail of learning activity in the case study workplaces. Table 3 shows an

overview of the cases, unions and organisations.

Table 3 Case Studies Overview			
Case	**Union**	**Employer**	**Main Workplace activity**
ProcessingHouse	PCS	HMRC	General tax call center
TaxOfficeHouse	PCS	HMRC	Specialist tax call center
Icefactory	UNITE	HomeProductCo	Food manufacture
RegionalWarehouse	UNITE	HighStreetRetail,	Distribution center

This section supports the thesis through an examination of the key features of the union contexts and

the development of union learning activity at the relevant national and regional union learning teams.

This illustrates the union-specific contexts into which ULRs were being recruited and supported. The

outline of the union learning context helps to inform the later analysis of bargaining behaviours and

assessment of whether and how workplace bargaining activity is path dependent on the national

union structures and traditions with respect to the role of ULRs in the union and wider collective

bargaining structures.

5.2   Union organisation in PCS and TGWU

PCS is the largest civil service union and represents a high proportion of female and part-time workers

and a high proportion of members in lower civil service grades (with the FDA mainly organising civil

service managers). Union density in the public sector remains relatively high at 45 per cent (BIS, 2014).

In PCS, total membership levels have fallen from just over 300,000 in 2008 to 260,000 members in

2011 (Certification Officer 2011). PCS membership constitutes an estimated 54.1 per cent of all civil service employment (PCS National Organising Strategy 2012)

HMRC membership of 57,000 makes up a fifth of the total (PCS op cit). Density levels in HMRC are higher than any other government department at an average of 80 per cent. The public sector has a relatively high level of coverage of collective bargaining, although the proportion of public sector employees covered by collective bargaining fell from 95 per cent in 1984 to 56[2] per cent in 2011 (van Wanrooy et al op cit). Some of this change is explained by the expansion by the Labour government of the independent pay review system. However, the focus of public sector modernisation under successive Labour and Conservative governments has increased the trend to decentralisation. The emphasis within the Civil Service on decentralisation has led to a fragmentation of pay bargaining and a dismantling of national Whitley arrangements and a shift to departmental level bargaining.

The application of performance management and the introduction of lean, despite PCS's initial statement of opposition, appear to illustrate a weak response by the union in shaping the introduction of new work regimes. Within HMRC, lean was adopted wholesale (in contrast to DWP where the lean programme was introduced through a series of pilots) with the initial introduction of lean taking place in its processing centres of which one of the case studies was one of the largest. The adoption of lean in the UK Civil Service in the early 2000s and its wholesale adoption by HMRC on its inception (Carter et al., 2011; D. Martin, 2012; Osborne, Radnor, & Nasi, 2013) suggests that New Public Management (NPM) type principles form a central context within which the two HMRC workplace case studies are located. In HMRC a bundle of NPM practices, including lean, operational management and senior leadership programmes were introduced under the heading of the 'Pacesetter' programme (Radnor, 2010). Lean principles emphasise streamlining management and harnessing staff knowledge and skills to drive performance and quality improvements (Womack, Jones, & Roos, 1990). This requires new

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[2] This excludes the Health Sector covered by the Independent Pay Review Body, a process described as 'a form of arm's length collective bargaining' (Bach & Kolins Givan, 2011). The figure for collective bargaining in the public sector as a whole including the Health Sector was 44 per cent in 2011.

forms of workplace participation. In the HMRC Pacesetter programme this included 'rapid improvement events' and 'lean academy training' as tools to encourage engagement in lean processes (Radnor 2010).

PCS have been involved in union learning since ULRs were first trained in 1999. A number of local and regional projects were supported by the ULF in these early years HMRC and DWP were the two departments which took the lead on developing union learning activity and were cited by a number of respondents at the national level as leading the learning agenda within the union.

Government learning and skills policy formed the key backdrop to union-management engagement; initially under the New Labour government's UK skills strategy, the Leitch Review of skills, the (basic) Skills Pledge initiative and the development of the Sector Skills Council action plans (Skills for Government in this sector). Under the Coalition government there became increased emphasis on accreditation and a heightened focus on apprenticeships in England and Wales. At the national level the General Secretary of PCS sits on the TUC's unionlearn board. AGS1 sat on the Skills for Government SSC board 2007-2010 (the SSC did not receive a re-license from BIS in 2010 and its functions were brought into Civil Service management). A PCS Learning and Skills Strategy group was established to oversee the union learning fund national learning project in 2006 and development of the national learning agreement. In 2006 PCS also appointed regional learning organisers, a role to support branch level activists and provide connection with the national learning structures. In 2006, ULRs were integrated into the national organising strategy. This was augmented with the appointment of (ULF funded) Bargaining Union Learning Organisers (BULOs) in 2008 with a remit to directly support departmental negotiators.

The three main employer-led learning themes that ULR and union learning activity link to (from management's perspective) are firstly, supporting the 'Skills Pledge', secondly, the roll-out of lean processes and thirdly, the implementation of the Professional Development Exercise (PDE, the annual performance review and staff development planning tool). HMRC departmental training has also been

moving learning away from direct delivery to an e-learning model, whereby a suite of (non-accredited) learning was made available on-line and staff were encouraged to learn 'at a time and pace to suit themselves' (HMRC). Three key documents were developed and agreed in relation to learning in the period 2006-2011: the CCSU-Cabinet office framework learning agreement (2008), the PCS-FDA-HMRC national learning agreement (2008) and the PCS-HMRC apprenticeship agreement in (2011).

5.3   TGWU-UNITE overview

This section focuses on 'UNITE the union' only and not, as in the section above, the organisations in which union learning activity takes place. The individual case chapters contain data on the workplaces concerned. UNITE was created from the merger of the Transport and General Workers Union (TGWU) with AMICUS in 2007. AMICUs itself had been formed from the merger between the AEEU, MSF and subsequently Unifi and the GMPU unions in 2001. In 2007, the Transport and General Workers Union was the third largest union affiliated to the TUC with 751,869 members just before the merger into UNITE which at the time of the study research had 1,572,995 members (Certification Officer Reports 2006-07 and 2010-11). The proportion of male members in TWGU in 2007 was 80 per cent, reflecting the occupational composition of the key industry sectors of union members that inclucded vehicles, manufacturing, construction, civil engineering, agriculture, food, drink and tobacco, and transport and logistic related industries.

The two cases that form the UNITE case research are located within a single region. Because of the federal nature of the union, and after discussions with national and reigonal officers it was suggested that selecting workplaces from a single region would be useful in order to compare two workplaces operating with access to similar resources from the union. The regional union learning team was made up of a national tutor who had been a project sponsor for several ULF projects. His post was core funded by the union post, which meant he worked closely with other departments, including negotiators. The regional union learning team included four union learning organisers (ULOs –

formerly known as project workers) whose key role was to identify and support ULRs and support them and other workplace reps with the development of union learning at the workplace.

Early union learning work included union learning fund projects covering localities or single employers, e.g. First Bus. It was not until Year 9 of the ULF (2006/7) that the TGWU saw the first 'national' learning project which focused on building the ULO role at the national and regional levels. A key focus for TGWU had been the integration of ULRs into organising strategies and seeing the links to wider industrial issues. Post-merger, the T&G section of UNITE was augmented to include a team of national union learning organisers (NULOs) and the ULF funding was supporting a further development programme to build ULO skills and joint working with the national union learning organisers.

A key focus for the regional team had been in supporting the development of UNITE-ed, a provider consortium with local colleges (see below). This provider partnership enabled a more rapid repsonse for ULRs when learning needs were identified. Typically, in the period under investigation, this was in a redundancy situation. A summary of UNITE-ed is shown below. This partnership was the catalyst for learning activity at IceFactory. How this initiated the development of a learning agreement there is discussed in Chapter 8.

5.4   Regional UNITE-ed consortium

The UNITE-ed project brought together a consortium of FE colleges looking to develop a more responsive approach to the identification of learning needs and the delivery of provision. Initially, unionlearn facilitated meetings between a number of unions in the region and a consortium of colleges in the *region*. unionlearn developed a protocol which included how the consortium of providers would work with unions to identify workplaces in need of support, how the lead college would gain access to a workplace and undertake learning needs surveys and how the consortium would work together to meet those needs. Delivery was mainly brokered by geographic area but also facilitated access to specialist provision across all of the four colleges. UNITE-ed was developed as a specific agreement on these arrangements between the college consortium and UNITE. The impetus

for developing this specific agreement came from the need to be able to respond more quickly to recession and redundancy situations. In some instances, the period of notice for redundancies was very short and in one case the UNITE-ed team were able to respond within 24 hours to provide support for workers faced with sudden notice of redundancy with an offer of employability training and IAG. The UNITE regional learning team had an established working relationship with one of the FE colleges in the consortium.

Chapter 6 **ProcessingHouse: from organising learning to organising learners**

6.1 Introduction

This chapter presents the first of the empirical chapters. It illustrates how PCS learning reps become active, and central to the recruitment of a new group of workers. It contributes to the overall thesis by showing how ULRs were able to frame learning as a right for a-typical employees and connect union learning to wider organising priorities. The national learning agreement was the catalyst for developing workplace negotiations over a workplace learning center and the organisation of a large scale Learning at Work Day (LAWD) programme, a week-long programme of free learning tasters for staff on site. The chapter outlines the resources that the union draws upon to legitimise union learning, both within the union and with local management.

The chapter is structured as follows: Section 6.2 outlines union learning and the workplace context at ProcessingHouse, the bargaining actors and their orientations towards union learning; Section 6.3 outlines the negotiation of the learning center and LAWD activities with reference to four bargaining sub-processes; Section 6.4 concludes with a discussion of how the union was able to establish new norms around union-led learning at ProcessingHouse and the social processes that underpinned the ULRs becoming more active in negotiation and organising.

6.2 Union learning at ProcessingHouse

6.2.1 Context and union learning activity

Table 4 shows an overview of the ProcessingHouse case. The site was a large HMRC tax office with 1,821 staff employed. The majority of staff worked in customer service operations providing telephone services for the public and businesses around a range of tax products. The workforce structure was 'flat', reflecting a typical call center operation. Just over half (55 per cent) of the staff were female and a small proportion were young workers (less than seven per cent under the age of 25). The work of HMRC was organised through 37 business streams; 32 of these business units had a presence at ProcessingHouse. This made for an additional level of complexity for union learning

activity, as negotiation on issues such as the release of staff for learning, had to take place with the responsible manager in each business stream. Union density at the site was 90 per cent. Collective bargaining was predominantly undertaken at a national level between PCS and HMRC. There was a 'house' joint consultative committee (JCC) at the branch level.

Table 4 ProcessingHouse case overview	
Employees at site	1,821
Trade union density	90%
Major occupational group	Administrative officers (call center customer service operations)
Learning agreement	No local agreement National HMRC-PCS Learning Agreement
Key union learning activity	Learning at Work Day Learning Center: basic skills, IT, languages Supporting learners prepare for their PDE (see below)
ULRs	8 (including Branch Learning Co-coordinator)
Company training/HR practices	Professional Development Exercise (PDE) annual appraisal Pacesetter, lean academy training Adult apprenticeships

Two ULRs were initially trained at ProcessingHouse in 2001, but were not linked into branch structures and worked independently from reps on site. Consequently, union learning activity was limited until key developments occurred in 2008. In line with the provisions of the national HMRC-PCS framework learning agreement a (new) ULR was elected as the branch learning coordinator (BLC). The national agreement allowed the BLC 25 per cent of their work time as facilities time for BLC duties. The branch also made a successful application to unionlearn's regional learning fund which enabled the BLC to be released full-time for 15 months. The company's training suite was also due to close and HMRC training would take place off site. The ULRs saw an opportunity to negotiate to use the space as a union learning center. The BLC recruited a further seven ULRs, with a total of eight active across the site by the end of 2009.

A core focus for workplace ULR activity was on establishing the union learning center and planning a programme of events for Learning at Work Day (LAWD). LAWD is a national workplace learning initiative run by the Campaign for Learning promoting lifelong learning by encouraging employers to

run, as part of a wider national 'festival of learning', Adult Learners' Week. LAWD was heavily

promoted to ULRs by unionlearn and was also specifically mentioned in the HMRC-PCS national

learning agreement:

> *"Events such as Learning at Work Day play a key part in directing individuals into learning.*
>
> *Staff will be encouraged, and may, subject to local management approval, be given paid*
>
> *time off to attend agreed events." (HMRC-PCS learning agreement p 7)*

At ProcessingHouse LAWD provided a focal point for ULRs to engage with management around

securing time for staff to participate in LAWD activities, which mainly consisted of short learning

sessions, or learning tasters showcasing company training, vocational and informal learning

opportunities. In 2009, 370 staff attended LAWD events. A learning survey was undertaken with staff

attending LAWD to identify common areas of interest that would shape future learning activities. In

the period 2009-2011 (the close of fieldwork), 240 members of staff (16 per cent of the workforce)

had taken part in union led learning activities through the learning union center.

The ULRs also became more involved in HR related themes, helping staff to prepare for their annual

appraisal, the professional development exercise (PDE), with line managers. An initial set of norms

emerged around the functional limits of the ULR role. The learning agreement made explicit reference

to the '*management's right to manage'* (p 1). This was a usual statement in an HMRC-PCS agreement

and was reflected in the way ULRs initially described their involvement in the PDE process: a relatively

neutral role in supporting staff. As one ULR explained:

> *"If there are disagreements between a member of staff and a manager on the PDE then*
> *this will get taken up through the casework reps. ULRs are not involved in the moderation*
> *of PDEs, for example on the allocation of 'tops' which get greater performance reward."*
> *(ProcessingHouse ULR 1)*

ULRs also became more involved in supporting staff to develop employability skills and in vocational

programmes. In 2010, the post room at ProcessingHouse was earmarked for closure. The union

offered retraining and support to help re-deploy the 12 staff affected. Several attended basic skills

courses in the learning center and successfully found jobs elsewhere on site. Management also introduced an apprenticeship programme in line with the new Professional Skills for Government action plan. The negotiation process around these themes is discussed further in section 6.4 below. The activity of ULRs was initially focused on sourcing learning opportunities, building staff awareness, supporting activity in the union learning center and helping staff engage with the PDE process. These activities were outlined in the learning partnership agreement with HMRC. Over time, the ULRs became more actively engaged in bargaining with management and critiquing employer learning and development practices. Before considering bargaining behaviours, the following section outlines the key bargaining actors and their motivations for being involved in negotiations on union learning.

6.2.2   Bargaining actors and motivations

The ULRs were not initially involved in bargaining around the development of union learning. Negotiations on applying the key provisions of the national learning agreement, notably on the new BLC role, took place between management and the union via the joint house consultative committee (JCC). The key protagonists were the Senior Site Manager and the Branch Secretary with support from the newly appointed Regional Learning Co-coordinator (RLC). The RLC was also the regional representative on the HMRC-PCS national learning committee and closely involved in negotiations around the national framework learning agreement.

By the time of the follow-up visit to ProcessingHouse in 2011 the majority of day-to-day negotiation with management on the learning theme was undertaken more informally by ULRs who were engaging with individual business stream leads. Individual ULRs had been assigned as 'project' leads on certain themes (basic skills learning, employability skills etc.) and were encouraged by branch officers to engage with the business unit leads on these specific themes. The HMRC Bargaining Unit Learning Officer noted the increased willingness of ULRs to engage with management, and also reflected that ULRs had 'a natural tendency to informality', taking a pragmatic approach to achieving learning outcomes.

There were mixed motivations amongst the union actors in relation to their involvement in union learning activities. The RLC was motivated toward securing union gains and organising outcomes, which included the possibility of recruiting new reps and members to help build the strength of the local branch. The ULRs were motivated to develop the union learning center as a means of ensuring better access to learning for members. A small sub-set of ULRs (two of the eight) were focused primarily on opening up learning opportunities so staff could access employer training and internal labour market opportunities. As one ULR noted:

> *"With all the changes going on around here, some see (apprenticeship) as a chance to set themselves apart and to other things in other sections and other departments and we can support them to get on with that." (PCS ULR 1)*

Other ULRs focused on opening up access to learning opportunities that were beyond work related learning. Most ULRs expressed these motivations in terms of collective gains in promoting social justice for workers to access learning opportunities that might be ordinarily denied to them. The RLC and a minority of the ULR team expressed this in terms of returning to a historical role for trade unions in supporting worker education. The BLC was also motivated to integrate the ULRs into the branch and wider business of the union, a move which he felt would 'invigorate the branch with some new blood'. There was a mixed response from ULRs on the growing tendency to integrate learning with organising and expectation of ULRs to be more actively engaged with management. A ULR noted:

> *"For me, I took up the ULR role because of the learning angle and if the union forced me to take on other roles I'd have to look at my position as a learning rep. I mean I will go on strike, but my main concern is the learning and that's what motivates me." (PCS ULR 2)*

However, the majority of ULRs expressed views suggesting a greater willingness to support the branch through engagement in other areas of union activity. The ULR team became more actively involved in industrial actions and described working increasingly with other reps around organising campaigns and union strike action. A key example given was the recruitment of new members from a newly expanded evening shift where learning was used as a key organising tool (discussed further in section 6.3 below).

The prevailing attitude of management at ProcessingHouse towards the union was generally benign with a general acceptance of the presence of the union. Union density was 90 per cent, including membership amongst many frontline managers, while middle management in lead operational roles was 'more wary' of the union (HMRC Learning Director). Relatively good relations created the potential for engagement on the learning theme; yet, support from managers for learning was not uniform. Senior managers at ProcessingHouse supported learning because of perceived benefits of addressing known workplace HR challenges, such as delivering an effective PDE process and in engaging a broader range of staff in new lean 'academy' programmes. Many in middle management roles gave little practical support for union learning and were generally ambivalent of the union's activity in this area. The managers that were supportive of learning tended to be supportive of the union in general terms. The frontline managers who were union members were generally more positively disposed to union learning; learning brought a new dimension to union activity that was distinct from traditional, adversarial, forms of activism. Two managers commented:

> *"I like it because it makes the union seem less 'like them over there'… it shows that the union has staff interests at heart …learning personalises them more."* (ProcessingHouse Manager 1)

> *"People only see the union as activists …but actually the union does other things that are really important and union learning highlights that."* (ProcessingHouse Manager 2)

At the time of the first research site visits, the ULRs were newly recruited and were operating a relatively passive role. By the time of the follow-up visits they were more active and critically engaged with management. There were mixed orientations of management with middle managers more ambivalent. Frontline managers viewed the prospect of union learning more positively in terms of the potential to work more collaboratively with the union.

6.3   Bargaining behaviours

Initial negotiations on learning at ProcessingHouse took place through the formal channel of the joint house consultative committee (JCC) and focused on procedural arrangements for ULRs and the BLC role. No local level agreement was signed and the national HMRC-PCS learning agreement was used

as the framework for negotiations. Over time, the ULRs became increasingly engaged in more informal 'frontline' negotiation with local management (the business unit leads). Although the Senior Site Manager had sanctioned her support for ULR and BLC activity, she did not have the authority to release staff in different business units. The ULRs needed to negotiate access with each business unit lead to secure release for staff in those sections. As one ULR explained:

> *"So that's the way it works, we'd need to speak with the business managers there. Although we have this overarching agreement and they are all signed up to the Leitch Pledge, you can't just go to one person and get agreement for the whole place you have to go to each and each one wants a business case." (PCS ULR 4)*

This section continues by considering bargaining behaviours in relation to the four sub-processes within Walton and McKersie's framework in turn, tracing the evolution of bargaining over learning.

6.3.1   Distributive bargaining

This section explores the conflictual issues around which negotiation developed and the claims and tactics used by parties in negotiations. The areas of conflict at ProcessingHouse related primarily to the allocation of resources but bargaining also developed on worker rights and employer obligations around learning. The ULRs also challenged attitudes and relationship patterns as they engaged directly with management.

In terms of resource allocation, negotiations centred on paid time for learning, specifically, non-work related learning and on the use of space for learning. The national learning agreement noted that learning "*can be learning and/or qualifications which assist career progression, as well as activities considered essential for the current job held by an individual" (National Learning Agreement 2008 p 6)* and that paid release should be available "*where an individual and their manager have agreed a development requirement on the PDE" (op cit 2008 p 7)*. Yet the parameters for these activities, such as the precise type of learning and amount of paid release for staff, required negotiation at site level. A general agreement for paid release was successfully negotiated with the site managers to enable staff to attend LAWD activities in 2009 which offered taster sessions for both work related, other

vocational and informal learning activities. Beyond this, the ULRs had to negotiate on a case-by-case

basis for each new type of union learning programme with managers in each of the business units.

The ULRs also engaged with management around the allocation of space for union learning. The

national agreement stated:

> *"Learning centres or access points may be provided at suitable HMRC locations to promote easy access to learning and provide the opportunity for staff to enhance their IT skills…HMRC may provide suitable accommodation, equipment and maintenance of that equipment for the centres/access points… subject to ongoing HMRC workforce change planning and to the availability of funding." (Op cit p 6)*

The employer's on-site learning center was closing down as a result of planned efficiency savings and

a move towards e-learning platforms. This policy placed increased expectation on staff to undertake

work related learning at their desks, at the off-site company learning center or at home. The ULRs

challenged local management, arguing that work related learning should take place in work time, and

that learning at home was not realistic for many staff either because of a lack of access to the internet

at their workstation, or to the company server at home. The time to travel to learning off site was also

an issue, as one union rep noted:

> *"Our learners will not go off-site for learning, for one thing (the staff learning center) is not that local. It is on the other side of the City and the extra time and cost of travel is too much after work, there are quite a few here that work two or three jobs, they have not got time to be doing this kind of thing after work."* (PCS Branch Rep 1)

The union successfully negotiated to use the vacant training room that was turned into the union

learning center. The BLC, now seconded full-time to union learning, would be the coordinator of the

center. In addition to negotiating for the allocation of resources for learning, the ULRs also challenged

norms around who would participate in learning center activities. The national learning agreement

made reference to "*fair and appropriate access*" to learning opportunities to meet 'diverse' staff

needs. At ProcessingHouse the ULR team used this aspect of the agreement to make the case that

staff on the newly expanded evening shift should be able to participate in learning activities. An

evening shift from 5pm-10pm had been introduced in early 2009 with most staff on temporary

contracts not allowed into the building before their shift started. The majority of staff on this new shift were young workers (aged 20-30). Most were not, or never had been, union members. The union successfully negotiated that employees from the evening shift could attend Learning at Work Day events. The LAWD programme was planned before the evening shift was introduced and most activities were due to finish at 4pm. The ULRs explained:

> "We got them access at 3pm and changed the shift from 5pm-10pm to 3pm-8pm. So we got them in the building and their first hour at work (paid) to participate in Learning at Work Day activity and that was a first." (PCS ULR 4)

The question of who should participate in learning was raised by ULRs not only in relation to the union-led programmes. ULRs expressed concern about the approach taken by managers in selecting staff to participate in a new apprenticeship programme in 2010. The national learning agreement made explicit reference to the management prerogative around work related learning. However, the ProcessingHouse ULRs noted where 'letting managers manage' was not satisfactory. When the adult apprenticeship programme was introduced, there were no joint processes or criteria agreed for deciding which staff would be eligible to take part[3]. ProcessingHouse ULRs were concerned about the fairness of the selection process and also about being 'caught in the middle' of this decision making process:

> "We said at that time that we would not get involved in choosing the people. But several were unhappy that they did not get picked. How do we know if the 'little people' are getting on those courses and not just (managers') mates? … This is a problem. If say we have 10 places, how do we choose who goes on? That's hard because as ULRs we are encouraging people to take part and can get trapped in the middle there. If managers are just choosing their 10 favourites you should be able to say 'no, you can take those five but also take these five', the ones they would not normally go for. I'd see that as our role in justifying that, the process should be fairer." (ULR meeting 2011)

This indicated a shift in the attitude of ULRs about their role and involvement in employer-led learning programmes and managers' rights to manage the apprenticeship process, suggesting a change had taken place in the relationship pattern between the ULRs and local management. Their orientation to

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[3] This situation changed in 2010/11 when a national agreement on the theme of apprenticeship was reached, discussed further in Case 2.

bargaining changed from an integrative to a more adversarial frame, underpinned by their desire to ensure that apprenticeships were delivered fairly. The concerns of ULRs at ProcessingHouse on apprenticeship processes were shared within the union through RLC and ULF reporting mechanisms. This helped inform subsequent negotiation at the national level between the CSSU and Cabinet Office resulting in a specific agreement on apprenticeships that was signed in late 2010. Further discussion of this is developed in the second HMRC case, TaxOfficeHouse (see Chapter 6).

As the learning center became established, local management began to challenge the union-led model. Firstly, they questioned whether the learning center space was being used appropriately and then trying to rescind the agreement to release all staff to participate in LAWD 2011. The team responsible for estates challenged the union's right to offer the provision of non-work related learning in the learning center. They argued that if learners were paying for learning, then the learning center was promoting trading, and, the management's legal team judged, amounted to the union subletting the learning center. Secondly, management argued that the learning agreement referred to 'taster' sessions, suggesting that full programmes were not subject to the agreement. The reps countered these objections by saying, firstly, that other forms of trading were allowed on site (such as a book club seller and on-site health services); and, secondly, that other clauses in the national learning agreement could be interpreted as allowing for the provision of full learning programmes. These disagreements could not be resolved locally and were escalated by the RLC to the HMRC-PCS national learning committee which was considering whether the objections made by local management were warranted or contravened the 'spirit' of the agreement. The outcome (not known at the time of data collection) would be relevant to all 15 departmental union learning sites.

A second example involved the *threat* of escalating an issue to the national committee. In 2009 and 2010, the union had negotiated with local management to allow paid time for staff to attend LAWD events. This was not written in the national learning agreement or into any local variation of an agreement. In 2011, a new site manager announced at the JCC that he was refusing to give permission

for staff release to attend LAWD, stating that the time for learning needed to be prioritised for 'lean academy' learning programmes. This issue was reported swiftly to the RLC who threatened to take the issue to the national HMRC-PCS learning committee. The issue was resolved informally through contact with the national manager for learning and development (and a member of the national learning committee). The local site manager was persuaded to acquiesce and support LAWD 2011 and the 'spirit of the national agreement'. A final example of the escalation of issues up to the national learning committee related to the selection of participants for the new apprenticeship programmes. This aspect of negotiation is explored in further detail in Case 2.

The union was challenging relationship patterns by seeking to assert greater control than local management were willing to concede over the nature of union learning activity. With ULRs increasingly active in negotiating with business unit and line managers, the BLC and RLC's role in negotiations became more focused on 'troubleshooting,' providing ULRs with a route to escalate grievances to either the JCC or the national learning committee. The national learning committee provided ULRs with a mechanism for added leverage in their workplace negotiations.

6.3.2   Integrative bargaining

The national learning agreement signalled the intention of the employer and the national union to work jointly to provide learning for staff. This section outlines the integrative bargaining behaviours between ULRs and management and the key difficulties associated with pursuing an integrative bargaining strategy at the local level. The key shared problem articulated between PCS and HMRC on the learning theme was how to support a greater number and wider range of employees to participate in learning and skills activity.

The need to improve learning participation was driven in part by external political factors and also by internal barriers to learning. External drivers included the learning and skills policies of the New Labour government. HMRC's commitment to the Skills Pledge (to offer learning opportunities for those without Level 2 qualifications), the development of the Skills for Government sector skills

council action plan, *Professional Skills for Government,* and the subsequent focus on apprenticeships under the coalition government. These policies generated a raft of national initiatives that senior management at HMRC signed up to. This established new commitments and priorities for local management to increase workforce learning, particularly amongst lower skilled staff.

Internally, there were also drivers that place an increased focus on employee learning. The adoption of lean processes also generated an expectation that staff would participate in quality improvement teams. The Pacesetter programme introduced 'lean academy training' as a tool to promote awareness of these new processes and encourage participation in lean working groups. Yet there were recognised constraints on staff participation in lean and other HR processes. Internal HMRC reports noted the poor implementation of Pacesetter and low employee engagement (Radnor & Bucci, 2007). Furthermore, union surveys highlighted staff dissatisfaction with the PDE process noting that some frontline managers used it punitively to sanction staff rather than using a more positive, developmental approach as described in HMRC guidance. The union also identified that new on-line learning practices limited the scope for some low skilled workers to engage in company training. These internal and external factors placed an imperative on management to consider how they would encourage more staff to take part in workplace learning activity and helped to establish a 'shared problem'.

The second step in the integrative bargaining process is the search for a solution to address recognised problems. At ProcessingHouse, ULRs and the union learning center were presented as a solution to help address these challenges in employee learning. The branch reps used the national learning agreement as the starting point in negotiations to highlight the agreement made to introduce the new branch learning coordinator role and anticipation that ULRsl would support staff in the PDE. Both of these were explicitly referred to in the national learning agreement (op cit p 5). The agreement stated that ULRs would help staff in several other ways: to identify their own development needs; to see development needs as learning opportunities; to identify appropriate courses; and to help staff

present a case to management for the resources needed to address their learning needs. This presented ULRs in an advisory and advocacy role framed in terms of the obligations on individuals to advance their own learning needs through using these new union resources. In addition to presenting the ULRs as part of the learning solution, the union at ProcessingHouse also developed supporting workplace institutions. The branch accessed additional resources for learning, via union-only funding routes. Using Walton and McKersie's construct, this extended the frontier of shared utility through bringing resources to the workplace that would otherwise not be available. The branch secured funding from other sources including funding for LAWD events and resources to pay for the secondment of the BLC to work full-time on setting up the union learning center.

ULRs frequently referred to 'making the business case' for learning in which potential mutual gains were foregrounded. Union learning was presented to local managers as offering an opportunity to enhance productivity through improved motivation, functional flexibility and HR processes. Emphasis was placed on increasing learning activity and improving staff awareness and participation in the departmental PDE system and Pacesetter lean training programmes. As one ULR noted, "*we said (to ProcessingHouse managers) 'well you are giving people an opportunity which will motivate them to do better in their job'*" (PCS ULR 3). These were generic claims presented to senior managers to make the case for union learning. As the ULRs became more active in engaging frontline managers, notably to secure release to attend courses in the learning center, the ULRs also used their specific knowledge of the business unit, work section or in some cases individual managers and workers, to frame the case for support. For example, it was suggested to some managers that enabling learners to use the union learning center would avoid unnecessary travelling time for staff to the new HMRC, off-site learning center. In other cases, ULRs suggested that union learning opportunities for staff at risk of disciplinary would help prevent the escalation of disciplinary proceedings, saving time and potential conflict. In these specific contexts, learning was presented to management as offering improved efficiency and minimising potential disruption to workflow.

Yet, underpinning all of the union and ULRs' arguments was the fundamental case for equity and fairness, particularly in opening up access to learning resources for workers on lower grades. The ULRs continually stressed the point that the purpose and value of union learning was the offer of learning for all staff and opening up opportunities for lower paid workers. This argument invoked a broader language of equality of opportunities which resonated with management in meeting wider (less well defined) equality goals. This emphasis on equality and opportunity was also stressed by ULRs to employees as the key organising principle underpinning union learning. The ULRs did promote the benefits of union learning in terms of skills and qualifications to aid future employability, but the underlying messages for staff were around extending equality of access to workplace learning. This changed the discourse around learning from an individual to a collective issue.

The next step in the integrative bargaining process was the evaluation of the proposed solution. Although the national learning agreement and the dialogue developed by ULRs with management stated a range of potential benefits, the workplace actors found it difficult to be precise about the actual gains that would accrue from union learning at the local level. There was limited data available to both parties with which to help evaluate potential gains, as one ULR commented:

> *"At first it was very hard to negotiate because they wanted to know what the benefits would be. We did not know, we said 'well you are giving people an opportunity which will motivate people'."* (PCS ULR 3)

The data that were presented focused on 'learning problems', not the calculation of future benefits. The ULRs referenced external reports and policy documents that identified learning and skills needs at the national, public sector or departmental levels; a report commissioned by DWP on union learning suggested that 10 per cent of staff had poor basic skills. Data from TUC-commissioned research and evaluations of the ULF provided general messages about the use and value of union learning. Yet there was little data available at the workplace level with which parties could evaluate the potential value of the learning center and LAWD activities. In this uncertain context, the text of the learning

agreement itself helped to articulate how the employer and union might work jointly at the local level to address learning needs.

6.3.3   Attitudinal structuring

In describing a behavioural theory of bargaining, Walton and McKersie explore the forces affecting relationships and tactics used to affect change in attitudes. Negotiators must assess prevailing attitudes and pursue change interventions to affect attitudes or 'cognitive balance' and reinforce desired behaviours. At ProcessingHouse relations between unions and management improved as a result of engagement on the learning theme. This suggests that some form of re-balancing occurred. During the follow-up visit in 2011, senior management at ProcessingHouse talked positively about the role of the union and ULRs. However, the ULRs noted that this positive orientation took some time to achieve.

> *"There are no real points of contention because we get things done, we now have an 'entente cordiale'." (ProcessingHouse Line Manager, 2011)*

> *"Our new Senior Manager sees the benefit. Her predecessor did - in the end - but it took a lot of time and energy. Our new manager has worked here for a while and she has seen what we have achieved." (PCS ULR meeting, 2011)*

The prevailing attitude of local management towards union learning was not supportive from the outset, as one ULR noted:

> *"The number of times we were kicked in the teeth is, well …. a lot of the people who are in these (senior) positions see that they got there without any of this support so they don't see it, they don't see that there are people here without maths and English or came in so long ago that this has been lost." (PCS ULR 5)*

The comments illustrated two key points. Firstly, that management attitude towards union learning was initially negative and, from the perception of some ULRs, aggressively so. Secondly, local managers did not see the relevance of ULRs because of a lack of awareness of broader issues, namely, the impact of poor basic skills on workplace outcomes and potential for union learning to address this. Union learning was not salient to local managers and therefore supporting workplace (union) learning

was not central to their concerns. Changing policy on learning and skills in HMRC presented

opportunities around which to organise and engage HMRC managers in this theme, for example:

> *"The review of skills across government and development of the Skills Action Plan was a great tool to help us build a consistency of message across management about the importance of skills. This was given as a top three priority by (departmental) permanent secretaries in 2008. This was useful to drive the case for union learning." (PCS Senior National Officer)*

> *"Managers became more interested once the legislation (on ULR rights) came to pass and the Skills Pledge further activated their interest, we got more access to engage with HR on learning issues." (PCS Bargaining Unit Learning Organiser)*

The national union also undertook member surveys to highlight learning issues within HMRC and other

departments (DWP, Home Office). This helped to raise awareness of a number of problems faced by

staff in relation to IT, literacy and numeracy skills, and the negative impacts of the drive for e-learning

on certain workgroups and staff views on PDE processes. In addition to identifying 'top level' issues in

relation to learning and skills, the union and management developed joint internal communications

to send key messages about union learning, taking care to use a common language. As one

ProcessingHouse manager noted:

> *"There were bulletins that came from both sides on the learning offer and we checked out each other's joint messages so we are working with the ULRs to help everyone with this." (ProcessingHouse Manager)*

In order to secure a specific agreement locally for staff release to attend learning center courses, the

ULRs used the tactic of engaging with the manager of the largest work group at ProcessingHouse.

Through targeting this manager the ULRs were able to get sufficient numbers of staff released to

ensure learning programmes were financially viable (with providers requiring a minimum of 10-12

learners per course). ULRs then focused on persuading other business unit managers to allow their

teams to be released. The case made to management changed subtly, as ULRs encouraged these

managers not to be the barrier that prevented their staff from taking part in learning activities.

A number of related union activities attempted to change the attitudes of local management. This

included building an association and common language between union learning and other workplace

objectives and persuading management of the relevance and uniqueness of the ULR role. The use of shared data to explore and report on common workplace problems was key in shaping attitudes. The RLC noted:

> *"The business case and the figures it was based on were data that both sides could accept such as the numbers that had been through Level 2 and on apprenticeships and NVQs and what the department itself was doing in terms of the professionalising government agenda. So we were talking to an agreed set of data, there may be some issues around the edges but it was data that they would recognise." (PCS Regional Learning Co-ordinator)*

Establishing the learning center and BLC role also contributed to changing attitudes at the workplace level. Prior to this, ULR activity was concealed and not well understood by workplace actors, including the union branch. Establishing the center on site helped to raise the profile of ULRs and build understanding by both reps and local management of the nature and salience of union learning. The learning agreement was itself a valuable artefact in shaping perceptions and attitudes, as the Bargaining Unit Learning Organiser (BULO) noted:

> *"The national (learning) agreement gives us more publicity, it is a good indicator of progress. The first version was signed by functionaries, but the final version was signed off by the new chair of the board and the HMRC president and the FDA leads. This pulls more weight." (PCS BULO)*

A further tactic to affect change in local management attitudes at ProcessingHouse was to invite managers to participate in union learning. The following manager became more supportive of union learning because of such participation:

> *"I went on the course. And in terms of me being an HMRC employee that is absolutely fantastic, something like that going on in here … I can spend some time with colleagues having a cup of tea and learning something new. Anything that adds to employees feeling valued is fantastic." (ProcessingHouse Line Manager)*

There was a degree of recognition by union reps that, in order to engage support from managers to achieve union learning aims, local management needed to see the relevance of learning not only for staff, but also for themselves as managers. This view was apparent in comments from reps and managers:

"She (the Business Unit Manager) did eventually see the benefit of the learning and it looks good for she gets the success." (PCS ULR 4)

"Another benefit that I now see is that the ULRs do lots of things that I could not do, they have got over 200 people involved from our section, so that is why we support them, the staff get the (learning) service and I get the job done." (ProcessingHouse Line Manager)

"I would say even if it is run by ULRs that when a member of staff gets involved in the ULR learning and comes back to the team and talks about his experience the staff also see that as something coming from the employer. The employer is getting good credit for that and I see the fact that we have this is an indication that I am a good employer." (HMRC Business Unit Manager)

These comments are suggestive of Walton and McKersie's description of bargaining parties reinforcing preferred behaviours through personal reward structures. The reinforcement of personal gain for managers led to more positive orientations that would hopefully underpin more favourable (or less hostile) bargaining behaviours in future negotiations.

This section highlighted a number of social processes linked to attitudinal changes by managers in favour of union learning. The strategies used by the union included the use of data, using 'strategic language' of the 'business case', the inclusion of managers in union learning activity and stressing the personal rewards for managers of supporting union learning. The interaction of attitudinal structuring tactics with other bargaining processes is discussed further in section 6.4. The chapter continues with a discussion of intra-organisational bargaining.

6.3.4 Intra-organisational bargaining

This section draws on the data in section 6.2 on bargaining actors, where and between whom 'primary' negotiations take place and considers the nature of intra-organisational dialogue, the forces acting upon negotiators and processes of alignment within firstly, the union, and then management parties.

6.3.4.1 Union

Negotiations around the implementation of the learning agreement involved a multi-layered internal dialogue. The early 'primary' union negotiators were the union officers on the national learning committee that had been established to oversee the implementation of the PCS ULF national learning

project. The union team was led by the AGS (AGS 1) with overall responsibility for union education with key support from the ULF National Officer.

At ProcessingHouse, initial bargaining to establish the terms of the national agreement, agree the BLC role and set-up of the learning center was undertaken by the senior branch officers, supported by the RLC. This situation had changed by 2010 where day-to-day informal negotiations were undertaken by the ULRs, supported by the BLC. The ULRs became the 'primary' negotiators around the maintenance of the learning agreement at the local level. At first, the ULRs were more passive and pragmatic in their approach to engagement with employers, focusing primarily on organising learning activities and securing learning outputs. By 2010, the ULRs became more actively engaged in negotiating with business unit managers and increasingly focused on union outcomes including recruitment and organising. They were also more willing to challenge management prerogative.

Section 6.2 outlined the initial motivations of the actors and the different emphasis placed on union learning by different union actors. The more moderate 'Blairite' AGS (AGS 1), who led on the negotiation of the learning agreement, emphasised the need to build closer links to the employer: support for ULRs would be needed in the context of tighter departmental budgets which in turn meant that management needed to "see the value of the ULR role for them (managers and business units) as well as for individual staff" (AGS 1). When the first ULRs were trained at ProcessingHouse in 2001 they were more aligned to this vision for union learning focused on an integrative, partnership based approach. Delivering greater volumes of learning activity contributed to making the case for the union's place within wider quasi-social partnership arrangements such as the sector skills action plan and Professional Skills for Government strategy.

The change in leadership in PCS in the early 2000s heralded a change amongst the senior officers with a more left-wing AGS (AGS2) with a stronger background in workplace activism taking over responsibility for the union's organising and learning services. This function supported union reps (including ULRs) and developed a much stronger focus on bargaining and organising within ULF

activities. AGS 2 described those involved in union learning activity as initially 'living in a parallel universe'. He criticised union learning as having developed outside of the union's democratic structures and noted a lack of consultation with the rest of the union when earlier ULF bids had been developed (written, in the main, by the National Learning ULF Officer and AGS 1). The PCS ULF bid for their national learning project 2008-2010 was shaped with closer involvement of AGS 2 and the HMRC GEC and focused specifically on building union structures to link learning to organising and bargaining. The national learning committee minutes were shared more widely and ULR activity was more closely aligned to bargaining units and organising strategy. National and regional union officers reported improved coherence in the activities of ULRs and the wider union during the period 2010 and 2011.

The process of aligning bargaining expectations between the national union, the branch and the ULRs was multi-directional. Intra-organisational expectations changed as a result of the learning institutions that were being established. The BLC and RLC roles were central in articulating the linkages between the national organising strategy and the development of branch level action plans. The BLC developed the branch learning plan, recruited new ULRs and helped co-ordinate their activity. He supported branch negotiations and reported to the JCC. Both the BLC and the RLC were able to quickly escalate local grievances raised by the ULRs to the JCC and national learning committee. This helped to integrate the ULRs into the activities of the branch and their orientation towards union organising. However, the ULRs also affected change in the organising culture of the branch.

The ULRs secured a key success in challenging management prerogative around access to learning. This view came from the ULRs' unerring conviction that learning should be available to everyone. This included the rights of the staff on the evening shift to participate in LAWD activities. They maintained this group should take part, especially as many were in precarious employment situations and might well benefit from opportunities to know more about learning and development and careers advice on offer from the local FE colleges and HEIs. The reps were successful in negotiating with management to alter the times of the evening shift so that staff could attend LAWD. The involvement of this group

of vulnerable workers in LAWD activities was a key step that led to the active recruitment by the union of this group: a group of workers not normally targeted by the union. The ULRs were less bound than the branch reps by notions of who would or should join the union. The ULRs offered the evening shift workers information about becoming a union member as a matter of course, providing recruitment information alongside details of union learning, LAWD events and learning center courses.

The ULRs' sense of injustice was also aroused when they saw how management were implementing the apprenticeship programme. They felt that management was not being fair in the way that opportunities were made available to staff and did not want to be associated with a scheme that did not accord their sense of fairness and access for all. Similarly, the ULRs felt compromised in their ability to support staff with their PDEs and they were increasingly reluctant to be 'caught in the middle' of the management decisions affecting staff promotions based on the PDE process. The ULRs perceived that the PDE was being used more to control progression and reward rather than advance learning. The ULRs, along with others in the branch and also in the wider union, became more critical of the PDE process and the ULRs' role in supporting staff to take part. The ProcessingHouse ULRs noted a sea-change in branch reps' attitudes towards them, especially after the success in working jointly to recruit evening shift workers. Closer integration developed between the ULRs and branch officers as a result. One ULR noted:

> *"We do now have that respect, we have other reps coming to us for issues on learning and we can go to them for support. One good example of that is when we wanted people to go to the evening shift to talk about the learning offer. People went in their own time including ULRs, H&S reps and other reps to recruit and that worked we have now got 85 per cent membership on the evening shift." (PCS ULR 6)*

The following extracts from ULR meetings illustrate how ULRs viewed the way other branch reps saw their ULR role and how these perspectives were changing:

> *"Do they (branch reps) not see us (the ULR role) as important as the work they do?" (PCS ULR 3, 2009)*

> *"At first it would have been a majority that thought that learning was not as real an issue but this is dwindling…we are educating them." (PCS ULR 6, 2011)*

Bringing learning activity into the workplace, including the delivery of some trade union education courses in the union learning center, helped union officers and senior reps to get to know the ULRs and see the learning center in action. The benefits of having a visible site-level presence for the union became clear. The learning center provided space where reps and members could interact around a positive theme. Often senior reps (seconded to their union role full-time) had become distanced from others in the workforce. ULRs were also more 'on the radar' within the union nationally. One senior negotiating officer also noted that, in 2010, one in seven delegates at the national union conference were ULRs helping to raise the ULR profile and build connections between ULRs, officers and other activists. ULRs became more active "in their own capacity and in other campaigns and strike action and supporting other bargaining agendas" (HMRC BULO). The ULR also felt that being involved in organising activities helped build wider support from the branch for union learning:

> *"For me, I am happy to challenge management about the learning work and to go on a picket line for others' actions because partly you then get respect from the other reps and they take you seriously and think, 'well she turned out for us', so when I am after some support they will do the same for me." (PCS ULR 3)*

Intra-organisational bargaining influenced the way that bargaining for learning shifted from an integrative to a more adversarial and distributive frame, whereby ULRs became increasingly vocal about the primacy of justice and equality as an organising principle for union learning. This move was due, in part, to the change in leadership and their political orientations. But the experience of ULRs in the workplace, and perceived injustices meted out by management towards certain groups of workers in relation to learning, also caused them to reflect on their role and approach to bargaining with the employer. This in turn generated greater support for union learning from the branch officers. The bargaining behaviours of the ULRs were modified through a combination of improved co-ordination of learning activity with organising and the dialectic with management behaviours.

6.3.4.2   Management

Turning to intra-organisational bargaining with management structures, national managers noted the difficulties in transmitting the nationally developed policy on learning internally due to the complexity

of HMRC organisational structures. A manager with responsibility for national learning and development noted:

> *"The structure of L&D does not lend itself to full engagement with union learning – our core and periphery model means that it is the business units that have more direct contact with union learning activity than at the center, although the center (People Function) has policy responsibility. The IR team within People Function takes the lead on negotiations with the union and is not directly involved in the learning areas unless asked. Real practice around ULRs is at the business unit level so there is a disconnect between learning practice and the policy lead." (HMRC L&D lead)*

The ULRs and senior managers noted that those in middle management roles were the group hardest to engage in supporting union learning:

> *"We engage with senior management on learning via the house committee meeting. Key issues discussed include how to improve middle management attitudes to learning and release. There has also been dialogue and negotiation with management on a number of learning and skills themes around the agreement. However, there has not been a great response from middle management on the learning agenda." (PCS ULR 2)*

Attitudinal barriers affected middle management's support for union learning, not, as might be expected, just in terms of operational difficulties in releasing staff. The ULRs pointed to more sociologically rooted factors suggesting that managers felt threatened by their staff participating in learning:

> *"There are a lot (of managers) in here who are not interested, they are threatened by the idea of seeing their staff getting on, they have got to where they are and want to protect that." (PCS ULR 3)*

In this context, the signing of the framework agreement with the Cabinet Office and subsequently the national learning agreement signalled positive engagement on the learning theme that had garnered powerful political sponsorship. As one regional manager noted:

> *"The fact that the senior management has sanctioned the union learning agreement helps with positive relations on this at the site level." (HMRC Senior Manager 3)*

This section highlights that through the intra-organisational bargaining, senior management sought to influence the behaviours of local management, through developing a national agreement with the union to change workplace learning cultures. But HR policy was contradictory. The Skills Pledge

encouraged greater participation in learning, as did the Pacesetter lean academic and quality improvement teams. Yet other aspects of lean and NPM practices focused on efficiency savings, such as the use of e-learning and limited access to learning opportunities for some grades of staff. The case did not identify intra-organisational structures through which local management were trying to negotiate change in HMRC policy to resolve those contradictions.

6.4 Discussion and conclusion

This chapter has illustrated how PCS learning reps become active in the recruitment of a new group of workers. It contributes to the overall thesis by showing how ULRs were able to frame learning as a right for these employees the resources that the reps draws upon to legitimise union learning with members and with local management.

The HMRC-PCS national learning agreement, signed in 2008, signalled the intent of senior union officers and HMRC management to work in partnership to develop workplace learning. The local implementation of the agreement and the evolution of the ULR role in bargaining at the local level illustrated that the written agreement was a useful catalyst. It made provision for resources that the branch was able to draw upon including new learning co-ordinator roles at branch and regional levels. Securing and sustaining the rights to learning that were inferred in the national agreement required active and strategic participation by the ULRs. This case contributes to the overall thesis through illustrating the cultural impact of ULRs at the workplace in affecting attitudes towards learning as a useful activity for members, managers and the union. The case also illustrates how the co-ordination of organising and bargaining strategies served to legitimise union learning both with local management and within the union and how the ULRs became more actively involved in bargaining then organising activity.

The national learning agreement was set within a partnership framework; the case for union learning was presented as a vehicle through which the union could help address shared interests in increasing learning participation. The branch reps at ProcessingHouse established dialogue with local management through the JCC and engaged in bargaining around the implementation of the agreement within a similarly collaborative frame. Critical engagement with management took place outside of this structure by the ULRs who engaged in dialogue with individual business unit leads on a one-to-one basis in more frequent and informal negotiations.

Walton and McKersie suggest that a joint problem solving team and good quality data on prospective gains are central to integrative bargaining and achieving sustainable solutions. The national learning agreement was presented as an integrative framework but, at the local level, limited aspects of integrative bargaining were evident. The processes for identifying the nature of the 'shared problem', of identifying solutions and appraising the value of different options were mainly driven by the union. There was no workplace union-management 'problem solving team'. The JCC shared reports and updates on learning activity but there was no local union-management learning committee and there was limited data with which to evaluate the future benefits of union learning.

The distributive themes negotiated at ProcessingHouse focused on securing economic resources for employees and in challenging relationship patterns. The ULRs successfully negotiated for the rights for non-standard employees to access the union learning center and LAWD events. At the national level senior officials were originally focused on building legitimacy at the macro level through delivering learning outcomes to address national skills policy priorities and build the union's role in the quasi-social partnership arrangements with the Cabinet Office and Sector Skills Councils. As the national leadership changed a greater emphasis was placed on the micro level through workplace organisation and the integration of ULRs into the union's organising strategy. The ULRs became more politicised in their views on the purpose of the ULR role. However, this change was not triggered solely through the prominence of the organising agenda espoused by a more militant AGS.

The change in ULR orientation also emanated from their workplace experience and evident tensions in striving to promote equality of opportunity for members. The ULRs held a strong belief in the rights for all grades of employees, especially those with lower levels of prior qualification, to access learning. ULRs' sense of injustice was aroused by management behaviour and the implementation of workplace HR practices including the PDE system and apprenticeship programme. They became unwilling to be associated with HR processes that they viewed as either sanctioning employees or were unfair in the way that they were implemented.

The development of workplace learning institutions such as the BLC, the branch learning plan and learning center enabled the ULRs to work more closely with branch officials. This helped orient the ULRs towards other union agendas and organising plans and the ULRs became more active in other union activities and actions. The success in recruiting members of the evening shift helped to change the orientation of branch officers towards the ULRs. This also influenced branch recruitment strategies with a new emphasis placed on organising non-standard workers. The bargaining expectations of the ULRs and branch reps changed and converged. The ULRs increasingly saw their role in supporting organising through the learning agenda and the branch reps saw the potential for learning to build union organisation by seeing learning as a collective issue.

Figure 1 shows a representation that illustrates the bargaining behaviours evident in this case. It shows the mix of integrative and distributive bargaining behaviours and both intra-organisational and attitudinal bargaining taking place. The ULRs were involved in efforts to change the attitudes of local managers through persistent one-to-one domestic negotiations making the case for the release of learners. New management at ProcessingHouse reacted against union learning and tried to constrain activities in the learning center and restrict participation in LAWD events. The union was able to articulate grievances through new learning structures that connected the branch, regional and national union officers.

Figure 1 Bargaining behaviours at ProcessingHouse
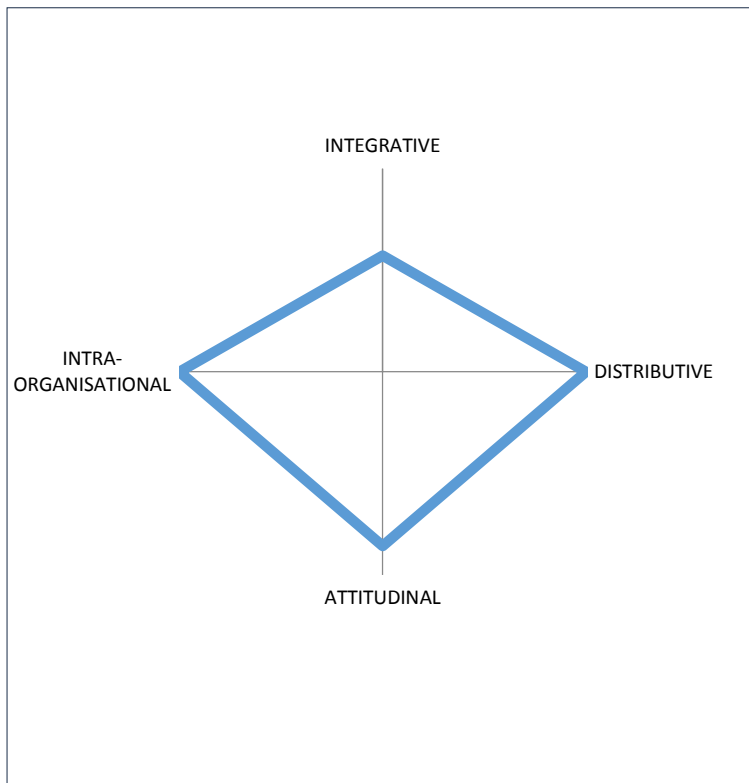
Through the national learning committee the union was able to quickly mobilise the national union and HMRC senior management to counter to actions of local management that were deemed to not be 'in the spirit' of the partnership learning agreement. These bargaining structures had evolved from the project steering group convened to oversee the ULF project. This steering group, which involved HMRC senior managers and the more moderate AGS who promoted the learning partnership agenda, then negotiated the terms of the national learning agreement. When the locus of bargaining shifted to the workplace, the national learning committee became the mechanism through which the union and senior management policed the 'spirit' of the partnership agreement. Bargaining in the workplace initially took place through the JCC to agree implementation of the national learning agreement in the branch and focused on the procedural elements of the ULR and BLC roles. However, securing rights for members to participate in learning was achieved by ULRs negotiating on a much more frequent and informal basis with a wider range of middle management: the group most likely to be a barrier to

union learning (Hollinrake et al., 2008). This very localised bargaining strategy was driven by HMRC's own NPM practices which devolved decision making power over staff release to business unit leads.

The bargaining power of the ULRs was not based on the traditional union threats but other forms of 'credible threat'. Firstly, the reps threatened (and executed) the escalation of local issues to the national learning committee when the desired behaviour of local management contradicted the 'spirit' of the national learning agreement. Secondly, the ULRs stressed the cost of not allowing employees to engage in learning as a missed opportunity to meet national HMRC policy targets. The ULRs framed management behaviours that prevented staff from taking part in learning activities as unjust, stressing that equality of opportunity and inclusion were the core organising principles for union learning. The ULRs also suggested that if managers prevented staff from taking part in union learning this reflected badly on them as individual managers. Bargaining at this level became focused on personal interests. These were subtle forms of coercion. However, they were reinforced in two key ways. Firstly, the focus on equality of opportunity affected a change in workplace cultures that helped legitimate union learning as credible activity for employees, management and the union. Secondly, the ULRs became more integrated into the branch as the benefits of an inclusive organising strategy that engaged new work groups invigorated branch organisation.

Chapter 7   **TaxOfficeHouse union learning and bargaining for reform**

7.1   Introduction

This case explores how the union developed a site specific learning agreement for a 'Skills for Life' (SfL) project at HMRC's TaxOfficeHouse and then attempted to extend the bargaining sphere in two respects: firstly, to build the case for extending union-led SfL activity across civil service departments at the regional level; secondly, to widen the scope of bargaining to include the reform of apprenticeships. This case illustrates how, at the local level, PCS ULRs at TaxOfficeHouse, working closely with the regional union, were able to advance a small degree of reform in lean working practices by building a legitimate case for union control of workplace learning. The case also shows the importance of the wider infrastructure of support for ULRs that helped to articulate and intermediate different issues on learning within the union.

This chapter contains the following sections: section 7.2 outlines the workplace context, learning activities the bargaining actors, their motivations and bargaining strategies. Section 7.3 includes an analysis of the four bargaining sub-processes, noting union responses to adversarial management behaviours and the articulation of issues within the union. Section 7.4 concludes with a discussion of the challenges faced in operationalising their bargaining strategy, bargaining resources and outcomes.

7.2   Union learning at TaxOfficeHouse

7.2.1   Context and union learning activity

Table 5 shows an overview of TaxOfficeHouse. This was an HMRC site running a specialised call center dealing with customer enquiries on a specific area of tax. The largest occupational group was administrative staff working as customer service operatives and improving the efficiency of customer service operations was a priority for this workplace. There were 315 employees on site with 70 per cent union membership.

Union learning activity at TaxOfficeHouse was initiated in 2008 with support from the ULF funded Regional Project Worker. He brokered negotiations with a local college for the funding that was

available for workplace literacy and numeracy programmes. He made contact with the ULRs who saw this as an opportunity to negotiate with their site manager. The ULRs proposed a SfL project using a 'Whole Organisation Approach' model. This involved an exercise in which all staff, including management, took national literacy and numeracy tests. The results were confidential, but the aim was to reduce the stigma attached to basic skills learning by emphasising the value to everyone in at least testing whether they needed to 'brush up' on their literacy or maths skills. A total of 98 per cent of staff on site were briefed about the SfL programme, 251 employees (80 per cent) including the site manager and most of the senior management team, took part in the Skills for Life assessment days. Three per cent of staff had literacy levels below Level 2; however, this increased to 26 per cent of staff with numeracy skills below this Level. The TaxOfficeHouse ULRs supported employees to take part in a rolling programme of numeracy courses and a total of 70 staff had taken part by the time of the second research visit. Building on the success of the SfL project the PCS regional learning team worked to extend the SfL model to other civil service workplaces. This coincided with the development of a regional civil service reform programme and the union negotiated for the SfL project to be part of their wider initiative.

Table 5 TaxOfficeHouse case overview	
Employees at site	315
Trade union density	72%
Major occupational group	Administrative officers (call center customer service operations)
Learning agreement	Local learning agreement – Skills for Life (SfL) project
Key union learning activity	Basic literacy and numeracy Basic IT
ULRs	2 (including Branch Learning Co-ordinator)
Company training/HR practices	Pacesetter, lean academy training Adult apprenticeships

7.2.2 Bargaining actors and motivations

The ULRs at TaxOfficeHouse were central in initiating dialogue with management on learning and the negotiation of the site level learning agreement. The lead ULR, already an activist in national union

LGBT networks, encouraged a colleague who was new to union activism to also train as a ULR. They were supported by the ULF funded project worker and negotiated with the Senior Site Manager over the SfL project. When the TaxOfficeHouse SfL project became a pilot project within the skills strand of a wider civil service reform programme, additional union actors became involved. This included the chair of the PCS regional committee, the newly appointed RLC (this was a new role agreed within the terms of the national learning agreement), and the HMRC group executive committee (GEC). Managers from the Cabinet Office and Government Office for the Region leading the CSWM pilot programme were also engaged in the wider dialogues about the regional skills programme, notably apprenticeships. During the extension of negotiations to the regional level, the TaxOfficeHouse ULRs and Site Manager continued to be involved, notably in attitudinal structuring and intra-organisational processes. The impact of extending negotiations across this wider group is explored further in section 7.3.

The ULRs had a variety of motivations for engaging in union-led learning reflecting the 'messy' narratives identified in Moore's (2010) research with new union activists. The initial motivations centred on securing resources for members to participate in learning for work or for personal benefit. For the lead ULR, union learning also represented a revival of historic traditions of the labour movement supporting worker education. Additionally, he noted a decline in employer support for the general education of civil service staff. He noted that:

> "(We are) bargaining for something that is mutually beneficial because it has been lost over the generations, not just for workers, but also for employers in some ways." (TaxOfficeHouse Lead ULR)

In addition to anticipating the benefits for members of learning, the ULRs also wanted to use learning as a tool to affect changes in new working practices. Particularly, the ULRs wanted to challenge the way that the Pacesetter programme, the lean production system within HMRC, was implemented at TaxOfficeHouse. Hourly performance monitoring and targets were part of a new raft of measures within Pacesetter that were increasingly resented by staff (Carter et al., 2011), yet the national union

had done little to resist Pacesetter's implementation (Carter et al., 2012). One of the ULRs noted that her key motivation for being a learning rep was in "taking control of the lean agenda and its processes and making it work for staff" (TaxOfficeHouse ULR).

The PCS Learning Project Worker was primarily motivated to ensure that funding for learning and related resources were allocated to members and ULF targets met. When the opportunity arose to link the TaxOfficeHouse SfL project to the CSWM regional programme this presented a further opportunity to extend union learning and help meet those targets. The RLC saw the potential for extending the SfL project as an opportunity to connect union activists across different government departments. This resonated with the emerging national organising strategy (PCS, 2012), a new element of which focused on creating 'town' networks that could bring together lay reps from different groups (government departments and agencies) to campaign at the sub-regional level[4]. The union actors described a complex set of motivations for developing and extending union learning activity, linked to both the intrinsic benefit of the education for members and also as a tool for union organising and for improving working practices.

There were also mixed motives for the local and regional management to be involved in negotiations on learning. The Senior Manager at TaxOfficeHouse expressed three key motivations. Firstly, she considered HMRC's commitment to the Leitch Pledge as 'groundbreaking' but had limited resources locally to deliver Pledge commitments[5]. The increased use of e-learning platforms by HMRC meant a decline in the training and development opportunities available to staff, particularly those on administrative grades. Secondly, she felt that participation in SfL learning might encourage staff to be more active in the Pacesetter 'lean academy' activities. Thirdly, she felt that volunteering to participate in the SfL and CSWM programmes were politically astute moves. CSWM had been

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[4] See also http://www.pcs.org.uk/en/news_and_events/conference/conference-archive/conference-2009/video/chris-baugh-nos-transcript.cfm

[5] Access to learning with accreditation for staff with qualifications below Level 2

championed by the Chief Permanent Secretary. Becoming an exemplar project would showcase TaxOfficeHouse at a time when the spectre of site closures meant increased competition between HMRC workplaces. Union learning presented her with an opportunity to offer development opportunities for staff, to be supportive of national initiatives, and try to enhance the reputation of the team at TaxOfficeHouse as progressive.

At the regional level, managers steering the CSWM programme felt that union learning would be a helpful addition to the raft of activities aimed at engaging employees. The programme was being piloted through the Government Office for the Region and regional managers were seeking ways to advance a 'one civil service' ethos. Key stated objectives were to promote opportunities for groups under-represented in management (female and black minority and ethnic (BMAE) employees and reduce barriers to progression across departmental lines. The CSWM 'skills strand' already included three projects: developing a shared vacancies system across departments; a fast-track leadership programme; new apprenticeships. The regional managers felt that adding SfL as another project within the skills strand would help communicate the CSWM message more widely and as 'a way to move through the permafrost of middle management' (Government Office Manager). The vested interests in maintaining departmental silos were felt to be a major barrier to achieving CSWM aims. Section 7.3 explores how these motivations shaped bargaining processes.

7.2.3   Developing a local (or regional) bargaining strategy

Negotiating on the learning theme was new and presented a unique opportunity for the union to set the bargaining agenda. As the lead ULR at TaxOfficeHouse noted:

> *"So if you are bargaining over pay there are established routines and processes over time and a clearer remit that you would work in and goal posts are there. But (with learning) we have to set the parameters."* (TaxOfficeHouse Branch Learning Co-ordinator)

Before examining bargaining behaviours below, this sub-section explores the considerations given by the union actors on the bargaining strategy they should adopt. This included discussion of the level of engagement with management and whether to integrate bargaining for learning within existing

bargaining mechanisms or to seek new bargaining relations. Given the large and complex structures of a government department, engagement could take place at a number of levels: nationally via the departmental bargaining unit, through business units, at the workplace, or regionally via the then Government Office Network which represented the interests of 12 civil service departments at the regional level[6]. Particular consideration was given by regional union officers on whether to initiate negotiations on SfL learning at site or regional level. The CSWM programme was in development and provided an opportunity for the union to engage with regional management in 12 departments, offering scope to work at scale. However, the CSWM programme was initiated and led by management. Focusing negotiations on learning in the workplace offered the potential for the union to control learning activity more directly. However, this would mean negotiating for learning opportunities on a smaller scale.

The regional reps were also conscious of the potential to affect intra-organisational bargaining processes within management and tried to make an assessment of which approach offered the best tactical advantage, assuming that initiating negotiations with management at one level might provide leverage at the other. Given the newness of bargaining on this theme, the RLC could not anticipate this based on previous experience. The RLC commented:

> *"I had to think … can I use CSWM to lever pressure on the site manager or can I use the site manager to lever CSWM in?" (PCS Regional Learning Co-ordinator)*

In addition to considering the value of local versus regional level engagement, the union reps also considered whether negotiation should be a separate, single issue or whether to try and include learning as an item within wider collective bargaining. Bargaining locally, and outside of established bargaining structures, might help ensure outcomes were achieved and that funding was accessed. However, it was also recognised that delivering learning outcomes was not the only bargaining objective. As the Regional Learning Co-ordinator noted:

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[6] The Government Office Network was abolished by the Coalition Government in April 2011

"Learning is an interesting one because although we do have some funding left and it can improve the work environment, what is the objective? Do we want it separate? That might be practical for us at the moment: that it is not intertwined with other things that are muddier." (PCS Regional Learning Co-ordinator)

Yet the RLC also recognised the potential for raising intra-union issues by bargaining for learning separately. He continued:

"bargaining for reform is very difficult in a period of cuts, negotiators are going into bargaining meetings where essentially the other party is saying 'we will cut and we are not going to move'. And with learning you can bargain for reform despite the hostile environment. But … do you want to walk into a bargaining meeting where all that is on the table is cuts, and all you are bargaining for is to mitigate against those cuts? You don't really want to be part of that?" (PCS Regional Learning Co-ordinator)

The tactic adopted was to negotiate for SfL projects and agreements at the workplace level in two key regional workplaces, one a DWP workplace and another (TaxOfficeHouse) in HMRC. The aim was to then use these as exemplars to try to extend the negotiations on learning into other workplaces across the region under the auspices of the CSWM programme. Negotiations took place in two stages, firstly at the local level with the management at TaxOfficeHouse and subsequently the PCS regional team negotiated with the Government Office managers taking the lead on CSWM. The union negotiated for SfL to become a new project within the skills strand of the CSWM programme. The PCS Regional Learning Co-ordinator felt this approach had two key advantages. Firstly, securing a small number of local agreements could be achieved relatively easily and more closely controlled. Secondly, that 'supportive' local management could be enlisted to promote union learning to managers in other workplaces via the CSWM programme. Yet, operationalising this strategy required aligning intra-union objectives and levering the positive orientation of local management to help influence other regional managers. These bargaining processes are explored further in section 7.3 below.

7.3   Bargaining behaviours

7.3.1   Distributive bargaining

The union initiated dialogue with the employer at TaxOfficeHouse to present the SfL project as a 'solution' for tackling known workplace learning issues. This can be expressed as integrative

bargaining behaviour (discussed below). However, distributive elements were also observed relating to bargaining on the allocation of staff time, the control of learning processes and in challenging relationship patterns. This section outlines the distributive bargaining processes that took place initially at TaxOfficeHouse and then at the regional level.

7.3.1.1   Bargaining for learning at the workplace

The ULRs negotiated for the delivery of a time-bound project and the use of a room for the duration of the SfL project. The core elements of distributive bargaining centred on the allocation of workplace resources and control over learning processes. The negotiations for resource allocation covered the number of ULRs, dedicated facility time and the amount of paid time that staff would be allocated to take part in courses. The TaxOfficeHouse ULRs wanted to recruit two more ULRs, based on an internal union target for ULR to member ratios of 1:75. This was not official union policy but was discussed as part of the union's organising strategy as a target to aim for. The increase in ULR numbers was not ceded by management, but the two existing ULRs did secure additional facility time. This was over and above that already agreed with the national HMRC-PCS learning agreement (25% FTE for BLCs and 'ordinary' ULRs as per the ACAS guidance of 'reasonable time'). The BLC was also an equalities rep and LGBT activist and felt he was able to undertake ULR duties 'to a certain degree under the radar'. But he felt that facility time spent on the SfL project should be made explicit and be over and above the normal allocation. The SfL project was presented to staff as a joint union-management initiative (helping local management achieve the Leitch Pledge) and the reps argued that, as such, the employer should contribute additional time. This was expressed by the Branch Learning Co-ordinator as follows:

> *"We see that the work (on the SfL project) should be much more on the department's time rather than the rather woolly agreement for 'reasonable time off' given (in the national agreement)." (PCS Branch Learning Co-ordinator)*

Although the SfL project was presented as offering mutual gains the ULRs also moved to challenge relationship patterns by taking control of the delivery of the SfL programme. Local managers and training leads saw this as problematic, but the ULRs successfully argued their case in two ways. Firstly,

that good practice established in other union-led SfL learning projects showed the benefits of ULRs

taking the lead. They argued that ULRs had specific training to support SfL learners and that assuring

confidentiality (especially of SfL test results) would help encourage participation and improve

outcomes. Secondly, the reps argued that it was the union (via the Regional Project Worker) who

established good working relationships with trusted providers and negotiated funding for the SfL

programme. In effect, this was a lightly veiled threat that if the union was not in control of the learning

programme, then the funding could be directed to other projects and workplaces where the union

was taking the lead.

In addition to negotiating ULR time and roles, the union claimed that all of the staff time spent on the

SfL courses should be paid time. They made a calculation of the average time required by an individual

to participate in the SfL course[7]. Local management restated this as the total number of staff hours

for the programme as a whole; estimated at 3,000 hours of staff time[8]. This reflected lean-inspired

practices that required managers to monitor hourly workloads and the time spent by staff on different

activities (see Carter et al. 2012 and Radnor 2010 for further discussion of the Pacesetter programme).

This monitoring requirement, coupled with the principle established that the ULRs should keep data

on SfL participation confidential created a specific opportunity for the ULRs to take a degree of control

of the rostering of staff time. The lead ULR explained:

> *"The (other ULR) negotiated with the college on how they will provide the training, the timing, the resources they will provide, all those aspects, as well (as) the staff rotas. The (management) now respect her very highly, she is very organised and because that relationship of trust exists with the members they are able to organise themselves with her help. She is able to then negotiate collectively with management and the provider and navigate both things together." (TaxOfficeHouse Branch Learning Co-ordinator)*

This enabled the ULRs to encourage members to be more active in controlling their own working time

as discussions took place about when the SfL sessions should be held to suit participants. Staff were

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[7] The assumption being: 1 hour initial assessment, 24 teaching hours plus 5-6 hours for the final literacy and numeracy tests. A minimum of 8 and a maximum of 12 people were required per course to make courses viable within the funding deal agreed with an FE college.

[8] Calculated as a 'cost' of £20,000

planning their time out from working on the phones and ensuring that hourly targets were adjusted accordingly. The ULRs helped to ensure that the hours allocated to the SfL project were taken up and that staff were not penalized by line managers to make up 'lost' time that had in fact been officially allocated to learning activity. The SfL learning project was reported as successful in terms of the parameters set for the 'Whole Organisation Approach' model adopted. The ULRs felt that they had made a small but significant gain in establishing a precedent that staff could manage their own working time within the constraints of the new Pacesetter programme and, additionally, that the ULRs would regulate the allocation of time for learning to ensure that staff were able to take the time that had been agreed. The close control of data on participants enabled the union to undertake an evaluation study. The benefits to participants and the business were evaluated independently, with staff and managers surveyed before and after the SfL programme at TaxOfficeHouse. This report was used as evidence in the negotiations with regional management around including the union-led SfL pilot projects in the wider CSWM regional reform programme. The distributive elements to those negotiations are discussed below.

7.3.1.2   Extending the bargaining sphere

Once the SfL project was established at TaxOfficeHouse, the regional union team proposed that the project should become part of the CSWM skills programme. The union successfully argued that if the core objective of CSWM was opening up progression routes for under-represented staff, that the SfL project offered another opportunity. The Cabinet Office and Government Office managers leading the CSWM programme were supportive of this proposal. They saw SfL as a route to access learning resources via the union and as a way to promote the CSWM reform programme to a broader base of employees and managers, and in so doing, bypass the middle management layer perceived as a key barrier to the effective implementation of the wider programme. By leading on the SfL project, the union was able to take a more proactive role within the wider CSWM programme and this gave the union a platform from which to promote union learning more widely across the region.

The CSWM skills programme already contained other elements: a vacancy sharing scheme, a fast-track leadership programme and an apprenticeship programme. The apprenticeship programme was employer-led and managed in partnership with the local Learning and Skills Council (LSC). There had been no initial input from the union. As the CSWM skills projects progressed, the union began to use the CSWM steering committee as a forum to critique elements of the CSWM skills programme, most notably the apprenticeship scheme.

There were different issues raised within the union on the theme of learning and intra-organisational bargaining is discussed later in this chapter. The issue raised with management centred on fairness and equality of opportunity. Managers were accused of 'cherry-picking' candidates for the new apprenticeship programme. The union emphasised that a key objective for CSWM was to improve career progression for a more diverse range of staff. The union reps pushed for an equality impact assessment to be undertaken, to try to hold management to account by asking for more detailed information about how employees were made aware of apprenticeship opportunities, how they were encouraged to apply and, crucially, how they were selected to take part. The union began to gather anecdotal evidence from workplace reps, including the ULRs at TaxOfficeHouse, suggesting that the scheme was not being managed according to stated principles. The union also proposed that the apprenticeship scheme could be run more effectively with more active support from ULRs. The regional CSWM management team were reluctant to release data on apprentices and did not move to involve ULRs in their apprenticeship programme.

In the face of employer resistance to the reform of the apprenticeship programme, the union's regional learning team began to develop an alternative, union-led, apprenticeship programme. Building on the success of the workplace SfL projects, local colleges were keen to work with the union to engage learners in other work-based programmes. The RLC identified that considerable FE funding could be accessed to pay for adult apprenticeships and began to work with the ULRs and branch networks to identify demand for union-led adult apprenticeships. Within just over a month, the

regional reps had identified over 120 staff wanting to take part. The union team also gained support from workplace managers in several departments including HMRC, DWP and MOJ who expressed interest in their staff accessing these programmes. At TaxOfficeHouse, 30 members of staff came forward to express interest in the apprenticeship offer, many of whom saw this as a progression route from their involvement in the SfL courses.

The union-led regional apprenticeship project looked set to run. However, in one key department, DWP, regional and then departmental managers raised objections to the union-led programme. DWP senior managers claimed that civil servants were not eligible for FE funding and therefore the department could become liable for costs. Secondly, they challenged the union's approach to procurement, suggesting that the FE providers should be vetted in the same way as other civil service suppliers. Finally, DWP management challenged the union's stance on data protection and retaining learner confidentiality, arguing that if the union was asking for data on the employer-led programme, that the same principle should apply to union-led courses. The union countered these claims arguing that funding eligibility had been established, that FE providers were already subject to government quality standards and scrutiny, and that union learners were more likely to require SfL support so the principle of confidentiality should stand.

Arguments contesting the union's approach to the apprenticeship programme were continuing at the regional level by the time the fieldwork came to an end. However, two early outcomes were noted. Firstly, that these objections were being made mainly by managers in one department and plans were continuing to establish the union-led scheme in other workplaces where local management and unions agreed to do so. Secondly, information about the resistance shown by middle management to the union's apprenticeship programme was fed directly from local reps (ULRs, BLCs and the RLC) to the national union[9]. These reports directly informed negotiations that were taking place between the

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[9] One of the early processes established by the national PCS ULF team was a reporting system from ULRs about their activities and issues faced

CCSU and the Cabinet Office in 2009 specifically on the theme of apprenticeships. In January 2010, a new learning agreement – 'the Cabinet Office-CCSU apprenticeships framework' – was signed which included most of the union standards that the reps had unsuccessfully tried to enforce on regional management via the CSWM programme. The national agreement outlined union and management roles in apprenticeships for both adults and new entrants setting out how apprentices would be employed in the context of job cuts and the role of ULRs in supporting apprentices. Specific criteria were set for monitoring and departments were expected to undertake equality impact assessments and report these to the CCSU-Cabinet Office learning steering group.

7.3.2 Integrative bargaining

The ULRs and the Senior Manager at TaxOfficeHouse shared the conviction that the Leitch Pledge should be honoured and the SfL project was presented as a solution to this shared problem. This section explores integrative bargaining processes at TaxOfficeHouse further by examining the 'shared problem', the suggested solutions and the evaluation of those options.

The drive to address the 'problem' of poor levels of literacy and numeracy was mainly exogenous. UK skills policy based on recommendations from the Leitch Report encouraged public and private sector employers, including HMRC, to sign the 'Leitch Pledge'. Unions were also encouraged to address adult literacy and numeracy in the workplace through the ULF and SfL featured heavily in the content of training for ULRs. This included reference to the Sector Skills Council's research estimating the scale of SfL needs in the government sector (see for example PCS 2006, 2008 and unionlearn 2009, 2010). Through these mechanisms the 'problem' of workforce basic skills was brought to the attention of ULRs who in turn took the 'problem' to local management.

In making the case to management to justify support for the SfL project, the ULRs stressed the potential gains for workers and HMRC. The ULRs made the case that the SfL project would help open up 'pathways to professionalism', echoing Cabinet Office policy under the rubric of the Professional Skills for Government (PSG) programme. Union learning was presented as offering '*a route in for staff*'

and *'adding some meaning to the Department's visions for "modern career development" in the civil service'* (PCS ULRs). Management anticipated that staff involvement in SfL courses would encourage participation in Pacesetter schemes and 'lean academy' courses. The 'lean academy' provided information and resources that explained Pacesetter and encouraged staff to take part in continuous improvement groups focused on identifying incremental improvements to workflow. The limitations of the implementation of the Pacesetter programme had already been recognised in a management commissioned evaluation that highlighted how frontline staff were not effectively engaged in lean systems (Radnor & Bucci, 2007).

The union also stressed the capability of the ULRs to bring funding and SfL learning resources to the workplace and the unique and trusted role of ULRs in this area. The ULRs also made the point that the union could run the SfL project anyway with support from the ULF team and local FE College. However, they argued that a 'union-only' approach would mean signposting employees to college-based provision and result in lower levels of participation. They emphasised the difficulties that staff faced in accessing college-based programmes due to issues such as travel time, motivation and confidence to learn. Through this discourse, the ULRs stressed the interdependency between the union and management in this regard.

At TaxOfficeHouse, the workplace reps were relatively immune from wider debates ongoing within the PCS regarding union opposition to Pacesetter within other sections of the union (Carter et al., 2011, see for example 2013; D. Martin, 2012). Yet the TaxOfficeHouse ULRs were not uncritical of Pacesetter and were focused on how they might work locally to improve Pacesetter for the benefit of members. They questioned management's capacity to facilitate the cultural change necessary for Pacesetter to work in the way that HMRC claimed it would benefit staff. The reps also felt that they were in a position to affect how lean processes were adopted:

"We feel that it is part of the cultural change that is taking place, that people are asserting and valuing learning as integral to the day to day running of the business… it is included in their management responsibilities but there has never really been any development as to what that means." (PCS Regional Learning Co-ordinator)

"I guess in the process of taking up these issues and starting to deal with that we will be shaping how (Pacesetter) gets taken up in the future." (PCS ULR)

The union learning team presented a worked-up SfL project 'solution' to the TaxOfficeHouse management. This took the form of funding already agreed with a local FE provider, a prescribed delivery model for workplace SfL and with ULRs supporting its delivery. The 'Whole Organisation Approach' was a model recommended by the Basic Skills Agency (and promoted by unionlearn[10]) as an effective way to engage workplace learners in literacy and numeracy programmes. This was presented by the ULRs as a tried and tested approach that had the potential to generate learning activity at scale and as a non-confrontational way to engage learners in a sensitive workplace learning theme.

When the SfL project was extended to be part of CSWM, regional managers suggested an alternative delivery model. They wanted the union to offer SfL learning across the region to employees in different workplaces and departments. The regional reps successfully made a case for initially containing *pilot* activity in two workplaces (of which TaxOfficeHouse was one). These pilots would help set the standard for other workplace learning programmes. The union claimed this approach would ensure that the project generated viable numbers to run courses. Privately, the union reps wanted to ensure that SfL activity took place in settings where a union-led model had been negotiated and written into a workplace learning agreement. The Regional Learning Co-ordinator noted:

"She (the regional manager) said 'why do we not have it all over the West Midlands?' We said well we could but if we have two or three here, and two or three there then no ULRs could support them all and we want quality and we want them to have an impact in the workplace." (PCS Regional Learning Co-ordinator)

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10   http://www.unionlearn.org.uk/courses/course-list/promoting-learning/skills-life-whole-organisation-approach

This was the case made in negotiations with regional civil service managers. The Regional Learning Co-ordinator explained that developing the 'Whole Organisation Approach' in one workplace formed part of the deliberate strategy to seek further gains for the union across the region. This strategy required the pilot projects to be restricted to workplaces where specific concessions had been negotiated with ULRs controlling key learning processes. This would help make the case for the replication of this union-led model to other sites:

> *"So we argued for it to be in that locality in order to develop a containable and sustainable project that would then be duplicated elsewhere… and there was also recognition that you cannot take on the culture of an entire department, you do need to make some progress and take it from there." (PCS Regional Learning Co-ordinator)*

Within Walton and McKersie's model it is assumed that within an integrative process negotiators will assess the potential benefits and gains of different options. However, no assessment was made of the costs and benefits of the alternative model suggested by HMRC management. The employer's alternative option was quickly dismissed by the union. The union's proposed solution to the 'SfL problem' was the approach taken at TaxOfficeHouse. There was limited evidence of the type of joint problem solving that is central to the integrative or interest-based bargaining model. The learning agreement developed to support this single project was then used as a template for negotiations in other regional workplaces. While both parties had a joint interest in extending learning activities across the region, bargaining processes involved 'mixed motive' bargaining. Walton and McKersie suggest that this creates tensions around the tactics employed within each bargaining sub-process. These themes are explored further in the following sections.

7.3.3   Attitudinal structuring

Walton and McKersie suggest that attitudinal structuring sub-processes involve negotiators evaluating the outcomes of previous negotiations to assess antecedent relationship patterns and anticipate the bargaining orientation of the other party and, therefore, whether attitudinal structuring activity is necessary to help achieve bargaining aims. The analysis of distributive bargaining processes suggested that the union reps were able to affect some change in relationship patterns. At TaxOfficeHouse the

ULRs became 'trusted' and 'respected' by local managers. Positive attitudinal change was less evident at the regional level. This section explores these themes further in terms of discussing the prevailing attitudes amongst bargaining actors and the strategies used by union negotiators to affect change in the orientation of management at the local and then regional level.

7.3.3.1   Changing attitudes in the workplace

At TaxOfficeHouse there was limited direct precedent and 'regard' for the union's role in the delivery of workplace learning. Despite PCS being one of the first unions to train large numbers of ULRs prior to statutory recognition in 2003, and having developed learning projects in a range of HMRC workplaces, the nature of this activity and the role of ULRs was not well understood at the local level. The reps described pre-existing relations with management at TaxOfficeHouse as neither friendly nor hostile and the prevailing attitude of management towards the union was ambivalent. There were existing institutions that shaped these orientations. Firstly, there was a strongly embedded belief in management's prerogative to manage held by both management and some union reps. Secondly, strong cultures of hierarchy were endemic within the civil service. This created barriers for ULRs wanting to initiate dialogue with some managers as ULRs (who were AO grade) were perceived as relatively junior members of staff[11]. Finally, pre-existing bargaining structures placed formal union-management negotiation within national departmental bargaining units. Workplace level joint 'house' consultative committees and 'Whitley' arrangements were recognised as consultative forums, not a mechanism for collective bargaining (Prowse, 1999). Thus there were no established local mechanisms for bargaining, and negotiation with management on SfL at TaxOfficeHouse was the first proactive bargaining engagement by the union with site level managers.

In a context where the union had limited legitimate claim to bargain on learning, the union developed specific plans to try to affect attitudinal change focused initially at site level managers and staff and

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[11] Yet, changing established workplace cultures was implicit within the lean-style 'continuous improvement' philosophy of Pacesetter

subsequently at regional civil service management networks. The ULRs were mindful of a complex set of messages that they needed to communicate in order to try to affect that change. Their ULR training had provided them with some tools to plan for communications with staff and management on the following topics: raising managers' and members' understanding of SfL and wider public policy debates on this theme; the rationale for focusing on this type of learning for employees; the logistical challenges of addressing literacy and numeracy in the workplace; making the case for the union to take a lead. The Senior Site Manager at TaxOfficeHouse, although initially ambivalent towards the union, became a keen supporter of the union-led SfL project and worked jointly with the ULRs to engage other operational managers and staff through joint communications and events. The commitment to do this jointly was also written into the workplace learning agreement, which stated that the ULRs would:

> *"consult with management before engaging in publicity with respect to this project, these may include magazine articles (CSWM, PCS and HMRC), daily news bulletins, global emails and flyers etc." (TaxOfficeHouse SfL learning agreement p 1)*

This statement might suggest that the union had ceded control to management around how communications about the SfL project would be delivered. However, in practice, this enabled the ULRs to gain unprecedented access to employer communication channels to promote the learning project and raise awareness of the role of the union to all staff. The 'Whole Organisation Approach' encouraged all members of staff, including managers, to participate in the numeracy courses. Feedback from managers after the pilot programme indicated positive changes in attitudes towards the union and the role that the ULRs had played. The engagement of managers helped to raise their understanding of the project, the concept of 'lifelong learning' and the value that staff placed on ULR support. Managers from TaxOfficeHouse commented that '*the union input is very positive and people do get involved because of their contact'* (TaxOfficeHouse Line Manager). Managers noted some benefits for the organisation, particularly in terms of improved staff confidence. Some suggested that participation in the SfL course had encouraged staff to participate in lean continuous improvement teams. As one manager commented:

"There are some job-related benefits for staff taking the course, but these are not immediately obvious as the course is about marginal up-skilling or refreshing knowledge … I think people would be generally more confident to take part in any that comes along. It has empowered staff to develop themselves. HMRC training is very job specific and the learning with the union is more about people investing in themselves and getting more transferable skills." (TaxOfficeHouse Line Manager)

Although the actual gains to HMRC were assessed as 'marginal', the feedback from managers did indicate that the union had established a degree of legitimacy for union learning and an understanding that this was distinct from employer training and development.

7.3.3.2   Attitudinal structuring – regional focus

At the regional level there was a stronger degree of mistrust between the union and management and these poor trust relations were reflected in the antagonism around the CSWM apprenticeship initiative. A programme of dissemination activity was incorporated into the regional CSWM SfL pilot project aimed at achieving attitudinal changes with management. To support their bargaining strategy, the union endeavoured to use the positive orientation of the senior manager at TaxOfficeHouse to encourage this manager to make the case for union learning in other Civil Service departments and workplaces in the region. The RLC noted:

"We wanted to empower the local site managers to take up the arguments within their departments, so actually it was not just about the negotiation thing it was also about the cultural change in the organisation. The ULRs (at TaxOfficeHouse) have made a real difference having that dialogue and giving people and local managers, that confidence." (PCS Regional Learning Co-ordinator)

The ULRs worked with the regional learning team to develop, under the auspices of the CSWM skills pilot, a series of communications events, materials and good practice guides designed to engage managers from across civil service departments. Regional workshops included presentations from the Cabinet Office, government office heads, the TaxOfficeHouse Site Manager and PCS ULRs. This presented a united front and shared messaging about the SfL programme, including how the learning agreement underpinned joint work in the workplace. These messages helped to reinforce the picture of a shared problem, workable solutions and the unique role of the union. In Walton and McKersie's terminology, the union became *'associated with desired objects'* (op cit p 146).

Feedback obtained from those attending the regional events was generally favourable, with managers reporting a better understanding of SfL in the government sector[12] and expressing interest in knowing more about the role of the ULR and local learning agreements. Feedback was also obtained from the union branch officials participating in similar events. There was an increase in local branches reporting that active dialogue was taking place with workplace managers on the scope for similar agreements (see below for further detail). This suggests that union attitudinal structuring activity was relatively successful.

7.3.4 Intra-organisational bargaining

This section explores intra-organisational bargaining through identifying key bargaining constituents (at site and then regional levels), constituents' expectations of negotiators and negotiators' responses. This section considers intra-organisational bargaining within the union and then within management.

7.3.4.1 Union intra-organisational bargaining

The constituents that ULRs at TaxOfficeHouse initially engaged with were members and other employees on site[13]. When the SfL pilot became integrated into the regional CSWM programme, dialogue also developed between ULRs, PCS regional officers and branch reps in other departments (PCS groups) across the region. Subsequently, elements of the CSWM apprenticeship programme became contested and the regional learning reps became directly engaged in dialogue with the HMRC group executive committee (GEC) and national ULF team.

ULRs and employees

At the workplace level, ULRs noted that the learning theme was new and members' expectations of ULRs were limited. When the ULRs introduced the SfL project, the expressed demand from staff for

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[12] Entry requirements for the civil service are at Level 2, therefore there was a prevailing assumption amongst managers that the national dialogue on adult literacy and numeracy did not apply to the civil service workforce
[13] The Skills for Life pilot model focuses on a 'Whole Organisation Approach'. Non-members are viewed by reps as potential members

'lifelong learning' and literacy and numeracy learning was low. The ULRs worked to create the demand for learning and the SfL pilot project focused attention on raising awareness of literacy and numeracy issues. The ULRs framed their messages seeking to normalise SfL by indicating wide-spread literacy and numeracy 'gaps' in the UK workforce and presenting the Leitch Pledge as symbolising a national movement to tackle SfL needs. Learners subsequently noted that the union-led model was effective in generating a sense that SfL was '*just something everyone needed to brush up on*' (TaxOfficeHouse SfL learner). The 'Whole Organisation Approach' helped to build a sense of a collective learning experience and an understanding that the union was campaigning for access to learning for all. This approach differed from usual HRM practices which assessed individual learning needs and emphasised 'deficiencies' that an employee needed to address. Several employees who participated in SfL courses had been reticent at first. One staff member noted, '*initially staff didn't see the point, but that view has changed*'. Another that, '*there was fear at the beginning but this was dispelled. Some were very nervous about going at first but now they are talking openly about it all*' (TaxOfficeHouse learners). The interview feedback from SfL participants illustrated that the learning experience had been largely positive and ULRs had been successful, as the regional organiser termed it, in '*awakening member interests in learning*'.

ULRs and union organisers

Intra-organisational dialogue also took place between the regional union and TaxOfficeHouse ULRs. The RLC wanted to use the TaxOfficeHouse project as an exemplar to showcase union learning across the region. This put increased pressure on the TaxOfficeHouse ULRs to achieve successful outcomes and required additional input from them to participate in regional events. The ULRs were reluctant, being wary about using additional facility time away from the workplace. However, the RLC persuaded the ULRs of their value in helping to build union learning and organising more widely across the region. Inviting the site manager to co-deliver the CSWM showcase events made it easier for the ULRs to

secure agreement for additional time away from their workplace to present at union learning conferences.

Learning reps and branch officials

The decision to initially channel learning resources into the two pilot workplaces (of which TaxOfficeHouse was one) created some concerns with the wider regional PCS team. The narrowly focused project (targeting SfL funding in only two workplaces) contradicted strongly held notions of union learning as 'learning for <u>all</u>'. However, the RLC persuaded officers of the strategy to focus resources on pilot workplaces to secure outcomes based on negotiated agreements and that this would be more effective in building union organisation in the longer run. He noted:

> *"I help in thinking strategically about getting a broader collective gain and thinking about how to win those arguments. We had to ask 'where do our principal interests lie here, what is our bottom line?' and we had to be very assertive about that." (Regional Learning Co-ordinator)*

Integrating the SfL project within the CSWM programme enabled the union to hold regional networking events and conferences for branch reps and ULRs on the SfL theme. This provided a mechanism through which the ULRs at TaxOfficeHouse could share information about the SfL project and their learning agreement. Branch reps from over half of all the regions' branches, representing over three quarters of members in the region, attended those events. The TaxOfficeHouse workplace learning agreement explicitly stated that it was a 'without prejudice' agreement and only applicable to that particular office. However, the TaxOfficeHouse agreement became used as a template by other branches in negotiations with their respective managers, often extending negotiations beyond SfL learning to include IT, learning for personal development or higher level learning and apprenticeships. Data collected from the branch officials that participated in the learning conferences showed that, by the end of 2009, there were ULRs active in 49, or two thirds, of the region's 77 branches and half of these were actively developing branch learning plans. Eight branches, covering an estimated 2,500

members (around 10% of the total regional membership), were using the TaxOfficeHouse agreement as a prototype for their negotiations with local management.

Learning reps and industrial officers/senior lay reps

Senior lay reps and industrial officers were the group in the union most likely to express concerns about the SfL project. Advocating for SfL was not seen as a core union issue and many assumed that poor literacy and numeracy were not issues that affected many civil service staff (who were required to hold Level 2 qualifications on entry to the civil service). Senior lay reps were more concerned about the employer-led apprenticeship programme. Apprenticeships were considered a more pressing industrial theme or *'proper union business'* (GEC Chair) particularly if, as feared, apprenticeships were used by management as a route to employ younger workers on low wages, displacing existing staff in a period of cuts and job losses. The learning officers were conscious (see section 7.2.3 above) of the potential for union learning to be used as a tool to mitigate the effects of cuts and new work regimes. However, they argued that the core interests of the union were being served and that the SfL project and union-led apprenticeships offered opportunities for both members and the union. They expressed this in five key ways. Firstly, that the core principle of union learning was inclusive and an equality issue that helped redress the balance of increasingly exclusive employer L&D policy that favoured select groups of staff. Secondly, that many members were long servers and literacy and numeracy skills needed updating to enable staff to participate in new work regimes and ensure future employability in the face of an uncertain future. Thirdly, that SfL courses helped pave the way for members to participate in other learning. Fourthly, they stressed the benefits for union organising by raising the profile of the union with members and non-members and in attracting new activists. Furthermore, ULRs were becoming increasingly active in the town-level campaigns that were part of the union's new organising strategy. As the Regional Organiser explained:

> *"We are encouraging reps to network through town committees – so that is another structure – it has no policy making powers but it is a forum for people to come together on anything such as local campaigning, organising a strike, or organising learning. This is*

where ULRs and local reps have come together, they are across groups and doing a mixture of things." (PCS Regional Organiser)

Finally, learning offered a potential bargaining 'win', with ULRs challenging management L&D practices and, in certain circumstances, influencing lean-style work systems at the local level. The learning reps argued that the key to their success in establishing union standards was that they had negotiated workplace learning agreements and used this as a lever to become more actively engaged and critical of the CSWM reform programme. The tensions that emerged around apprenticeships led to the active engagement of the HMRC and DWP group executives (the senior lay rep functions within the union) in the internal dialogue about how the union could enforce labour standards. The RLC noted:

"For some on those committees, they became interested in union learning pretty much for the first time as the apprenticeships issue arose and the link to literacy and numeracy learning was seen more directly as an industrial issue." (PCS Regional Learning Co-ordinator)

Through the articulation of issues and experiences between the workplace ULRs, the regional office, the national ULF team and GEC, there was intra-union dialogue about these different concerns within the union. Notably, the experience of the union in developing the SfL project, trying to reform the regional employer-led apprenticeships scheme and the resistance experienced when the union tried to develop its own apprenticeships programme, was used by the national union to shape negotiations with the Cabinet Office on apprenticeships at the national level. The learning agreement signed between the CCSU and the Cabinet Office in 2009 accommodated concerns of both the GEC around protecting jobs and of ULRs in maintaining labour standards in the delivery of apprenticeship programmes. The intra-organisational bargaining processes are complex as the 'principal' negotiators change as the locus of bargaining shifts from the workplace, regional and national levels. What does become apparent is how the expectations of different union negotiators are modified to accommodate different concerns.

7.3.4.2   Management intra-organisational bargaining

Differences in the orientation of local, middle and senior management involved in negotiations on learning were also evident. The Site Manager at TaxOfficeHouse became the key negotiator for the SfL project. Her key 'constituents' were the TaxOfficeHouse staff and other operational managers. Once the SfL programme was integrated into the CSWM programme she also engaged with regional managers at the Government Office and in the Cabinet Office; there were contradictions in organisational policy. Learning and development opportunities for staff had decreased yet, at the same time, the Cabinet Office had announced that the 'skills agenda' was a top priority for permanent secretaries. This was heralded by a number of initiatives including the Leitch Pledge and the national learning agreement. Although agreements were developed nationally, the prerogative to implement them remained with local management. The Site Manager at TaxOfficeHouse encouraged members of the leadership team to actively support the SfL programme and she expected them to '*set an example that we are serious about this*' (Senior Site Manager). She became active in the regional CSWM events programme disseminating information about the learning partnership developed at TaxOfficeHouse. These actions appeared to have had a degree of success with other managers as union learning became more widespread in other regional workplaces. However, many civil service managers remained unconvinced about the growing union role in learning, in particular, the union's critique of employer-led apprenticeship programmes. Some expressed cynicism about the apparent success of pilot SfL programmes and benefits for the business at the local level. One manager attending regional events responded:

> *"Well, the permanent secretary wanted it to be a success, so it was a success, but I am not sure it will happen here." (MOJ Line Manager)*

These tensions became more evident as PCS developed an adult apprenticeship programme. Departmental leads at Government Office, notably in DWP, rejected the union attempts to reform the apprenticeship project and challenged the union's attempt to develop its own programme. The HMRC Manager at TaxOfficeHouse recognised that local management might defer to senior managers'

objections, but this, in her view, showed a lack of leadership. She saw DWP's objections to the union's apprenticeship programme as '*misplaced*'. In terms used by Walton and McKersie, they were conforming to the expectations of more powerful constituents. She remained convinced of the value of the approach taken to working with the union, and explained:

> *"Our approach was to build a successful model that we could evidence and replicate in other places. Ultimately things that get us better results are more important than some line over who leads on training." (TaxOfficeHouse Senior Site Manager)*

The resistance shown by DWP middle management appears to have been countered, not only by the union trying to develop an alternative apprenticeship programme at the local level, but also by Cabinet Office signing a national framework agreement on apprenticeships with the CCSU. Within the union, the expectations of constituents and negotiators at different levels had been modified and converged but inconsistencies remained in the bargaining positions of different management actors.

7.4   Discussion and conclusion

Unlike the other three cases, negotiations for learning at TaxOfficeHouse were not around setting up a learning center. Rather, a local agreement was development around a single time-bound SfL project. The TaxOfficeHouse case highlights the constraints, and opportunity structures within the union tried to establish new bargaining relations on the learning theme. Contradictory business strategies provided an opportunity to make the case for SfL learning. Ironically management's unitarist view enabled the reps to covertly advance union objectives around the control of lean processes. The newness of the union learning agenda also created a 'first mover' advantage enabling the union to set the agenda and consider their bargaining tactics. They opted to develop a tightly controlled workplace project. Despite the agency inferred to the union, they were constrained by management prerogative over training, cultures of hierarchy in the civil service and a lack of local bargaining institutions. To operationalise their bargaining strategy the union needed to establish supporting institutions that legitimated the union's role in advancing learning in the workplace. This case contributes to the

overall thesis demonstrating how the ULRs working with their regional union learning team develop strategies affect a change in management attitudes towards the union.

The national learning agreement communicated a set of 'minimum standards' expected for union learning (Cassell & Lee, 2009). It also established new learning reps' roles within the branch and at the regional level (the BLC and RLC). Furthermore, PCS's national ULF project provided project workers that helped to link the ULRs to the regional team, the HMRC bargaining unit. Through this team, ULRs were also able to access external networks and expert resources that helped build professional practices in SfL delivery (a complex and sensitive issue to address in the workplace).

Through adopting the whole organisation approach, the union reframed narratives around SfL learning, normalising participation in literacy and numeracy learning and promoted a collective learning experience and learning as a public good (Matthews, 1994). The union reps made subtle but significant gains in helping employees reclaim, at least for the period of the learning programme, a degree of 'time sovereignty' (Hyman, 1999a: 5) in their working day and challenging the 'frontier of control' (Goodrich, 1975) helped build internal solidarities with employees.

Figure 2 shows a representation that illustrates the bargaining behaviours evident in at TaxOfficeHouse. It shows the mix of integrative and distributive bargaining behaviours and both and seeks to illustrate the extent of intra-organisational ongoing and also the concerted efforts to engage staff and management in union learning through Whole Organisational Approach model which was not only successful in delivering learning outputs had a democratising effect of engaging all staff simultaneously in the SfL project assessment.

A further dimension to this case is the attempt made by the union to use TaxOfficeHouse as an exemplar from which to extend bargaining relations at the regional level. The RLC was central to this process in articulating links across branches and engaging ULRs in regional organising campaigns and wider rep networks. The RLC encouraged a form of soft pattern bargaining, encouraging regional union

branches to use the TaxOfficeHouse agreement as a template to initiate bargaining for similar agreements as part of their branch learning plans.
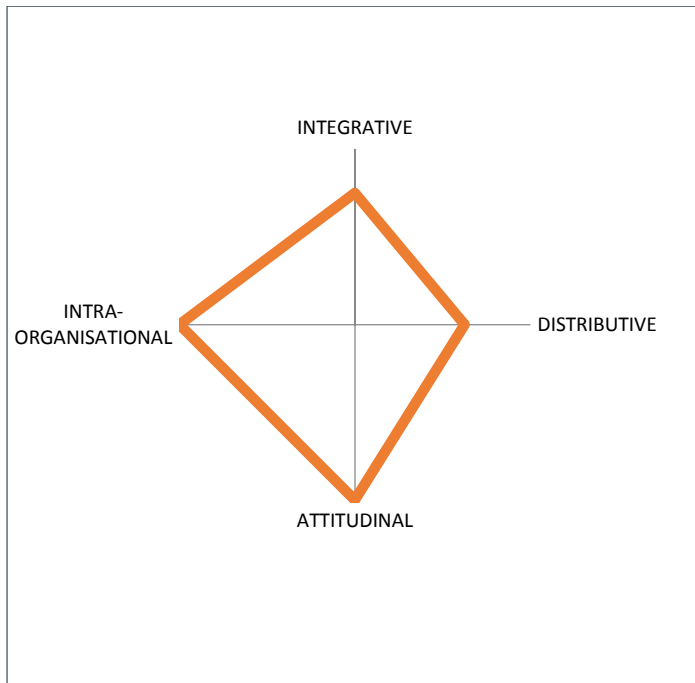
The success of the union learning project also established credibility of union learning with regional management, and helped create a role for the union with the wider civil service reform programme. Regional officers tried to use the CSWM steering group as a platform to critique and reform the employer-led aspects of the CSWM skills programme but were unsuccessful. This is a similar finding to research undertaken with UNISON (A. McBride & Mustchin, 2007b). The union's capacity to deliver SfL learning was not a sufficient condition to enable union influence over employer-led skills initiatives in the absence of either partnership or bargaining institutions around this theme. The CSWM steering group was not a legitimate space for bargaining.

However, through the newly established union learning structures, the regional team was able to escalate issues relating to apprenticeships to the CCSU-Cabinet Office learning committee. Evidence gathered from TaxOfficeHouse and other workplaces shaped the new national framework agreement on apprenticeships (subsequently issued in 2010 and covering all government departments). The

union's regional and bargaining unit learning co-ordinators were central to the process of intermediation between the workplace ULRs, the national learning team and the HMRC lay executive. The latter's established narrative saw apprenticeships as a threat and wanted to take a more adversarial approach to negotiations with the employer on this theme. The ULR's narrative on learning for inclusion saw apprenticeships as an opportunity for staff. The national union learning team re-framed these as complementary strategies to build provisions in the new national agreement that regulated apprenticeship (new entrant) recruitment policy and the ULR's role in supporting the apprentices and monitoring apprenticeships policy 'on the ground'. While recognising that the national apprenticeship agreement was only a framework that would require negotiation at the local level, it did provide a platform for which the ULRs could negotiate further on this theme. This was evident at TaxOfficeHouse where the ULRs were actively encouraging SfL learners to participate in a union-regulated apprenticeship programme and had negotiated release for them to do so. Having started with a single time-bound project the ULRs were becoming established their role and there was a strong likelihood that union at TaxOfficeHouse would be sustained.

The two HMRC cases have illustrated how PCS reps established workplace institutions for learning in workplaces where collective bargaining institutions have traditionally been located at the national level. The PCS reps needed to build local capacities and the legitimacy of bargaining on the learning theme with management in order to advance union aims. The following two cases take place in settings with stronger, established local bargaining institutions. The following chapter shows how bargaining for learning by UNITE reps at IceFactory became integrated into existing collective bargaining regimes.

Chapter 8 **IceFactory: integrating learning into collective bargaining**

8.1   Introduction

In contrast to the other three cases, the negotiations between UNITE reps at IceFactory and HomeProductCo management on learning was integrated into formal collective bargaining mechanisms. At IceFactory, partnership relations between management and the ULRs could be described as a more pluralist or 'genuine' (Wray, 2005) where management openly recognised the shared *and different* interests of employees around learning and the distinctive role of the union. Yet the reps continued to adopt a mixed bargaining strategy and attitudinal structuring. The case contributes to the overall thesis through demonstrating how the local union developed new narratives within the shop stewards network around framing learning as an issue within wider collective bargaining strategies.

The chapter contains the following sections: section 8.2 outlines the key bargaining actors at IceFactory and bargaining strategies. Section 8.3 outlines the bargaining behaviours of both parties and how negotiations around the learning center came to be located within formal collective bargaining mechanisms. The chapter concludes in section 8.4 with a discussion of how the orientations of bargaining actors shaped bargaining and legitimation strategies and the emerging capacity of the reps to frame new narratives around learning to help co-ordinate bargaining and organising strategies.

8.2   Context

IceFactory was a 'strategic' production site, one of nine within the group. Each had received significant investment in new plant as a result of the consolidation of HomeProductCo's production base in the mid-2000s. The IceFactory site employed 450 staff working eight-hour rolling shifts. The main employment group were production line operatives, many of whom were long servers working on the same product line for more than 15 years. Approximately 20 percent of operatives were migrant workers. Wages and benefits were relatively good in relation to comparable jobs in the local labour

market. The company faced skills shortages for skilled engineers and had tried, unsuccessfully, to alleviate skills gaps through training initiatives to up-skill operatives into a 'technical operative' grade.

Table 6 IceFactory case overview	
Employees at site	450
Trade union density	63%
Major occupational group	Assembly line operatives and packers
Learning agreement	Learning Center Partnerships Agreement
Key union learning activity	Basic literacy and numeracy skills
	Basic IT
ULRs	4
Company training/HR practices	Redeployment
	Up-skilling 'technical operatives'

8.2.1   Union learning

The UNITE learning reps at IceFactory were first trained in April 2008; this included the Senior Shop Steward and two other stewards. A fourth ULR trained in 2010 was not previously an activist or elected rep. The starting point for joint work between the UNITE ULRs and IceFactory was in relation to the closure of a small warehouse and cold store facility of HomeProductCo's near IceFactory which also employed UNITE members. The regional UNITE learning organisers were working with IceFactory ULRs and the local FE provider consortium to offer learning opportunities to those affected by the threat of redundancy. This included offering advice, guidance and learning opportunities. The cold store warehouse staff were offered redeployment opportunities at IceFactory and all those wanting redeployment (the majority of the 24 affected) gained employment either at IceFactory or elsewhere locally. Learning activity was relatively new at the time of the first research visit, with the first pilot SfL courses beginning in mid-2009. The regional union learning organisers identified funding and a tutor from the local college (also involved in the redeployment project) also contributed 10 PCs for a workplace learning center. The learning center launch provided the opportunity to undertake a site learning survey and generated further interest from other staff who are now on waiting lists for future courses.

8.2.2 Bargaining actors, key constituents and orientation towards learning

This section outlines the key bargaining actors at IceFactory, their main 'constituents' and their primary motivations for advancing bargaining relations around union learning. It concludes with a discussion of employees' perspectives on the development of union-led learning. The main UNITE protagonists bargaining for the union learning center were two of the ULRs. Both were also shop stewards. The ULRs led workplace activity to engage local management, liaise with learning providers and support operative staff to participate in learning center courses. The Senior Shop Steward also attended national meetings of senior stewards within HomeProductCo, the network of stewards that formulated bargaining claims with the HomeProductCo Senior Negotiator to input into collective bargaining; this network also shared updates between reps at the nine HomeProductCo manufacturing sites on local developments including ULRs and union learning activity.

The IceFactory ULRs were supported in their negotiations by the UNITE regional (ULF funded) learning team. The regional UNITE team had been central to initiating learning activity at IceFactory when they worked together on the redeployment initiative. This helped to build working relationships between the ULRs and FE providers, and proved valuable in building management's awareness of the potential of union learning. The regional learning team was led by a national UNITE officer on secondment to the region to oversee the regional learning projects. The political orientation of this national officer had a strong influence on ULR activity at IceFactory. He had used strong anti-partnership rhetoric, encouraged rep self-organisation and embedded ULRs within an organising strategy focused on targeting learning opportunities for low skilled workers. The orientation reflected a wider discourse in the former TGWU sites where partnership was perceived as a weak strategy adopted by moderate trade unions, as the National Union Officer explained:

> "In the early days quite a few of the learning agreements were called 'learning partnership agreements' and even now the term is used. But it is the whole word 'partnership'. It is as if you were on an equal footing and it is not. It is not that way. It is as if you are going back to the Bill Morris (the former General Secretary of TGWU) era of partnership. If I mentioned partnership to Tony Woodley, he'd rip my head off." (National Union Officer)

The National Officer's orientation was shaped by 15 years' experience as a workplace convenor, as a national trade union tutor and from direct involvement in a series of ULF projects since the early 2000s. The National Officer had a clear orientation towards seeking '*justice and dignity for the working class*' by focusing union learning activity towards low skilled workers (defined as those without qualifications at Level 2 or above). He saw this as '*absolutely core union business*' and asserted:

> "*We place a focus on that because it makes it a collective issue, learning for those with less ability to do it for themselves…if you are at Level 3 or above, you can do it for yourself, what's in it for the union there?*" (UNITE National Officer)

He believed that gains would be achieved through taking a conflictual approach with employers and be more likely to be sustained if '*achieved through strife*'. Finally, he noted the importance of building workplace institutions and self-organisation. He commented:

> "*Large scale projects with government funding and so on are OK but often tend to be 'flash-in-the-pan', what we are about is small scale, local ownership of activity that the reps will sustain themselves…The union's strategy for growth is the big picture. In this respect, learning outcomes are relatively unimportant (compared to) strengthening the union's three pillars: organisation, internationalisation and our politics.*" (UNITE National Officer)

The ULRs at IceFactory were focused on providing opportunities for members and in building organisation within the union branch. To achieve this, they stressed that the learning offer should be distinct from employer training. The reps expressed no desire to embed union learning activity within company learning and development systems or in reforming employer training. The lead ULR noted:

> "*We are focused on the shop floor because mainly it is about offering learning to people who had not had it before, opening it up. That's it.*" (IceFactory Lead ULR)

A second shop steward (and ULR) commented:

> "*No, our work here (in the learning center) does not link into T&D, as ULRs we focus on lifelong learning, what learners want to do. If there was a group of people that wanted to do vocational learning we'd think about that; we would get that from unionlearn. But really we want to make sure that we are doing things that are learner-led not what the employer is wanting us to do.*" (IceFactory Shop Steward)

The workplace reps and regional team had similar motivations around the focus for union learning; that it should be for low skilled workers and their interests and not drawn into the arena of learning

and skills training. The intra-union dialogue on learning between the national union and senior company negotiators is discussed further in section 8.3.4.

The main protagonists in the negotiations on the learning agreement from management at IceFactory were the HR Manager and Senior Operations Manager. They were members of the IceFactory leadership team. Both were central to the negotiations with the union around the learning center and learning agreement and sat on the site level Learning Committee. The site HR Manager also referred to the National HR Director when negotiation of the learning agreement was underway. The site HR Manager had been in post for three months. She had limited prior experience of ULRs, but had previously worked in the co-operative movement and had a generally positive attitude towards the role of unions. Both managers displayed paternalistic attitudes towards the IceFactory workforce, frequently referring to the 'family environment' found in manufacturing. The HR Manager referred to her sense of duty to the factory family in helping staff develop new learning capacities that would enable them to adapt to new working environments. She commented:

> *"The old style packing jobs where people were sitting at a table and with low level literacy are gone. Those jobs are not there anymore, so I see it as our responsibility to help get along the way." (IceFactory HR Manager)*

The HR Manager set out a clear rationale for encouraging the ULRs to take the lead in developing the learning center and for the HR team to facilitate this but not take control. Underpinning this view was her notion of the separation between lifelong learning and company-led training. She noted:

> *"I have a view of training and learning as separate. Training is about 'here is the kit and I'll train you with the skills you need for that' but learning is something that is continual. Learning is something for you. It has other benefits but you get more out of it. When you do something off your own back that's very different from being trained. I know they go hand in hand but they are separate." (IceFactory HR Manager)*

The Operations Manager had a similar paternalistic view of the operatives working in 'his teams'. He commented on the learning and skills issues faced by some staff during the recent upgrade of plant machinery. He commented:

> *"IT and literacy are critical for people. For example in my department, each delivery has a bar code and we found out during the automation of the process that a couple of the*

guys could not read them. They were actually paying someone to come in at that critical time when we were looking at the process in detail, to do their shift for them. At that point when you realised, you really felt for them, nobody wants to see that going on." (IceFactory Operations Manager)

Analysis of the orientations towards union learning by the different actors suggested that the management team had a relatively paternalistic orientation. When asked about the degree of 'ownership' of the learning center, the HR Manager's response demonstrated a more paternalistic perspective:

"There is a real sense of 'it's their project' it is for them to be proud of. When they (the ULRs) wrote the rules and regs for the learning center it was clear that it was very much theirs. I think those kinds of things are difficult to buy." (IceFactory HR Manager)

These comments were in line with HomeProductCo's broader public narrative about company values that despite being it being a multi-national company it had grown from a family owned firm and retained a duty of care to its staff. The local managers involved in negotiating for union learning had a benign attitude towards the union and their proposals for learning. In contrast, the union reps had a more adversarial and strategic intent to their engagement with management focused on channelling resources to the lowest paid staff groups within IceFactory in order to build union organisation. The union reps had a consistently adversarial approach to engagement with the learning agenda, illustrated by the comment of one of the union reps:

"In these types of situation union learning is never cost neutral for the employer, there are no cases I can think of where we haven't got something from them, otherwise what's the point?" (UNITE ULR)

8.2.3 Employee perspectives

The research visits included discussions with staff taking part in the first course underway at the learning center. The first group of employees were a team of operatives from the same production line. This team had been selected by the ULRs for two key reasons. Firstly, the team included a mix of long-servers and migrant workers. This combination reflected the mix of employees in operative occupations. Secondly, the team included key influencers in different social groups working at IceFactory. Initiating learning activity with this particular team was felt by both management and the

ULRs to be useful in signalling to other employees that the union learning center was intended for all kinds of workers and that their hopefully positive experience would be shared and communicated to the rest of the plant.

Courses were available to members and non-members; two non-members took part in the first group. Non-members were encouraged to join the union. This was not a condition required for participation. However, the case made to staff was that if they enjoyed a course that had been provided by the union it would be fair to the other members if they did join, as membership subs supported the work of the branch team. At the time of the second research visit it was known that one of the two non-members had joined the union. The first visit to the site considered employee motivations for taking part in the learning center courses. The second visit considered with the same group their experiences and reflections of taking part, including their views on the role of the union and ULRs.

The learners' main motivations for taking part were linked to personal rather than work related benefits. This included learning for personal interests such as learning a foreign language, how to use a computer at home or how to support their children's learning. Three of the nine employees interviewed were migrant workers for whom English was not their first language. These learners stated that the literacy programmes supported learning that might be useful to them at work. One of the operatives noted:

> *"I wanted to improve my English, and when (the ULR) came to see me, this really helped me get the courage to do it because others on my shift were going to be part of it. My writing was really bad and I needed it. I was having to ask my colleagues about how to write [report forms], so when I heard about it, I was really happy." (IceFactory Learner 1, Operative)*

The distinction between learning and training was strongly articulated by participating learners. Learners stressed that the nature of their job negated the need for skills training. One learner noted that learning for work was generally not required because of increasing levels of automation, which meant that production line machinery was pre-programmed for specific tasks, limiting the variation in work. This learner noted:

"It is a bit of both, but mainly personal. The thing about here is that they've programmed us into individual tasks so for me I'm more interested in (computing) for home, because work is a set pattern." (IceFactory Learner 2, Line Operative)

Several of the learners stressed that their initial motivation was the opportunity to take a break from the monotony of assembly line work. In addition, learners noted a negative association with company training. Training was referred to by several learners in pejorative terms, perceived as short-lived and uninspiring. One learner commented:

"For us the word 'training' doesn't carry much momentum ... we do have some training schemes, but they seem to die a death after 6 months." (IceFactory Learner 3, Operative)

The interviews with learners, supplemented with observations taken from sitting in on learning sessions, highlighted five key features of workers' experiences of the union-led courses. Firstly, learning activities were engaging and enjoyable. There was a relaxed atmosphere and a considerable amount of joking and laughter between learners, the tutors and ULRs. Secondly, the learning experience was a group experience helping to build confidence in learning and in building friendships between group members and the union reps. Thirdly, union learning was novel because courses were developed around employees' interests and not driven by the demands of the job or legal requirements. Finally, learners were clear that courses had been made possible because of the efforts of the union and ULRs. The subsequent discussions with employees indicated that they made a clear distinction between union learning and employer training. All but one of the participants interviewed were union members and had a strong affiliation to the union. However, they clearly felt that the union learning center had changed their view of the union in providing something tangible and in helping them to get to know the union reps. Being a member of the union was not a condition of entry to union courses, but ULRs had stressed the principle of being a member to help share the costs of branch support for the center. The orientation of bargain actors and their relationships with key constituents are examined further in the following section, which considers bargaining sub-processes.

8.3 Bargaining behaviours

Despite the strong anti-partnership rhetoric, local bargaining on the development of the learning center and agreement at IceFactory contained integrative elements with management and ULRs working jointly to develop activity from which both parties derive mutual gain. These integrative processes are discussed in section 8.4.2 below. The section continues first by exploring distributive bargaining behaviours.

8.3.1 Distributive bargaining

Distributive bargaining centred on the allocation of resources, the control of learning processes, securing rights for workers through the codification of the learning agreement and the extension of the bargaining sphere, integrating the learning theme into the company collective bargaining system. Each of these is considered in turn.

Bargaining around the economic distribution of resources for learning was similar to that discussed in the other cases. The IceFactory ULRs negotiated for additional resources from the employer to support union-led learning, resulting in a shift of resources that could be defined as altering the balance of advantage towards workers, notably low skilled workers. The contribution by employer included dedicated space for the learning center, the commitment of management time to the learning committee, paid time for ULR duties and paid time for staff to attend learning center courses.

The main area for contention in the negotiation between the union and management was the proposal that employees be given paid time for learning on a 50:50 basis with the employee attending half of the course in their own time and half in paid work time. The ULRs had been made aware of this as a bargaining position from other ULRs during their ULR training. The IceFactory managers were persuaded of the argument for the '50:50' arrangement in principle. The union had organised a visit for them to see another UNITE learning center (see RegionalWarehouse Case Study 4) where this arrangement was already in operation. However, they felt that agreeing to this demand would compromise production workflow. The final agreement reached at IceFactory was that staff would

initially attend the course in their own time and those who successfully completed the course would be able to claim their 50 per cent of paid company time as paid holiday. Management retained the right to determine when leave could be taken to ensure this did not happen during busy production periods. The IceFactory managers felt this arrangement had the added benefit of encouraging staff to complete their courses and so offered, as the operations managers termed it, 'a better return on investment'.

In addition to securing resources from the employer in the form of space and paid time for union learning, the IceFactory ULRs negotiated union control over the form and function of the learning activities developed at the learning center. The managers on the learning committee acknowledged that the union reps would take control of the content of learning center programmes. The Operations Manager described this as follows:

> "It's the union reps' project and the hard work is done by them with the people on the shopfloor. There are others on the steering group, us, unionlearn and the college and so on. They are there to facilitate it, but it's the reps we go to about key decisions on which way to go." (IceFactory Operations Manager)

The ULRs did not heavily promote the learning offer as a route to qualifications or as offering employability. It was assumed by management that union learning helped make staff more amenable to change, creating conditions for greater functional flexibility, but was not a discourse that the ULRs promoted to employees. The core emphasis stressed to the workforce by ULRs was that the learning offer would be driven by what employees wanted and be delivered in a way that was accessible and enjoyable. The reps engaged with FE providers to negotiate funding and learning provision to satisfy the employees' learning interests. The ULF Project Worker explained:

> "The college doesn't really care about who they train, they just want to get their places filled and spend their budgets. Their main concern was getting their SfL spend, so we were happy to talk to them about that because we knew that was an issue for our members. But we also made sure that they used their budgets to bring in IT and other learning such as languages and so on, because that's what our members wanted. We did not just want to take what was offered, so we had to negotiate with them for that." (UNITE ULF Regional Project Worker)

The regional UNITE team commented on the value of the ULRs negotiating with the FE network. Firstly, this provided learning resources that helped them lever additional resources from the employer. Secondly, the union was challenging established skills policy rhetoric of 'demand-led' learning which had become synonymous with 'employer-led' skills need[14]. By undertaking research with learners at the workplace and garnering support from the employer, the union reps influenced the behaviours of FE providers, enabling workers to access a range of learning opportunities using government funding for a broader purpose.

In addition to controlling the design of the learning programme (within the constraints of the provision that could be negotiated from the FE consortium) the ULRs pressed management for the arrangements on union learning to be formalised into a written learning agreement. Although the ULRs knew that the IceFactory managers were supportive of union learning they considered that a written agreement would guard against future changes in personnel. They felt it was reasonable to expect that managers (especially HR managers) would change every two or three years and that new personnel might not be so supportive of union-led learning; this had been their experience of the previous HR lead. A written statement of agreed rights and obligations around union learning was felt to be a useful tool to help sustain employer commitment. It was hoped that the learning agreement would help affect the 'attitudinal structures' of incoming management and communicate norms that had been established.

Early negotiations on the agreement between the local reps and site managers had been informal, undertaken through the local learning committee and separately from the more company-wide collective bargaining mechanisms. However, once the learning agreement had been agreed in principle between local management, consent was needed from the National HR Lead. The IceFactory

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[14] In, for example, the 'Employer Ownership of Skills Pilots' launched in 2011, which offered significant funding for workplace learning and skills for consortia 'led' by employers with funding flexibilities afforded to FE colleges to respond to these needs rather than in delivering nationally set targets https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/305748/employer-ownership-of-skills-executive-summary.pdf

HR Manager decided to integrate the learning agreement and formal request for company resource for union learning as part of the formal collective bargaining process. As one of the ULRs explained:

> *"HR actually put the learning center and agreement into the proper site level negotiations documentation along with the pay freeze anyway, to ensure success for the agreement and for the learning center. It served for presentation of an easier sell, something for staff, really the support for ULR work was outside of those wider (IR) negotiations, but they put it in there to help make sure that it got through." (IceFactory Shop Steward and ULR)*

The development of the learning center and agreement of paid time for learning were presented by the union as a gain for employees that had been extracted from the company as a concession to compensate for the company-wide pay freeze (already agreed in national negotiations); the learning center was presented as something positive that the union had negotiated for workers in straightened economic times. The Shop Steward noted:

> *"Of course the main focus is about pay and conditions. But I look at learning as an opportunity to get more for members, certainly something more than the pay freeze that was on offer." (IceFactory Shop Steward and ULR)*

The integration of negotiations around the learning center into more formal collective mechanisms set a precedent that union learning could be presented as a theme within formal bargaining. In preparing for subsequent negotiations with the employer, the shop stewards network also considered using the learning agreement developed at IceFactory as a model to extend across the other eight manufacturing sites in the group. This discussion was partly inspired by the IceFactory reps visiting the UNITE ULRs at RegionalWarehouse (Case Study 4) where a national learning agreement and Collective Learning Fund project had been operating for three years. The members of the shop stewards network were actively discussing the next round of negotiations and bargaining strategy for learning within this wider bargaining process. Options discussed included negotiating a bonus or reward scheme linked to learning outcomes. These demands had not been formulated at the time of the close of the fieldwork (the process for stating claims would not start until several months after the end of the fieldwork). However, these initial discussions did signal some intent from the stewards' network to consider linking learning to wider negotiations on staff rewards. The likely event of facing further wage restraint, securing salary or grade increments based on improved learning or qualification levels was

considered one route to securing some form of benefit to employees facing cuts in real wages. Yet

there were doubts about linking learning to negotiations on reward in this way. This issue is discussed

further in the section on intra-organisational bargaining processes. This chapter continues by

exploring integrative aspects of bargaining for learning at IceFactory.

8.3.2 Integrative bargaining

This section explores the nature of the shared problem at IceFactory that the ULRs and local

management sought to address and the integrative bargaining processes that underpinned the

development of the union learning center as a solution to that problem. The senior regional learning

officers eschewed the notion of partnership. However, the IceFactory reps and project workers did

talk in terms of a learning partnership agreement. There was recognition by workplace reps that the

language of partnership was used differently when they were in employer-facing and union-facing

roles. The regional ULF Project Worker noted how they dealt with this duality:

> *"We do use the term (partnership) but it sticks in my throat. I guess it is part of the nuance*
> *of the conversation between what you might say to an employer and to others in the*
> *union. I tend to be honest about it and I will say to employers, 'let's be quite frank about*
> *it, you are here talking to me about lifelong learning because you know that it will give*
> *you a competitive advantage, not because you like me or the union - you don't really want*
> *to be here sitting talking to me but you can't afford not to'. So it is deliberate to get that*
> *in there and be straight up about it." (UNITE Regional Learning Project Worker)*

Through this rendering, the union project workers instilled a notion of partnership as an instrumental

tool to engage the employer, establishing interdependence between the union and management,

using the threat of not securing gains that would offer a competitive advantage as an inducement to

negotiate with the ULRs. This suggests partnership was viewed as a 'marriage of convenience'

(Martinez Lucio, 2005) rather than the more open expression of integrative or interest based

bargaining processes as described by Walton and McKersie (1965) and Fisher and Ury (1991). Despite

the anti-partnership rhetoric used by regional officers the local union reps did use language of

partnership with management and integrative bargaining behaviours and establish a local learning

committee to identify shared problems and possible solutions and undertake the appraisal of different options for developing the learning center.

Engaging operative staff in workplace learning was a shared desire by ULRs and management, but there were noticeable differences between the parties in their analysis of the core problem. The 'problems' were articulated in distinct ways. Firstly, the Operations Manager related to the need to improve literacy and numeracy so as to improve shift, hazard and accident reporting. Better reporting would help engineers anticipate issues affecting the running of plant machinery, helping to reduce cost through more efficient running of the assembly lines. The HR Manager's 'problem' was the anticipated negative impact on employee relations of the wage freeze. She expected that union learning would help improve workplace relations or at least off-set negative impacts of the cut in real wages. She made several references to the potential of union learning to help improve employees' 'psychological contract' through building a better workplace learning culture. The HR Manager also commented that the timing of the approach by ULRs with proposals for the learning center was helpful as it presented a positive agenda in which she could engage with the union. She noted:

> *"For me, coming (new) into HomeProductCo and for (the production manager) it was a great thing to get involved in because it is positive and will put us in good stead for working with them (the union)." (IceFactory HR Manager)*

For ULRs, the learning 'problem' related to the barriers that employees, particularly operative staff, faced in accessing learning and wider education opportunities. They faced multiple barriers to learning including the confidence to learn, the cost of learning, time and caring constraints, and difficulties in attending courses because of rolling shift patterns. Locating union-led learning at the workplace was presented as a workable solution to each of these problems.

Walton and McKersie suggest that once shared problems have been identified, bargaining parties will undertake a three-step process: identify possible solutions; undertake an assessment of how different options coincide with their interests; negotiate to settle on an option that derives satisfactory gains. Where evaluation identifies an unsatisfactory solution, parties modify their criteria or find alternatives

until an accepted solution is agreed. Closer inspection of the bargaining process at IceFactory suggests that the development of the learning center does not follow this model. The process of searching for solutions was one-sided. Through union training and networks the ULRs built their understanding of how a union-led learning center could operate. They negotiated with the UNITE-ed consortium to identify tutors and funding and the 'solution' of a union-led learning center was presented to local managers. Alternative options to address the 'basic skills problem' were not actively explored by either the reps or management. The key case presented by the union to management was that the ULRs could access learning resources and expertise via the regional UNITE-ed provider consortium. The case for support was based on the partnership's proven ability to deliver successful workplace learning for low skilled staff during the recent redeployment project.

The ULRs suggested to the management at IceFactory that union learning would help build basic skills, and provide staff with greater confidence '*through a sense of achievement of doing something new and a challenge*' (IceFactory ULR). The ULRs also made the case for their role in shaping the learning environment and learning programme that would be fun and engaging and help reduce barriers to participation in learning. The notion of fun and playfulness had been picked up by the HR Manager when she was taken by the IceFactory ULRs to visit another UNITE workplace learning center. She had been impressed by the observation that the union-led learning activities that she had seen were '*just really good fun - I felt we really needed to get some of that in our place*'. The learning center proposition was received by the HR Manager as 'a no-brainer', but there was no clear linkage made between the content of the learning center courses and the skills beneficial for making improvements in production processes such as incident reporting. The ULRs and learners stressed that they were undertaking learning for personal development and no attempt was made by management to direct that learning towards specific work related needs.   Although benefits for the company were anticipated, these were not formally prescribed: no analysis was made for what these would be or targets set for expected outcomes. The HR Manager explained:

"When we started to talk about it we did think about what the benefits would be. In terms of the business benefits we could see that improving literacy and numeracy can help support the drive for automation. We have not had to justify the investment (the room, the time of managers at meetings and for staff to attend courses) in terms of pounds, shillings and pence and we have not put a number to that." (IceFactory HR Manager)

8.3.3   Attitudinal structuring

This section considers whether attitudinal structuring activities were necessary or attempted at IceFactory. Initial observations suggested a strong degree of coherence between the attitudes of the union and management towards the union learning center. Key managers were supportive of UNITE reps taking the lead and the learning center and agreement were established within a four-month period; a period described as '*pretty damn quick*' by a regional learning officer who had supported similar negotiations elsewhere. Yet, further analysis of the elements that Walton and McKersie describe within this sub-process (prevailing attitudes and action orientation, antecedent relationship patterns, attitudinal change activity and reinforcement tactics) reveals some key observations about emergent relationship patterns and the ULRs' anticipation of future bargaining activity.

The UNITE policy on ULRs is that existing stewards take up the ULR role. At IceFactory, three of the four ULRs were experienced workplace reps with established relationships with the senior management team. Industrial relations were described by both local HR and union reps as generally positive. The Senior Steward noted:

"We have our ups and downs like anywhere, but they are generally good at the moment we have a new HR manager and, well, she's been approachable and has listened to what we've had to say." (IceFactory Senior Shop Steward)

The HR Manager's orientation towards the union and the notion of union learning was assessed by the reps as positive and much more positive than that of her predecessor's. The Operations Manager's orientation towards the union was '*usually pretty positive'* but nevertheless self-interested in terms of ensuring production continuity in meeting production targets. Despite the relatively close working relations with management, the union reps talked explicitly about the need to assess the orientation of management towards their proposals and to present a case for support that would resonate not only with local managers but also senior management and HomeProductCo's headquarters. There was

no evidence that management went through a similar process to consider the orientation and motivations of the ULRs. The managers were, as the Operations Manager termed it, '*the recipients*' of the union's proposals for the learning center. The Operations Manager was positive about the proactive role that the union had played in initiating the lifelong learning project and their central role in its success:

> "*Would the learning in the learning center have happened anyway? No I don't think so. I don't think it would have been on my agenda if it had not been pushed in front of me by those guys." (IceFactory Operations Manager)*

Despite this positive orientation, the ULRs reflected that they did need to ensure that this was sustained. To help achieve this they needed to try to ensure that the HR and Operations Manager advocated for union learning with other senior managers and communicated the key principles established around the union learning project; that learning center activity should be based on employee interests (identified from surveys); this activity should target low skilled workers; that ULRs should control the learning center; that learning provision should be delivered by the union's preferred suppliers.

The attitudinal structuring activity undertaken by the reps took the form of presentations to the HR Manager and Operations Manager, informal discussions via the site learning committee and then joint presentations to the leadership team, setting out anticipated gains and the core principles noted above. The case for support for the union learning center was reinforced when the ULRs arranged for IceFactory managers to visit another UNITE learning center at RegionalWarehouse (Case Study 4). The IceFactory managers met other ULRs, learners and managers. The visit had a notable impact. The HR Manager commented that they came away from the visit saying '*we want some of that*'. As a result, the IceFactory HR and Operations Manager were able to make a more convincing case for union learning when presenting proposals to the IceFactory's senior leadership team and at headquarters. The Operations Manager presented the opportunity as a 'win-win', which resonated with senior management, because of an alignment to the company's paternalistic rhetoric in relation to its staff.

The visit to RegionalWarehouse also impressed upon the Operations Manager the potential for union learning to represent a new form of relationship with the union. He noted:

> *"From a leadership team perspective this was something out of the norm and is great to work with, everybody wins." (IceFactory Operations Manager)*

The HR Manager noted the relationship between the union and management had been relatively strong during the difficult period of negotiations around the wage freeze. She credited the partnership developed around the learning center had helped to maintain relatively positive relations:

> *"We've got a pay freeze across and had to give the toughest message in negotiations yet, it's gone down OK because our engagement levels have been right and we have put work into that. We have used the unions, they've consulted with them and used them properly, not just for lip service…The message is not always good but we've not had any major problems this year, when some other sites were on the verge of industrial action." (IceFactory HR Manager)*

Once the learning center was open and courses established, the ULRs continued to reinforce messages about the gains for the company of supporting the union learning center. They retained and shared copies of positive media. For example, the learning center launch was attended by the local MP and national HomeProductCo management. The press coverage reflected positively on the local managers although it was the union that had undertaken all of the preparations. The shop stewards noted it was important to reinforce messages about how the company benefited from supporting the learning initiative. This, they anticipated, would help sustain HomeProductCo's support. The Senior Steward noted:

> *"Yes we are keen to stress what they get out of it, in fact I think we and the learners have got so much more than them but they get good PR and they thrive on that sort of thing. Because they say 'look what we are giving our employees' but we all know that this has come from the union. So, well, we make sure they know about that and we will ask for some kind of payback when the time's right." (IceFactory Shop Steward)*

The last part of this quote indicates that the bargaining orientations of the ULRs continued to be tactical and competitive. The positive press coverage was offered as a reward for positive management behaviours, yet done in anticipation of using the gains that the business derived from union learning as a bargaining tool in future negotiations.

8.3.4   Intra-organisational bargaining

The potential to include learning within wider collective bargaining negotiations was discussed above in relation to distributive bargaining behaviours and the union seeking to formalise negotiated rights and resource commitments into a written agreement. This section considers intra-organisational dialogues taking place within the union about the function of union learning and ULRs that shaped bargaining strategies at IceFactory.

Given the federal traditions and 'diversity of political traditions' in the former TGWU (J. P. Fisher, 2005:313) the central nexus for intra-union dialogue in ex-TGWU workplaces was between workplace reps and the regional union. This was evident in the IceFactory case and the close relations that existed between the ULRs and regional learning team. However, in this case, there were also strong connections to the national union, embodied in the UNITE National Officer who was on secondment from central office to manage the regional ULF team. This officer was also at the center of national union discussions on how to integrate disparate learning activity into a more coherent national strategy; a task made more complex by the merger with AMICUS.

The Joint-General Secretary of the union until 2010, Tony Woodley, was reportedly '*not convinced*' about ULRs and their central relevance to the union. The election of Len McCluskey in late 2010 saw a greater degree of central support for union learning[15] under a pledge of unification for the merged union. The union executive placed stronger emphasis on integrating ULRs within UNITE's national organising strategy, Strategy for Growth. Union learning was increasingly integrated as a theme in TUED programmes and ULR training reinforced the role as a union activist (J. P. Fisher, 2005; Mustchin, 2009). As a UNITE tutor explained:

> *"Some .... will say 'I am a Sainsbury's ULR'. No, they are a ULR for UNITE. You just happen to be working in Sainsbury's. So you have to be careful about that. Because if you lose your identity and your frame then suddenly what it becomes is an employer's, and if they do that you won't be rewarded accordingly. So you have got to keep that politics in, it is*

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[15] Len McCluskey visited the IceFactory learning centre in 2013 – interestingly he did not use that visit as a platform to critique the wage freeze or other issues relating to terms and conditions at HomeProductCo (despite the significant action taken on pensions in 2011/2012)

fundamental to showing decision makers in trade unions that it is a real agenda and therefore part of core business." (UNITE National Tutor)

This was further stressed by reinforcing the belief that gains for the union would be sustained through taking an oppositional stance to the employer and seeking benefits for members. A union tutor commented:

"Even if an employer is on board, well it is never enough is it? We're not just here to support the elite working class who've got it easy and everything on a plate, in fact it won't last when that happens. When we've won through strife, then it will last, because then our people won't let it go." (UNITE tutor)

Intra-organisational 'bargaining' within the union was of a relatively soft form, through exerting influence via trade union education courses and the guidance given by ULF project workers. Core messages given to ULRs strongly emphasised adversarial bargaining relations and imprinting a union identity that would help build legitimacy within the union that learning was '*core business*'.

At IceFactory there was no apparent role conflict between workplace ULRs and the expectations of these wider constituencies within the union. The ULRs leading negotiations with IceFactory management were established shop stewards and conversant with, and supportive of, the wider political project within UNITE. The ULRs had a strong orientation towards bargaining gains and framing dialogue with management about the learning center in terms of a negotiated agreement. The learning agreement included statements about 'learning for all'. This ensured that non-members were eligible to participate in union learning programmes (the FE funding that supported learning center courses could not only benefit union members). However, the ULRs were strongly committed to ensuring that 'learning for all' meant a focus on operatives, underpinned by a commitment to offer opportunities to the more marginalised groups of workers in the factory.

The intra-organisational dialogue mainly developed in two ways: firstly, around how to communicate to the wider union that IceFactory learning activities <u>were</u> supporting wider union interests. There was limited data about the benefits of union learning to the union. Existing data systems, driven by the requirements of ULF funding, focused on reporting learning activity. This data showed benefits for

individuals, but it was less clear on how collective interests were being served. To address this information gap, the union was undertaking research across the regions to investigate how learning supported the national organising strategy. This research was ongoing at the time of the case study research. IceFactory ULRs commented that the learning center contributed to organising in three key ways: building active engagement between reps, members and non-members around a positive agenda; in highlighting the union's commitment to supporting marginalised workers; in extending bargaining with management into a new area, positioning learning as a gain for members in the context of a wage freeze.

Secondly, discussions were taking place on how, in the light of learning being located in formal collective bargaining arrangements, future bargaining demands on this theme should be framed. Discussions were ongoing within the HomeProductCo stewards' network about the future bargaining strategy. Lead negotiators considered that securing salary or grade increments based on improved learning or qualification levels might be one route to securing benefits for employees, especially given the likelihood of limited future wage increases. Yet there were doubts about linking learning to reward in this way. The IceFactory reps contended that bargaining for learning should be based on a strategy of inclusion and as a right for low skilled workers. They did not agree that learning should be negotiated within a more productivist frame: a strategy which, they argued, had the potential to re-produce inequalities between workforce groups. These discussions were ongoing at the time the fieldwork ended, but illustrated internal dialogue developing within the union about the integration of learning into bargaining strategies with an emphasis on inclusion.

8.4 Discussion and conclusion

The previous two empirical chapters showed the social processes around bargaining for learning in workplaces where pre-existing bargaining structures were weak at the local level. In contrast, this chapter has shown how bargaining for learning develops as a new theme in the context of well-established local bargaining institutions. It highlights the key opportunity structures available to reps, how learning was established as a legitimate theme for bargaining and the resources that the union

draws upon to establish workplace institutions around learning. The case contributes to knowledge through demonstrating how the local union developed new narratives around learning that helped build the legitimacy of ULRs in the workplace and in framing learning within wider union bargaining strategies, notably reframing bargaining on learning as a potentially exclusive bargaining strategy that might favour a few members, to a more inclusive bargaining strategy.

There were three key antecedents to the development of the learning center that provided opportunity structures for the union reps. Firstly, the UNITE regional union learning team had, through its partnership with the UNITE-ed college consortium, proven the union's capacity to deliver learning and employment outcomes. Secondly, a new HR manager arrived at IceFactory who had a more positive orientation to the union than her predecessor. Finally, there was a strong shop stewards' network. These proved favourable conditions for the development of union-led learning and the case illustrates the strategies adopted by local actors to use these opportunities to build workplace institutions for learning.

The redeployment scheme demonstrated to management that ULRs could help deliver outcomes that the employer was not able to. This began to shape norms and expectations about the ULR role as both serving member interests and delivering useful workplace outcomes; conditions necessary to create awareness of the interdependencies required for bargaining. By supporting vulnerable workers to retain employment, learning was established as an industrial issue at IceFactory helping to build legitimacy of union learning with wider union networks.

Building on this early success linked the ULRs into the regional union learning infrastructure that enabled them to connect to internal horizontal and external networks. The UNITE-ed provider consortium provided access to an extended network of learning providers and access to funding and expertise. Through using internal union networks the ULRs' claims for union learning were reinforced with IceFactory managers, supported by endorsements from management and employees in other workplaces building cultural legitimacy of union learning and a better understanding of the rules

forming about the delivery of union learning in factory-based settings. This helped to change the attitudes of IceFactory management who became advocates for union learning within HomeProductCo.

This was reinforced further by new union narratives about lifelong learning that helped to frame slightly different views on the purpose and possible outcomes from union learning. The ULR team of new and established activists was already committed to the union's political project and ensuring learning resources were purposively targeted to the lowest paid employees framing learning as a class-based issue. For staff and management, union learning was framed as distinctive to company training and humanising. A strong narrative of inclusion is used, although 'learning for all' in this case refers to low skilled workers, not all employees.

The strategic capability of the regional union learning team was evident. They articulated the interests of the national union and local reps around learning through transmitting central union policy on organising via ULR training and by communicating to a sceptical union leadership the relevance of union learning to organising aims. This was framed not in terms of new members but the value of the learning center as a space to build stronger personal relations between the ULRs, shop stewards and assembly line workers and organise members and campaigns[16].

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[16] In late 2011 the first strike in HomeProductCo's history was followed up with 10 days of rolling action in 2012 against cuts in pensions. All sites supported the strike, including IceFactory.

Figure 3 Bargaining behaviours at IceFactory
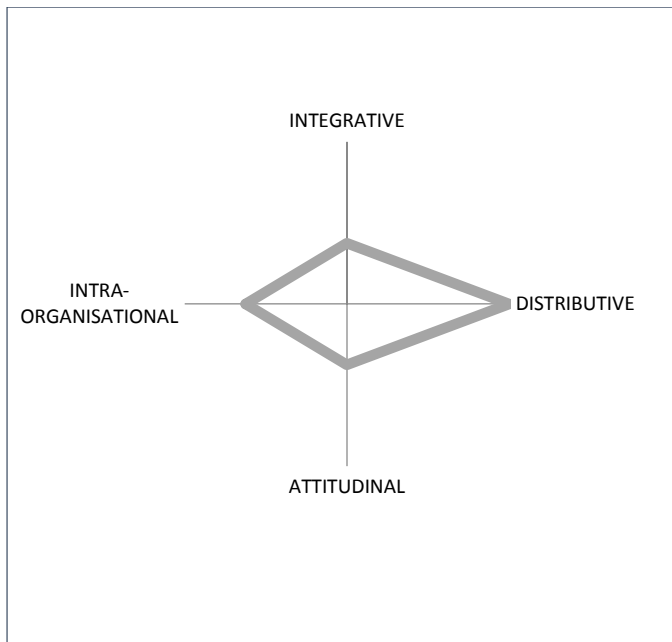
Figure 3 shows a representation that illustrates the bargaining behaviours evident in at IceFactory. It again shows the mix of integrative and distributive bargaining behaviours. Workplace bargaining was initially framed in integrative terms focused on the mutual benefits of learning and the reps at IceFactory shifted this to a distributive frame aware that the positive orientations of local management might be transitory, a 'temporary pluralism' (Galavotti et al., 2014; Taylor & Ramsay, 1998) and began to negotiate for a learning agreement as an act of insurance against future change in management personnel; a means by which they could 'normalise' union-led learning. As the proposal for developing a learning center shifted from being a consensual joint project, to be the subject of a negotiated agreement, local management turned to senior management to sanction the resources required. IceFactory managers used the integration of the learning center into the wider collective agreement as a tactic to ensure that support from senior management was secured by presenting the learning center that would mitigate against the negative impacts of the wage freeze. The precedent was set that union learning was a legitimate theme within wider collective bargaining.

There were intra-union differences around future bargaining strategies for learning and internal dialogue bargaining had begun to take place. Lead union negotiators framed learning in a similar way

to training; in an established narrative that would link learning achievements to rewards. In contrast, the IceFactory reps (also part of the HomeProductCo shop stewards network) reframed the narrative around bargaining objectives in terms of learning as an inclusive agenda; and as a bargaining strategy focused on the rights of low paid workers to access learning, framing learning to wider social goals. This narrative also connected to the union's organising themes by stressing union solidarity amongst low paid workers. If, and how, intermediation would take place between these bargaining strategies was not known at the end of the fieldwork but it presents an interesting case of how the learning agenda <u>could</u> begin to connect union bargaining and organising strategies.

Union learning at IceFactory remained separate from employer training but integrated into collective bargaining systems. The next and final empirical chapter contains data on the union learning at RegionalWarehouse where ULRs were central to the development of vocational training.

Chapter 9 RegionalWarehouse: the highs and lows of integrating union learning into company training systems

9.1 Introduction

RegionalWarehouse presents an instructive case. Union learning was relatively well established yet this case highlights the vulnerability of union learning. At RegionalWarehouse the union was not able to draw on the same bargaining resources as the other case study sites and workplace bargaining over learning was limited. The case contributes to the overall thesis by illustrating how the absence of some core union capacities noted in the other three cases contributes to the vulnerability of union learning and potential for incorporation of union activity within company training. Furthermore, the difficulty in ULRs face in critically engaging with management and maintaining an autonomous union learning agenda poses a threat to positive relations developed between the union branch and members that had developed when the union learning centre was opened.

The case highlights how weaknesses in building internal solidarities and limited articulation between levels within the union meant that the prospect of the ULRs becoming more directly engaged in the company's apprenticeship programme posed a threat, not an opportunity, for union learning. This chapter contains the following sections: section 9.2 describes the context in which the learning activity developed in terms of the demographics of the workplace and changing operational environment. This section also outlines the nature of learning activity established. Section 9.3 describes the workplace bargaining actors, their relation to wider constituents (employees and national negotiators) and orientation to bargaining learning. Section 9.4 outlines the bargaining behaviours of both parties at the local level. The chapter concludes in section 9.5 with a discussion of the interaction of these processes.

9.2 Context

RegionalWarehouse was a distribution center that serviced a regional group of HighStreetRetail stores. The site employed 346 permanent staff and drew on a large pool of agency staff at peak

periods, with a total workforce of 612 at the height of the busy retail periods. The largest occupational

group was those working in warehousing operations, picking and preparing goods for transportation.

The majority of staff (87 per cent) worked full-time and three quarters of the permanent workforce

were male (72 per cent). The warehouse jobs paid relatively well in comparison to other local

employers and there were a large number of long-stayers – many staff worked at the site for over 15

years. The union reps reported that many of the agency staff were also 'regulars', annually taking

temporary work at the site in two busy periods during the year.

Table 7 RegionalWarehouse case overview	
Employees at site	612 (346 permanent)
Trade union density	95%
Major occupational group	Warehouse operatives
Learning agreement	Lifelong Learning Policy (and Learning Budget)
Key union learning activity	Basic literacy and numeracy skills Basic and intermediate IT Foreign languages
ULRs	8
Company training/HR practices	NVQs (waste management) Apprenticeships

At the time of the first case study visit in early 2010, company sales had fallen by 5 per cent, there

were no job losses but operations on site had moved to a three-day week and there was a company-

wide wage freeze (agreed at the national level). At the time of the second visit, 15 months later,

company like-for-like sales had fallen a further 6 per cent. At RegionalWarehouse there had been no

job losses amongst the permanent staff in the intervening period, but the site had moved to a more

intensive shift pattern and restrictions placed on the use of agency staff during busier periods. In the

intervening period between visits, there had been a great deal of uncertainty, with the prospect of a

site closure amongst the distribution group. The case study site remained open, but a center in a

neighbouring region had closed.

Within this wider business context two operational priorities were affecting changes in work

processes: automation and waste reduction. Within the warehouse, order pickers' work was now

controlled through computer voice operated headsets and a system which told pickers the location of order items with the aim of speeding up 'pick times' to meet the increased demands of multi-channel retailing. The site also introduced hand-held units to identify stock, locations and movements. The new technologies meant that confidence with numbers and the basic IT of hand-held devices was essential. There had been a consequential increase in the computerisation of management and administration tasks. A further operational priority for the site in 2010 was the achievement of ISO 14001 accreditation (the Environmental Management Standard) and the company planned to develop an NVQ programme to train operative staff in waste management skills to help meet the ISO standard. Company training for warehousing normally focused on job induction, health and safety, and related compliance issues. The HR team had tried to introduce an NVQ programme for administrative staff in 2008 but local management noted that this had been '*a total waste of everyone's time, just a tick box exercise*' (RegionalWarehouse Operations Manager).

RegionalWarehouse had 95 per cent union membership, all of which are UNITE members amongst warehouse operatives. USDAW was the main union that organised staff in the HighStreetRetail stores. The main industrial relations issues at the time of the first visit related to the impact of new shift patterns (staff were working a less regular pattern which included working five days from any six which had led to a number of grievances by staff). By the time of the second research visit at the end of 2011, employment relations were considerably worse, problems with the shift system continued, as did the pay restraint. UNITE was also mounting a campaign against proposed changes to the company pension scheme.

9.2.1   Union learning

ULRs had been active in other parts of the HighStreetRetail group since the early 2000s with both UNITE and USDAW reps active in stores, call centres and other distribution centres in two other UK regions. UNITE learning reps had secured funding from TUC-unionlearn in 2006 to develop a Collective

Learning Fund (CLF) project at another distribution center within the HighStreetRetail group. The stated aim of the CLF initiative was as follows:

> *"Union-led initiatives to stimulate co-investment in the personal development of the workforce to make learning affordable and accessible. They are a way of levering in cash and in-kind contributions from employers, providers, unions and individuals. Normally they are jointly and collectively managed by the union(s) and employer."* (Stuart, Clough, et al., 2011)

The employer's contribution to the CLF project was £20,000 and within the distribution business a national learning agreement was signed between the company and UNITE in 2006. This was signed as a lifelong learning policy and became an appendix to the joint stakeholder agreement. The agreement did not make explicit reference to the budget allocated to lifelong learning, only that the employer would '*provide resources to support lifelong learning where appropriate*' (HighStreetRetail-UNITE National Learning Agreement 2006: 5). The national learning agreement was a catalyst for the development of union learning at RegionalWarehouse. In 2007, the company allocated a total lifelong learning budget of £100,000 with an average of £18,000 allocated to each regional center; based on a *per capita* ratio. The RegionalWarehouse convenors notified branch reps of the new agreement and initiated the process of recruiting ULRs. Eight ULRs, of which six were already UNITE reps, were trained in 2007 and learning activity began in 2008. ULRs were central to identifying learning need and in sourcing provision from local FE and adult education providers. In addition, they were actively involved in the administration of the learning budget. Budget spend was overseen by the site lifelong learning steering committee, a mechanism also set out in the learning agreement.

The budget paid for course fees and the 'paid time' that staff spent on learning activities was logged and also 'charged' against the budget allocation. There was an unwritten agreement that the funding would be used to pay for learning up to Level 2. The ULRs noted that there might be demand for Level 3 courses and that they would need to consider this carefully. Although they wanted to support learner progression, there was also some concern about fairness and the potential impact on the budget given the higher level of cost of Level 3 programmes.

The learning center began with literacy and numeracy courses and a learning offer then broadened to include IT for beginners, then progressing to introductory CLAIT and ECDL, foreign languages, first aid, web design, photography and subsequently NVQs. The IT and web design courses helped bring administrative and management staff into the learning center. The ULRs applied to the regional unionlearn fund for £1,000 to help set up Learning at Work Day (LAWD) activities. In 2010, staff were released to attend up to five half hour sessions during the LAWD activities that were spread over a week to ensure all shifts were covered. By early 2012, there had been 228 course completions (all accredited) of which 137 were SfL achievements. 160 people (52 per cent of the workforce) had been on at least one learning programme, and a quarter had taken three or more. The rate of participation in learning by female staff was relatively high (65 per cent). Participants could also access the college's learning hubs in community centres, an option which suited several learners with caring responsibilities.

9.3   Bargaining actors, key constituents and orientation towards learning

This section outlines the key bargaining actors at RegionalWarehouse, their main 'constituents' and their primary motivations for advancing bargaining relations around union learning. It concludes with a discussion of employees' perspectives on the development of union-led learning.

The make-up of the RegionalWarehouse learning committee was prescribed in the national learning agreement with HighStreetRetail. It was made up of the site manager, local HR lead, the ULRs and the site convenor. The learning committee was the main mechanism through which dialogue on learning took place around the provisions of the agreement and the administration of the lifelong learning budget. Outside of this formal structure the ULRs were involved in negotiating informally with team managers on a regular basis to release staff to attend sessions in the learning center.

The Lead ULR was an experienced union rep and also worked as a trainer involved in the delivery of company training for operative staff. This involved inductions for new staff and health, safety and compliance training. He was given facility time out of that role to focus on the development of lifelong

learning activity and co-ordinate the ULR team. He was attracted to the lifelong learning agenda as he saw the scope to offer learning that was more developmental in nature than the compliance training that staff were required to participate in. He noted that there was little crossover between the staff training role and union-led learning activity. The ULRs had received initial support from the UNITE regional learning team to organise rep training courses and visit other UNITE union learning centres when they were being established in 2007-08. The visits to other sites were a valuable part of the reps' development, as the Lead ULR noted:

> *"As a rep it was really good insight to see what others are doing in their workplaces, that it can be done and how it can be done and to talk through real issue." (RegionalWarehouse Lead ULR)*

However, once established, they had limited contact with the UNITE regional office other than being asked to host visits from other ULRs. The Lead Rep noted, '*it is good for us and it is good promotion for the company that we get people to come in and see what we are doing*'. The RegionalWarehouse did not have much contact with the HighStreetRetail Convenor and the reps perceived that he had little interest in union learning.

The overall orientation to the union by local management was generally hostile, tolerating the union because of its strength of workplace organisation, although there were notable periods of flux. There was constant change amongst the senior management at RegionalWarehouse with three site directors in the five-year period that union learning had been underway and the orientations of these senior managers had differed. The first manager's response to the proposal of the learning center had been, '*No, no and no*' (RegionalWarehouse ULR), the second, in place just before the first research visit, had been more supportive of union learning, although not directly involved and delegated his role on the learning committee to the Site Operations Manager. The Operations Manager had a favourable opinion of union learning but felt that his perception of the union was unique. As the lead manager for assembly line operations he saw first-hand how some employees struggled with basic literacy and

numeracy and was supportive of the union's role in seeking to tackle this issue. He identified closely

with the assembly line teams and talked of them as his 'peers'. He noted:

> *"Some managers don't perceive themselves as human or see themselves as mixing with others, but from my point of view it heightens your respect amongst them and amongst your peers."* (RegionalWarehouse Site Operations Manager)

This more consensual orientation changed with the arrival of the third site manager (in place at the

time of the second research visit). He was more actively involved in the decisions of the learning

committee and more adversarial in his relations with the ULRs. The impact of these changing

perspectives is explored in the following section on bargaining behaviours.

9.4   Bargaining behaviours

The national learning agreement was an appendix to the union-company collective agreement. It was

termed the Lifelong Learning Policy and supported 'employee personal development' and was a

complement to company job-specific training.   The agreement placed 'special emphasis' on the

following learning themes: 'key skills' (literacy, numeracy, communication and IT); transferable skills;

'educational courses to help build confidence and broaden thinking' (Learning Agreement p 2). The

learning agreement set out to form and function of the steering committee including membership,

roles, frequency of meetings and reporting to a national learning committee, the National Learning

Forum, made up of HighStreetRetail's HR Director, the UNITE Lead National Negotiator and convenors

of each local branch.

The national learning agreement did not make specific reference to the lifelong learning budget, only

that the company would 'endeavour' to find resource to support union learning. However, with the

creation of the lifelong learning budget, the core function of the site level learning committee became

to negotiate how the learning budget would be spent and to report to the National Learning Forum

on activities. The national learning committee would arbitrate on decisions where local committees

could not agree on the allocation of funds. The norm that had been established through the national

learning committee, although not written into the agreement, was that the learning fund would pay

for courses that were at an equivalent of NVQ Level 2 or below. The learning agreement emphasised the union-company partnership and joint work to the mutual benefit of employees. The approach to negotiations was mainly integrative in the first phase of the development of the learning center. Section 9.4.2 discusses the joint problem solving undertaken by the site level committee to address early problems in establishing union learning activity. In this early phase, although the spirit of joint working was predominantly collaborative, there were some elements of contention. These are discussed in the following section.

9.4.1 Distributive bargaining

The principle of paid time for learning had already been established at the national level and it was anticipated that the learning budget would pay for course fees and the staff time allocated to lifelong learning. The '50:50' norm that had been established in other workplaces, namely that as a joint commitment, the employer and employee would contribute half and half in terms of paid work time and own leisure time to participate in workplace learning activity, was also adopted in this case.

The ULRs were also successful in developing new patterns of relationship with local management in relation to the control of learning space and the administration of the learning budget. The ULRs, at the time of the first round of case study interviews, had taken the lead on managing learning activity in the learning center, negotiating deals with local providers and had established a team of ULRs working across the site on all shifts, including the night shifts, and had secured staff release from most team managers. As the ULR team became established, it became easier to carry duties as management were active in the control of ULR facility time, as the Shop Steward noted:

> *"We are not really restricted as what we can do, it is like as and when we need it. Originally, when we started, it was quite hard because company wise they were asking why you needed the time off. But we are getting there now, now they see how much it is generating."* (RegionalWarehouse Shop Steward)

Not only were the ULRs able to take time for duties but also able to control the design of learning activity. When the site management queried their decisions, they resolved them by escalating the issue to the national learning committee where the ULRs' requests were usually endorsed:

> "…they are happy for us to get on with it. More often than not (the site manager) agrees with what we do. On occasion he has had an issue, in that case we take it to the (national) steering group and we get things done that way." (RegionalWarehouse ULR)

The union reps developed their confidence and competence in running the learning center; they attended additional ULR training and two ULRs qualified to offer careers guidance. This increased capacity of the ULR team enabled them to identify additional learning opportunities and accommodate a wider range of learning interest, adding new learning resources and exploring innovative ways of meeting learning needs including a lending library of language CDs, a book club and sessions delivered by staff sharing practical skills and knowledge on crafts and hobbies of interest to others. In building this capacity management became more confident in the capacity of ULRs to make decisions about the programmes and activities in the learning center.

> "They don't really have many ideas about it, well we have got a lot more experience with it now than they have." (RegionalWarehouse Shop Steward)

In late 2009, the ULRs were asked to oversee the running of a new NVQ programme because of the success achieved with the learning center. In previous years the local HR had brought in an off-site provider to deliver warehousing NVQs but experience had been negative, with the Operations Manager commenting, '*it was horrendous because it was basically people signing off a time sheet and you got an NVQ*'. The ULRs were asked to take the lead in sourcing an NVQ provider and linked to local Train to Gain brokers to suggest a number of potential providers. The ULRs were central to the procurement process, short-listing prospective candidates involved in the joint decision making on a selection panel made up of the learning committee. A trial started with the chosen provider with 10 staff taking up Waste Recycling and five Business Administration NVQs and the ULRs were also closely involved in seeking feedback from trainees on their experience to ensure that the provider was

delivering the standards agreed and that the trainees' team managers were also supportive through releasing trainees for learning sessions and providing opportunities for on-the-job learning.

Management were quite relaxed about the different types of learning activities that the ULRs proposed and understood the value of developing activities that were identified from ULR learner surveys. An operations manager commented:

> *"Anything anyone wants we will have a look at, and if it falls within the learning agreements we'll try and process it. At Learning at Work Day they (the ULRs) asked everyone what they wanted and see how we can meet that. Some we were a bit nervous about - like archery - but we try and accommodate most things." (RegionalWarehouse Operations Manager)*

The ULRs also negotiated with local management to extend rights to access to the learning center to other employees and members. Firstly, they negotiated to extend the amount of time off for learning for staff to attend Learning at Work Day (LAWD) events. They had secured a small amount of funding to run LAWD events and argued for additional staff time to be allocated over and above the lifelong learning budget allocation. Secondly, the ULRs successfully negotiated to extend the offer of union learning to agency workers. Thirdly, they tried to extend the offer of access to UNITE members working as drivers for the company's logistics contractor. The company conceded to opening up access to the learning center to agency staff, but did not allow them to attend in 'paid' time nor that the company learning budget could be used to pay for their course fees; where fees were applicable they were usually remitted to HighStreetRetail's permanent staff[17]. This application of rules by management around the use of the learning budget meant agency workers were not able to take up the personal development or language courses that were charged by the FE provider. The issue of opening up access to the logistics drivers had not been resolved at the time of the close of the research fieldwork. Issues had been raised about security by local management (although the logistics drivers were cleared for entry to the site for delivery and pick-up bays, they were not cleared for access into the

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[17] In most cases, courses fees were not applicable. Lliteracy, numeracy and IT courses were funded through UNITE's partnership with the local FE college.

main site offices, where the learning center was located). This was not an issue that could be resolved by the National Learning Forum as it was viewed as outside of their remit. Thus, even with a national agreement in place and positive orientations from management in their first phase, there were aspects of the learning agenda that remained contested.

The position of management changed dramatically by the time of the second round of case study interviews. The business's operating climate had been challenging during the economic downturn. Although HighStreetRetailer had performed relatively well in comparison with some competitors the retailing sector continued to be unstable. The new Site Manager was more actively involved in the learning center committee and was not supportive of the *laissez-faire* approach adopted by his predecessor. The balance of control over the learning budget shifted to be focused on business need and the interests of the business, placing much stricter criteria on what would be funded from the lifelong learning budget and centred on a smaller range of 'set courses', such as key skills and IT that were seen as directly relevant to business and as a pathway to the VQ programmes.

The partnership relations that had been evident at the first visit had changed markedly. The new senior manager had placed considerable emphasis on vocational training as the main activity in the learning centre. The focus on vocational learning increased, and in 2011 the company wanted to extend its NVQ programme into a full apprenticeship scheme (including a number of adult apprenticeships). IT, literacy and numeracy courses were offered as supporting provision for VQ learners. The allocation of a greater proportion of the learning budget on VQs meant there was a much reduced offer of (learner-led programmes) in the learning centre. There was also a change in the language used by the reps and learning committee members about the functioning of the centre. The expectation had been raised that the learning centre would be more 'business like' in seeking to generate income or at least identify other sources of funding to pay for non-vocational learning. As one manager on the learning committee noted:

"We've got some selling to do. We've really set it up so that the learning centre will get some money for each VQ learner. Not cash, but the college will give us credit vouchers to spend on other types of programmes in the future." (RegionalWarehouse Site Operations Manager)

The local college was trying to support the centre by effectively incentivising the take up of VQ programmes, but the FE college was also increasingly constrained (due FE budget cuts) in the flexibility that it had to operate in this way. The language used by the reps and local managers turned from one focused on the learning centre offering an inclusive programme of support for all, to a centre focused on running viable, vocationally focused programmes.

The pressure on funding led ULRs to try and innovate in a number of ways. They searched for ways to extend the learning offer beyond the narrower programme of work-related learning. For example, they agreed with a local charity, which had a training team, to exchange support for a local fund-raising campaign for some first aid training. The college was less able to provide staff to support non-vocational programmes and ULRs asked members of the workforce if they had skills and knowledge that they would be willing to share as a learning session; several members of staff came forward with ideas and ran sessions. Yet the overall level of activity decreased and the ULRs were increasingly demotivated. One outcome of this change was that the volume of learning activity in the centre dropped as the range of courses on offer narrowed (and fewer staff were eligible to take part in the VQ programmes). This had a demotivating effect on the ULR team. One of whom commented, referring to the NVQ programme:

"We'll, (the learning centre) has kind of died for us a little bit. None of our lot (the shift he covers as a ULR) can go on it." (RegionalWarehouse ULR)

Another ULR noted:

Well we put of a lot of time into it and not all in work's time but, you know, it was busy so we were helping out. Now, well, that's tailed off a bit." (RegionalWarehouse ULR)

The RegionalWarehouse Site Manager wanted to integrate the ULRs' role into the delivery of the programme through training them as internal NVQ assessors. The ULRs at RegionalWarehouse

became unsure about whether to take this up. Some felt that integration into the training system was blurring the lines of their voluntary rep role and they already felt demotivated about the changing nature of learning centre activity. The lead ULR was doubly conflicted, as a company trainer, there was an expectation that becoming an NVQ assessor should be part of his 'day job'. The lead ULR was frustrated about this conflicting position. The shift in balance of partnership relations at RegionalWarehouse towards an 'employer dominant' (Guest and Peccei op cit) learning partnership meant that management's expectations of his role at the learning centre had shifted to him functioning as an employee rather than a union learning rep. He felt compromised in his relationship with other employees, noting:

> *"How can I sell it to them? They've just done some NVQs and now this. The last lot (of VQ providers) were rubbish, I don't know what they'll think of me." (RegionalWarehouse lead ULR).*

The decision on the apprenticeships process had not been made at the close of fieldwork as broader discussions were underway around the funding available. However, the experience of the ULRs illustrates the possible tensions of integrating union learning activity within company training and HR systems. These themes are discussed further in this chapter in relation to the other bargaining sub-processes. We continue with discussion of integrative bargaining processes.

9.4.2 Integrative bargaining

Walton and McKersie's bargaining model suggests that integrative bargaining takes place around a shared problem. In the case of lifelong learning at RegionalWarehouse, the national agreement to work jointly on this theme had already been agreed in principle via national bargaining structures. The local bargaining actors at RegionalWarehouse needed to retrospectively consider the rationale, the 'shared problem', that the lifelong learning policy would help address. The main workplace issue identified was the need for greater numerical accuracy and basic IT skills due to the adoption of new warehousing technologies and, as the NVQ programmes got underway, how basic skills learning would be a stepping stone into those programmes.

The ULRs' initial training included a formal course via trade union education training and informal learning from reps in other established learning. This learning provided the RegionalWarehouse ULRs with a template for key activities; how to undertake workplace learning surveys; how to engage with local providers to develop literacy, numeracy and IT provision; how to work with managers to operationalise the process of release and timetabling paid time off for learners; and notably, how to operate the unwritten '50:50' agreement that learners would be given half of their learning time as paid time. When the learning center was first established most learning was offered on the basis of this 50:50 time split. The 'work's time' was calculated and claimed against the learning budget. If a learner dropped out of a course they had to make any 'work's time' back.

The site learning committee operated as a joint problem solving group to oversee the development of learning activities. Its core function was the negotiation around the use of the lifelong learning budget and whether activities proposed by the ULRs were 'within scope' of the learning agreement. The group addressed other operational issues as they arose. Firstly, this related to the use of space. In the early stages of union learning, the courses were run in meeting rooms. But the difficulties with timetabling led the ULRs to negotiate for a dedicated space for learning. This proposal was boosted by a deal secured by the ULRs with the local FE provider whereby the college would provide the learning center with 10 PCs. As the Lead ULR noted:

> *"So we pushed for that - to get a stand-alone room. This is our center, so we try to keep it set aside for learning alone."* (RegionalWarehouse Lead ULR)

An issue identified as courses got underway was the degree of dropout. Initially, the steering group tried to address this by offering a £25 voucher for literacy and numeracy passes as an incentive for learners to stay on and complete their course. However, the ULRs identified that the '50:50' model of paid time was creating barriers for some staff, notably for those with family commitments. A change to rolling shift patterns also created logistical problems, making it more difficult to timetable courses at set times. The ULRs negotiated for the 'time off' policy to be changed so that those attending literacy, numeracy and beginners' IT courses were able to attend wholly in paid company time. This

was not seen as a bargaining gain by the ULRs in having secured additional company resource for those more marginalised workers. Rather, it was seen as a practical tool to help ensure participation and completion. As one ULR noted:

> *"This takes away another barrier for them, so there is less and less reason why not."*
> (Regional Warehouse ULR)

Offering wholly paid time off for basic skills learning in effect limited the range of other provision that the ULRs could offer as this took up an increasing proportion of the funds available. Other issues negotiated by the learning committee focused on the types of learning activity that would be supported by the budget. There were negotiations around some of the non-vocational or hobby learning that had been identified in learning surveys such as martial arts and archery courses. This raised concerns by both managers and some of the site reps on the health and safety implications and it was agreed that although the ULRs could help to organise sessions, these activities must take place outside of work's time and off site.

Other discussions took place over the use of the learning budget to pay for Level 3 programmes. As staff progressed through the literacy, numeracy and IT programmes at Levels 1 and 2, some wanted to progress on to Level 3 courses. It was the ULRs that were most reluctant to propose the use of the funding for this purpose, however, this was not because of a strong assertion that union learning should only support learning up to Level 2. Rather, the unit cost of Level 3 programmes was so much greater than for other programmes that spending the budget on a 'Level 3' for one or two employees would take up a considerable portion of the whole learning budget.

In 2012, the overall allocation for the lifelong learning had decreased by a quarter and the new Site Manager placed an increased emphasis on the union learning center being used to support vocationally relevant learning; notably as a route to participation in the new apprenticeship programme. The new management team also wanted the ULRs to train as NVQ assessors and take up an internal role for supporting apprentices. This new management stance presented a challenge to

the ULRs. They were unsure about the NVQ assessors role, concerned that this would align the ULR team too closely to company training. However, becoming more involved in the delivery of NVQ provision offered them the potential to generate some income for the learning center (thereby potentially reducing their reliance on the company's lifelong learning budget which was allocated by central office). The ULRs had learned from reps managing another learning center how they had generated income from working with their local FE College to deliver vocational qualifications. The funding model enabled the ULRs to claim a 'finder's fee' for the recruitment of learners onto apprenticeship programmes. The agreement reached in other locations had been that this 'finder's fee' could be claimed, not as cash, but as a 'learning fund' that the ULRs could use to pay for other types of non-vocational courses offered by their local FE College.

The ULRs were increasingly concerned about the future of the learning center. The national budget had been reduced, stressing the vulnerability of this source of funding and they looked at alternative ways of drawing in learning resources with some modest results. They tried again to engage other UNITE members including the drivers in the logistics contractor who would be required to pay for courses. They were considering whether to be more integrated into the delivery of apprenticeships, motivated in part by the potential deal to generate a 'learning fund' with the college for non-vocational courses that they could offer through the learning center. The survival of the learning center activity was becoming their core focus. Learners, especially peripheral workers, were becoming seen as potential customers that would help maintain the viability of the center.

9.4.3   Attitudinal structuring

The ULRs were aware that, at site level, management were not generally supportive of the union. Senior personnel tended to change in quick succession and at the time that the ULRs were looking to advance the learning center, the Site Manager was more moderate in his views and had delegated his role on the site learning committee to an operations manager who viewed the warehouse operative team as his peers.

The ULRs used a range of channels to communicate to the workforce about the union learning offer through delivering presentations about the lifelong learning policy and agreement. The ULRs stressed the key message they wanted to get across was '*it is their learning center for things that they want to do*' (RegionalWarehouse ULR). The ULRs were successful in changing the attitudes of middle management of the value of union learning. This was achieved indirectly, through the learning committee, and by opening up the learning center offer to management and administrative staff. Through sitting on the learning committee, the Operations Manager was impressed by the role that the union had played in engaging employees and taking the learning center forward. He noted:

> "*This kind of learning would not have happened, without the learning agreement without the ULRs and union – I am quite confident about that because nothing like this has ever happened before.*" (RegionalWarehouse Operations Manager)

Unlike the learning center at IceFactory, the ULRs had made a clear statement that the opportunities at the learning center were open to all staff, including those in management and on 'staff' side in the administrative teams. One manager noted how the IT offer in the learning center was a useful opportunity for some of the older managers who had not received any formal IT training:

> "*As managers we get reviewed and one thing that comes through all the time is the need for IT training. Before it was all paper based and now it is all computerised. None of us have had any training. It's OK for the younger guys who are graduates, they might have some idea, but we work shifts and we can't get on a course, so now we've got some of the managers in (the union learning center) doing IT courses.*" (RegionalWarehouse Team Manager)

The engagement of managers and administrative staff in the learning center helped to break down relationship barriers between different workforce groups. This was commented on by managers in distinct ways. Firstly, they noted the benefit of building rapport with operative staff by learning alongside them.

> "*I think, from my point of view it is important to get in there and learn with them (the shop floor staff) as well – it shows you're human.*" (RegionalWarehouse Safety Manager)

The Operations Manager felt that the participation by managers and administrative staff was beneficial through building a sense of unity between different sections of the workforce:

"We have started to get some of the (other) managers on that as well, one of my colleagues has got involved and is keen to carry it on. He's done Level 1 literacy and numeracy. There has been one of the office managers involved in IT. We thought they might be a bit resistant to all this…for (my management colleague) to go in and do Level 1 which is lower than some of them (on the shop floor) are doing for him to do that is amazing really, it's all in together." (RegionalWarehouse Operations Manager)

Finally, joint participation in learning helped break down perceptions of other workforce groups. In the example below one of the managers noted his surprise that a shop floor operative whom he considered 'an ox' had exceptional numeracy skills:

"I've had a good time with them. There is one guy in here, he's huge, like an ox, 6 foot four. I said I was surprised to see him up here (in the learning center). The tutor told me later that he was the only person she had known who had taken the Level 2 numeracy test with every question right – I got four or five wrong, that test was quite hard." (RegionalWarehouse Team Manager)

In examining the attitudinal structuring activities of the reps, this case showed that the ULRs made a concerted effort to build awareness and engage learners in learning center activity and by operating an 'open to all' policy, had ensured that local managers and administrative staff were also involved in the learning center, building a positive view of the role of the ULRs. However, there was no specific activity undertaken by the reps focused on affecting positive change in senior managers' attitudes towards union-led learning.

9.4.4   Intra-organisational bargaining

The intra-organisational negotiation between union actors was mainly between the ULRs and employees encouraging staff to engage with union learning. Once courses were established, the ULRs promoted learning opportunities to staff to encourage participation. Activities to engage staff included showing videos developed by unionlearn to promote core messages about lifelong learning and the role of unions in offering access to learning in the workplace. The ULRs used a range of methods to get these messages across, including learning surveys, using the company intranet, warehouse notice boards and plasma screens, through in-house magazines and a dedicated learning magazine. The ULRs also attended staff briefings that took place at the start of every shift. There was a degree of scepticism by staff, one of whom noted, '*at first we thought it was too good to be true,*

"what's the catch?"' (RegionalWarehouse Operative). The ULRs were conscious that by promoting union learning through company mechanisms the union learning offer could be viewed by staff as the same as employer training; particularly as the Lead ULR was also a company trainer. However, using these mechanisms enabled the ULRs to build awareness of the learning center across a wider range of the workforce and with the team managers present at these briefings.

There was limited intra-organisational dialogue with the rest of the union. The ULRs noted that the RegionalWarehouse Convenor had little interest in the learning center and did not engage him in the activities of the site learning committee. The convenor had originally questioned why the ULRs were offering learning to non-members. This had been an issue raised more broadly within TGWU when ULRs had first been trained in the early 2000s. Offering union services to non-members was counter to the notion of the collective and suggested a 'free-rider' problem. The ULRs stressed that a core principle of union learning was that it was 'for anyone and everyone'. The local reps commented that the convenor, '*does not really have much interest in the work of the ULRs. His focus is on health and safety more than anything*' (RegionalWarehouse ULR).

The RegionalWarehouse ULRs were trained and established in their role before the stronger emphasis was placed by the UNITE regional learning team to link learning and organising. The regional learning project workers viewed the RegionalWarehouse reps as 'up and running' (UNITE Regional Learning Project Worker) and did not have regular contact with them. Given limited resources, the regional team focused on establishing union learning activity in new workplaces. From the regional team's perspective the HighStreetRetail national learning agreement and lifelong learning budget was in place, the union learning activity at RegionalWarehouse was delivering outcomes, and joint regulation of learning activities through the learning committee was established.

In terms of the intra-organisational dialogue between local and national management there was no indication that the local management team engaged with the national HR managers that had been involved in the negotiation of national agreement and earlier collective learning fund projects (in other

regional centres). The RegionalWarehouse management received the national lifelong policy and worked on its implementation. The only intra-organisational dialogue that took place between management was on the escalation of queries about what types of learning the lifelong learning budget should be used to support; frequently the national learning committee, who policed the 'spirit' of the national agreement, endorsed the recommendations made by ULRs. However, when the new RegionalWarehouse management turned focus of the lifelong learning budget towards more vocationally relevant programmes, the national learning committee did not intervene.

9.5   Discussion and conclusion

RegionalWarehouse contributes to the overall thesis by illustrating how weaknesses in three key areas threatened the sustainability of union learning: a limited focus on building internal solidarities; the poor articulation of learning interests within the union; and limited efforts to address employer ambivalence.

In contrast to the other cases, union learning was relatively well established, yet the impetus for union learning had come from elsewhere in HighStreetRetail sites. Notably, a collective learning fund project had prompted the development of the company-wide learning agreement and establishment of the lifelong learning budget. This budget was administered by the National Learning Forum and distributed down to all regional centres. Local reps and management were involved in allocating learning resources within the parameters set in the learning agreement. Despite this wider support for learning, the future viability of the RegionalWarehouse learning center was uncertain and doubts were expressed by ULRs about the future direction of union learning.

The case highlights the vulnerability of union learning and processes that contributed to this. There were external factors with the economic downturn creating difficult trading conditions. Yet, the ULRs at IceFactory (located in the same region) had faced similar pressures (a pay freeze) and had turned that situation into a bargaining opportunity to generate more support for the learning center. At RegionalWarehouse bargaining behaviours of the ULRs are distinctive from the other three cases.

Figure 4 illustrates the mix of bargaining behaviours evident in this case, with a high degree of integrative bargaining focused on the delivery of the lifelong learning policy and company VQ programme with less activity evident in relation to the other three bargaining sub-processes.

Clearly, this over simplifies a more dynamic situation. In the early phase of the learning center there was a strong focus on offering learning that was driven by the interests of workers. Learning was promoted as inclusive and for all staff, drawing in warehouse staff, management and administrators. However, the ULRs faced a considerable challenge maintaining control over the activity in the union learning center. This was due in part to the orientation of the new, more aggressive, site manager seeking to focus company resources and the lifelong learning budget towards business priorities during the recession: not an unexpected strategy on management's part.

Figure 4 Bargaining behaviours at RegionalWarehouse
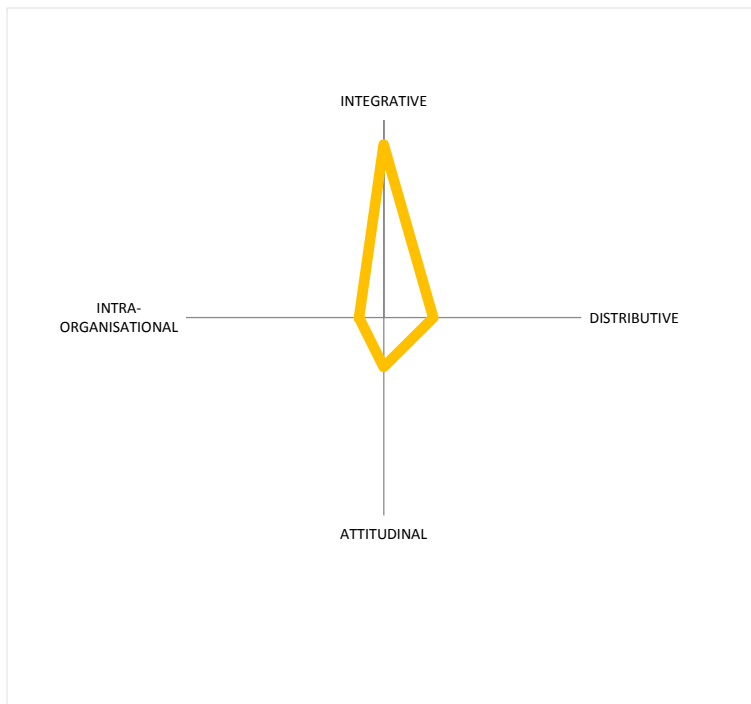
However, the ULRs had less power to resist management's prerogative. The existence of a national agreement and lifelong learning fund appeared to signify management support for union learning. Yet the RegionalWarehouse ULRs had not acted strategically to anticipate the likely scenario that local management support might not be so favourable, despite having had the experience of a more

oppositional site manager at the very early stages of the union learning project. Union learning is vulnerable because of the limited degree of attitudinal structuring activity undertaken by the ULRs.

The principles of co-determination and co-investment that underpinned the original collective learning fund project had not been transmitted to the RegionalWarehouse reps and they were wholly reliant on the lifelong learning budget the key resource to fund learning activity. Furthermore, the ULRs were not well linked wider union structures that might have helped enable access other external resources. Although the RegionalWarehouse ULRs, in theory, had access to the same level of support from the regional union learning team, links with the Regional Project Workers had not been sustained and the degree of intra-organisational dialogue was low. The site Convenor was ambivalent about the union learning project and there was no process to intermediate between the opposing views of the ULRs and the convenor. The ULRs were less linked into intra-organisational networks (either vertically or horizontally) that might have helped to frame union learning and draw in wider bargaining resources. The union's tradition of self-organisation had, in this case, served to create a vulnerability for the union learning project. The RegionalWarehouse learning center, judged as successful in terms of the volumes of learning activity taking place, had been left alone by the regional union learning team, yet the learning center was under threat because of the lack of independence of the ULRs from employer intentions to integrate them into the company training and skills system.

The emerging national UNITE strategy for learning linked into national organising priorities stressed that union learning should be focused on those with low levels of qualification. This priority did not frame union learning at RegionalWarehouse where Level 3 programmes were being developed. However, the RegionalWarehouse ULRs were becoming aware that their involvement in the apprenticeship programme could problematic and that they ran the risk of alienating staff by being involved in the delivery of the company apprenticeship programme as assessors. While they might be able to ensure the quality of learning experience on the ground, they were also aware that members were sceptical of the value of the NVQs on offer. The employer would benefit by achieving ISO

accreditation, but the gains for employees were less clear. Being too closely associated with company training ran counter to the narrative that they had tried to establish that learning would be driven by the interests of members.

The ULRs were trying to remedy this by seeking alternative sources of funding for non-vocational courses but in straightened economic times, this was not straight forward. Furthermore, the ULRs focus on sustaining the learning center rather than sustaining activity built on core union values set within a wider collective narrative they ran the risk of further alienating the most marginalised workers on site (the agency staff) by viewing them as potential customers rather than potential union members and advocating more strongly for their inclusion in learning center activities.

Chapter 10 **Summary and conclusion**

10.1 **Introduction**

UK Trade unions have secured a growing number of learning agreements, often referred to as learning partnership agreements with employers (Stuart, 2011). Research on the nature of bargaining for those agreements is under developed and it is this gap that this study has addressed. Union partnership with employers can be seen as a logical strategy in the face of a decline in union countervailing power and more limited regulatory supports (Simms & Charlwood, 2010). In this context, union learning has been seen by some as an item for 'natural partnership', underpinned by an integrative bargaining approach (Sutherland and Rainbird 2000). National bodies such as the TUC continue to promote union-employer engagement on learning within this frame (see for example Unionlearn, 2013) [18].

Academic critique of union partnership strategies in general (Taylor & Ramsay, 1998; Wray, 2005) and union learning partnerships in particular (Daniels & McIlroy, 2009) see partnership as evident of incorporation which draws ULRs in to operate as sub-altern HR, ultimately weakening union power. Others suggest that union learning can derive gains for employers, workers and unions, notably, when union learning is embedded in workplace institutions and negotiation structures (Stuart et al., 2013). Further, that ULRs and the union learning 'agenda' can contribute to union renewal (Forrester, 2004; Heyes & Rainbird, 2011; Warhurst et al., 2007) through unions taking advantage of opportunity structures that lead to new forms of engagement with management (Rainbird & Stuart 2011). This study extends knowledge of union learning through and examination of bargaining behaviours as workplace actors negotiate over learning agreements, illustrating how and under what circumstances opportunities for negotiation are exploited and gains for labour achieved.

The central thesis is that unions are able to make strategic choices about bargaining behaviours and can secure gains for labour through employing a mixed bargaining strategy. This is underpinned by

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[18] State rhetoric around the role of union learning within the skills system also refers to 'industrial partnerships' with SSCs and 'Green Skills Partnerships' are also quoted for example Vince Cable's speech to the unionlearn conference 2013,: https://www.unionlearn.org.uk/vince-cable-speech-2013

social processes that challenge relationship patterns and strengthen the interdependencies needed for bargaining. The study shows the strategic capabilities of ULRs, working within the wider union both at the workplace and beyond. The power to extract gains for labour is contingent upon union capacity to articulate learning at the workplace with wider union interests and frame learning with reference to local management issues.

This concluding chapter contains the following: Section 10.2 summarises the findings and new insights into bargaining behaviours relating to union learning; section 10.3 revisits the environmental contexts within which bargaining for learning takes place and section 10.4 summarises the workplace institutions that support bargaining for learning; this provides the context for conclusions set out in section 10.5 relating to union power resources and capabilities that sustain learning and consideration of wider debates about learning and union renewal. Section 10.6 draws the thesis to a close by considering the limitations of the study and implications for future research.

10.2 Bargaining behaviours

Figure 5 shows a representation of the bargaining behaviours observed in each of the case study workplaces. Figure 5 does not seek to show bargaining behaviours in quantitative terms, nor simplify the complex social processes that underpin any workplace negotiation. Nor can it illustrate different environmental contexts and dynamics. However, the representation in Figure 5 does illustrate distinct patterns of difference in bargaining behaviours.

Figure 5 Comparison of bargaining behaviours by case
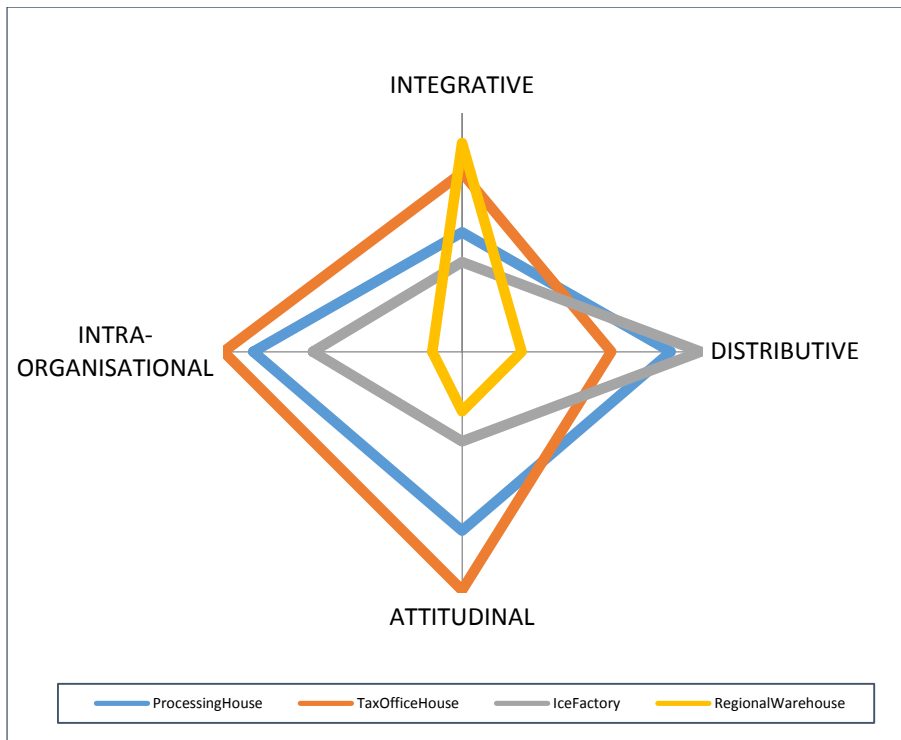
For example, the two UNITE cases had many similarities. Both were located in the same geographical region, in workplaces with similar occupational profiles and in businesses facing similar economic conditions and challenges. The ULRs in both workplaces had access to similar learning support infrastructures from the union, yet the bargaining behaviours in the UNITE cases were markedly different. At RegionalWarehouse bargaining was predominantly integrative. Union learning was embedded within company learning and development system and limited bargaining was evident within the other sub-processes described by Walton and McKersie. In contrast, at IceFactory bargaining was more distributive and contained elements of integrative, intra-organisational and attitudinal structuring bargaining behaviours. The PCS cases involved a greater mix of integrative and distributive bargaining behaviours, supplemented by a greater degree of intra-organisational bargaining and attitudinal structuring activities. This key finding challenges the contention within existing union learning literature that workplace bargaining over learning is fundamentally integrative in nature (Daniels and and McIlroy 2010, Sutherland and Rainbird 2000; Wallis 2008).

The findings suggest that the predominantly integrative approach to bargaining taken by the reps at RegionalWarehouse and the absence of other bargaining behaviours, especially in the face of a more aggressive local management, threatened the sustainability of union-led learning in that workplace. In contrast, the mix of integrative and other bargaining behaviours in the other three cases suggested a greater capacity for critical engagement and the advancement of an autonomous union learning agenda was present in those workplaces.

The finding that bargaining for learning tends towards a mixed bargaining mode aligns with the wider literature on bargaining behaviours. Several studies exploring bargaining behaviours in other domains observe how negotiators entering into negotiations in an integrative frame resort to distributive bargaining to secure gains (Bacon & Blyton, 2007; Fisher & Ury, 1991; Katz et al., 2008; Kochan & Lipsky, 2003; Walton, Cutcher-Gershenfeld, & McKersie, 2000; R. Walton & McKersie, 1991). The mix of bargaining behaviours prevalent within the union learning cases prompts further inquiry into the strategies, contexts, resources and capabilities underpinning these behaviours and the conclusions relating to these themes are expanded upon below.

10.2.1 Bargaining strategies

The approach to bargaining did feature integrative strategies focused on the potential gains for labour and capital from union learning activity. These were presented in different ways by local actors and were context specific with a wide range of frames were used simultaneously to express potential gains in terms of learning for flexibility, employability, employee engagement and an enhanced 'psychological contract' and also in terms of wider organisational and societal gains. These potential gains were often ill defined and rarely measured and although the bargaining strategies did include these integrative elements, they were not expressed in terms of a strong productivist agenda as suggested by Streeck (1992) see also Leisink, 1997; Stuart & Wallis, 2007a). The potential gains were not defined in terms that Kochan and Osterman (1994) would describe as a 'mutual gains enterprise' where increased rents from improved productivity due to skills enhancement could be shared

between capital and labour. The core focus of negotiations on union learning was not on vocational skills that might align to a productivist agenda. Union negotiations focused primarily on member access to non-vocational learning, literacy and numeracy, IT and foreign languages[19] . Potential outcomes were referred to in terms of productivity in some cases but strong reference was also made to personal gains for learners and gains that extended beyond the workplace to include wider social and economic gains, taking the bargaining sphere beyond a narrow focus on the distribution of material gains derived from the application of human learning and skills within production.

The study also illustrates the difficulties in adopting an integrative bargaining strategy. Walton and McKersie's bargaining model assumes joint problem solving teams and the open sharing of information about mutual interests and that greater precision of detail within integrative bargaining will lead to more sustainable solutions as good quality data aids the evaluation of options and utilities. Yet, the data available on the possible options and utilities from learning were limited. Engagement with management was frequently couched in terms of a 'business case' for learning, yet systems of measurement, definition and evaluation of union learning were not evident. The cases illustrate that trust relations were often weak and local management largely ambivalent or sometimes hostile. Furthermore, the union negotiators were not interested in a search for alternative options to the 'learning problems' raised with the employer: the union's objective was to establish union-led learning. Thus, a degree of bluff and covert objectives were integral to the union's bargaining position. In this context, the findings suggest that the 'fuzzy' (Moore 2010:79) or complex discourse around union learning to be a useful tactic in framing bargaining for learning. The findings challenge the notion that union bargaining over learning can be truly integrative, especially when one of the bargaining parties has a vested interest in building institutional capacity through learning: union-led learning is proffered as the only 'solution' to the 'problem' around which integrative bargaining takes place.

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[19] Similar to the overall profile of union learning activity where, for example, only 5 per cent of learning in 2013 was an NVQ or apprenticeship, (unionlearn 2013)

This study adds to the understanding of bargaining for learning through illustrating the distinct role for ULRs in securing learning gains. Central to these negotiation processes is union action to challenge relationship patterns at the workplace and change management attitudes towards the union and lifelong learning agenda and in engaging with members in what Levesque and Murray (2010) refer to as the 'deliberative life' of the union. The following sections expand on these themes in relation to the environmental factors and organisational contexts that shape bargaining for learning, the nature of workplace learning institutions before drawing conclusions over union capabilities for bargaining over learning.

10.3 Environmental factors

10.3.1 Union contexts

Bargaining behaviours were shaped by contexts within which union learning developed. There was a greater degree of intra-organisational bargaining evident in the HMRC cases, in-part linked to pre-existing union structures reflecting national bargaining mechanisms within the government sector. Union contexts were also dynamic. A shift in national PCS leadership placed increased focus on workplace and locality organisation and ULRs took advantage of this opportunity be actively engaged in local rep networks. Drawing on the experiences of ULRs in similar workplaces and the expertise of local learning providers, the TaxOfficeHouse ULRs develop a learning programme that encouraged greater member participation in union activities illustrating an example of the shift predicted by Fairbrother (2000) for unions to move towards a more participative union model. However, both unions developed national and regional learning teams and specific roles such as regional learning organisers, suggesting the growth of expert groups reflecting a 'managed activism' model described by Heery et al's (2000) study of wider union organising.

In the UNITE cases, the union's traditions of a federal structure were evident and the trajectory for the development of infrastructure to support union learning was in the opposite direction. Union learning infrastructures were relatively well established at the regional level (at least in the TGWU

region in which the two cases were located). During the late 2000s, and after the TWGU merger with AMICUS, there was an increased focus on developing a national union learning strategy. The main impact on the study cases of the bargaining traditions within UNITE (TGWU section) was a strong rhetoric from national leadership of adversarial, or at least arm's-length, relations with employers and a culture of self-organisation amongst the shop stewards organisation. Yet the bargaining behaviours of the two UNITE cases were very different. The contrast in bargaining behaviours within the two UNITE cases illustrates that workplace level bargaining behaviours and strategies are in part mediated by union contexts, yet these do not pre-determine bargaining approaches, illustrating the importance of workplace actors and the bargaining behaviours adopted at the local level.

10.3.2 Employer contexts

Although learning and skills are typically presented by some as a 'natural issue for partnership' (DfEE, 1998), ambivalence or hostility from management limits the scope for 'genuine' partnership on learning. In only one of the case studies, IceFactory, could the relations between management and the union be described as a pluralist or 'genuine' partnership (Wray, 2005) where local management openly recognised the shared *and different* interests of employees around learning and the distinctive role of the union. In the three other cases management ambivalence or antipathy towards the union was the norm. A key observation is the degree of activity undertaken by unions in the workplace, including ULRs, to engage in attitudinal structuring activity with local management. Furthermore, ULRs were relatively successful in affecting change in relationship patterns resulting in raised level of support for the union and its role in workplace learning. However, this change effect was often temporary as (sometimes newly converted) management advocates of union learning, typically HR or workplace operations managers, frequently moved jobs and locations: an example of the 'temporary pluralism' described by Taylor and Ramsey (op cit), ULRs needed to persistently engage in domestic level bargaining with local management in order to (re-)build local management's understanding of and, in Walton and McKersie's terms, the salience of union learning.

10.4 Bargaining institutions

Previous research notes the significance of institutions such as learning committees and learning agreements in building engagement with management and in sustaining union learning at the workplace (Saundry et al 2011, Stuart & Wallis 2011b, Stuart et al 2013). Each case study developed a different type of learning agreement (see Table 8 below), reflecting the typology developed by Cassell and Lee (Cassell & Lee, 2009) of short term, project based agreements, broad frameworks or more comprehensive partnership agreements. The cases illustrate that learning agreements are not solely the outcome of workplace bargaining relations, but also useful tools to engage (and re-engage) management, regulate learning with reference to codified arrangements and build the legitimacy of union activity in this new bargaining domain. More comprehensive learning agreements do not necessarily suggest the viability of union learning. For example, at TaxOfficeHouse the simple 'project agreement' was the springboard for further engagement with management and extending bargaining relations across the region. Conversely, at RegionalWarehouse local learning activity was vulnerable, despite the learning agreement being embedded in a national collective agreement and a learning centre established at the workplace.

The contribution of this study is in providing insight into the social processes that underpin the development of these institutions. A range of union actors are involved in bargaining with management on learning. This includes shop stewards, ULRs (themselves a mix of new and established activists and shop stewards), regional and national learning teams and negotiating officers. Only a small part of the negotiation for learning takes place within 'set piece' negotiations between lead negotiators entering into formal processes within separate union learning structures. Rather, bargaining for learning was an ongoing and iterative process, takes place across a mixture of formal bargaining contexts, including joint house committees, learning committees and informal (and persistent) one-to-one domestic negotiations. This varied picture mirrors the broader nature of negotiations reported by Moore et al. (2005) in which union officials and workplace reps engage with employers on bargaining at a number of levels. In this less centralised, more dispersed form of

bargaining, the challenge for bargaining parties is in developing coherent bargaining claims and negotiation strategies.

In the case study organisations, the learning committees evolved, often from ULF project steering groups. Once an agreement had been developed, this group tended to become the 'guardians of the bigger picture' and the location where ULRs and learning organisers could escalate grievances. Critically, learning committees were used by the unions to try and lever senior management power over recalcitrant frontline management. This strategy was more effective in the HMRC cases than at RegionalWarehouse. Walton and McKersie's concept of intra-organisational bargaining between management highlights the contradictions that arise from competing business logics and the possibility for unions to exploit this. Walton and McKersie describe this bargaining behaviour in limited assuming a single negotiator and the 'ignore-modify-conform' response to the demands of different constituents. Walton and McKersie provide little insight into how the interests of certain groups prevail. Levesque and Murray's model of union capacities helps to take the analysis of union bargaining for learning forward through considering the power resources and strategic capabilities within the union that can exploit opportunity structures.

Significantly, where reps are proactive in establishing bargaining relations there is scope for the union to frame the parameters for negotiations and chose bargaining strategies. Proactive engagement was necessary to address ambivalent management orientations. In order to advance union interests, ULRs had to first build attitudinal structuring activity in order to introduce local management to the concept of lifelong learning and the legitimacy of the union in leading an autonomous agenda on this theme. As Muthoo notes (1999), bargaining requires that two 'players' have mutual but conflicting interests. The key conclusion from this study, is that ULRs must construct a sense of mutuality around the learning theme. To be a 'player' in negotiations on learning the union must make management aware that there is a 'game'. They must then define union learning so as to generate recognition of the interdependence of both parties through promoting the mutual interests necessary for bargaining to

take place. This study finds that the differences observed in bargaining behaviours between cases were not overly determined by the union context or the existence of learning institutions such as a learning agreement or a learning committee. Rather, bargaining behaviours were shaped by the bargaining resources and capacities present at the workplace. Furthermore, ULRs are central to, but not the sole actors within these processes. The following sections draws further conclusions about the nature of union resources and capabilities in bargaining over learning.

10.5 Union learning resources and capabilities

Adapting Levesque and Murray's (2010) model of power resources and strategic capabilities, Table 8 summarises the capacities observed in each of the four case study workplaces and references the power resources of infrastructures, internal solidarities, narrative resources and networks. In addition, strategic capabilities refer to framing union learning, articulation with other levels and strategies, intermediating between different interests and repertoires of action and learning derived from previous negotiations and related outcomes.

10.5.1 Power resources

Previous research has noted the levels of ULR activity (Bacon and Hoque 2010) and lack of integration between ULRs and other parts of the union (Wood and Moore 2007). This has been theorised as being related to ULRs themselves having limited political orientation (Daniels & McIlroy, 2009), an affinity to the learning rather than union role (Donnelly and Kiely 2007) or naivety about unions (Wood & Moore, 2007). Others theorise that a lack of integration is due to limited union capacity to support the co-ordination of ULRs (Stuart & Wallis, 2007b) or the scepticism of activists about value of union learning (Moore & Ross, 2008). More recent empirical studies note the increasing development of union infrastructures that support union learning activity and the engagement of ULRs in other activist roles (Moore, 2010; Stuart et al., 2013), suggesting that the potential for union renewal is derived from new ULR reps becoming active in other roles, with union learning conceived of as a 'role escalator' (Warhurst et al 2007).

Table 8 Summary of bargaining resources and capabilities by case					
		ProcessingHouse	**TaxOfficeHouse**	**IceFactory**	**RegionalWarehouse**
Workplace Institutions	Learning agreement	National learning agreement	National learning agreement Workplace SfL project agreement	Learning agreement integrated into collective bargaining agreement	Learning agreement in collective agreement. Employer learning fund
	Learning committee	National Learning Committee and JCC	National Learning Committee	Workplace learning committee	Workplace and national learning committees
Power resources	Union learning support infrastructure	Branch and Regional Learning Co-ordinators Bargaining Unit Learning Organisers	Branch and Regional Learning Co-ordinators Bargaining Unit Learning Organisers	Regional ULF team Shop stewards network	Shop stewards network
	External networks	unionlearn, TUED and provider networks	unionlearn, Basic Skills Agency, regional branch networks, local colleges	Regional provider consortium, ULR networks	Local college
	Mobilising narrative on learning	Learning for all including vulnerable workers	Democratising learning Learning as a control to lean	Learning as a class issue	Weak invocation of learning for all (not realised)
	Internal solidarities	Learning centre site for learners, ULRs, FTOs and stewards to meet informally	Whole organisation approach: all grades & work groups take part	Learning centre site for learners, ULRs, FTOs and steward to meet informally	Learning centre site for learners and ULRs to meet
Strategic capabilities	Articulating with other strategies	Learning and organising	Learning and organising	Learning and collective bargaining	None
	Framing	Equality of rights to learn	Skills for Life as a public good	Exchange for wage freeze Learning as fun; humanising	Learning for skills and employability
	Intermediating union interests	Bargaining position on apprenticeships	Bargaining position on apprenticeships	Bargaining position on learning vs skills	None
	Learning	ULR upholds union standards, not HR practices	Sharing bargaining practice across regional rep networks	Anticipating possible change to hostile management	Not anticipating change to more hostile management

Adapted from Lévesque and Murray (2010)

This study supports that view that ULRs are increasingly integrated into branch teams, however the type and degree of activity of individual ULRs does vary. There were examples of ULRs who were initially only motivated by their interest in supporting peers to access education, providing learning opportunities as described by Donnelly and Kiely (2007) and who had limited engagement or solidarity with the union where ULRs could be described as apolitical (see Daniels and McIlroy 2009). In this study, ULRs became more integrated into union structures as they gained experience in operationalising the learning agreement. It was also noticeable that ULRs became more resistant to management prerogative or as a conduit for HRM processes. This was not only as a direct result of being influenced by the union's norms and cultures as they became more involved in union activity, but also as a natural, dialectic in reaction to their experience as a ULR and observed injustices against certain marginal groups of workers. This ran against ULR's strongly held values of equity and inclusion around learning. This finding points to the potential value of ULRs in union renewal not as 'new blood' for existing rep functions, but in challenging both employer and union norms around issues of participation and inclusion. A core example of this is the use of learning surveys by ULRs which actively encourage members to shape the learning agenda by asking members what the union can do for them. This could cast ULRs, referencing Batstone, as 'populists' rather than 'leaders'. However, using Levesque and Murray's (2010) concept of 'deliberative vitality,' union learning engages directly with members in a novel way. Drawing on good practice in adult learning, the ULR function brings new repertoires of activism into the workplace that help build local solidarities (discussed further below).

A further observation is that individual ULRs undertake different tasks: some with members facing roles, others linking to external networks and others focused more on employer engagement. ULRs usually operate in teams with a lead ULR taking a specific role in co-ordinating the ULR team and reporting into the branch. This finding challenges the analytical approach of many previous empirical studies that comment on the impact of ULRs based on evidence from individual ULRs. Closer analysis is needed of the collective efforts of union actors and the distinct role of ULRs to capture both formal

and informal bargaining relations and the impact on bargaining of engagement with actors beyond the workplace.

Lead ULRs with a responsibility for co-ordinating ULR teams and specialist regional and national learning roles help provide a bridge between workplace branch teams and wider union networks. This was evident in all cases, including RegionalWarehouse. This supports the analysis by Heyes and Rainbird (2011) of the value of union learning project workers in drawing together 'transitory teams' that support ULRs and help translate union policy into practice. However, this study illustrates three further points about these processes. Firstly, the union 'transitory teams' act as connectors to the wider union, but are not central in framing the local narrative with employers and members on union learning at the workplace. Secondly, the 'temporary pluralism' experienced in workplaces (Taylor & Ramsay, 1998) meant that the local reps often needed to reconstruct that narrative with new management personnel. There was evidence in each case of persistent and very specific domestic bargaining undertaken by informally by ULRs with local managers. ULRs were frequently at the forefront of making the case for union learning to 'front-line' management, reminding senior management of the terms of the learning agreement and in rewarding the positive behaviours of those managers that released staff to participate in learning: key elements of the attitudinal structuring process as described by Walton and McKersie. As such Heyes and Rainbird (op cit) underplay the agency of workplace reps, and ULRs in particular, in shaping the mobilising narratives and practices that frame union learning at the local level. Thirdly, as the RegionalWarehouse case shows, the existence of regional learning teams does not guarantee that this support will reach specific workplaces. Although RegionalWarehouse appeared to be an exemplar of union learning in terms of the presence of key workplace institutions: active ULRs, a learning committee, a learning agreement and a workplace learning fund, the power resources and strategic capabilities to bargain for an independent learning agenda were weak and disconnected from wider union and community networks.

ULR bargaining resources derive not only from establishing a credible role for union learning with employers, but also in connecting to members. Lévesque and Murray note the significance of the 'participation of members in the life of their union' (2010: 338). Workplace learning activity helps achieve this through the direct involvement of members and non-members in those activities. At RegionalWarehouse the ULRs were unable to build internal solidarities in the way that was achieved in the other cases. For example, in ProcessingHouse and IceFactory the union learning centre was not only branded as a union learning centre, but used as a social space where workers, ULRs, shop stewards and FTOs met on a regular basis and engage in activity beyond learning included branch meetings, FTO training, book clubs and organising meetings.

Building concrete organising activity around the learning theme was most evident at ProcessingHouse where the ULRs' insistence on the involvement of the evening shift in learning activities resulted in joint work between the reps and branch officers to recruit this new group. This helped to build a stronger narrative with the union, with members and the employer about learning 'rights' and the principle of learning for all. This was not a weak invitation for everyone to take part in learning, but a core principle around which the ULRs became active and connect to members and non-members on a collective issue. Table 8 illustrates the subtle yet important differences in the ways that local reps constructed these narratives around 'learning for all' in the context of their own workplace, for example as democratising learning; as class-based; an inclusive for migrants; and as learning for fun (i.e. not employer training). At RegionalWarehouse there was no clear re-working of the 'learning for all' narrative. Although the ULRs there used the term 'learning for all' within their literature, this was not a core value upheld by the reps as temporary and agency workers were effectively excluded from the learning centre. At RegionalWarehouse the ULRs were less able to resist incorporation into company training systems as their wider bargaining resources were weaker. The irony of their tradition of shop stewards self-organisation meant they were less well connected to wider resources upon which to draw support for union learning as a distinct, autonomous activity.

The development of union learning infrastructures provided ULRs with training and guidance, and connections to external networks. ULR also led visits with their local management to other workplaces and learning centres that helped to communicate that union learning was a legitimate, every-day workplace activity. Building the connections to external network and developing expertise in dealing with external partners also helped to draw in resources that employers were interested in accessing, reinforcing the 'binding' or interdependency required to sustain bargaining relations over learning.

10.5.2 Strategic capabilities

In addition to the power resources noted above, strategic capability refers to the skills and capacities of the union to utilise those resources. The case studies of bargaining for learning exemplify the three key areas: framing union learning, articulating issues between levels and mediating competing interests. Bargaining for an independent union learning agenda that seeks employer resources for non-vocational learning is problematic when management have an ambivalent or negative view of the union and unitarist conception of the employment relationship. A key bargaining resource for union learning was reps' capacity to frame union learning in relation to themes of salience to the workplace and to introduce new and compelling narratives around union-led learning. A key process evident was that of ULRs working with branch officials to share internal knowledge of the organisation and wider external contexts to link workplace learning to issues likely to engage local management.

Stuart and Cooney (2012) note the historic tensions in mediating between employer and union interests in learning and this study finds that multiple, concurrent, narratives exist around union learning in the workplace. Table 8 indicates that across the cases, union learning is defined by the reps as a competitive good (for organisations), a labour market good (for employees), a public good (to improve the 'stock of skills' and address shortages) and a social good (enhancing equality of opportunity, especially tackling literacy and numeracy and advancing social justice). The findings from the study suggest that ULRs were successful in framing union learning within these disparate conceptions in part through layering these narratives, connecting the debates to different times and

locations. For example, framing learning for competitiveness in the short-run and learning for labour market needs in the longer term.

The importance of union project workers or regional union learning co-coordinators was apparent in the transmission processes, for example at ProcessingHouse in sharing information about national agreements vertically or horizontally within the union. But workplace reps were also central to ensuring the local implementation of national agreements in taking the broad framework, developing narratives that transformed the generic agreement in terms that resonated with local conditions. In a similar way, ULRs used TUC unionlearn material and government skills policy papers to connect local action to national policy 'imperatives' or 'best' practice in other regions to helping to frame union learning as a public and competitive good. The capacity to transpose issues up and down union infrastructures is a strategic capability, made possible through the development of intra- and inter-union communication networks. Tensions do arise within unions about how to align bargaining for lifelong learning with other union aims. A clear example of this was building a coherent narrative about apprenticeships while mediating the apparent conflicting interests between union national officers and workplace reps around the apprenticeship theme. The internal capacity internal to mediate between different union interests was observed in some case workplaces, but not all. It has been contested that bargaining for learning takes place in a 'separate space' outside of collecting bargaining structures, to isolate learning from more distributive concerns (Rainbird & Sutherland op cit). This study illustrates how isolating union learning as a separate activity creates a vulnerability and threatens the future sustainability of learning activity and where bargaining for union learning is interwoven with wider themes of HR practices, skills training and lean production systems, alongside a capacity of critical engagement with management creating the potential for the sustainability of union learning activity and strengthening the position of the union at the workplace.

This section has drawn out the conclusions from this study regarding the bargaining resources that unions can bring to the theme of bargaining for learning. These resources enable unions to make

strategic choices about bargaining behaviours. Bargaining outcomes are never certain and power to extract gains for labour is contingent on union capacities, management behaviours and external contexts. Bargaining behaviours and capacities are dynamic and are shaped by interactions between ULRs, reps and management and between reps and the wider union and environmental factors. Successful bargaining over learning focuses not only on extracting employer resources and in codifying 'rights and obligations', but also in challenging relationship patterns.

10.6 Study limitations and future directions for research

This thesis has provided new insight into the social processes underpinning workplace negotiations around the learning theme and how unions are able to secure sustainable learning outcomes through a mixed bargaining approach. Central to these bargaining behaviours are strategies and resources to challenge relationship patterns and management ambivalence and the agency of ULRs in framing and mediating bargaining processes. However, there are a number of limitations to the research in relation to the scope of this study. It cannot be claimed at these four cases represent the wider range of union experience on bargaining for learning. The workplaces cases selected were UK-based, with workers in predominantly low-skilled, low waged occupations and the unions selected were large general unions. Cases were not selected as unusual or 'best in class' learning agreements and included as typical examples of union learning activity, albeit with different themes of learning and organising, bargaining for the reform of lean, extending the realm of formal collective bargaining and the integration of union learning within employer training systems. Further research is needed to understand workplace bargaining for learning and skills in other contexts including smaller specialist unions and within different national learning and skills systems. Furthermore, the observations of bargaining for learning have taken place during a period of unprecedented levels of government support for union-led learning. Much of the wider infrastructure that supports workplace activity in the UK remains contingent on state funding. The degree of integration of ULR into activity into workplace union structures suggests that union workplace learning activity might be resilient to any potential changes in that external environment. However, if and when the environmental context changes, the impact

of the loss of those external resources notably as a tool within workplace bargaining, will need to be examined further.

The key theoretical frame of Walton and McKersie's behavioural theory of negotiations proved useful in highlighting different patterns of negotiation, particularly in examining the social processes linked to attitudinal structuring activity. Walton and McKersie's conception of intra-organisational bargaining offered insights to the different bargaining levels with each party, however, their model needed extending to understand the social that processes affect intra-organisational bargaining outcomes. Concepts of power and capabilities strengthened the frame for analysis. However, as Levesque and Murray (2010) note, it is not only internal capacities that determine union power. A fuller account of bargaining for learning requires further understanding of the institutional arrangements and capacities of other actors. Levesque and Murray point to the need to understand employer resources and capabilities. Some aspects of employer behaviours were captured in this study. However, analysis of intra-organisational negotiations within the employers sampled was limited. The findings from this study also illustrate that bargaining on the learning theme is not solely contained within the workplace realm. It also extends into wider social and economic realms, and future analysis of bargaining behaviours on learning needs to be extended to consider the roles of actors and institutions beyond the workplace.

10.7 Concluding remarks

This study highlights how unions are able to use the learning theme to innovate in their relations with both members and employers, albeit under significant constraints. The opportunity that union learning offers for unions to engage with and build internal solidarities with members should be considered further as unions seek to advance their organising strategies. Furthermore, the opportunity to engage with an often ambivalent management to affect attitude change and demonstrate the value of an active and independent trade union should not be overlooked by unions as they seek to remain viable and relevant.

References

ACAS. (2001). *Annual Report 2000-2001*. London.

ACAS. (2003a). *Annual Report 2002-2003*. London.

ACAS. (2003b). Code of Practice 3 (2003) Time-off for trade union duties and activities.

Ackers, P., & Payne, J. (1998). British trade unions and social partnership: rhetoric, reality and strategy. *The International Journal of Human Resource Management*, *9*(3), 529–50.

Alexandrou, A. (2009). *Union Learning Representatives: Challenges and Opportunities*. London: Routledge.

Bach, S. (2004). Employee participation and union voice in the National Health Service. *Human Resource Management Journal*, *14*(2), 3–19.

Bach, S., & Kolins Givan, R. (2011). Varieties of new public management? The reform of public service employment relations in the UK and USA. *The International Journal of Human Resource Management*, *22*(11), 2349–2366. doi:10.1080/09585192.2011.584399

Bacon, N., & Blyton, P. (2007). Conflict for Mutual Gains? *Journal of Management Studies*, *44*(5), 814–834. doi:10.1111/j.1467-6486.2006.00668.x

Bacon, N., & Hoque, K. (2009). *The impact of the union learning representative : A survey of ULRs and their employers. Unionlearn Research Report 9*. London.

Batstone, E., Boraston, I., & Frenkel, S. (1977). *Shop Stewards in Action: The Organisation of Workplace Conflict and Accomodation. Warwick Studoes in Industrial relations*. Oxford: Basil Blackwell.

Bazeley, P. (2007). *Qualitative analysis with NVivo*. London: Sage.

Beale, D. (2005). The promotion and prospects of partnership at Inland Revenue: the employer and union hand in hand? In M. Stuart & M. Martinez Lucio (Eds.), *Partnership and modernisation in employment relations* . London: Routledge.

Bélanger, J., & Edwards, P. (2007). The Conditions Promoting Compromise in the Workplace. *British Journal of Industrial Relations*, *45*(4), 713–734. doi:10.1111/j.1467-8543.2007.00643.x

Bennett, T. (2014). Do union-management learning partnerships reduce workplace conflict? *Employee Relations*, *36*(1), 17–32.

Benton, T., & Craib, I. (2010). *Philosophy of social science: The philosophical foundations of social thought*. London: Palgrave Macmillan.

BERR. (2008). *It's time to talk training: how to develop a dialogue on skills at the workplace*. London: Department for Business Enterprise and Regulatory Reform.

BIS. (2014). *Trade Union Membership 2013: Statisical Bulletin May 2014 (BIS/14/P77)*.

Booth, A. L. (1995). *The economics of the trade union*. Cambridge: Cambridge University Press.

Boxall, P. (1996). The Strategic HRM Debate and the Resource-Based View of the Firm. *Human*

Resource Management Journal, *6*(3), 59–75.

Boxall, P., & Haynes, P. (1997). Strategy and Trade Union Effectiveness in a Neo-liberal Environment. *British Journal of Industrial Relations*, *35*(4), 567–591.

Brown, A. (2014). Critical realism in social research: approach with caution. *Work, Employment & Society*, *28*(1), 112–123. doi:10.1177/0950017013500114

Brown, W. (2009). *The evolution of the modern workplace*. Cambridge: Cambridge University Press.

Brown, W., & Nash, D. (2008). What has been happening to collective bargaining under New Labour? Interpreting WERS 2004. *Industrial Relations Journal*, *39*(2), 91–103. doi:10.1111/j.1468-2338.2007.00479.x

Brown, W., & Wright, M. (1994). The Empirical Tradition in Workplace Bargaining Research. *British Journal of Industrial Relations*, *32*(2), 153–164.

Bryman, A., & Burgess, B. (1994). Reflections on qualitative data analysis. In *Analyzing qualitative data* (pp. 216–226). London: Taylor and Francis.

Burgess, R. (1988). Conversations with a purpose: the ethnographic interview in educational research. *Studies in Qualitative Methodology*, *1*(1), 137–155.

Carter, B., Danford, A., Howcroft, D., Richardson, H., Smith, A., & Taylor, P. (2011). 'All they lack is a chain': lean and the new performance management in the British civil service. *New Technology, Work and Employment*, *26*(2), 83–97. doi:10.1111/j.1468-005X.2011.00261.x

Carter, B., Danford, A., Howcroft, D., Richardson, H., Smith, A., & Taylor, P. (2012). 'Nothing gets done and no one knows why': PCS and workplace control of Lean in HM Revenue and Customs. *Industrial Relations Journal*, *43*(5), 416–432. doi:10.1111/j.1468-2338.2012.00679.x

Carter, B., Danford, A., Howcroft, D., Richardson, H., Smith, A., & Taylor, P. (2013). Taxing Times: Lean Working And The Creation Of (In)Efficiencies In Hm Revenue And Customs. *Public Administration*, *91*(1), 83–97. doi:10.1111/j.1467-9299.2012.02073.x

Cassell, C., & Lee, B. (2007). Re-vitalising learning and development? Exploring the role of the trade union learning representative. *Personnel Review*, *36*(5), 781.

Cassell, C., & Lee, B. (2009). Trade unions learning representatives: progressing partnership? *Work, Employment & Society*, *23*(2), 213–230. doi:10.1177/0950017009102855

Charlwood, A. (2007). The de-collectivisation of pay setting in Britain 1990-98: incidence, determinants and impact. *Industrial Relations Journal*, *38*(1), 33–50.

Claydon, T., & Green, F. (1994). Can Trade Unions Improve Training in Britain? *Personnel Review*, *23*, 37–51.

Cooke, W. N. (1990). Cooperation: Trying To Make It Work In America. In W. N. Cooke (Ed.), *Labor-Management Cooperation: New Partnerships or Going in Circles? .* Kalamazoo, MI: Upjohn Institute for Employment Research.

Creswell, J. . (2008). *Research design: Qualitative, quantitative, and mixed methods approaches* (4th

ed.). Thousand Oaks, CA: SAGE Publications.

Crouch, C. (2005). *Capitalist Diversity and Change: Recombinant Governance and Institutional Entrepreneurs*. OXFORD: Oxford University Press, USA.

Crouch, C., Finegold, D., & Sako, M. (1999). *Are skills the answer? the political economy of skill creation in advanced industrial countries*. Oxford: Oxford University Press.

Cully, M., Woodland, S., O'Reilly, A., & Dix, G. (1999). *Britain at work : as depicted by the 1998 workplace employee relations survey*. London: Routledge.

D'Art, D., & Turner, T. (2002). The Decline of Worker Solidarity and the End of Collectivism? *Economic and Industrial Democracy*, *23*(1), 7–34. doi:10.1177/0143831X02231002

Daniels, G., & McIlroy, J. (2009). *Trade Unions in a Neoliberal World*. London: Taylor & Francis Group.

Darlington, R. (1994). *The Dynamics of Workplace Unionism : Shop Stewards' Organization in Three Merseyside Plants*. *Employment and Work Relations in Context*. Mansell.

Darlington, R., & Upchurch, M. (2012). A reappraisal of the rank-and-file versus bureaucracy debate. *Capital & Class*, *36*(1), 77–95. doi:10.1177/0309816811430369

DELBRIDGE, R., & WHITFIELD, K. (2007). More than mere fragments? The use of the Workplace Employment Relations Survey data in HRM research. *International Journal of Human Resource Management*, *18*(12), 2166–2181.

DfEE. (1998). The Learning Age: a renaissance for a new Britain. Department for Education and Employment. Cm3790 HMSO.

Dietz, D. (2004). Partnership and the development of trust in British workplaces. *Human Resource Management Journal*, *14*(1), 5–24.

Dobbins, T., & Gunnigle, P. (2009). Can voluntary workplace partnershps deliver sustainable mutual gains? *British Journal of Industrial Relations*, *48*(3), 546–570.

Donnelly, E., & Kiely, J. (2007). Learning Representation in the United Kingdom: Helping Unions Organise or Not? *International Journal of Employment Studies*, *15*(1), 69–88.

Dufour, C., & Hege, A. (2010). The legitimacy of collective actors and trade union renewal. *Transfer: European Review of Labour and Research*, *16*(3), 351–367. doi:10.1177/1024258910373865

Dundon, T., & Eva, D. (1998). Trade unions and bargaining for skills. *Employee Relations*, *20*(1), 57.

European Commission. (2000). *A Memorandum on Lifelong Learning*. Brussels.

Ewing, K. (2005). The functions of trade unions. *Industrial Law Journal*, *34*(1), 1–22.

Fairbrother, P. (2000). *Trade Unions at the Crossroads*. London: Mansell.

Findlay, P., McKinlay, A., Marks, A., & Thompson, P. (2009). Collective bargaining and new work regimes: 'too important to be left to bosses'. *Industrial Relations Journal*, *40*(3), 235–251. doi:10.1111/j.1468-2338.2009.00523.x

Findlay, P., & Warhurst, C. (2011). Union Learning Funds and Trade Union Revitalization: A New Tool

in the Toolkit? *British Journal of Industrial Relations*, *49*(June), s115–s134. doi:10.1111/j.1467-8543.2010.00817.x

Finegold, D., & Soskice, D. (1988). The Failure Of Training In Britain: Analysis And Prescription. *Oxf Rev Econ Policy*, *4*(3), 21–53. doi:10.1093/oxrep/4.3.21

Fisher, J. P. (2005). *Bread on the Waters: A History of TGWU Education, 1922-2000*. London: Lawrence & Wishart.

Fisher, R., & Ury, W. (1991). Getting to Yes: How To Negotiate Agreement Without Giving In.

Flanders, A. (1964). *The Fawley productivity agreements : a case study of management and collective bargaining*. London: Faber and Faber.

Flanders, A. (1968). Collective Bargaining: A Theoretical Analysis. *British Journal of Industrial Relations*, *6*(1), 1–26.

Flanders, A. (1970). *Management and unions: the theory and reform of industrial relations*. London: Faber.

Fleetwood, S. (2007). A note on Critical Realism in Organisation and Management Studies. *University of Strathclyde Manuscript* .

Fleetwood, S., & Hesketh, A. (2007). HRM-performance research: under-theorized and lacking explanatory power. *The International Journal of Human Resource Management*.

Forrester, K. (2004). 'The Quiet Revolution'?: Trade Union Learning and Renewal Strategies. *Work Employment Society*, *18*(2), 413–420. doi:10.1177/09500172004042776

Forrester, K. (2005). Learning for revival; British trade unions and workplace learning. *Studies in Continuing Education*, *27*(3), 257–270.

Galavotti, M. C., Dieks, D., Gonzalez, W. J., Hartmann, S., Uebel, T., & Weber, M. (2014). *New Directions in the Philosophy of Science*. Springer.

Geary, J., & Trif, A. (2011). Workplace Partnership and the Balance of Advantage: A Critical Case Analysis. *British Journal of Industrial Relations*, *49*, s44–s69. doi:10.1111/j.1467-8543.2010.00827.x

Geertz, C. (1973). *The Interpretation of Cultures*. New York: Basic Books.

Gerring, J. (2007). *Case study research: principles and practices*. New York: Cambridge University Press.

Gibbert, M., Ruigrok, W., & Wicki, B. (2008). What passes as a rigorous case study? *Strategic Management Journal*, *29*(13), 1465–1474.

Gilbert, L. S. (2002). Going the distance: 'closeness' in qualitative data analysis software. *International Journal of Social Research Methodology*, *5*(3), 215–228.

GMB. (1997). *GMB bargaining brief, training a negotiators guide*.

GMB, & T&GWU. (1997). *Training for success - a joint GMB T&GWU guide*.

Golden, M., & Pontusson, J. (1992). *Bargaining for change: union politics in North America and Europe*.

Cornell University Press.

Goodrich, C. L. (1975). *The frontier of control: a study in British workplace politics.* London: Pluto Press.

Grugulis, I. (2007). *Skills, training and human resource development: a critical text*. Basingstoke: Palgrave Macmillan.

Guest, D. E., & Peccei, R. (2001). Partnership at Work : Mutuality and the Balance of Advantage, (June).

Hayter, S., Fashoyin, T., & Kochan, T. a. (2011). Review Essay: Collective Bargaining for the 21st Century. *Journal of Industrial Relations*, *53*(2), 225–247. doi:10.1177/0022185610397144

Heery, E., Conley, H., Delbridge, R., & Stewart, P. (2005). Seeking partnership for the contingent workforce. In M. Stuart & M. Martinez Lucio (Eds.), *Partnership and modernisation in employment relations* (pp. 171–187). London: Routledge.

Heery, E., & Kelly, J. (1994). Professional, Participative and Managerial Unionism: An Interpretation of Change in Trade Unions. *Work, Employment & Society*, *8*, 1–22.

Heery, E., Simms, M., Delbridge, R., Salmon, J., & Simpson, D. (2000). The TUC's Organising Academy: an assessment. *Industrial Relations Journal*, *31*(5), 400–415.

Heider, F. (1958). *The Psychology of Interpersonal Relations*. Psychology Press.

Heyes, J. (2000). Workplace industrial relations and training. In H. Rainbird (Ed.), *Training in the workplace* (pp. 148–165). Macmillan.

Heyes, J., & Rainbird, H. (2011). Mobilising resources for union learning: a strategy for revitalisation? *Industrial Relations Journal*, *42*(6), 565–579. doi:10.1111/j.1468-2338.2011.00643.x

Heyes, J., & Stuart, M. (1998). Bargaining for Skills: Trade Unions and Training at the Workplace. *British Journal of Industrial Relations*, *36*(3), 459–467. doi:doi:10.1111/1467-8543.00102

Hollinrake, A., Antcliff, V., & Saundry, R. (2008). Explaining activity and exploring experience - findings from a survey of union learning representatives. *Industrial Relations Journal*, *39*(5), 392–410. doi:10.1111/j.1468-2338.2008.00495.x

Holloway, I. (1997). *Basic Concepts for Qualitative Research.* London: Blackwell Science.

Hoque, K., & Bacon, N. (2011). Assessing the impact of Union Learning Representatives on training: evidence from a matched sample of ULRs and managers. *Work, Employment & Society*, *25*(2), 218–233. doi:10.1177/0950017011398889

Huzzard, T. (2001). Discourse for Normalizing What? The Learning Organization and the Workplace Trade Union Response. *Economic and Industrial Democracy*, *22*(3), 407–431. doi:10.1177/0143831X01223005

Huzzard, T., Gregory, D., & Scott, R. (2004). *Strategic Unionism and Partnership: Boxing or Dancing?* Palgrave Macmillan.

Hyman, R. (1975). *Industrial relations : a Marxist introduction*. London: Macmillan.

Hyman, R. (1979). The Politics of Workplace Trade Unionism: Recent Tendencies and some Problems

for Theory. *Capital & Class*, *Summer 3*(2), 54–67. doi:10.1177/030981687900800104

Hyman, R. (1999a). *An Emerging Agenda for trade Unions?* (No. 98).

Hyman, R. (1999b). Imagined solidarities: Can trade unions resist globalisation? In P. Leisink (Ed.), *Globalization and labour relations* (pp. 94–115). Northampton Ma.: Edward Elgar Publishing.

Johnstone, S., Ackers, P., & Wilkinson, A. (2009). The British partnership phenomenon: a ten year review. *Human Resource Management Journal*, *19*(3), 260–279.

Johnstone, S., Wilkinson, A., & Ackers, P. (2004). Partnership paradoxes: A case study of an energy company. *Employee Relations*, *26*(4), 353–376. doi:10.1108/01425450410544470

Katz, H., Kochan, T., & Colvin, A. (2008). *An Introduction to Collective Bargaining & Industrial Relations* (Fourth.). McGraw-Hill Companies,Incorporated.

Keep, E., Lloyd, C., & Payne, J. (2010). Skills policy and the displacement of industrial relations: the elephant in the corner? In T. Colling & M. Terry (Eds.), *Industrial relations: theory and practice* (3rd ed., pp. 398–421). Oxford: Wiley-Blackwell.

Kelly, J. E. (1998). *Rethinking industrial relations : mobilization, collectivism, and long waves*. London: Routledge.

Kelly, J. E. (2004). Social Partnership Agreements. *Industrial Relations*, *43*(1), 268–292.

Kelly, J. E., & Heery, E. (1994). *Working for the union : British trade union officers* . Cambridge: Cambridge University Press.

Kersley, B., Oxenbridge, S., Dix, G., Bewley, H., Bryson, A., Forth, J., & Alpin, C. (2006). *Inside the workplace: findings from the 2004 workplace employment relations survey*. London: Routledge.

Kochan, T. (1980). *Collective bargaining and industrial relations : from theory to policy and practice* . Irwin: Homewood.

Kochan, T. A., & Lipsky, D. B. (2003). *Conceptual Foundations: Walton and McKersie' s Subprocesses of Negotiations*. *Cornell University ILR School DigitalCommons@ILR*. Cornell.

Kochan, T. a., & Osterman, P. (1994). *The mutual gains enterprise : forging a winning partnership among labor, management, and government*. Boston : Harvard Business School Press.

Lax, D. A., & Sebenius, J. K. (1986). *The manager as negotiator : bargaining for cooperation and competitive gain /* . New York: Free Press.

Lee, B., & Cassell, C. (2009). Learning representative initiatives in the UK and New Zealand a comparative study, (November).

Leisink, P. (1997). New union constituencies call for differentiated agendas and democratic participation. *Transfer: European Review of Labour and Research*, *3*(3), 534–550. doi:10.1177/102425899700300307

Leisink, P., Van Leemput, J., & Vilrokx, J. (1996). *The Challenges to Trade Unions in Europe: innovation or adaptation*. Vermont: Elgar.

Levesque, C., & Murray, G. (2010). Understanding union power: resources and capabilities for renewing union capacity. *Transfer: European Review of Labour and Research*, *16*(3), 333–350. doi:10.1177/1024258910373867

Mace, J., & Yarnit, M. (1987). *Time off to learn paid educational leave and low-paid workers* (Vol. http://boo). London: Methuen.

Marschan-Piekkari, R., & Welch, C. (2004). *Handbook of qualitative research methods for international business*. Cheltenham: Edward Elgar.

Martin, D. (2012). The challenge of Lean and the trade union response: a case study in the UK Civil Service. In *BUIRA Conference 2012* (p. 16).

Martin, R. (1992). *Bargaining Power*. Oxford: Oxford University Press.

Martinez Lucio, M. (2005). 'Partnership' and new industrial relations in a risk society: an age of shotgun weddings and marriages of convenience? *Work, Employment & Society*, *19*(4), 797–817. doi:10.1177/0950017005058068

Martinez-Lucio, M. (2001). The politics and complexity of trade union responses to new management practices. *Human Resource Management Journal*, *2*(4), 77–91.

Martinez-Lucio, M., & Stuart, M. (2004). Swimming against the tide : social partnership, mutual gains and the revival of 'tired' HRM. *International Journal of Human Resource Management*, *15*(2), 410–424.

Matthews, J. (1994). The Industrial Relations of Skill Formation. In J. R. Niland, R. D. Lansbury, & C. Verevis (Eds.), *The future of industrial relations: global change and challenges. Sage Publications, Inc, 1994.* (pp. 239–255). Thousand Oaks, CA: Sage Publications.

McBride, A., & Mustchin, S. (2007a). A beneficial combination? Learning opportunities from union involvement in career and pay progression. In S. Shelley & M. Calveley (Eds.), *Learning with trade unions: a contemporary agenda in employment relations*. Aldershot ; Burlington, Vt. : Ashgate.

McBride, A., & Mustchin, S. (2007b). Lifelong learning, partnership and modernization in the NHS. *The International Journal of Human Resource Management*, *18*(9), 1608–1626. doi:10.1080/09585190701570668

McBride, J., & Stirling, J. (2002). Partnership and process in the maritime construction industry. *Employee Relations*, *24*(3), 290–304. doi:10.1108/01425450210428453

McIlroy, J. (2008). Ten Years of New Labour: Workplace Learning, Social Partnership and Union Revitalization in Britain. *British Journal of Industrial Relations*, *46*(2), 283–313. doi:10.1111/j.1467-8543.2008.00678.x

McIlroy, J., & Croucher, R. (2013). British trade unions and the academics: The case of Unionlearn. *Capital & Class*, *37*(2), 263–284. doi:10.1177/0309816813487134

Mclachlan, C. J., & Garcia, R. J. (2015). Philosophy in practice? Doctoral struggles with ontology and subjectivity in qualitative interviewing. *Management Learning*, *46*(2), 195–210. doi:10.1177/1350507615574634

Miles, M., & Huberman, A. M. (1994). *Qualitative data analysis : a sourcebook of new methods* (Second.). Beverly Hills; London: Sage.

Miller, J. K., Farmer, K. P., Miller, D. J., & Peters, L. M. (2010). Panacea or Snake Oil? Interest-Based Bargaining in the U.S. Airline and Rail Industries. *Negotiation Journal*, *26*(2), 177–201. doi:10.1111/j.1571-9979.2010.00268.x

Moore, S. (2010). *New Trade Union Activism : Class Consciousness or Social Identity?* Palgrave Macmillan.

Moore, S., McKay, S., & Bewley, H. (2005). The content of new voluntary trade union recognition agreements 1998-2002. Volume two - Findings from the survey of employers. Dti.

Moore, S., & Ross, C. (2008). The evolving role of union learning representatives. *Professional Development in Education*, *34*(4), 423–440.

Mortimer, K. (1990). EDAP at Ford: a research note. *Industrial Relations Journal*, *21*(4), 309–314.

MSF. (1991). *Campaign for Training*.

Munro, A., & Rainbird, H. (2000). The New Unionism and the New Bargaining Agenda: UNISON-Employer Partnerships on Workplace Learning in Britain. *British Journal of Industrial Relations*, *38*(2), 223–240. doi:doi:10.1111/1467-8543.00160

Munro, A., & Rainbird, H. (2004). Opening doors as well as banging on tables: an assessment of UNISON/employer partnerships on learning in the UK public sector. *Industrial Relations Journal*, *35*(5), 419–433. doi:10.1111/j.1468-2338.2004.00324.x

Munro, A., Rainbird, H., & Holly, L. (1997). *Partners in workplace learning : a report on the UNISON/employer learning and development programme*. UNISON.

Mustchin, S. (2009). *Union involvement in learning and union 'revitalisation' strategies*. University of Manchester.

Muthoo, A. (1999). *Bargaining Theory with Applications*. Cambridge University Press.

Newcomb, T. M. (1963). An approach to the study of communicative acts. *Psychological Review*, *60*, 393–404.

Osborne, S. P., Radnor, Z., & Nasi, G. (2013). A New Theory for Public Service Management? Toward a (Public) Service-Dominant Approach. *The American Review of Public Administration*, *43*(2), 135–158. doi:10.1177/0275074012466935

Oxenbridge, S., & Brown, W. (2004). Achieving a new equilibrium? The stability of cooperative employer–union relationships. *Industrial Relations Journal*, *35*(5), 388–402.

PCS. (2012). Public and Commercial Services Union: National Organising Strategy. London.

Perrett, R., & Martinez Lucio, M. (2008). The challenge of connecting and co-ordinating the learning agenda. A case study of a trade union learning centre in the UK. *Employee Relations*, *30*(6), 623–639.

Phelps-Brown, H. (1990). The counter-revolution of our time. *Industrial Relations*, *29*(1), 1.

Phillimore, J. (1997). Trade unions and the national training reform agenda in Australia, 1983–1996. *International Journal of Training and Development*, *1*(1), 34–48.

Porter, M. (1998). *Competitive Advantage of Nations*. New York: Free Press.

Powell, W., & Dimaggio, P. (1991). *The New institutionalism in organizational analysis*. United States: University of Chicago Press.

Prowse, P. (1999). *PhD Thesis - The changing character of industrial relations institutions and employment status : an evaluation of Whitleyism in the civil service*.

Purcell, J. (1991). The rediscovery of the management prerogative: the management of labour relations in the 1980s. *Oxford Review of Economic Policy*, *7*(1), 33–43. doi:10.1093/oxrep/7.1.33

Purcell, J. (1993). The challenge of human resource management for industrial relations research and practice. *International Journal of Human Resource Management*, *4*(3), 511–527.

Purcell, J., & Sisson, K. (1983). Strategies and practice in the management of industrial relations. In S. Bain (Ed.), *Industrial relations in Britain*. Oxford : Blackwell.

Radnor, Z. (2010). Transferring Lean into government. *Journal of Manufacturing Technology Management*, *21*(3), 411–428. doi:10.1108/17410381011024368

Radnor, Z., & Bucci, G. (2007). *Evaluation of PaceSetter (Lean, Senior Leadership and Operational Management) within HMRC Processing. Final Report*.

Rainbird, H. (2000). *Training in the workplace*. Macmillan.

Rainbird, H., & Stuart, M. (2011). The state and the union learning agenda in Britain. *Work, Employment & Society*, *25*(2), 202–217. doi:10.1177/0950017011398893

Rainbird, H., Sutherland, J., Edwards, P., Holly, L., & Munro, A. (2003). *Employee voice and training at work: an analysis of case studies and WERS98*. (Dti, Ed.)*Employment Relations Research Series no.21*.

Rainbird, H., Sutherland, J., Edwards, P., Holly, L., & Munro, A. (2004). Conceptualising Employee Voice on Workplace Training Provision and Employability in Britain. In R. Cooney & M. Stuart (Eds.), *National Key Centre in Indistrial Relations Monograph*. Melbourne: National Key Centre in Indistrial Relations .

Rainbird, H., & Vincent, C. (1996). Training: a new item on the bargaining agenda. In P. Leisink (Ed.), *The challengs to trade unions in europe* (pp. 139–152). Vermont: Elgar.

Robson, C. (2002). *Real world research : a resource for social scientists and practitioner-researchers* (2nd ed.). Oxford : Blackwell Publishers.

Rosenberg Milton J. et al. (1960). *Attitude organization and change: an analysis of consistency among attitude components*. New Haven: Yale University Press.

Rossman, G. B., & Marshall, C. (1995). *Designing qualitative research*.

Ruef, M., & Scott, W. R. (1998). A Multidimensional Model of Organizational Legitimacy: Hospital Survival in Changing Institutional Environments. *Administrative Science Quarterly*, *43*(4), 877–

904. doi:10.2307/2393619

Samuel, P., & Bacon, N. (2010). The contents of partnership agreements in Britain 1990-2007. *Work, Employment & Society*, *24*(3), 430–448. doi:10.1177/0950017010371646

SAUNDERS, M., LEWIS, P., & THORNHILL, A. (2003). *Research methods for business students* (3rd ed.). Harlow, England: Financial Times Prentice Hall.

Saundry, R., Hollinrake, A., & Antcliff, V. (2011). *Union Learning Representatives – Activity , Impact and Organisation - Unionlearn research report 12*.

Shaw, N., Armistead, C., Hopwood, V., & Rodger, J. (2002). *Evaluation of the Union Learning Fund. Year 4*. *DfES*.

Sheldrake, J., & Vickerstaff, S. (1987). *The history of industrial training in Britain*. Aldershot: Avebury.

Simms, M., & Charlwood, A. (2010). Trade unions power and influence in a changed context. In T. Colling & M. Terry (Eds.), *Industrial relations: theory and practice* (3rd ed.). Oxford: Wiley-Blackwell.

Skinner, B. . (1953). *Science And Human Behavior*. New York: Simon and Schuster.

Smith, P., & Morton, G. (2006). Nine Years of New Labour: Neoliberalism and Workers' Rights. *British Journal of Industrial Relations*, *44*(3), 401–420.

Stevenson, H. (2008). Challenging the orthodoxy: union learning representatives as organic intellectuals. *Journal of In-Service Education*, *34*(4), 455–466. doi:10.1080/13674580802328129

Storey, J., & Sisson, K. (1993). *Managing human resources and industrial relations*. Buckingham : Open University Press.

Streeck, W. (1992). Training and the New Industrial Relations: a strategic Role for Unions? In M. Regini (Ed.), *The Future of Labour Movements, ed M. Regini* (pp. 250–270). Guildford: Sage Publications (CA).

Stroud, D., & Fairbrother, P. (2008). The importance of workplace learning for trade unions: a study of the steel industry. *Studies in Continuing Education*, *30*(3), 231–245. doi:10.1080/01580370802439920

Stuart, M. (1996). The industrial relations of training: a reconsideration of training arrangements. *Industrial Relations Journal*, *27*(3), 253–265.

Stuart, M. (2001). Contesting partnership? evaluating the demise of a national training agreement. *Journal of Vocational Education & Training*, *53*(1), 5–20. doi:10.1080/13636820100200151

Stuart, M. (2011). *The context, content and impact of union learning agreements: research paper 15*. (unionlearn with the TUC, Ed.)*unionlearn research paper 15*. CERIC University of Leeds.

Stuart, M., Clough, B., & Rees, J. (2011). *Co-investment in workforce development: outcomes from the colletive learning fund pilots. unionlearn research papers RP13*. London: Centre for Employment Relations Innovation and Change, University of Leeds.

Stuart, M., & Cook, H. (2011). *Sustaining ULF Activity: Findings from the Union Project Officer (UPO)*

follow-on survey. Leeds: University of Leeds Centre for Employment Relations Innovation and Change for unionlearn.

Stuart, M., & Cooney, R. (2012). *Trade unions and workplace training: international perspectives*. New York: Routledge.

Stuart, M., Cutter, J., Cook, H., & Winterton, J. (2010). *Evaluation of the Union Learning Fund rounds 8 to 11 and unionlearn: Final Report*. Centre for Employment Relations Innovation and Change, Leeds University Business School internal report for unionlearn.

Stuart, M., Cutter, J., Cook, H., & Winterton, J. (2013). Who stands to gain from union-led learning in Britain? Evidence from surveys of learners, union officers and employers. *Economic and Industrial Democracy*, *34*(2), 227–246. doi:10.1177/0143831X12442579

Stuart, M., Martínez Lucio, M., & Robinson, A. (2011). 'Soft regulation' and the modernisation of employment relations under the British Labour Government (1997–2010): partnership, workplace facilitation and trade union change. *The International Journal of Human Resource Management*, *22*(18), 3794–3812. doi:10.1080/09585192.2011.622925

Stuart, M., & Martinez-Lucio, M. (2005). *Partnership and modernisation in employment relations*. London : Routledge.

Stuart, M., & Robinson, A. (2007). *Training, union recognition and collective bargaining: Findings from the 2004 Workplace Employment Relations Survey*. (unionlearn, Ed.)*unionlearn research papers*. Centre for Employment Relations Innovation and Change Leeds University Business School.

Stuart, M., & Wallis, E. (2007a). Integrating learning into workplace bargaining: case studies of evolving trade uinon learning agreements. In S. Shelley & M. Calveley (Eds.), *Learning with trade unions: a contemporary agenda in employment relations*. Aldershot ; Burlington, Vt. : Ashgate.

Stuart, M., & Wallis, E. (2007b). Partnership Approaches to Learning: A Seven-country Study. *European Journal of Industrial Relations*, *13*(3), 301–321. doi:10.1177/0959680107081743

Suchman, M. C. (1995). Managing Legitimacy: Strategic and Institutional Approaches. *The Academy of Management Review*, *20*(3), 571–610. doi:10.2307/258788

Sutherland, J. (2000). UNISON's approach to lifelong learning: a comment on Munro and Rainbird. In M. Terry (Ed.), *Redefining public sector unionism: UNISON and the future is trade unions*. London: Routledge.

Sutherland, J., & Rainbird, H. (2000). unions and workplace learning:conflict or cooperation with the employer? In H. Rainbird (Ed.), *Training in the workplace* (pp. 189–209).

Tailby, S., Richardson, M., Stewart, P., Danford, A., & Upchurch, M. (2004). Partnership at work and worker participation: an NHS case study. *Industrial Relations Journal*, *35*(5), 403–418. doi:doi:10.1111/j.1468-2338.2004.00323.x

Taylor, P., & Ramsay, H. (1998). Unions , Partnership and HRM: Sleeping with the enemy? *International Journal of Employment Studies. Oct1998*, *6*(2).

Teige, B. K., & Stuart, M. (2012). Trade Union Involvement in Lifelong Learning in Norway. In R. Cooney

& M. Stuart (Eds.), *Trade Unions and Workplace Training: Issues and International Perspectives* (p. 126). Routledge.

Terry, M. (1977). The Inevitable Growth Of Informality. *British Journal of Industrial Relations*, *15*(1), 76–90. doi:10.1111/j.1467-8543.1977.tb00074.x

Terry, M. (2010). Employee representation. In T. Colling & M. Terry (Eds.), *Industrial relations: theory and practice* (3rd ed., p. 293). Oxford: Wiley-Blackwell.

Thompson, P., Warhurst, C., & Findlay, P. (2007). *Organising to learn and learning to organise*. (unionlearn, Ed.)*unionlearn research paper 2*. Scottish Centre for Employment Research University of Strathclyde and University of Edinburgh.

Traxler, F. (1995). Two logics of collective action in industrial relations? In C. Crouch & F. Traxler (Eds.), *Organised Industrial Relations in Europe* (pp. 23–44). Aldershot: Avebury.

TUC. (1992). *Bargaining for Skills: A call to action. A TUC Initiaitve to Deliver National Education and Training Targets*. London: Trades Union Congress.

TUC. (2001). *Partners for progress, winning at work*.

Unionlearn. (2006). *Union Learning Fund Prospectus Rounds 8*. *TUC*. London.

Unionlearn. (2007). *Unionlearn: One Year On Annual Report 2007*.

Unionlearn. (2012). *Unionlearn Annual Report*. London.

Unionlearn. (2013). *Unionlearn Annual Report*.

Upchurch, M., Danford, A., Tailby, S., & Richardson, M. (2008). *The Realities of Partnership at Work*. Palgrave Macmillan.

van Wanrooy, B., Bewley, H., Bryson, A., Forth, J., Freeth, S., Stokes, L., & Wood, S. (2011). *The 2011 Workplace Employment Relation Study: first findings*.

Waddington, J., & Whitston, C. (1995). Trade unions: growth, structure and policy. In P. Edwards (Ed.), *Industrial relations : theory and practice in Britain / edited by Paul Edwards*. Oxford : Blackwell Business.

Wallis, E. (2008). Learning agreements and socially responsible approaches to professional and human resource development in the United Kingdom. *Professional Development in Education*, *34*(4), 467–482.

Wallis, E., & Stuart, M. (2007). *A collective learning culture: a qualitative study of workplace learning agreements*. (unionlearn with the TUC, Ed.)*unionlearn research papers*. Centre for Employment Relations, Innovation and Change; Leeds University Business School.

Wallis, E., Stuart, M., & Greenwood, I. (2005). 'Learners of the workplace unite!': an empirical examination of the UK trade union learning representative initiative. *Work Employment Society*, *19*(2), 283–304. doi:10.1177/0950017005053174

Walton, R. E., Cutcher-Gershenfeld, J., & McKersie, R. B. (2000). *Strategic Negotiations: A Theory of Change in Labor-management Relations*. Cornell University Press.

Walton, R., & McKersie, R. (1965). *A behavioral theory of labor negotiations : an analysis of a social interaction*. Ithaca, N.Y: ILR Press, 1991.

Walton, R., & McKersie, R. (1991). *A behavioral theory of labor negotiations : an analysis of a social interaction. Second edition* (2nd ed.). United States: ILR Press, 1991.

Warhurst, C., Thompson, P., & Findlay, P. (2007). *Organising to learn and learning to organise Three case studies on the effects of union-led workplace learning, unionlearn research report 2*.

Weber, M. (1947). *The Theory of Social and Economic Organization*. (T. by A. M. H. and T. Parsons, Ed.). The Free Press and the Falcon's Bring Press.

Whitfield, K., & Strauss, G. (1998). *Researching the world of work : strategies and methods in studying industrial relations*. Ithaca: ILR Press.

Wills, J. (2004). Trade unionism and partnership in practice: evidence from the Barclays-Unifi agreement. *Industrial Relations Journal*, *35*(4), 329–343.

Winterton, J. (2007). Building Social Dialogue over Training and Learning: European and National Developments. *European Journal of Industrial Relations*, *13*(3), 281–300. doi:10.1177/0959680107081742

Womack, J. P., Jones, D. T., & Roos, D. (1990). *The machine that changed the world*. *MacMillan International*. Simon and Schuster.

Wood, H., & Moore, S. (2005). An Evaluation of the UK Union Learning Fund - its Impact on Unions and Employers – summary report, (June).

Wood, H., & Moore, S. (2007). *Union learning, union recruitment and organising*. (unionlearn, Ed.)*unionlearn research report 1*. Working Lives Research Institute.

Wray, D. (2005). Management and union motives in the negotiation of partnership: a case study of process and outcome at an engineering company. In M. Stuart & M. Martinez Lucio (Eds.), *Partnership and modernisation in employment relations* . London: Routledge.

Yin, R. K. (2009). *Case study research : design and methods*. Thousand Oaks, Calif.: SAGE.

Annex One: Interview Schedule

Workplace negotiation on learning
Themes for Discussion (with interviewer prompts)

Introduction
Focus of the study, aim of the interview and reporting
Confidentiality, role of the interviewer.
Recording? Copy of case report?

Organisational context

- *What are the main challenges faced by the organisation in the current climate?*
- *What are the primary business objectives?*
- *What is the main focus of HR/L&D to meet these business needs?*
- *Describe the nature of union organisation at this site?*
- *What are the key contextual factors or aspects of change that have shaped the dialogue on learning and skills (in this workplace)?*

Industrial relations context and bargaining

- *Describe the general industrial relations climate here at this site and across the wider organisation*
- *How would you describe levels of trust between union & management?*
- *What is the union's general approach to the employer?*
- *What is management's general approach to the union?*
- *What are the existing mechanisms for collective bargaining/structure of bargaining units within this organisation? Who are the main union and management negotiators on themes such as pay/reward/pensions etc?*
- *Have issues related to learning and skills or vocational training been on the bargaining agenda in the past?*

Learning and skills

- *What are the main* union-led learning activities at this site? Describe the overall progress made in developing the union learning agenda
- *Who are the key stakeholders with an interest in learning & skills?*
- Who initiated the union learning agenda? When and why? Who has been central in driving the learning agenda forward?
- *Who is involved in the workplace dialogue on union learning?*
- How have worker/learner interests been identified/represented?
- How are different levels of negotiation brought together? Have there been any tensions between those with interests at these different levels?
- *What is current dialogue on learning about?*
- *Describe when and where the dialogue on learning takes place. Does the dialogue on learning and skills take place formally, informally?*

Negotiation on learning

- *Does the dialogue include <u>negotiation</u> around learning and skills? If so, who negotiates with who?*
- What are the bargaining claims put to management? What case has the union made?

- *What has been the approach taken to bargaining?*

Supporting mechanisms

- *What are your main motives/beliefs for getting involved in union learning?*
- *What mechanisms have developed to support the dialogue on learning and skills? How do they operate?*
- *Is there are a learning agreement? If yes*
- *What are the main elements of the agreement?*
- *What were the main reasons for wanting to get a formal agreement?*
- *How, when and by whom did the negotiation of the learning agreement take place? What was the core case made? What were the key areas of negotiation?*
- *How has the agreement been monitored/maintained?*
- *If no learning agreement, what are the main reasons for not having a learning agreement?*

Links to other union agendas

- *Within the union, is learning and skills activity linked to other union learning activity? If so what and how?*
- *What has been the nature of internal dialogue within the union about learning vis a vis other union agendas bargaining themes?*
- *How has union learning/the ULR role been integrated into union structures? What is the general view of ULRs by other reps and vice versa?*
- *Is the dialogue/negotiation on learning and skills linked to other aspects of collective bargaining? If so how?*

Issues and challenges

- *What are/have the key challenges & barriers in developing the dialogue on learning and skills?*
- *What issues have arisen around union learning?*
- *How have issues been addressed and have they been resolved?*

Changing contexts

- *How have you linked union learning to HRM/L&D policy and practice in this organisation?*
- *How have changes to government learning and skills policy changed the nature of the dialogue on learning within this organisation?*
- *How have regulatory changes affected the dialogue on union learning in this organisation?*

Outcomes

- *What have been the main gains achieved through negotiation in relation to learning and skills?*
- *What has been the gains/impact in the workplace of union-led learning activity?*
- *What has been the balance of the gains achieved – who has gained the most/least?*

Annex Two: Research Participants

Research participants by type and case		Local Union	National / Regional Union	Manage ment	Learn ers	Provid ers	Unionl earn	Tot al
Case 1	ProcessingHouse	9	2	3	2	0	1	17
Case 2	TaxOfficeHouse	2	3	3	3	1	1	13
Case 3	Icefactory	5	1	2	6	1	1	16
Case 4	RegionalWarehouse	4	1	3	2	1	1	12
Other	PCS		5					5
Other	UNITE		3					3
Other	Key informants					1	4	5
	TOTAL	**20**	15	11	13	4	8	71

	Ref	Role
Case 1	PH1	Union Branch Secretary
	PH2	ULR 1
	PH3	ULR 2
	PH4	Regional Learning Co-ordinator 1
	PH5	Regional Learning Co-ordinator 2
	PH6	Branch Learning Co-ordinator
	PH7	Employee/Learner 1
	PH8	Employee/Learner 2
	PH9	Branch Officer
	PH10	Senior Manager HR
	PH11	Site Operations Manager
	PH12	Regional unionlearn development worker
	PH13	Line manager
	PH14	ULR 3
	PH15	ULR 4
	PH16	ULR 5
	PH17	ULR 6
Case 2	TOH1	Regional learning officer 1
	TOH2	Regional learning officer 2
	TOH3	Regional officer
	TOH4	Learner 1
	TOH5	Learner 2
	TOH6	Learner 3
	TOH7	ULR 1
	TOH8	ULR 2
	TOH9	Site general manager
	TOH10	Regional executive manager
	TOH11	Regional manager HR
	TOH12	FE Provider (skills for life co-ordinator)
	TOH13	Regional unionlearn development worker
Case 3	IFL1	Regional learning organiser

	IFL2	Branch officer
	IFL3	Site Operations manager
	IFL4	Site HR manager
	IFL5	ULR 1
	IFL6	ULR 2
	IFL7	ULR 3
	IFL8	ULR 3
	IFL9	Learner 1
	IFL10	Learner 2
	IFL11	Learner 3
	IFL12	Learner 4
	IFL13	Learner 5
	IFL14	Learner 6
	IFL15	Learner 7
	IFL16	unionlearn regional development worker
	IFL17	FE Provider
Case 4	RW1	Regional learning organiser
	RW2	Branch Chair
	RW3	Site Operations Manager
	RW4	ULR 1
	RW5	ULR 2
	RW6	ULR 3
	RW7	FE Provider
	RW8	unionlearn regional development worker
	RW9	learner 1
	RW10	learner 2
	RW11	Site General Manager 1
	RW12	Site General Manager 2
PCS Officers	PCSOFF1	National Learning Officer 1
	PCSOFF2	Deputy General Secretary 1
	PCSOFF3	National Learning Officer 2
	PCSOFF4	Deputy General Secretary 2
	PCSOFF5	Regional Secretary
UNITE Officers	UNITEOFF1	Learning Officer1
	UNITEOFF2	Learning Officer1
	UNITEOFF3	Learning Officer3
Other Key Informants	Unionlearn1	National Officer1
	Unionlearn2	National Officer1
	Unionlearn3	National Officer1
	Government Department	BIS Skills Policy Officer

Annex Three: Coding Structure

Code Name
1AA CONTEXT EXTERNAL
CON EXT MARKET ECON
CON EXT POLICY REG
CON EXT POLITICAL SOCIAL
CON INT PRECOND LEARNING
1AB CONTEXT INTERNAL
CON INT ER STANCE WORKPLACE
CON INT INTEGRTN UNION
CON INT MGMT CHARAC
CON INT NATIONAL UNION STRATEGY
CON INT NORMS RULES
REP MANAGEMENT
REP MEMBER
REP UNION
UNION LAY STRUCTURES
CON INT ORG POLICY PRACTICE
CON INT REP CHARAC
CON INT VALUES
1B UNION LEARNING ACTIVITY
UL DEFINING
UL ORIGIN
UL STAKEHOLDERS
UL STRUCTURES
UL TYPE
2A LEARNING AGREEMENT PROPERTIES
LA COLLECTIVE
LA CONT
LA EXPECTED OUTCOMES HID
LA EXPECTED OUTCOMES PUB
LA ORIGIN
LA PHASE
LA REVIEWED USED MAINTAINED
LA TYPE
2B SUPPORTING INSTITUTIONS
INST EMPLOYER
INST IR
INST MOTIVES BELIEFS
INST ULR ROLE
INST UNION
INST WORKPLACE STRUCT
3 BARGAINING BEHAVIOURS
BARG ACTORS
BARG ATTITUDINAL STRUCTURING
BARG CHRONO
BARG CLAIMS PUB PRIV MUTUAL POS THREAT
BARG DISTRIBUTIVE
BARG INTEGRATIVE
BARG INTERESTS AGREE DISAGREE MUTUAL

BARG INTRA-ORGANISATION
BARG LOCATION
BARG MIXED DISTRIBUTIVE-INTEGR
BARG MIXED INTEGRATIVE-DISTR
BARG MULTI-LATERAL MULTI-LEVEL
BARG PROCESS FORMAT
BARG SEPARATE
BARG WHAT IS BARGAINING
BARGAINING STRATEGY
4A DYNAMICS
DY CRITICAL EVENTS
DY EXPLANATIONS OF CHANGE
DY EXTERNAL INTERVENTIONS
DY PROBLEM SOLVING SOLUTIONS
DY PROBLEMS CHALLENGES
4B EMERGING CAUSAL LINKS
CL EXPLANATORY CLUSTER
CL NETWORKS
CL PATTERNS
CL RULES
4C SOURCES of UNION POWER
SUP UNION EXP
SUP MEMBERS
SUP UNION ORGANISATION
5 ULTIMATE OUTCOMES NEW CONFIG
UO BALANCE OF GAINS
UO CHANGED PERCEPTIONS
UO EMPLOYER ORGN PI PRACTICE
UO ER
UO LEARNING SKILLS
UO OTHER
UO PROCEDURAL INSTITUTIONAL OUTCOMES
UO UNION
UO WORK LP