

**Trade Unions and the Rise of Contingent Labour in the United Kingdom:  
Challenges, Opportunities and the Trade Union Response**

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The candidate confirms that the work submitted is his 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 is a rigorous empirical investigation into the trade union response to contingent labour in the United Kingdom. It contributes to knowledge and understanding about trade union strategies and methods directed towards contingent workers and casts light on challenges and opportunities posed to trade unions by the rise of contingent labour. The thesis challenges a dual labour market theory that rests on the assumption that labour markets are structured homogeneously into primary and secondary segments populated by contingent workers and standard employees respectively. It demonstrates explicitly that at least within trade union membership dynamic converging and diverging tendencies between primary and secondary segments distort a frontier between them and thereby affect employee behaviours. This has profound implications for trade unions, as their responses to contingent labour are still predicated upon the existence of dichotomous labour markets.

The thesis uncovered internal inconsistency of strategies and methods employed by trade unions such that instead of being inherently inclusive they appear to be rather pragmatic and driven by dynamic tendencies between the membership segments. In general, trade unions confronted with a diverging tendency between their primary and secondary membership segments struggled to articulate systematic responses to contingent work. This occurred because trade unions have yet to address challenges emanating from such dynamic processes, especially in relation to the differences between contingent workers' and standard employees' attitudes towards trade unions. Taken together, these findings suggest that cohesion and inclusiveness of trade union responses to contingent labour depend largely on the trade unions' ability to absorb converging and diverging tendencies between their membership segments.

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## **Chapter 1: Introduction**

### **1.1 Introduction to the theoretical rationale and contribution of the thesis**

This thesis sheds new light on trade union responses to contingent labour in the United Kingdom and illuminates contemporary challenges posed to trade unions by the on-going segmentation of labour markets. It utilises a dynamic model of labour market segmentation, which stretches beyond the crude duality of primary and secondary labour markets, and on such a premise investigates the experience in dealing with contingent labour of seven trade unions affiliated with the Trades Union Congress. The thesis draws on semi-structured interviews with union leaders, officers and regional secretaries supplemented by non-participant observation at relevant trade unions' events and secondary qualitative data. It then analyses the 2011 Workplace Employment Relations Study, a nationally representative survey of British workplaces, so as to corroborate key assumptions derived from the qualitative phase of the study.

Within this study the term contingent labour is used to denote the type of work distinct from standard work arrangements characterised by direct employment through open-ended contracts (Forde and MacKenzie, 2007; Polivka and Nardone, 1989). The thesis argues against a crude dual labour market theory wherein labour markets are deemed to be composed of primary and secondary segments populated by standard employees and contingent workers respectively (Atkinson, 1984; Doeringer and Piore, 1971; Osterman, 1974). As an alternative, the present study formulates a dynamic model of labour market segmentation centred on significant converging and diverging tendencies between primary and secondary segments (Marchington et al., 2005; Grimshaw et al., 2002; MacKenzie and Martinez Lucio, 2005). The thesis demonstrates that converging and diverging



tendencies distort a frontier, i.e. a discernible borderline, between primary and secondary segments of trade union membership, with significant implications for trade union responses to contingent labour still orientated on a dual structure of labour markets. This study shows that such dynamic processes pose further challenges to trade unions, for amidst well-studied organisational and internal constraints imposed on trade unions by the rise of contingent labour the on-going segmentation of labour markets affects employee behaviours, particularly in terms of differences between contingent workers' and standard employees' attitudes towards trade unions. Such challenges, the thesis contends, have yet to be systematically addressed by trade unions.

Whilst recognising that labour markets are structured segmentally (Berger and Piore, 1980; Dekker and van der Veen, 2015; Gaubert and Cottrell, 2007), the thesis turns to an emerging stream of critical research that contests a dichotomous structure of labour markets (Beynon et al., 2002; Grimshaw and Rubery, 1998; Marchington, 2005; MacKenzie and Martinez Lucio, 2005). Termed 'a dynamic model of labour market segmentation' it rests on the assumption that changing forms of the organisation of production (i.e. the technical and governance factors of the production process including the allocation of labour) spur converging and diverging tendencies between labour market segments in general and between the segments of trade union membership in particular (Grimshaw and Rubery, 1998; Grimshaw et al., 2007; MacKenzie, 2010). Where labour market segments converge, drawing a distinction between contingent workers and standard employees becomes virtually inconceivable, for their position in the organisation of production and workloads are increasingly intertwined (Beynon et al., 2002; MacKenzie, 2009; Marchington et al., 2005). By contrast, a diverging tendency

further undermines homogeneity in cohorts of workers and results in the emergence of a new segment of contingent workers, which however is not homogeneous but composed of diverse forms of contingent employment (MacKenzie et al., 2010; Forde and MacKenzie, 2004). Importantly, employee behaviours change considerably in light of such dynamic tendencies, as the assumption of different work-related attitudes and perceptions of trade unions between homogeneous segments of contingent workers and standard employees no longer holds up (MacKenzie, 2010; Gallagher and Sverke, 2005; Goslinga and Sverke, 2003). All in all, a frontier between primary and secondary segments is being distorted.

Trade union strategies however are still predicated upon the assumption of dichotomous labour markets (Heery and Abbott, 2005; Conley and Stewart, 2008). It is evident by trade union responses to the rise of contingent labour being locked between the two polar strategies, namely exclusion and engagement whereby contingent workers, as a relatively homogeneous cohort, are either excluded from trade union membership or included in trade unions and provided with activities tailored exclusively to them (Heery, 2009; Heery et al., 2004; Delsen, 1990; Keune, 2013). Because a crude dichotomous structure of labour markets is unlikely to hold up, existing trade union responses to contingent work may be fundamentally flawed (Pulignano et al., 2015; Benassi and Vlandas, 2015; Olsen, 2005; Mckeown, 2005). The thesis attests to this assumption and demonstrates explicitly that converging and diverging tendencies between trade union membership segments form a backdrop against which trade union strategies and particular methods directed towards contingent workers are adopted. The present study uses such a backdrop to: (i) uncover trade union strategic responses to

contingent work and particular methods employed by trade unions; (ii) unravel the taxonomy of challenges and opportunities posed to trade unions by converging and diverging tendencies between trade union membership segments; (iii) explore the differences between contingent workers' and standard employees' attitudes towards trade unions. Along these lines the thesis sets out the following research questions.

1. To what extent have converging and diverging tendencies between the segments of the labour market affected trade union membership and trade union responses to contingent labour?
2. What are the contemporary strategies and methods employed by trade unions towards contingent workers?
3. What are the challenges and opportunities posed to trade unions by converging and diverging tendencies between trade union membership segments?
4. How have contingent workers' and standard employees' attitudes towards trade unions been affected by the on-going labour market segmentation?

The first question is fundamental. Not only does it reflect a broader context of the current study, but also affects the line of reasoning and analyses undertaken in the empirical chapters. In answering this question dynamic processes between the segments of trade union membership are uncovered along the spectrum, from a converging and clearly dichotomous structure through to a diverging tendency. As a dynamic model of labour market segmentation suggests (Marchington et al., 2015; Grimshaw and Rubery, 1998; Grimshaw et al., 2007), within some trade unions a frontier between primary and secondary segments is distorted. For working conditions of employees on full-time open-ended contracts drift gradually

towards contingent forms of employment whereas contingent workers take responsibilities that usually pertain to the status of standard employees. Other trade unions experience a diverging tendency between their membership segments whereby contingent workers separate from standard employees, but form a heterogeneous group composed of diverse forms of contingent employment. At the same time there are trade unions that still operate in a clearly segmented labour market, with relatively homogeneous cohorts of contingent workers and standard employees.

Relating to strategies and methods employed by trade unions the thesis draws on Heery's (2009) three-dimension framework composed of the elements of strategy, scale and method. The thesis thoroughly scrutinises trade unions' strategic responses to contingent labour at the internal and external levels of representation. The former signifies representation strategies employed by trade unions at the workplace level alongside the position occupied by contingent workers in trade union structure (Heery, 2009 and 2004; Simms and Dean, 2015). The latter reflects a broader perspective relating to the position devoted to contingent workers in the labour market compared with standard employees (Heery, 2009; Gumbrell-McCormick, 2011). The analysis shows that strategies utilised by trade unions are rather inconsistent, which leads to a three-fold outcome. Firstly, the inclusion of contingent workers at the internal level was counterbalanced by trade union discrimination against contingent workers at the external level of representation. This phenomenon is especially pronounced among trade unions with converging membership segments, as a blurred frontier between contingent workers and standard employees allows for the use of the contingent workforce as a means by which standard employees can be protected

from layoffs and redundancies immanent during the periods of economic downturns. The converging tendency also increases the competition between membership segments and elevates the likelihood of displacing standard employees with contingent workers, for example during industrial action (MacKenzie, 2010). This accentuates the necessity for trade unions to unionise contingent workers at the workplace, but keep them sidelined from standard employees in the labour market. Conversely, the more segmented union membership is the more likely trade unions are to be consistent in their strategies towards contingent workers.

Secondly, the notion of upscaling, i.e. a shift of the trade union response to contingent labour beyond the enterprise level of representation (Heery, 2009; Heery et al., 2004; Conley and Stewart, 2008), is shown to be closely related to dynamic segmentation processes. Where there is a clear distinction or growing convergence between the membership segments trade unions orchestrate a more coherent response to contingent labour by concentrating the bulk of their activities at national and regional levels. Likewise, trade unions with converging membership segments seek to reinforce the power of labour-management negotiations as a method pertinent for the representation of contingent workers. By contrast, being confronted with a plethora of diverging forms of contingent employment trade unions operate more sporadic and localised responses. It forces trade unions to activate the search for alternative means of representation involving methods tailored exclusively to contingent workers. As such, rather than being inherently inclusive, the trade union response to contingent labour is largely pragmatic, driven by dynamic tendencies between trade union membership segments.

The thesis further places trade union strategic responses and methods directed towards contingent workers in the context of wider challenges posed to trade unions by the on-going labour market segmentation (Benassi and Dorigatti, 2014; Pulignano et al., 2015). The contribution of the thesis stretches beyond the exploration of Heery's (2009) three-dimension framework, for the thesis unravels the range of challenges and opportunities posed to trade unions by dynamic tendencies between their membership segments. Amidst organisational restructuring and the immobility of existing trade union structures, the most significant challenge uncovered by the thesis is rapidly changing behaviours of employees, particularly in terms of contingent workers' attitudes towards trade unions. For on the one hand contingent workers are further estranged from trade unions, but on the other hand dwindling job security of the bulk of the contingent workforce increases their desire for union representation. The thesis further affirms that these contrasting attitudes are diminished by a converging tendency between trade union membership segments and amplified by a diverging tendency.

Lastly, the thesis conducts an empirical investigation into contingent workers' and standard employees' attitudes towards trade unions, for such attitudes featured as a pivotal challenge posed to trade unions. In so doing the thesis turns to advanced quantitative methods and secondary data (the 2011 Workplace Employment Relations Study), as they can provide sufficient statistical power to further illuminate tentative assumptions derived from the qualitative phase. The findings demonstrate that although the difference between contingent workers' and standard employees' attitudes towards trade unions is rather narrow, the degree of the workforce segmentation impacts negatively on contingent workers' perceptions of union instrumentally. The degree of the workforce segmentation though

elevates the likelihood of contingent workers belonging to a trade union. Not only do such outcomes exemplify a crucial challenge facing trade unions, but also point out the means by which such a challenge can be confronted.

In summary, the thesis addresses all key elements of the trade union response to contingent labour involving unions' strategies and methods directed towards contingent workers as well as challenges and opportunities posed to existing trade union responses by the on-going labour market segmentation. The thesis contends that our knowledge of the rationale for the trade union response to contingent labour and challenges facing trade unions is rather uneven. It then makes the case that current debates would be enhanced by thorough empirical and theoretical scrutiny of a dynamic model of labour market segmentation. In what follows the structure of the thesis involving its theoretical and empirical chapters is introduced in more detail.

## **1.2 Introduction to the structure of the thesis**

The thesis is divided into three parts, encompassing theoretical, methodological and empirical elements such that each empirical chapter deals with a specific research question. The next chapter elaborates on the definition of contingent work and its constituents. The chapter defends a more nuanced approach towards contingent labour and warns against erroneously conflating its different types (MacKenzie et al., 2010; Forde et al., 2008). It contends that although contingent work does deviate from standard employment associated usually with full-time open-ended employment contracts its particular forms and outcomes are variable (Polivka and Nardone, 1989; MacKenzie et al., 2010; Kalleberg, 2000; Shields et al., 2005). For example, part-time work can hardly be classified as contingent in itself, for where it carries employment contingency it is more likely to overlap with

other forms of contingent work involving agency labour, zero-hours contracts, fixed-term contracts and the like (Polivka and Nardone, 1989). The aforementioned exemplifies the importance of not imposing a strict definition of contingent labour on respondents and treating it as a relatively broad concept that denotes marginalised, insecure employment (MacKenzie et al., 2010: 606). The chapter however accentuates the possibility that such forms of employment as fixed-term work, temporary agency work, casual work (mainly zero-hours contracts), subcontracting and self-employment form the crux of what is termed contingent labour.

A key contribution of the second chapter lies in sketching out a dynamic model of labour market segmentation as an underlying theoretical concept of the present thesis. Unlike a dual labour market model predicated upon a dichotomous structure of the labour market (Doeringer and Piore, 1970 and 1971; Bonet et al., 2013; Pfeifer, 2013), the dynamic perspective asserts that contemporary labour markets can no longer be conceived in such a crude manner (Marchington et al., 2005; Grimshaw and Rubery, 1998; Girmshaw et al., 2007). The chapter projects the same logic on trade unions and asserts that whilst trade unions are still structured segmentally, converging and diverging tendencies between primary and secondary segments of union membership distort a frontier between them. Within some trade unions distinguishing the segments of contingent workers and standard employees is virtually inconceivable whereas other trade unions face an emerging segment of contingent workers, which separates from trade unions. The dynamic model has profound implications for trade unions, as their strategies and methods are still devised on the premise of a dichotomous union structure (Gumbrell-McCormick, 2011; Pulignano et al., 2015). The chapter further argues



that not only do dynamic segmentation processes challenge existing rationale for the trade union response to contingent labour, but they also affect employee behaviours, particularly with regard to contingent workers' and standard employees' perceptions of trade unions (MacKenzie, 2010; Goslinga and Sverke, 2003).

The remainder of this theoretical chapter situates the dynamic perspective in the context of current debates on the trade union response to contingent labour. In this effect, the chapter reviews Heery's (2009) three-dimension framework composed of the dimensions of strategy, scale and method. It shows that existing literatures are inconclusive, particularly with regard to prevalent union strategies towards contingent labour, the extent to which trade unions shift their activities beyond the enterprise-level of representation and whether such a move impacts on specific methods employed by trade unions (Heery, 2009; Benassi and Dorigatti, 2014; Simms and Dean, 2015). The chapter explicates that very little attention is paid to the appearance of trade union responses to contingent labour at the internal (within trade unions) and external (in the labour market) levels of representation. Likewise, the issue of contingent workers' and standard employees' perceptions of trade unions is neglected in the extant literature (except for MacKenzie, 2010; Goslinga and Sverke, 2003). The chapter then concludes with the justification of an empirical enquiry into trade union responses to contingent labour on the premise of a dynamic model of labour market segmentation.

The third chapter sets out the aims of the research and key research questions as well as ontological and epistemological principles upon which the present study is built. It also justifies pragmatism as an underlying philosophical foundation of the thesis and sketches out mixed-methods research design underpinned by an

embedded case study approach. The chapter introduces seven case study unions: the University and College Union (UCU); Community the Union for Life (Community); Bakers, Food and Allied Workers Unions (BFAWU); Communication Workers Union (CWU); UNISON; Union of Construction, Allied Trade and Technicians (UCATT) and Musicians Union (MU). The chapter discusses qualitative and quantitative methods employed involving semi-structured interviews as a key method and non-participant observation at union meetings as a supplementary technique. It then turns to an advanced quantitative analysis of secondary data (the 2011 Workplace Employment Relations Study) as the second (quantitative) phase of the thesis. Semi-structured interviews are the main data collection technique because they are effective in capturing respondents' views and experiences. Quantitative methods follow up the qualitative phase and statistically scrutinise one of its main findings, namely the differences between contingent workers' and standard employees' perceptions of trade unions. The choice in favour of quantitative methods and secondary data rests on their ability to provide an effective tool for drawing statistically generalisable conclusions relating to employees' attitudes and perceptions.

Chapters four, five, six and seven introduce the empirical findings of the thesis. Each chapter deals with a specific research question outlined above. Chapter four explores converging and diverging tendencies between trade union membership segments by drawing on interviews with national union leaders and full-time union officers supplemented by fieldnotes and materials taken at unions' events. In so doing all case study unions are clustered into three relatively homogeneous groups which within the context of the current study are conceived rather as ideal types of union membership. The first group signifies a converging tendency

between primary and secondary segments of trade union membership whereby the frontier between them is being blurred (UCU and Community). The second cluster denotes a diverging tendency between trade union membership segments where contingent workers are externalised from trade unions (BFAWU, UNISON, CWU and UCATT). The third cluster embodies trade unions with a clearly segmented, dichotomous membership base wherein the cohort of contingent workers occupies a dominant position in trade unions (MU). Albeit such a classification does not take account of segmentation processes at the grassroots, it delineates widening heterogeneity of trade union membership. As such, this chapter outlines a contextual background of the thesis.

Chapter five draws on semi-structured interviews with union leaders, full-time union officers and regional secretaries, and maps out trade union responses to the rise of contingent labour in line with the dimensions of strategy, scale and method (Heery, 2004 and 2009). Strategy reflects the legitimisation of contingent workers' position in trade union membership (ranging from exclusion through to engagement strategies); the scale component signifies a shift in trade unions' activities beyond the enterprise level of representation; and methods cover particular actions directed towards contingent workers. Trade union strategic responses are explored at internal (within trade unions) and external (in the labour market) levels of representation (Heery, 2009; Gumbrell-McCormick, 2011; Conley and Stewart, 2008). The findings are surprising in that they show an inconsistency in strategic responses of individual unions between internal and external levels of representation. For example, whilst operating on the inclusion and engagement strategies at the internal level trade unions often discriminate against contingent workers at the external level of representation. The chapter further shows that

such discrimination occurs predominantly among trade unions with converging membership segments, which however operate on a more coherent response to contingent labour than other unions. These unions also seek to strengthen union-management deliberations as a method pertinent to contingent workers. Having said that, trade unions with diverging membership segments seek for the means of representation other than union-management negotiations and collective bargaining, which partially offsets the incoherency of their responses to contingent work.

Chapter six provides insights into challenges and opportunities facing trade unions in segmented labour markets. It draws on qualitative data and follows the arguments set out in the previous empirical chapter. The challenges are depicted along the following dimensions: behavioural (workers' attitudes towards trade unions), organisational (constraints imposed by employers) and internal (immobility of trade union structure). The challenges vary considerably given the extent to which trade union membership is segmented into the cohorts of contingent workers and standard employees. Trade unions with converging membership segments face an incremental competition between contingent workers and standard employees whereas trade unions with a diverging membership base are confronted with changing employers' strategies and the immobility of trade union structures. As regards the opportunities, trade unions with converging membership segments alter their structures in order to comply with the interests of contingent workers. Moreover, despite suffering from the organisational restructuring, trade unions with diverging membership segments arrive at the means by which they can address the challenges emanating from the on-going labour market segmentation. In so doing trade unions stretch their

activities beyond the enterprise-level of representation and often beyond the issues that usually pertain to the employment relations framework.

Chapter seven expands our knowledge of the differences between contingent workers' and standard employees' perceptions of trade unions, a pivotal challenge established at the qualitative phase of the thesis. The chapter draws on extensive literature on employees' perceptions of trade unions (Charlwood, 2002; Kochan, 1979; MacKenzie, 2010; Goslinga and Sverke, 2003) and utilises the 2011 Workplace Employment Relations Study. Not only does the chapter examine the differences between contingent workers' and standard employees' attitudes towards trade unions, but it also investigates the impact of the degree of the workforce segmentation. Segmentation is found to be of crucial importance for our understating of standard employees' and contingent workers' perceptions of trade unions. The degree to which the workforce is segmented into standard employees and contingent workers aggravates employees' perceptions of trade unions. More important, it amplifies an otherwise weak distinction between contingent workers and standard employees such that at the workplaces with high levels of the workforce segmentation contingent workers are less positive about trade unions but are more likely to be union members.

The thesis draws to a close with chapter eight, which summarises empirical evidence corroborated from qualitative and quantitative phases of the current study. The chapter exemplifies the importance of a dynamic model of labour market segmentation for a better understanding of the trade union response to contingent labour and suggests avenues for future research.

## **Chapter 2: Literature review**

### **2.1 Introduction**

This chapter sets out a definition and constituents of contingent labour based on a comprehensive review of the extant literature on trade union responses to contingent work. The chapter further outlines a dynamic model of labour market segmentation as opposed to a crude dual labour market theory centered on dichotomous labour markets composed of primary and secondary segments. The dynamic model is then situated in the context of trade union responses to contingent labour. As such, a theoretical background of the present study is formulated. The concluding parts of the current chapter turn to differences between contingent workers' and standard employees' attitudes towards trade unions, an important and underexplored element of the dynamic model of labour market segmentation.

Within this study contingent labour is defined as an umbrella term that denotes an insecure, infrequent and marginalised type of employment. Contingent labour is thus opposed to standard employment entrenched into open-ended employment contracts, stable working hours and remunerations at or above the median wage (Polivka and Nardone, 1989; Kalleberg, 2000). This chapter however contends that the aforementioned definition ought to be treated with caution, as the constituents of contingent labour and its upshots for employees, organisations and trade unions are variable across different sectors, industries and trade unions (Forde et al., 2009; Mackenzie et al., 2010). The chapter tentatively sketches out the forms of employment that are likely to constitute the bulk of contingent labour. These involve fixed-term employment, agency labour, casual work (for instance zero-hours contracts), subcontracting and various self-employment schemes (e.g.

freelancing). Whilst being an indispensable component of contemporary labour markets, especially in the UK (Cotti et al., 2003), part-time work is not considered as an independent form of contingent labour within the present study. This is due to the fact that workers often embark on part-time employment of their own accord. Where part-time work bears the elements of contingent labour it rather overlaps with other types of employment involving agency labour, temporary employment and the like.

The chapter then turns to its theoretical rationale, namely a dynamic model of labour market segmentation. In order to elucidate the basic facets of the dynamic model the chapter outlines the foundation of its predecessor - a dual labour market theory. The latter draws on the assumption that inherently heterogeneous labour markets are structured segmentally rather than continuously (Hirsch, 1980; Osterman, 1974; Doeringer and Piore, 1970, Berger and Piore, 1980). The notion of segmentation manifests itself in a primary labour market segment populated by standard employees on full-time open-ended contracts and a secondary segment populated by the peripheral workforce hired usually through contingent forms of employment (Berger and Piore, 1980; Bonet et al., 2013; Cross and Johnson, 2000; Osterman, 1974). The dynamic model adheres to such heterogeneity but contests a crude dichotomy of the labour market, for dynamic converging and diverging tendencies between primary and secondary segments have called into question their rigidity. Convergence is then unpacked as a process whereby the frontier between standard employees (primary segment) and contingent labour (secondary segment) is being blurred (Ko, 2003; Grimshaw and Rubery, 1998; MacKenzie, 2002; Martinez Lucio and MacKenzie, 2004). This occurs in two somewhat conflicting directions: through leveling up working conditions of

contingent and standard employment and by further depleting the wellbeing of standard employees making them therefore virtually indistinguishable from contingent workers (Beynon et al., 2002). By contrast, a diverging tendency between labour market segments signifies the emergence of a discernible cohort of contingent workers from a previously homogeneous, in relative terms, population of standard employees. Taking place primarily due to the on-going organisational restructuring in the private sector and marketization of services in the public sector, not only does it tear the workforce asunder but also spurs the emergence of variable forms of contingent labour (Ward et al., 2001; Harvey, 2003).

The chapter elucidates that the foregoing dynamic tendencies entail profound consequences to trade unions in the UK, whose responses to contingent labour are still predicated upon the dual labour market model (Heery and Abbot, 2000; Pulignano et al., 2015; Webster and Bichoff, 2011). Not only is it evident in trade unions' practical steps within the domain of contingent labour (Gumbrell-McCormick, 2011; Harvey and Behling, 2008), but also the notion of dualism is reflected in the bulk of academic research wherein union strategies directed towards contingent labour are thought to be qualitatively incomparable with a traditional trade union agenda directed towards standard employees (Heery, 2009; Benassi and Dorigatti, 2014; Pulignano et al., 2015). This seems particularly problematic in light of converging and diverging tendencies between labour market segments, not least because such dynamic tendencies affect contingent workers' and standard employees' behaviours and their subsequent attitudes towards trade unions (Golsinga and Sverke, 2003; MacKenzie, 2010).



The chapter places dynamic segmentation processes outlined above into the context of existing literatures on trade union responses to contingent work. In this effect, the chapter draws on a three-dimension framework composed of the elements of strategy, scale and method (Heery, 2004 and 2009; Conley and Stewart, 2008; Gumbrell-McCormick, 2011). It exhibits a lack of knowledge about trade union strategies directed towards contingent labour, and about whether trade unions have shifted their responses to contingent work beyond the enterprise level of representation. Lastly, the chapter demonstrates that existing knowledge of contingent workers' and standard employees' attitudes towards trade unions is rather limited (although see Goslinga and Sverke, 2003; MacKenzie, 2010). Where empirical evidence is provided its narrow scope and insufficient scrutiny of underlying principles of employees' behaviours preclude confident conclusions as regards the extent to which contingent workers view trade unions differently from standard employees.

## **2.2 Contingent work: definition and constituents**

This part of the present chapter attempts to shed light of clarity on the definition and constituents of contingent labour. It is of high importance for the thesis because the analysis of the trade union response to contingent labour depends on what is meant by contingent labour and what forms of employment constitute its core. In what follows, the argument is put forth that contingent labour stands apart amidst other widely used definitions involving non-standard employment, atypical work, precarious work and the like (Connelly and Gallagher, 2004; Shields et al., 2005). Within this study contingent labour is defined as any form of employment that entails insecurity with regard to hours of work and income coupled with a marginalised status of workers in their organisations, with limited chances for

career progression. Contingent labour is thus closely connected with employees' contractual situations, albeit being hired through an atypical employment contract does not automatically make a worker contingent (Stone and Arthurs, 2013). With this definition in mind, the chapter delineates the forms of employment that are thought to be plausible constituents of contingent work. In spite of being further justified by means of a descriptive analysis of the nationally representative Labour Force Survey and trade union statistics on contingent labour, the proposed constituents are not a foregone conclusion, for the elements of contingent work are very likely to vary considerably across the trade union universe (MacKenzie et al., 2010; Forde et al., 2008).

The extant literature is inconclusive as to the definition and constituents of contingent labour. That scholars tend to use a myriad of terms interchangeably involving non-standard employment, atypical employment, contingent work and precarious labour only adds confusion to the given field (Shields et al., 2005; Connelly and Gallagher, 2004; Stormer, 2008). This is particularly the case in relation to literatures on trade union responses to contingent labour in the context of the UK labour market (Heery, 2009; Gumbrell-McCormick, 2011). It is important thus, prior to an in-depth empirical analysis of trade union responses to contingent labour, to stress the reasons for prioritising contingent work over other definitions. Particularities of individual forms of contingent work are important for a better understanding of segmentation tendencies within trade unions. It will be shown below that the term contingent work is more comprehensive than other definitions, for it embodies employment contingency that stems from jobs themselves and from employees' contractual situations (Connelly and Gallagher, 2004; Arrowsmith, 2003; Crouch, 2012; Lautsch, 2002; Stormer, 2008).

A lot of definitions used in prior research draw on the nature of jobs. They separate jobs that are infrequent and insecure from those that are relatively secure and provide viable opportunities for career progression. The former jobs are often termed non-standard employment, atypical employment and precarious work; with these definitions being used in the most abstract sense so as to describe all forms of employment that deviate from standard work (Connelly and Gallagher, 2004). One recent and vocal example in this regard is Guy Standing's concept of the 'precariat' which assembles all types of labour that make employees vulnerable and their employment circumstances unpredictable (Standing, 2011). In a similar vein, one of the definitions of precarious work is as follows: "precarious jobs include those that are contingent (short-term), not linked to employment entitlements and protection, and those that tend to be ambiguous in terms of the identification of the employer and the workplace (such as through agency work and subcontracting) where workers have low levels of voice and union representation" (Burgess et al., 2013: p.4085). The foregoing is fairly comprehensive, for it gives a flavour of how precarious, non-standard, atypical and other similar constructs are usually operationalised.

Not only do scholars describe precarious or non-standard work in such a broad way, but they also narrow it down to particular types of work arrangements and employees' contractual situations. For instance, subcontracting and agency work are a special case of non-standard employment wherein labour is outsourced to a third party organisation or delivered by an employment agency (Forde and Slater, 2005). There are, of course, differences between agency labour and subcontracting, in that agency workers usually occupy temporary and highly mobile positions (due to short-term arrangements between the organisation and

an employment agency) whereas subcontracting may involve a more stable relationship between the stakeholders (Forde et al., 2008). Another prominent example in this regard is casual work. Casual work is usually referred to as a type of employment where working hours and pay levels vary inconsistently, leaving employees deprived of guaranteed stable employment (Sheikh, 2010; Shields et al., 2005). A pertinent example here is zero-hours contracts that assume no fixed workloads suggesting therefore that employees will take up work shifts when it is convenient for them and employers will provide such an opportunity when there is an extra demand for labour (Ghio, 2002).

Another example of casual work is freelancing or self-employment. These forms are different from zero-hours contracts, as they are not bonded to an employer-employee relationship as such. Freelancers sell their services (or more likely the results of their intellectual endeavors) in a supposedly open market and employers, who in the framework of self-employment are treated as business partners, buy these products or services. Similarly, to zero-hours contracts, freelancing appears pervasive in praxis in that a large and growing proportion of formerly standard employees were forced into self-employment against their own accord (Kalleberg, 2000). There are plenty of other examples of contingent contractual circumstances involving part-time work, which is often ascribed to the realm of non-standard/precarious work. The rationale here is straightforward: employees who work part-time are deprived of full-time employment, and in order to make ends meet they have to take up multiple part-time jobs or rely on in-work benefits (Bolton et al., 2012).

The foregoing definitions are relatively broad. Yet they adhere largely to the UK context, as for instance zero-hours contracts have been pushed to the forefront of

trade union agenda primarily in the UK, with estimations of the exact proliferation of zero-hours contracts into the labour market being variable between the government's and trade unions' reports (UCU, 2014). By the same token, crucial changes in the governance mechanisms within the public sector, which have incited a rapid growth of precarious work in recent decades, are by and large a feature of the UK labour market (Grimshaw et al., 2015). Likewise, despite the synchronisation of statutory regulation for agency labour with the EU legislation, recently enacted Agency Workers Regulation (AWR) in the UK contains unique clauses, like Swedish derogation, that allow agencies hiring workers on some sort of intermediary low-paid contracts when workers find themselves in a between the jobs situation (Forde and Slater, 2016).

These factors further attest to the necessity to explicitly operationalise contingent labour within the UK context. To this end, the present study turns to some early definitions of contingent work that take into consideration both precarious nature of jobs and contractual situations of workers (Polivka and Nardone, 1989; Polivka, 1996; MacKenzie et al., 2010). Polivka and Nardone characterise contingent work as "any job in which an individual does not have an explicit or implicit contract for long-term employment or one in which the minimum hours worked can vary unsystematically" (Polivka and Nardone, 1989: 11). The authors further unravel the concept of contingent employment by justifying its pillars: (i) the level of job security, which is significantly lower compared with non-contingent work; (ii) irregular working hours and uncertainty with regard to employment prospects; (iii) restricted access to fringe benefits including employee coverage by collective agreements, contingent workers' access to pension and insurance schemes and so forth (Polivka and Nardone, 1989). These three pillars may occur

simultaneously thereby making a particular job extremely contingent. But even the presence of some of them would suffice to label the job contingent. A key tenet of contingent labour is thus job insecurity that stems from employees' marginalised position in the organisation which is further backed by concomitant insecure employment contracts, or by the lack of thereof (Polivka and Nardone, 1989; Polivka, 1996).

There are two principal consequences of such an approach towards contingent labour. Firstly, contingent work appears heterogeneous, but not homogenous and coherent as portrayed by Guy Standing (MacKenzie et al., 2010; Forde et al., 2008). Indeed, bundling various types of contingent labour without acknowledging the diversity of forms of the organisation of production and employees' contractual situations is at best misleading. For it is virtually inconceivable to assemble academics on zero-hours contracts, casual workers in the care sector, self-employed construction workers and freelance musicians under the remit of one social class. Second, it is important to be selective when ascribing particular forms of employment to contingent labour. For example, part-time work despite being formally insecure cannot in itself be treated as part of contingent labour. Indeed, where employment contingency is attached to part-time work it usually stems from other forms of employment with which part-time work arrangements overlap (Banerjee et al., 2012; Walsh and Deery, 1999; Broshcak and Davies-Blake, 2006; Markey et al., 2003). The latter may involve fixed-term work, temporary agency work, subcontracting and so forth. This attests to the risk of mistakenly considering some types of work as contingent, as even one and the same type of employment contract may feature differently across the business universe, sectors of the

economy and occupational categories (Polivka and Nardone, 1989; Polivka, 1989; Hipple, 2001).

The complexity of contingent labour sketched out above is crucial for the thesis, as the operationalisation of contingent labour impacts on the research design and data analysis. Whilst the term contingent labour is utilised as pivotal within this thesis, a decision is made not to circumscribe contingent forms of employment, but to let participants share their own views. Having said that, a cautious attempt can be made to anticipate the sort of contract types that might form the bulk of contingent employment. Prior research is of great help here, as it consistently linked the following forms of employment with contingent labour: temporary work, fixed-term contracts, agency work, subcontracting, casual work (particularly zero-hours contracts) and various self-employment schemes involving freelancing (Heery et al., 2004; Heery, 2009; MacKenzie et al., 2010; Wills, 2009; Forde and Slater, 2005).

Another way to delineate the constituents of contingent labour is to look at nationally representative statistical figures. The latter are reported in Table 1, and in Figures 1 and 2; the respective figures were derived from the 2013 Labour Force Survey Annual Eurostat Dataset. The analysis of descriptive statistics suggests the following. Firstly, part-time employment is arguably of less importance for the current study because amidst all reasons for taking up such jobs personal and family circumstances prevailed over the inability to find full-time employment (the latter occupied only 15.9 per cent of the sample). The figures on temporary and fixed-term work though demonstrated that the majority of employees on temporary and fixed-term contracts were not able to find more secure employment (56.4 per cent). Importantly, a considerable proportion of

employees outside direct and permanent contracts were formally hired by employment agencies (35.7 per cent). Coupled with 14.4 per cent of self-employed workers, these statistical figures exemplify dominant forms of contingent labour. It is thus reasonable to anticipate that the aforementioned forms of employment might form the bulk of contingent labour. However, as emphasised above, neither a strict definition of the latter nor its constituents were imposed on the participants.

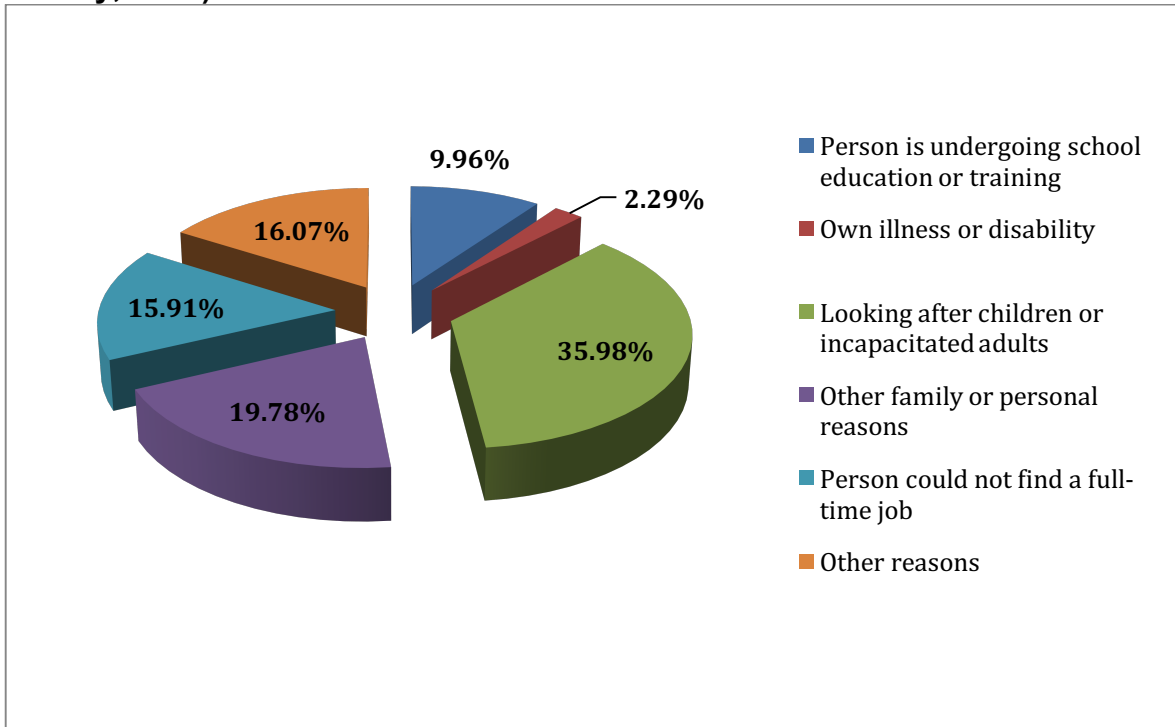
To further demonstrate the importance of contingent labour to trade unions the dynamics of union membership, disaggregated by the forms of employment and sector, was plotted for the past five years: from 2010, a year that signifies a peak of the economic recession, through to 2014, a year characterised by a post-recessionary growth. As Figure 3 demonstrates, relatively stable union membership density amongst permanent employees in the public and private sector are in striking contrast with a sharp decrease of membership density among temporary employees, especially in the public sectors. One may come up with multifarious explanations for this tendency (involving for instance on-going privatisation of public services), all of which however unequivocally attest to the importance of contingent labour to trade unions. For nationally representative figure leave little doubt as regards the fact that contingent workers (proxied here through temporary forms of employment) are underrepresented in trade union membership compared with standard employees. More importantly, the representation gap extends further in the aftermath of the most recent recession, warranting thus a thorough empirical investigation of the phenomenon of contingent labour and its impact on trade unions in the UK.



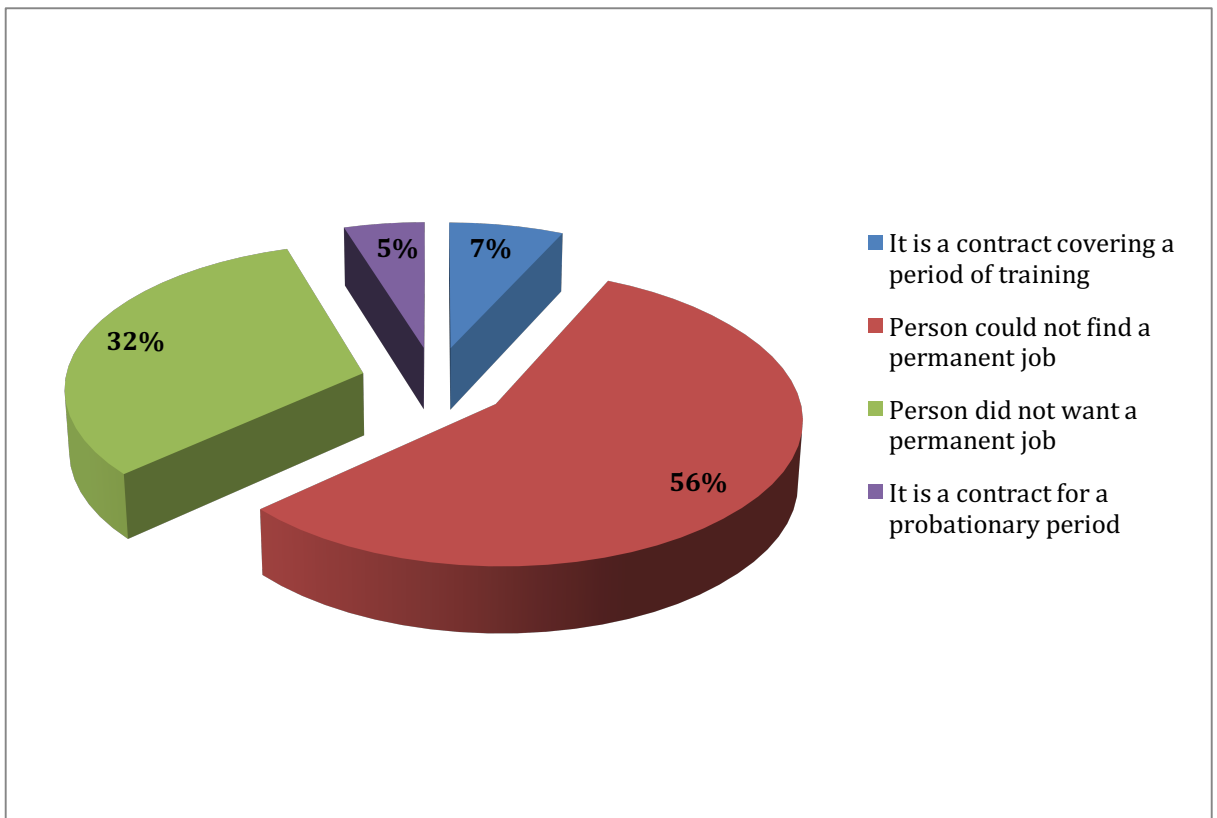
**Table 1: Descriptive statistics relating to the forms of contingent labour  
(Source: Eurostat Labour Force Annual Survey, 2013)**

<b>Part-time work</b>			
	Frequency	Valid Per cent	Cumulative Per cent
Full-time job	28160	72.4	72.4
Part-time job	10716	27.6	100.0
Total	38876	100.0	
<b>Reasons for part-time</b>			
	Frequency	Valid Per cent	Cumulative Per cent
Person is undergoing school education or training	808	10.0	10.0
Own illness or disability	186	2.3	12.3
Looking after children or incapacitated adults	2918	36.0	48.2
Other family or personal reasons	1604	19.8	68.0
Person could not find a full-time job	1290	15.9	83.9
Other reasons	1303	16.1	100.0
Not applicable	1	.0	100.0
Total	8110	100.0	
<b>Temporal work</b>			
Person has a permanent job or work contract of unlimited duration	31359	94.8	94.8
Person has temporary job/work contract of limited duration	1731	5.2	100.0
Total	33090	100.0	
System	38619		
	71709		
<b>Reasons for temporal work</b>			
It is a contract covering a period of training	81	6.9	6.9
Person could not find a permanent job	663	56.4	63.3
Person did not want a permanent job	374	31.8	95.1
It is a contract for a probationary period	57	4.9	100.0
Total	1175	100.0	
System	70534		
	71709		
<b>Agency work</b>			
No	261	64.3	64.3
Yes	145	35.7	100.0
Total	406	100.0	
<b>Self-employment</b>			
Self-employed with or without employees	5613	14.4	14.4
Employee	33151	85.2	99.7
Family worker	135	.3	100.0
Total	38899	100.0	

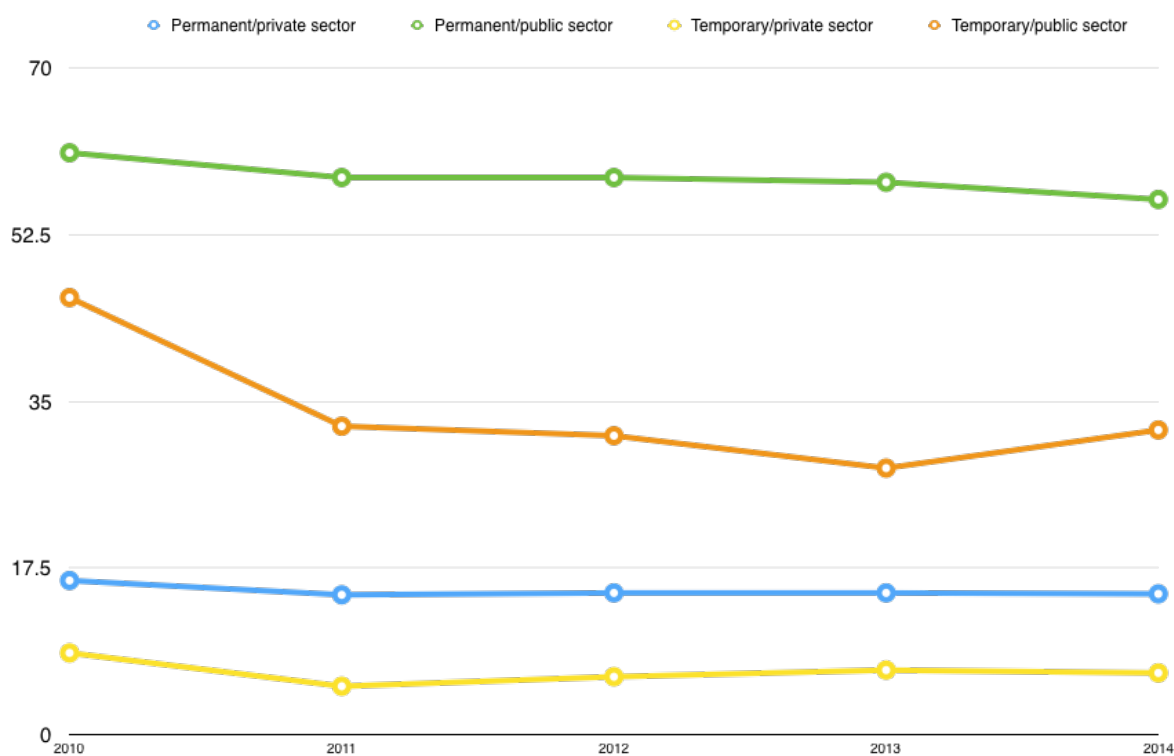
**Figure 1: Reasons for part-time work (Source: Eurostat Labour Force Annual Survey, 2013)**



**Figure 2: Reasons for temporary work (Source: Eurostat Labour Force Annual Survey, 2013)**



**Figure 3: Trade union membership density disaggregated by sector and forms of employment (Source: Labour Force Survey, Office for National Statistics)**



### 2.3 From dual labour market theory to a dynamic model of labour market segmentation

This part of the present chapter sketches out a dynamic model of labour market segmentation as a theoretical foundation of the thesis. The dynamic model draws on converging and diverging tendencies between labour market segments, which distort a frontier between them and affect employee behaviours (Grimshaw and Rubery, 1998; Grimshaw et al., 2007; Marchington et al., 2005). It is thus at odds with a pivotal assumption within the dual labour market theory, namely that labour markets are divided into homogeneous primary and secondary segments composed of standard employees and contingent workers respectively (Doeringer and Piore, 1971; Atkinson, 1984). In what follows the dual labour market theory is introduced in more detail alongside its crucial limitations which in turn help

formulate a dynamic model of labour market segmentation, a central theoretical model within the current study. Thereafter existing literature on trade union strategies and methods used towards contingent workers is reviewed followed by literature on the distinction between contingent workers' and standard employees' attitudes towards trade unions.

### *The dual labour market theory*

Dual labour market theory conceives the labour market as an entity composed of primary and secondary segments (Doeringer and Piore, 1970 and 1971; Berger and Piore, 1980). The theory is a derivative of the dual economic model predicated upon two clearly distinguishable sectors: formal and informal (can also be rural and urban) (Peck, 1989; Tolbert et al., 1980). Such a structure is deemed useful in that it helps to understand the diversity and functioning of the economy. Likewise, the dual labour market model separates two segments within the labour market: primary and secondary populated by core or standard employees crucial for the organisation of production and the peripheral workforce inessential for the production process (Doeringer and Piore, 1970). The dual model emerged as opposition to the neo-classical economics, for it rejects the supposition of a homogenous indivisible market where all actors are driven by their rational choices (Peck, 1989; Pisauo, 2000; Oi, 1990). Its pillars are as follows (Doeringer and Doeringer, 1971; McNabb, 1987; Reich et al., 1973; Mayhew and Rosevell, 1979). First, the dual labour market theory assumes that labour markets are 'divided segmentally and not continuously' into primary and secondary labour markets (Berger and Piore, 1980: 2). Employees between the two segments may possess a conformable set of skills; however career ladders, employment circumstances and remunerations differentiate substantially between the two segments (Hirsch,

1980; Tolbert et al., 1980). In a similar vein, the levels of job security and employee representation vary considerably between primary and secondary segments (Bonet et al., 2013; Brosnan et al., 1995; Dekker and van der Veen, 2015).

The second pillar is more controversial, as it centres on the assumption about virtually insignificant labour migration between primary and secondary segments. This is not to say primary and secondary segments are completely static (Doeringer and Piore, 1970). On the contrary, the primary segment has an inner structure composed of an upper tier and a lower tier, with both tiers being populated by managerial and professional jobs. The jobs in the upper tier differ from the ones in the lower tier in that they are associated with a higher degree of professional freedom and more stable career patterns (Osterman, 1974). Such jobs are also characterised by variant subcultures between the two tiers. There is, according to dual labour market theorists, intensive migration between upper and lower tiers along so-called mobility chains predicated upon workers' qualification levels and learning abilities, but constrained by the prevailing production process (Berger and Piore, 1974; Doeringer and Piore, 1971). Mobility chains thus constitute a sort of career ladder available exclusively in the primary segment, but not in the secondary (Doeringer and Piore, 1970). No mobility is thus assumed between primary and secondary segments.

The dual labour market model is cemented at the organisational level in internal and external labour markets (these are not the same though as primary and secondary segments). Central for drawing a distinction between the two is the concept of organisation of production, i.e. technical and governance factors of the production process involving the production function itself, transaction,

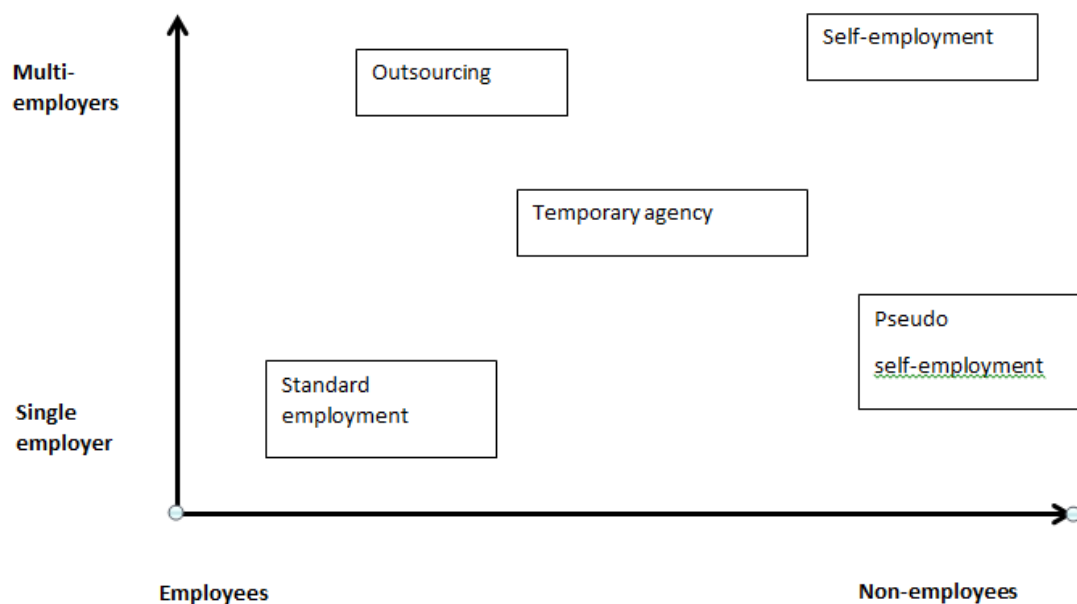
coordination and other relevant costs alongside the allocation of labour (MacKenzie, 2008). Three factors, deeply embedded in the organisation of production, are usually associated with the generation of internal labour markets and their separation from external labour markets: skill specificity, on-the-job training and customary law (Doeringer and Piore, 1971: 25). As regards skill specificity, a rapid technological change in developed capitalist economies has affected the organisation of production dramatically, which in turn fostered organisational dependence upon the kinds of skills that can be attained by employees within the organisation, but not outside its boundaries (Reich et al., 1973). This fuelled a split of the workforce into the core (employees deeply embedded in the production process) and periphery (such employees can be easily replaced without a significant surge in costs of recruitment and training). Skill specificity accentuates training, as cost-wise it is more efficient for employers to train and retain core employees instead of hiring outsiders. For the latter entails expensive labour market screening and selection procedures exacerbated by the length of a learning curve for newly incumbent employees (Doeringer and Piore, 1971; Fervers and Schwander, 2015). On-the-job training - the second pillar of internal labour markets - is different from standard training procedures in that it is mostly informal. Such training evolves from unspoken and unwritten work practices established by core employees within an internal labour market. The combination of skill specificity and on-the-job training forms the crux of an internal labour market, which appears rigid and self-contained as opposed to an external labour market governed by the neoclassical principles of demand, supply and competition (Peck, 1989; Hirsch, 1980; Berger and Piore, 1980; Ko, 2003).

The third pillar of the dual model, custom, concerns employee behaviours, or more broadly habits, between internal and external labour markets (Tolbert et al., 1980). The dual labour market theory posits a pivotal role of internal labour markets in setting up customary laws, which are unspoken and generated by past experiences of core employees (Doeringer and Piore, 1970). Such rules in turn shape employee habits, i.e. a routine behaviour that is repeated continuously and occurs rather unconsciously (Doeringer and Piore, 1971). The formation of habits by internal labour markets is possible because employees within it form a homogeneous coherent unit, which generates norms and patterns of behaviour so as to distinguish the members of an internal labour market from outsiders (Tolbert et al., 1980; Doeringer and Piore, 1971). The extant literature on labour market segmentation oftentimes omits this third pillar of dual labour market theory. Custom, however, is an inseparable component of internal labour markets. It is a direct consequence of the first two elements (skill specificity and on-the-job training), but at the same time a unique and crucial ingredient, without which our understanding of segmented labour markets will be incomplete.

Until relatively recently the dual labour market model has not been explicitly associated with standard employees and contingent workers. Available empirical evidence though allows for the suggestion that primary and secondary labour markets are composed of standard employees and contingent workers respectively (Cross et al., 2000; Kalleberg, 2000; Polaieja, 2003). Such a split is deemed to occur along two interspersed dimensions: the dimension of the organisation of production and the dimension of contractual circumstances of employees. As illustrated by Marchington et al. (2005: 18), internal and external labour markets fit a twin-dimension scheme depicted in Figure 4. The first

dimension, namely contractual forms of employment relations, ranges from strictly contractual work through to self-employment. The second dimension represents the organisation of production wherein an organisation is either self-contained, i.e. based on its own production process, or a network-based and dependent thereby very much on the supply chains and production processes outside the organisational boundaries. Figure 4 depicts this framework as a Descartes' type of coordinate system, with a contract type variable signifying the x-axis (ranging from standard employment through to the extreme forms of contingent labour). The organisation of production is located on the y-axis (a single employer versus a multi-employer organisation). This twin-dimension scheme of employment flexibility is characterised by a move along the two axes such that every step away from the origin towards any pole reflects a shift towards a secondary labour market characterised by lower levels of job security for employees but greater flexibility for the organisation (Forde and Slater, 2005; Forde et al., 2008; Lautsch, 2002). Simply put, pretty much everything outside a narrow box at the origin of the graph can be considered as part of secondary labour markets.

**Figure 4: Twin-dimension of employment flexibility**





It should be borne in mind though that employee contractual circumstances have very little to do with the rationale for the dual labour market theory. Simultaneous occurrence of skill specificity, on-the-job training and custom constitutes an internal labour market and predefines its separation from an external labour market, but not the mere fact that a significant cohort of workers within the latter are hired through contingent forms of employment. Having said that, it is true that statistically contingent workers are much more likely to reside in secondary labour market positions than their counterparts on standard employment contracts (Dekker and van der Veen, 2015; Greiner and Flaschel, 2011). Whether such a strict dichotomy persists is debatable. For now, it is sufficient to reinforce that primary labour markets are explicitly linked to standard employment whereas secondary markets are associated with contingent work (Dekker and van der Veen, 2015). Within economic theory it is further assumed that primary markets are occupied predominantly by monopolies or quasi-monopolies, i.e. the organisations with substantial leverage that allows them to hold a dominant position in the market (Peck, 1989; Hirsch, 1980). Such firms can afford paying above market wages and providing their employees with fringe benefits. Likewise, they are more likely to cooperate with trade unions (Teicher et al., 2006; Pfeifer, 2013). Conversely, secondary labour markets are composed of firms that strive to survive in the competitive markets, with a hardly predictable demand for their products and services on the one hand and financial restrictions on the other hand (Dittrich, 2008; Hirsch, 1980). Such organisations use contingent labour in order to increase their competitiveness. They therefore strongly oppose employee representation as something that undermines their competitiveness.

The dual labour market theory is important because it illuminates the rationale for trade union responses to contingent labour. For employees between primary and secondary segments are thought to have different needs which necessitate differentiated trade union policies. This, however, is based on the assumption that primary and secondary labour markets are homogeneous (Cappelli and Keller, 2013; Dickens and Lang, 1985). If such an assumption does not hold up trade unions may face new challenges, in that their actions are then incompatible with dynamic segmentation processes in the labour market. In what follows a rapidly growing body of critical research that contests a crude principle of dichotomous labour markets is assembled under the umbrella of a dynamic model of labour market segmentation. The model adheres to the notion of labour markets being segmented, but contends that primary and secondary segments are not static, as they are influenced by converging and diverging tendencies that distort the frontier between labour market segments. Such tendencies also occur within trade unions and have profound implication for their responses to contingent labour. Converging and diverging tendencies originate in the changing forms of the organisation of production whereby the allocation of standard employees and contingent workers in the production chains becomes increasingly interspersed. This in turn poses major challenges to trade unions, as their strategies directed towards contingent workers are still based on the perception of labour markets being dichotomous, with a homogeneous segment of contingent workers (Heery and Abbott, 2000; Pulignano et al., 2015).

#### *Towards a dynamic model of labour market segmentation*

In what follows a dynamic model of labour market segmentation is introduced as an alternative to the dual labour market theory. The model rests on the same

rationale, namely that labour markets are structured segmentally rather than continuously, but with a few notable exceptions. Firstly, a growing body of critical research suggests that the dual structure of labour markets has been distorted (Beynon et al., 2002; Marchington et al., 2005; Grimshaw and Rubery, 1998). That is to say, a frontier between primary and secondary labour markets is blurred due to the on-going segmentation of labour markets. The latter triggers intensive migration of jobs between labour market segments, undermines the rigidity of internal labour markets and diversifies the segment of contingent workers (Cross and Johnson, 2000; Marchington et al., 2005; Grimshaw and Rubery, 1998; Buddelmeyer and Wooden, 2011). Secondly, because a secondary labour market is diverse in itself, it is erroneous to conflate different types of contingent labour into one homogeneous segment (Broschak and Davis-Blake, 2006; Forde et al., 2008; Forde and MacKenzie, 2007). As such, contemporary labour market segments are dynamic and characterised by converging and diverging tendencies between primary and secondary segments.

A converging tendency is thought to bridge the gap between the segments of contingent workers and standard employees to an extent that it gets virtually inconceivable to tell the two apart (Beynon et al., 2002; Marchington et al., 2005). Convergence may occur because of improvements in the status and wellbeing of contingent workers such that they gradually uplift towards standard employment signifying thus a levelling up kind of effect (Hipple, 2001). A converging tendency also manifests itself through deterioration of employment circumstances of standard employees who thereby become akin to contingent workers in that such employees no longer enjoy the privileges of secure, stable employment (Rueda, 2014, 2006). A pertinent example of the former is improving conditions of

subcontractors and agency labour where trade unions' best efforts coupled with the most recent legislative amendments helped bridge the gap between contingent workers and standard employees (Forde and Slater, 2016). Turning to the latter, depletion of formerly secure employment in higher and further education provides perhaps the best example of how worsening employment circumstances of standard employees distort the frontier between them and contingent workers, for instance those on zero-hours contracts (UCU, 2014). A diverging tendency is by contrast associated with the emergence of the segment of contingent workers that deviates substantially from standard employees. The divergence concerns primarily the public sector where a recent tendency towards privatisation and marketisation of public services has incited the gestation of a conspicuous segment of contingent workers, concerning primarily those on zero-hours contracts, agency workers and subcontractors (Grimshaw et al., 2007; Ward et al., 2001). Another example here is proliferation of casual labour and bogus self-employment into the telecommunication and contraction industries (MacKenzie, 2010; Harvey and Behling, 2008; Behling and Harvey, 2015).

Taken together, converging and diverging tendencies undermine the rigidity of internal labour markets. A diverging tendency fosters further diversification of the segment of contingent labour composed of numerous heterogeneous forms of employment involving casual work, agency labour, bogus self-employment and the like (Broschak and Davis-Blake, 2006; Ferguson, 1997; MacKenzie, 2008). Hence, our attention should be switched from conditions of primary and secondary labour markets as such towards thorough scrutiny of converging and diverging tendencies that distort a frontier between them. These observations call into question the dual labour market theory, harshly criticised on many grounds but

predominantly for its crude assumption about how labour markets are structured and for overstating the homogeneity of primary and secondary labour markets. This is not to say contemporary labour markets are unstructured and non-institutionalised. On the contrary, a primary segment and an internal labour market are by all means relevant and perhaps still governed by institutional and organisational powers introduced by Doeringer and Piore more than forty years ago (Doeringer and Piore, 1971). Notwithstanding analytical rigor of the theory, a growing body of literature highlights its crucial limitations (Grimshaw and Rubery, 1998; Ward et al., 2001; Grimshaw et al., 2007; Wachter, 1974): (i) the lack of account of dynamic tendencies in the labour market that distort a frontier between primary and secondary segments; (ii) employers' extensive use of contingent labour which blurred the frontier between the core and peripheral workforce.

The most important concern that arises in relation to the dual labour market theory is the fact that primary and secondary labour markets are no longer easily distinguishable. This occurs because of extensive migration of jobs between the two segments, which thereby refutes one of the basic assumptions of the dual model, namely that mobility chains span solely internal labour markets, but never go beyond that (see Doeringer and Piore, 1970, 1971). As Marchington et al. showed, contemporary organisations are deeply embedded in the external environment and can no longer rely on their internal production process (Marchington et al., 2005). Not only does it entail the expansion of businesses into new markets and geographic areas, but also demands a greater level of organisational flexibility relating to the organisation of finances, production chains and, crucially, the composition of the workforce (Beynon et al., 2002; Grimshaw et al., 2002; Marchington et al., 2005; Sheikh, 2010). The latter is of particular

importance for this study, as it distorts previously stable hierarchical-bureaucratic structures of employment relations, undermines employment practices within internal labour markets and fosters a diversity of contingent labour (Forde et al., 2008; Mackenzie et al., 2010; Martinez Lucio and MacKenzie, 2004). Beynon et al. (2002) further enriched our knowledge of the transformation of labour markets by introducing three rings of factors that impinge upon organisational structures and spur dynamic tendencies in contemporary labour markets: (i) performance pressures (triggered by the expansion of competitive markets); (ii) organisational culture and power relations (historically grounded but affected significantly by a changing nature of employment relations); (iii) the regulatory conditions (imposed by the prevalent economic regime and state policy) (Beynon et al., 2002: 26-34).

What occurs between and within labour market segments has been examined in studies such as Grimshaw and Rubery's (1998) study of integration between internal and external labour markets, and Grimshaw et al. (2007) in-depth case study of hospitals in five European countries. These studies uncovered converging and diverging tendencies in coordinated wage setting and collective bargaining (Grimshaw et al., 2007). The thesis uses the same rationale and argues that similar tendencies may occur between labour market segments as well. For a blurred frontier between primary and secondary segments is nothing else than reflection of a converging tendency unravelled by Grimshaw and colleagues in relation to countries, sectors of the economy and occupational groups (Grimshaw and Rubery, 1998; Grimshaw et al., 2007; Grimshaw et al., 2015).

Not only do labour market segments converge, but they also diverge under the impact of technological change and new forms of the organisation of production (Beynon et al., 2002). This implies that regulatory mechanisms within the labour

market have shifted beyond the strict boundaries of primary and secondary segments (Miozzo and Grimshaw, 2011; MacKenzie, 2008; MacKenzie and Martinez Lucio, 2005). The outcomes of converging and diverging tendencies between labour market segments are as follows. To begin with, intensive labour migration between primary and secondary labour segments has undermined the homogeneity of these segments, such that considering them in isolation from one another is no longer plausible (Mackenzie, 2008; Grimshaw and Rubery, 1998; Marchington et al., 2005). This tendency is fuelled by widening inequality between labour market segments whereby more employees are being forced into a contingent type of work against their own accord. Thus the distance between standard employees and contingent workers contracts, particularly in a sense that the former no longer experience the privileges of job security and other fringe benefits associated with standard employment contracts (Cappelli and Keller, 2013). As mentioned above, the converging tendency is particularly conspicuous in relation to an overlap of casual employment, for instance zero-hours contracts in higher education, and standard employment contracts (UCU, 2014). It also manifests itself through marginal improvements in the status of agency workers and subcontractors, particularly in the sphere of material production like textile and steel industries. The latter fact was unveiled in a trade union's survey of agency workers in the respective industries. To cut a long story short, in line with a converging tendency between primary and secondary segments workers who were strictly allocated within internal labour markets migrate extensively towards external labour markets. At the same time, contingent workers tend to take jobs in a primary market (Forde et al., 2008; Stone and Arthurs, 2013).

Convergence is not the only plausible scenario though, for a diverging tendency appears to be an equally plausible trajectory of contemporary labour markets. The externalisation of the organisation of production has spurred the use contingent labour in sectors previously characterised by highly structured and stable internal and external labour markets, with perhaps the most striking examples of such industries as construction, telecommunication and the care sector (at least in the UK context) (MacKenzie et al., 2010; Harvey, 2003; Grimshaw et al., 2015; Hoque and Kirkpatrick, 2008). In such sectors contingent workers have formed a new segment externalised from internal labour markets, like for example an army of self-employed workers in the construction industry (see Harvey, 2003; Harvey and Behling, 2008). By the same token, nurses and carers in the care sector who used to form the crux of internal labour markets were either outsourced to subcontractors and employment agencies or were coerced into zero-hours contracts without a guaranteed workload (Stone and Arthurs, 2013; Emmenegger et al. 2012, Grimshaw et al., 2007). Not only does the externalisation of contingent labour occur in certain industries, but also the diversification of contingent forms of employment increasingly takes place such that various types of contingent labour entail significantly different consequences for workers concerning working hours, career ladders and remunerations (MacKenzie et al., 2010; Okhuysen et al., 2013). For example, agency labour within the steel and textile industries is often incomparable with agency labour in the healthcare sector, as these forms of employment rest on different skills composition of the workforce and profoundly variable chances for career progression (Eichhorst et al., 2010). Such a flip-side of a diverging tendency is at odds with the propensity to conflate contingent forms of employment within the dual labour market model (Eichhorst and Marx, 2011; Lindvall and Rueda, 2013).



A system composed of converging and diverging tendencies between primary and secondary labour market segments is labelled within this study 'a dynamic model of labour market segmentation'. Like the dual labour market theory, it rests on the assumption that labour markets are structured segmentally. However, it refutes a crude analytical exercise employed by dual labour market theorists, as entails two crucial limitations. Firstly, within the dual model primary and secondary segments are conceived as homogenous entities governed by entirely difference principles (institutional within a primary segment and neoclassical with regard to a secondary segment). Secondly, contingent forms of employment that form the bulk of the secondary labour market are conflated without acknowledging their diversity. The dynamic model extolled in this chapter is thought to successfully tackle the aforementioned limitations. Its implications for trade unions, particularly the effect on the composition of trade union membership, are reviewed below.

### *Implications for trade unions*

The present thesis utilises a dynamic model of labour market segmentation, as it may shed new light on the rationale for the trade union response to contingent labour. It is important to note though that the dual model still shapes the trade union response to contingent labour, for existing union strategies are evidently predicated upon the perception of labour markets as a dichotomous entity (Pulignano et al., 2015; Olsen, 2005). The consequence of that is two-fold. Firstly, it is assumed within the dual model that trade union responses to contingent labour are effective if tailored exclusively to contingent workers, with limited reference if any to standard employees (Olsen, 2005; Gumbrell-McCormick, 2011). Secondly, assuming that needs and behaviours of contingent workers are different from those of standard employees accentuates the necessity to formulate the

means of representation other than collective bargaining and union-management deliberations; such means of representation are very likely to be located beyond the workplace level of representation (Heery, 2009; Conley and Stewart, 2008). If, however, trade union membership is no longer clearly split into primary and secondary segments, trade unions' strategies designed on the premise of the dual model appear to be at best inadequate. This pivotal challenge justifies the use of the dynamic model and is reviewed below in more detail.

In accordance with the dual labour market theory workers' contractual circumstances and needs vary considerably between primary and secondary segments (Doeringer and Piore, 1971; Eichhorst and Marx, 2011; Rueda, 2014). The consequences of such a process for trade unions are profound. First of all, the segmentation has partially caused an unprecedented trade union decline in the UK. It will suffice to mention that in statistical terms trade union density fell by 30 per cent between 1979 and 1998, which reduced collective strength of trade unions and, subsequently, fuelled a tumble in collective bargaining coverage across all major industries in the UK (Gumbrell-McCormick, 2011; Heery et al., 2003). There is, of course, a direct effect of political turbulence on such a poor state of trade unions in the UK (Darlington, 2010; Delsen, 1990). Having said that, labour market segmentation played by far a key role in the decline of British trade unionism and shaped the challenges facing trade union in the current formation of capitalism (Frege and Kelly, 2003; Heery and Simms, 2008; Hyman, 1997). In recent decades, labour market dualisation has significantly affected the cluster of European countries, particularly the UK, by undermining the welfare state and affecting employment conditions in the public sector, where the bulk of union membership reside (Eichhorst et al., 2010). Subsequently, employment protection,

relevance of collective bargaining and the mobilisation potential of the workforce have all been depleted (Rueda, 2014). At the helm of the age of dualisation is inequality, incremental job demands, shorter spells of employment chaperoned by dwindling employees' organisational and trade union commitment (Emmenegger et al., 2012). Espoused by a prevalent political agenda towards labour market flexibility (Stone and Arthurs, 2013), these tendencies have attenuated the role played by trade unions in employment relations.

Second, an economic divide into insiders (standard employees within internal labour markets) and outsiders (contingent labour in external labour markets) has confronted trade unions with the necessity to prioritise one segment of workers over the other (Stone and Arthurs, 2013; Harvey, 2003; Lindvall and Rueda, 2013). Dual labour markets thus changed the way trade unions represent contingent workers, in that unions split their strategies into those tailored to standard employees and strategies directed towards contingent labour (Conley and Stewart, 2008; Gumbrell-McCormick, 2011). Not only has the segmentation affected trade union strategies, but also influenced workers' behaviours. Incremental job insecurity has undermined the very nature of solidarity and collective mobilisation, notably amongst contingent workers (Heery et al., 2000; Heery et al., 2004; Mckeown, 2005; Jacobs and Myers, 2013). In spite of poor working conditions and further externalisation of contingent labour from the organisation of production, the potential for collective mobilisation amongst contingent workers is reportedly at an extremely low level (Conley and Stewart, 2008; Sen, 2012). Moreover, contingent workers are very likely to expose lower work-related attitudes compared to standard employees (Darlington, 2010; Heery et al., 2004; Webster and Bischoff, 2011). This covers employees' work

engagement and organisational commitment alongside their perceptions of trade unions. For dual labour market theorists it occurs naturally, as unlike contingent workers standard employees are deeply embedded in internal labour markets wherein their habits are shaped by custom – a set of unspoken, unwritten rules generated continuously by actors only within an internal labour market (Doeringer and Piore, 1970). As such, whenever trade unions succeed in the representation of contingent workers they may inadvertently impinge on the interests of standard employees, which fuels tensions between trade union membership segments (see MacKenzie, 2010).

The aforesaid is true within the boundaries of the dual labour market theory. However, dynamic processes between trade union membership segments may have distorted such a crude structure. Congruent with the dynamic model, contingent workers and standard employees are not restricted by the boundaries of primary and secondary segments of trade union membership, and actively migrate between them (Pulignano et al., 2015; Gallagher and Sverke, 2005). As such, the composition of union membership may represent a mixture of a converging tendency, whereby the undermined rigidity of internal labour markets blurs the frontier between the cohorts of standard employees and contingent workers. On the contrary, a diverging tendency makes contingent forms of employment even more diverse and externalised from the organisation of production. Hence trade union strategies used towards contingent workers and standard employees may be less efficient in such a dynamic environment. In other words, the discrepancy between what trade unions do and how labour markets are actually segmented poses further challenges to trade unions in that both the ubiquity of workers' contractual circumstances and changes in their behaviours

and attitudes are neglected in existing trade union responses to contingent work (Goslinga and Sverke, 2003; Gallagher and Sverke, 2005).

Challenges that arise for trade unions from converging and diverging tendencies are fairly unequivocal. At the same time, a dynamic model of labour market segmentation points out the opportunities posed to trade unions by the rise of contingent labour (MacKenzie, 2010). These opportunities in many respects mirror the challenges (Conley and Stewart, 2008). For example, by unionising contingent workers trade unions may considerably improve their membership statistics (Hyman, 1997). For quantitatively contingent workers constitute a significant but still underrepresented segment in the labour market. Also, increasing trade union presence in the realm of contingent labour will help solve problems facing trade unions in dynamic labour markets (Hyman, 1997). In particular, it may reinforce trade union power and foster the reformation of somewhat archaic structures of trade unions inherently discriminatory against contingent labour.

Thus far, the present chapter has shown that despite its analytical rigor the dual labour market theory has not escaped crucial limitations. These limitations, particularly the homogeneity of labour market segments and a tendency within the theory to conflate different types of contingent labour, were addressed by means of a dynamic model of labour market segmentation. The latter is centred on the assumption that labour market segments and the composition of union membership experience converging and diverging tendencies, which distort a frontier between primary and secondary segments and, subsequently, affect employee behaviours. Such a line of argument is deemed to be novel, as it is largely overlooked in the bulk of extant literature. The remainder of the current chapter reviews existing literatures on trade union responses to contingent work. It

further follows the dynamic model and reviews prior research on differences between contingent workers' and standard employees' perceptions of trade unions.

#### **2.4 The trade union response to contingent work: Towards a conceptual framework**

This section of the present chapter formulates a conceptual framework of the trade union response to contingent labour. It draws on Heery's (2009) notion of three pivotal elements of the trade union response to contingent work, namely strategy scale and method. Each foregoing element is thoroughly operationalised and placed in a broader empirical debate. Thereafter, in line with the dynamic model justified above, the differences between standard employees' and contingent workers' attitudes towards trade unions are introduced as an important ingredient of the present study.

The evolution of trade union responses to contingent work has covered a fascinating pathway, from the exclusion of contingent workers from trade union membership through to the emergence of trade union activities tailored exclusively to contingent workers and their needs (Heery et al., 2004; Heery, 2009; Gumbrell-McCormick, 2011; Delsen, 1990). An initial decision to oppose the very existence of contingent work was driven by the perceptions of contingent labour as a direct threat to core union membership (Heery, 2009; Heery and Abbott, 2000; Gumbrell-McCormick, 2011). There were reputational risks as well. For instance, a move towards union policy that assumes unionisation of contingent workers on the same grounds as standard employees was long perceived by trade unions as failure to perform at their best (Böheim and Zweimüller, 2013; Gumbrell-McCormick, 2011; Heery, 2009). Circumstances changed considerably when contingent workers

have occupied a significant proportion in the labour market (Buddelmeyer and Wodden, 2011; Benassi and Dorigatti, 2014), for ignoring the existence of such a salient segment was no longer reasonable. (Böheim and Zweimüller, 2013; Gumbrell-McCormick, 2011; Heery, 2009). As a result, recent decades have witnessed the emergence and further development of the trade union response to contingent work (Hyman, 1997; Heery and Abbot, 2000; Conley and Stewart, 2008).

The foregoing gave laid a foundation of a fundamental theoretical framework of the trade union response to contingent work composed of the dimensions of *strategy*, *scale* and *method* (Heery, 2009; Conley and Stewart, 2008; Gumbrell-McCormick, 2011). The framework, formulated by Edmund Heery in his seminal work on trade union responses to the rise of contingent labour in the UK, forms the empirical basis of this study (Heery and Abbot, 2000; Heery, 2004; Heery et al., 2004; Heery, 2009).

### *Strategy*

With regard to the dimension of strategy Heery and colleagues have conceptualised the following strategic actions employed by trade unions: exclusion, regulation, replacement and engagement (Heery et al., 2004). Using the case of agency workers Heery (2004: 437) operationalised these strategies as a twin-dimension matrix sketched along the two dimensions: trade unions' attitudes towards contingent workers and relationships between trade unions and agency suppliers. The former ranges from the strategy of exclusion through to inclusion of agency workers in trade union membership. The latter is formed of such strategic choices as rejection or acceptance of agency suppliers as legitimate actors in

employment relations (Heery, 2004). When interspersed, these dimensions form four key strategies: exclusion, regulation, replacement and engagement. The strategy of exclusion denotes the exclusion of agency workers from trade union membership and rejection of agency suppliers as legitimate partners in labour negotiations (Heery, 2004: 437). By contrast, the engagement strategy assumes inclusion of agency workers in trade union membership and acceptance of employment agencies as negotiators over pay and conditions of agency workers (Heery, 2004: 437). The other types of union responses are located between these two polar strategies such that replacement implies the necessity to substitute private employment agencies with a more responsible supplier (Heery, 2004: 439). Regulation extends the policy of replacement by accepting agency suppliers as lawful negotiators, albeit trade unions driven by this approach tend to isolate agency workers from standard employees so as to reduce potential threats to job security of the latter (Heery, 2004: 441).

Spanning decades of his research on non-standard employment and trade unions, Heery (2009) has re-conceptualised exclusion, regulation, replacement and engagement strategies as exclusion, subordination, inclusion and engagement. Newly formulated strategies take account of the forms of contingent work beyond agency labour and subcontracting. Heery (2009: 431) formulated two broader strategies, namely subordination and inclusion, so as to reflect the variety of union responses to contingent work that fall between the polar strategies of exclusion and engagement. Subordination indicates the priority of interests of core union members over contingent workers whereas inclusion assumes equality between contingent workers and standard employees. The extremes remain untouched. Exclusion is aimed at unconditional elimination of contingent work from the labour



market (Heery 2009: 431). For this reason contingent workers are excluded from trade union membership. By contrast, engagement appreciates the fact that contingent workers have specific needs that cannot be comprehended by the bulk of traditional union activities (Heery, 2009: 431-432). Thus, by means of the engagement strategy trade unions seek to provide contingent workers with differentiated membership status and to devise activities tailored specifically to this segment of trade union membership (Heery 2009).

The foregoing exemplifies a conceptual framework used to depict the trade union response to contingent work. Heery (2009), however, went farther and explored the appearance of trade union strategies in more detail by decomposing union representation into the internal and external levels. For instance, in accordance with the exclusion strategy contingent workers are excluded from trade union membership (at the internal level of representation), but also from the labour market (the external level of representation). Subordination assumes reduced rights for contingent workers' participation in trade union membership as a reflection of internal representation and the allocation of contingent workers' in the secondary labour market position as a preferred mechanism of external representation. Conversely, inclusion rests on equal rights of contingent workers and core union members both within trade union structure and outside it, i.e. in the labour market (Heery, 2009; Gumbrell-Mccromick, 2011). Lastly, the engagement strategy ensures membership status tailored exclusively to specific circumstances of contingent workers, but it is also aimed at securing appropriate treatment for contingent workers in the labour market (Heery, 2009: 431). Such an elaborate framework elucidates the multidimensionality of the trade union response to contingent work and suggests that union representation of contingent workers may

not only stretch far beyond what is commonly perceived to be traditional union activities composed predominantly of labour-management negotiations, but also beyond the enterprise level of union representation towards the labour market as a whole (Heery, 2009; Conley and Stewart, 2008; Gumbrell-McCormick, 2011).

As regards the context of the current study, Heery's framework holds great promise, for the very range of the trade union response to contingent labour, from exclusion through to engagement, rests on the presence of a salient segment of contingent workers in the labour market. This is also evidenced by Heery's (2009) suggestion to look beyond the boundaries of union membership and take account of trade union actions in the labour market (i.e. the internal and external levels of union representation). The research to date is inconclusive in terms of prevailing trade union strategies directed towards contingent workers (Gumbrell-McCormick, 2011; Håkansson and Isidorsson, 2014; Simms and Dean, 2015). Whereas some empirical studies exemplify the rise of the strategy of engagement (Gumbrell-McCormick, 2011; Conley and Stewart, 2008), other scholars emphasise crucial individual (union- or firm- level) and institutional impediments for the extensive use of such strategies as engagement and inclusion (see Håkansson and Isidorsson, 2014; Benassi and Dorigatti, 2014). Moreover, there is an increasing evidence base to suggest a discrepancy between trade union strategic responses to contingent work at the two levels of union representation: internal and external (see Benassi and Dorigatti, 2014). Available empirical findings in this regard are summarised below.

Scholarly community appears unconvinced relating to the extent to which trade union responses to contingent labour are based on the engagement strategy. A number of propositions emerged relatively recently regarding the reasons why

trade unions might hesitate to provide contingent workers with a differentiated membership status and to design actions that span the contingent workforce beyond the enterprise level. First, there is a widespread assumption that trade unions may derive considerable benefits from the subordinate position of contingent workers compared with standard employees (Bergström and Styhre, 2010; Böheim and Zweimüller, 2013). Termed an 'encapsulation' policy, this approach rests on the idea that contingent workers can be used as the means by which standard employees can be protected from labour market fluctuations. In other words standard employees are buffered from dire economic circumstances, but in so doing trade unions discriminate against contingent workers (Böheim and Zweimüller, 2013). Moreover, trade unions may enhance their bargaining power by accepting the presence of contingent labour, as employers then reciprocate through concessions in negotiations with trade unions (Bergström and Styhre, 2010).

Second, trade unions may hold back on further unionisation of contingent workers, because it is seen immensely risky (Conley and Stewart, 2008). Contingent workers are highly susceptible to fluctuations in organisational employment practices which makes them prone to managerial control, for employers often appear omnipotent in the eyes of contingent workers (Conley and Stewart, 2008; Böheim and Zweimüller, 2004). Consequently, excessive spending on tailoring trade union activities towards contingent workers might never payoff, as employers can easily offset such activities. Along these lines, Böheim and Zweimüller (2013) suggest that agency labour is one of the factors utilised by employers to undermine trade union power. Likewise, Conley and Stewart (2008) contend that the rise of contingent labour played an important role in neutralising trade unions'

organising efforts in the public sector. Such risks are further aggravated by grave tensions between the two segments of trade union membership: contingent workers and standard employees. The tensions stem directly from contingent workers' peculiar needs, which are at odds with the interests of standard employees (Dean, 2012; MacKenzie, 2010). On a flip-side, trade unions may reconcile emerging tensions between their membership segments through greater engagement of contingent workers in trade unions (MacKenzie, 2010; Simms and Dean, 2015).

### *Scale*

The notion of scale is rooted in crucial challenges posed to trade unions by the rise of contingent labour, particularly in the inability of traditional enterprise-centered representation to cope with specific needs of contingent workers (Heery 2009; Conley and Stewart, 2008; Pernicka, 2009; MacKenzie, 2010). Since contingent work, if one takes a dichotomous view of the labour market, is isolated from an internal labour market and located beyond the enterprise-level, trade unions' actions orientated towards the enterprise level of representation cannot adequately reflect the interests of contingent workers (Conley and Stewart, 2008; Gumbrell-McCormick, 2011; Heery, 2009). Thus, trade unions have no other choice than moving beyond the enterprise level of employee representation and seeking for better representation strategies there (Conley and Stewart, 2008; Gumbrell-McCormick, 2011). Heery (2009: 434) labeled these two levels of representation as enterprise based representation and freelance representation suggesting that the latter is the optimal means by which trade unions may represent contingent workers more effectively. The difference between the two is discernible: whereas the enterprise-based representation is locked into the

organisational boundaries which reflects upon all key areas of representation involving recruitment, participation, servicing, collective bargaining and legal regulation, the freelance system of representation is embedded in the labour market and has virtually no connection with union activities at the organisational level (Heery, 2009: 434)

Available empirical evidence corroborates the aforementioned proposition by explicitly showing that activities shaped by the enterprise model of union representation and collective bargaining bear little relevance for contingent workers (Heery, 2009; Heery et al., 2004). A pertinent example in this regard is agency work where agency workers are still largely excluded from collective bargaining; hence, the added value of union deliberations with management for this group of workers is close to zero (Heery, 2004). Even in the case of contingent workers being formally covered by collective agreements, the relevance of enterprise-based trade union representation is rather obscure (Bolton et al., 2012). For instance, employees on fixed-term contracts with limited chances to make long-term commitment to the organisation see little value (if any) in collective agreements. They would rather improve their skills so as to strengthen their position in the labour market and increase the likelihood for further employment (Conley and Stewart, 2008; Gumbrell-McCormick, 2011). Another example here is a study of fixed-term employees in tertiary education, which concluded that even with regard to contracted contingent labour unions may seek for representation mechanisms outside the organisational level because negotiations with employers fail to improve career prospects of such employees (Conley and Stewart, 2008). There are other empirical studies that however arrive at a conformable conclusion: trade unions need to move beyond the enterprise level in order to effectively

address the needs of contingent workers (Gumbrell-McCormick, 2011; Heery et al, 2004; Heery, 2009). This process is termed an 'upscaling' (Heery, 2009).

Although there is a considerable degree of agreement amongst scholars with regard to the necessity for trade unions to operate an 'upscaling' type of policy, there is no clarity regarding the extent to which such an approach formed the crux of the trade union response to contingent labour (Teicher et al., 2006; Wright, 2013; Heery, 2009). Further challenges to an upscaling arise from a dynamic model of labour market segmentation. The proposition to move beyond the enterprise level of representation rests on key postulates of the dual labour market theory: firstly, that there is a homogeneous and significant cohort of contingent workers located beyond organisational internal labour markets. Secondly, despite a diversity of contingent forms of employment contingent workers appear to be insecure and deprived of traditional career ladders (Pulignano et al., 2015; Benassi and Dorigatti, 2014; Benassi and Vlandas, 2015). According to the dynamic model these two tenets are no longer sufficient to justify a significant turn in the trade union response to contingent labour. To begin with, in light of the ongoing labour market segmentation, which has distorted the frontier between primary and secondary segments, one cannot extensively rely on a crude dichotomous principle of the dual labour market theory and should thereby question the homogeneity of contingent labour (MacKenzie, 2008). In a similar vein, conflating different types of contingent labour and suggesting that shifting beyond the enterprise level of representation will suit the bulk of contingent workers is rather an overoptimistic assumption. In so doing trade unions may erroneously assume that contingent labour is predicated on workers' allocation outside internal labour markets, which, as it was shown in the earlier parts of the

chapter, is not necessarily the case. Thus by shifting their policies beyond the enterprise level trade unions may fail to address the needs of contingent workers. They may however undermine job security of standard employees. Even the proponents of an upscaling admit that overall success of such type of policy depends primarily on the extent to which union-management deliberations exclude contingent labour from their agenda (Conley and Stewart, 2008; Gumbrell-McCormick, 2011). An upscaling is thus contingent on the degree to which employees in secondary labour markets are externalised from their counterparts in primary labour markets.

### *Method*

Method is another pillar of the trade union response to the rise of contingent labour, which according to Heery (2009) consists of the elements of unilateral regulation, collective bargaining, legal regulation, and mutual assurance. According to Heery (2009: 436), the first three types of methods form a bundle of policy-making activities through which trade unions attempt to regulate employment conditions of contingent workers. This can be done by setting up the terms and conditions of employment unilaterally, i.e. solely by trade unions through the use of their power to affect the labour market or by the means of pertinent legislative initiatives (Heery, 2009; Benassi and Dorigatti, 2014). *Mutual assurance* is in striking contrast with regulatory activities in that it is composed predominantly of services designed and provided exclusively to contingent workers.

There is agreement in prior research that the methods of *unilateral regulation* and *collective bargaining* occupy a peripheral position among trade union activities

whereas mutual assurance and legal regulation have slowly drifted towards the forefront of trade union strategies directed towards contingent workers (Heery et al., 2002). Such a move is predicated upon greater value of the methods of mutual assurance and legal regulation for the bulk of contingent labour. Mutual assurance is prioritised to collective bargaining and unilateral regulation due to the fact that it is not restricted to organisational boundaries and congruent therefore with an upscaling introduced above (Heery, 2009). By and large, trade unions turn to methods outside collective bargaining because the latter fail to take account of contingent workers' needs and aspirations (Gumbrell-McCormick, 2011).

The failure of collective bargaining does not come as a surprise. For enterprise-based collective agreements bear little relevance for the bulk of contingent workers (Conley and Stewart, 2008; Gumbrell-McCormick, 2011). Multi-employer collective agreements, which were advocated by some commentators as a step forward in the trade union representation of contingent workers, have not gained prominence in the UK for various reasons, but most notably due to an overall decentralisation of collective bargaining and the absence of appropriate employers' associations at the other side of a negotiation table (Heery et al., 2004). Albeit trade unions signed a number of recognition agreements with employment agencies, such initiatives remain sidelined from core union activities (Heery, 2004; Heery, 2009; Conley and Stewart, 2008; Gumbrell-McCormick, 2011). A crucial impediment to the use of unilateral actions and collective bargaining is rapid changes in the organisation of production. For amidst painstaking negotiations with managers trade unions lose the flavour of labour market dynamism and lag behind the transformations in employees' contractual circumstances. Simply put, bargaining priorities established by trade unions to



represent contingent workers in negotiations with employers become obsolete long before the collective agreement is signed (Pernicka, 2009; Gallagher and Sverke, 2005). Thus trade unions have no other choice than turning their attention to other more flexible means of representation, for example mutual assurance.

*Mutual assurance* involves a sheaf of union activities (mainly services) tailored exclusively to contingent workers. Heery (2009) differentiates three groups of such services: security services, training provision and labour market services. These were used in order to counterbalance growing pressures of job insecurity on contingent workers. Organising training sessions for contingent workers is thought to provide them with job specific and broader employment skills thereby increasing their employability (Heery, 2009; Gumbrell-McCormick, 2011; Dean, 2012). Labour market services stretch beyond that and support union members at the level external from the organisation. Put differently, trade unions tend to provide their own services both independent of the organisation and beyond the enterprise-level of representation acting therefore as an intermediary between the labour market and contingent workers (Heery, 2009). It is hard to summarise such services, as they tend to vary from one trade union to another depending on the needs and circumstances of contingent workers (Simms and Dean, 2015; Dean, 2012, Wills, 2009). These may involve individual consultations and legal representation (especially for artists, musicians and even construction workers), career advice and HR services (a pertinent example here is employees in higher and further education), and, on rare occasions, complete HR services where trade unions act as a full-scale employment agency (Heery, 2009; Dean, 2012; Simms and Dean, 2015).

The method of *legal regulation* has gained prominence alongside *mutual assurance*. Although the most desirable scenario for trade unions is total and unconditional abolition of contingent labour or, as minimum, its worst forms, union leaders operate on a more pragmatic approach by attempting to steadily bridge the gap between contingent workers and standard employees (Adams and Deakin, 2014; Delsen, 1990). In so doing, trade unions concentrate a significant proportion of their resources on lobbying legislative initiatives that can improve contingent workers' position in the labour market (Heery, 2009; Conley and Stewart, 2008; Pernicka, 2009). The most recent advancement of trade unions in the field of legal regulation was Agency Workers Regulations (AWR) (enacted in 2011), which spanned a decade of union negotiations with the government. Although a notorious Swedish derogation that allows employers to place agency workers into a 'between the contracts' situation and thereby avoid providing them with equal treatment was not agreed upon with trade unions and caused a considerable resistance from the latter, AWR is perceived by union leaders as the hallmark of trade union responses to agency work (Gumbrell-McCormick, 2011). This marked a turn in trade union responses to contingent work to the method of legal regulation (Heery, 2009; Gumbrell-McCormick, 2011).

It is important to stress that one should not conceive the rise of methods of mutual assurance and legal regulation as a sign of an unconditional decline of collective bargaining. The dynamic model opens up a room for revitalisation of collective bargaining, for a blurred frontier between contingent workers and standard employees may spur the convergence of their interests and reinforce the value of union-management negotiations for both segments. It may also mitigate grave tensions between membership segments by means of effective and

comprehensive collective bargaining (MacKenzie, 2010; Simms and Dean, 2015). Multi-employer collective agreements may also be resurrected through the creation of a wider network of negotiators involving employers, employment agencies, subcontractors and other stakeholders. Such a network will then cover contingent workers outside the organisational level of union representation. In order to make this scenario possible trade unions need to increase their presence in the area of contingent work by unionising larger groups of contingent workers (Gumbrell-McCormick, 2011; Wills, 2009). There are some positive signs here, particularly union campaigns aimed not only at unionising contingent workers, but also at engaging with other social movements. The Living Wage Campaign (LWC) is a pertinent example in this regard. The campaign was deemed a success, as it has reportedly increased the solidarity among contingent workers, especially in the hospitality sector where subcontracted labour supported trade unions quite actively (Wills, 2009).

In summary, more research is needed to unravel the extent to which the methods of mutual assurance and legal regulation signified a decisive turn in union actions towards new forms of union policy concentrated beyond the enterprise level of representation. At the same time, the argument in favour of union-management negotiations should not be dismissed. For under the impact of a dynamic model of labour market segmentation union-management deliberations may be revitalised as a method pertinent for the representation of contingent workers.

## **2.5 Employee perspective: Contingent workers' and standard employees' perceptions of trade unions**

Thus far the present chapter was concerned with causes and consequences of the effect of contingent work on trade unions and with the theoretical framework that

can underpin the trade union response to the rise of contingent labour. This is to say all basic aspects of a dynamic model of labour market segmentation concerning the dimension of the organisation of production have been covered. The remainder though is of equal importance for the context of this study, as it covers what labour market theorists call 'custom', i.e. a set of unspoken, unwritten rules generated by internal labour markets and crucial for shaping employee habits (Doeringer and Piore, 1971). Since custom occurs only in an internal labour market, employees within it are thought to differ significantly in their habits and behaviours from so-called outsiders, i.e. workers who belong to external labour markets (Berger and Piore, 1980; Atkinson, 1986). Contingent workers thus, *ceteris paribus*, behave very differently and expose variable work attitudes compared with their counterparts on standard employment contracts. This is of course true if and only if the bulk of contingent workers belong to the secondary market positions that do not overlap with primary labour markets (Atkinson, 1984 and 1986; Hakim, 1990). Contingent workers may though expose behaviors similar to standard employees, but only if they join an internal labour market and stay there for a relatively long period of time (Doeringer and Piore, 1971).

So far so good, except if one assumes that the dual labour market theory should be treated in a more critical fashion and employs instead a dynamic model of labour market segmentation. The very assumption that custom shapes exclusively the behaviours of insiders is incongruent with the latter. Because a frontier between labour market segments has been blurred previously impenetrable links between standard employees and the organisation of production as well as the idea of contingent workers being isolated from primary labour markets are no longer clear-cut (Grimshaw and Rubery, 1998; MacKenzie, 2008). Moreover,

because of growing migration of jobs between primary and secondary segments standard employees' psychological attachment to their organisations may have weakened significantly; hence, insiders may now expose work attitudes conformable with those of contingent workers (Goslinga and Sverke, 2005).

The foregoing has profound consequences for trade unions. For in line with the dual labour market model not only do contingent workers' perceptions of trade unions show inconsistent patterns, but also their desire for union representation is at supposedly lower levels than that of standard employees (Putnam, 2014; Goslinga and Sverke, 2003; MacKenzie, 2010). If, however, a crude dichotomous structure of the labour market no longer holds up, a question arises of whether the habits of contingent worker and standard employees still differ from one another. The aforementioned question is overlooked in existing research on the trade union response to contingent labour (except for Goslinga and Sverke, 2003; MacKenzie, 2010). Considering this as an important void, the present chapter reviews rather sparse empirical evidence on differences between contingent workers' and standard employees' perceptions of trade unions, and then poses crucial questions for further investigation. Prior to that, relevant theoretical stances on employee desire for union representation are reviewed in more detail.

Being by definition a cross-disciplinary area of research, the studies of employee attitudes towards trade unions are drawn on the rationales from social psychology, economics and sociology of work. With such impressive baggage, the principles of social psychology, particularly the expectancy-value perspective (Kochan, 1979; Kelly, 1998; Klandermans, 1984 and 1986; Godard, 1997), were utilised in the bulk of prior research. The expectancy-value approach portrays employee propensity for unionisation as a choice-based dilemma where workers decide to join trade

unions and uphold union actions on the premise of potential payoffs of such steps and punishments associated with a pro-union behaviour (Fiorito, 2001; Robinson, 1988; Fullagar et al., 2004). For instance, in circumstances where positive employee outcomes such as higher levels of job satisfaction and job security are actively cultivated the added value of union representation is low and employees are less likely to desire trade union representation (Charlwood, 2002; Bryson and Freeman, 2013; Chacko, 1985; Guest and Dewe, 1988). By contrast, employee disappointment with working conditions, incremental job insecurity and workers' subordinate position in the organisation are deemed to increase the value of trade union representation and thereby positively affect workers' propensity for unionisation (Charlwood, 2002; Bryson and Freeman, 2013; Chasko and Greer, 1982; Fiorito, 1987). This is not to say punishments imposed by employers on employees who cooperate with trade unions are out of the scenery. If employees are satisfied with their jobs and expose high levels of organisational commitment the risks associated with union membership increase exponentially, which in turn dramatically reduces employee propensity for unionisation (Brauchli et al., 2013; Fagerlind et al., 2013; Klandermans, 1986; Deshpande and Viswesvaran, 1994). Conversely, the higher the degree of employee frustration with their jobs and workplace environment the lower the influence of potential punishments on employee desire for union representation (Charlwood, 2002; Bryson and Freeman, 2013; Cotti et al., 2013; Kochan, 2004).

Along the same line, Robinson (1988) demonstrated a positive association between hazardous conditions at the workplace level and employee willingness to be unionised. Similarly, Bryson and Freeman (2013) explored the determinants of poor working conditions and their positive association with employee desire for

union representation. Using representative national datasets in the UK and US they have found similar effects of poor working conditions across both countries (Bryson and Freeman, 2013). It is worth noting that the spectrum of determinants of employee attitudes towards trade union representation does not consist exclusively of variables that reflect employees' working conditions. A broader picture of predictors of employee attitudes towards trade unions involves employees' political beliefs (left wing against right wing ideology), gender and other demographic factors and the like (Charlwood, 2002; Fiorito, 1987; Burchielli, 2004). Nevertheless, employee outcomes remain central to the research on workers' perceptions of trade unions (Charlwood, 2002; Bryson and Freeman, 2013).

The foregoing has formed a solid backdrop against which the dual labour market theory can be applied to cast light on differences between contingent workers and standard employees' attitudes towards trade unions. Dual labour market theorists' conjecture on the topic in question is as follows. Because contingent workers form a relatively homogeneous segment externalised from an internal labour market their attitudes towards trade unions differ from those of standard employees (see Goslinga and Sverke, 2003; De Cuyper et al., 2008; De Gilder, 2003). Two scenarios are plausible in this regard. First, higher levels of contingent workers frustration with their working conditions induce the importance of union representation in their eyes (Bryson and Freeman, 2013). As such, contingent workers are expected to demonstrate higher levels of propensity for unionisation than standard employees (Bryson and Freeman, 2013; De Graaf-Zijl, 2012; Monnot et al., 2011). Second, and conversely to the first scenario, greater susceptibility of contingent workers to managerial power invokes the fear of

punishment for a pro-union behaviour and thereby precludes contingent workers from joining trade unions (Goslinga and Sverke, 2003; Gallagher and Sverke, 2005). Whether such fears indeed result in a lower propensity for union representation is debatable, but the fact that contingent workers are statistically less likely to be unionised appears widely accepted (Goslinga and Sverke, 2003).

There is no solid empirical basis to falsify any of the foregoing scenarios. They both, however, might be equally wrong provided the dual labour market theory is obsolete and a dynamic model of labour market segmentation represents a more accurate explanatory tool for contemporary labour markets. This is suggestive of a more complex set of determinants of employee propensity for union representation. For instance, employee relationships with the organisation of production may appear central for shaping employee behaviours (see MacKenzie, 2010). Crucially, if, as the dynamic model suggests, the segments of the labour market are mobile and no longer restricted by formal boundaries then existing perspectives centred on the pivotal role of internal labour markets are rather misleading. Unfortunately, the lack of empirical investigations of contingent workers' perceptions of trade unions does not add clarity to such a debate. Even if we assume that the perceptions of contingent workers and standard employees are different it remains unclear whether contingent workers are inclined towards trade union representation more than standard employees or *vice versa*.

Nonetheless, recent decades have witnessed emerging interest among scholars to a behavioural dimension of contingent labour, particularly in relation to contingent workers' attitudes towards trade unions. For example, Mackenzie (2010) unveiled tensions between the segments of trade union membership fuelled by polar attitudes of standard employees and contingent workers towards unions' attempts



to unionise contingent labour. He exemplified how standard employees imposed pressure on trade unions in order to restrict the inclusion of contingent workers in trade union membership (such inclusion was perceived as a direct threat to employment security) (MacKenzie, 2010). MacKenzie, however, suggests that trade unions may overcome such tensions by means of more active organising of contingent workers and their better representation at all levels of union structure (MacKenzie, 2009 and 2010). Other empirical studies observed only limited (if any) tensions between the segments of trade union membership (Olsen, 2005). Some studies (see for example Fiorito, 2001) produced mixed results by showing higher levels of job expectation among contingent workers but lower levels of organisational commitment. Perhaps the most systematic attempt to unravel the differences between contingent workers' and standard employees' perceptions of trade unions was made by Goslinga and Sverke in their quantitative cross-country research (Goslinga and Sverke, 2003). Surprisingly, they have not found striking differences between standard employees and contingent workers. Albeit the authors are prone to critique with regard to the selection of contingent and standard forms of employment (the former were restricted to part-time and temporary employment) and with regard to the robustness of applied statistical analysis (the lack of a mediation analysis of hypothesised indirect relationships), their findings are of high relevance for the thesis. Having uncovered that perceived union instrumentality is more important than contractual differences between workers, Goslinga and Sverke (2003) further challenged existing theoretical underpinnings of employee attitudes towards trade unions. The present thesis advances such an argument and employs a dynamic model of labour market segmentation to extend existing knowledge of contingent workers' and standard employees' perception of trade unions.

## 2.6 Conclusion

The present chapter has conceptualised the term contingent labour and critically assessed existing theoretical perspectives and empirical frameworks in relation to the trade union response to the rise of contingent labour. Contingent labour was portrayed as an umbrella that signifies marginalised, insecure employment. It however should be treated with caution so as not to mix it up with forms of employment that only formally bear job insecurity, like part-time work. Moreover, contingent labour can be conceived differently across the trade union universe and therefore should not be strictly imposed on the participants.

The chapter set out a systemic critique of the dual labour market theory by showing that despite its analytical rigor the theory has not escaped the following crucial limitations. First, the assumption of primary and secondary labour market segments being homogeneous does not hold up. Second, a tendency within the dual labour market theory to conflate various types of contingent labour is erroneous, as the latter has been diversified significantly. The chapter formulated an alternative to the dual labour market theory in the face of a dynamic model of labour market segmentation based on converging and diverging tendencies between labour market segments (Beynon et al, 2002; Marchington et al, 2005; Grimshaw and Rubery, 1998; Grimshaw et al., 2007). The consequences of the dynamic model for the trade union response to contingent labour are profound. First and foremost, because union membership is less likely to be strictly segmented into primary and secondary segments composed of contingent workers and standard employees respectively, union policies designed on the premise of a dual membership base become obsolete and ineffective. Second, by conflating different types of contingent labour and treating them as a homogeneous segment

of union membership trade unions fail to take account of an increasing diversity of the organisation of production risking therefore to undermine job security of their membership as a whole. Lastly, standard employees' and contingent workers' behaviours undergo significant transformations spurred by converging and diverging tendencies in the labour market. Because the custom component of internal labour markets is being undermined, contingent workers' and standard employees' attitudes towards trade unions may vary unsystematically, contrary to what is assumed in the extant literature. Dynamic model of labour market segmentation is thus utilised as a pivotal theoretical perspective within the current study.

The chapter gave consideration to trade unions' strategic responses to the rise of contingent labour alongside such dimensions of union responses as scale and method (Heery, 2009). There is lack of evidence as to whether trade unions have shifted towards the engagement strategy and to which extent the strategies of exclusion and subordination are still present in union policies (Benassi and Dorigatti, 2014; Håkansson and Isidorsson, 2014; Mackeown, 2005). Heery (2009) asserts that trade union strategic responses to contingent work need to be examined at internal (within trade unions) and external (in the labour market) levels of representation, but no previous empirical studies have taken this suggestion on board. There are also problems with a widespread assumption that trade unions, if they want to be successful in the area of contingent work, need to move beyond the enterprise level of representation and apply methods tailored exclusively to contingent workers (Conley and Stewart, 2008; Heery et al., 2004). The caveat here is that such propositions are rooted in the dual labour market perspective whereas the dynamic model casts doubt on an upscaling being a

panacea for trade unions. The same applies to particular methods employed by trade unions in the area of contingent work. It is unclear whether the methods of legal regulation and mutual assurance have replaced such traditional representation strategies as collective bargaining and union-management deliberations.

Lastly, workers' behaviours and attitudes are also central to the current study, so prior research on contingent workers' and standard employees' perceptions of trade unions was critically reviewed. Only a few studies have explicitly focused on the differences between contingent workers' and standard employees' perceptions of trade unions (MacKenzie, 2010; Goslinga and Sverke, 2003). The outcomes of these studies are inconclusive in that on the one hand the differences between the two segments of trade union membership might still be significant, but on the other hand what drives these differences and how crucial they are remains obscure. These limitations are coupled with the lack of theoretical rigor in prior studies on contingent workers' attitudes towards trade unions, for dominant behavioural theories on employee propensity for unionsation may be obsolete in light of a dynamic model of labour market segmentation.

In the next chapter the aim and objectives of the current study are introduced in more detail. The chapter also sets out the ontological and epistemological foundation of the thesis underpinned by the philosophy of pragmatism, and elaborates on mixed-methods research design alongside particular qualitative and quantitative research methods.

## **Chapter 3: Methodology**

### **3.1 Introduction**

This chapter builds on the theoretical foundations introduced in the previous chapter and postulates the research questions. The main aim of the thesis is to explore how converging and diverging tendencies between trade union membership segments impact on challenges and opportunities posed to trade unions and affect the trade union response to contingent work. For this purpose the thesis utilises a dynamic model of labour market segmentation as an alternative to the dual market theory. The research questions formulated in this chapter are aimed at a better understanding of trade union responses to contingent labour in light of the on-going labour market segmentation. A pivotal question posited in this regard is whether dynamic converging and tendencies between trade union membership segments impinge upon three dimensions of the trade union response to contingent labour (i.e. strategy, scale and method). Likewise, the thesis aims to understand whether such dynamic tendencies affect the differences between standard employees' and contingent workers' attitudes towards trade unions.

This chapter justifies pragmatism as its philosophical foundation that rests on the epistemology of truth (a pragmatic theory of truth) and is therefore deemed pertinent for addressing both theoretical and methodological challenges associated with the research questions. Drawing on the epistemological tradition of pragmatism, mixed methods research design underpinned by an embedded case study approach, and composed of advanced qualitative and quantitative methods is advocated as appropriate for the purpose and scope of the present study. A substantial role of qualitative methods is justified alongside such core

data collection techniques as semi-structured interviews and non-participant observation. These methods are especially relevant as they can provide a more nuanced account of factors that affect trade union responses to contingent work. Advanced quantitative methods are also an important methodological ingredient of the thesis, for they can provide a broader and more representative picture of the effect of dynamic tendencies between primary and secondary labour market segments on contingent workers' attitudes towards trade unions.

The remainder of this chapter introduces the research aim and questions, justifies pragmatism as a philosophical basis of the thesis and defends the use of particular qualitative and quantitative methods within the mixed-methods research paradigm.

### **3.2 Research aims and questions**

The present study aims to explore at in-depth levels the impact of dynamic tendencies between trade union membership segments on challenges and opportunities posed to trade unions by the rise of contingent labour and on the trade union response to contingent work. This aim rests on the assumption supported by a dynamic model of labour market segmentation, particularly that converging and diverging tendencies between primary and secondary segments of trade union membership distort a frontier between them and thereby impinge on trade union responses to contingent labour (which were originally predicated on dichotomous labour markets). The thesis, in contrast to the dual market theory, makes *a priori* assumption about a distorted structure of trade union membership. It then explores the dynamic tendencies between primary and secondary segments of trade union membership and reflects a growing diversity within the segment of contingent workers. The thesis shows that in spite of the variety of dynamic tendencies between trade union membership segments they can be

operationalised along the spectrum, from converging (a frontier between the segments of union membership is being blurred) through to diverging tendencies (further externalisation of contingent workers from the organisation of production). The foregoing is thought to form a contextual background of the present study against which the following research questions were formulated.

1. To what extent have converging and diverging tendencies between the segments of the labour market affected trade union membership and trade union responses to contingent labour?
2. What are the contemporary strategies and methods employed by trade unions towards contingent workers?
3. What are the challenges and opportunities posed to trade unions by converging and diverging tendencies between trade union membership segments?
4. How have contingent workers' and standard employees' attitudes towards trade unions been affected by the on-going labour market segmentation?

These questions reflect key theoretical concerns arising from a dynamic model of labour market segmentation, according to which labour markets despite being structured segmentally undergo dynamic converging and diverging tendencies. These tendencies affect trade union membership as well, such that it is no longer strictly split into the cohorts of contingent workers and standard employees. Along this line, the first research question is aimed at exploring converging and diverging tendencies between trade union membership segments and at clustering case study unions accordingly. The clustering is deemed important as it guides an empirical analysis undertaken in subsequent chapters of the thesis. This research question was addressed by in-depth semi-structured interviews with union leaders

at the national level of union structure supplemented by non-participant observation at relevant union meetings and documentation collated during the present study. Taken together, this empirical material allowed the researcher to gain insights into the segmentation processes within trade unions and tentatively cluster case study unions according to such processes. Clustering exercised within the respective empirical chapter ought to be treated with caution, as ensuing clusters signify the ideal types of union membership segmentation rather than precise, written in stone so to speak, bundles of trade unions. Moreover, empirical evidence in this regard is based on quite thin qualitative data, which warrants further in-depth research in the given area. Nonetheless, the analysis undertaken allowed establishing three clusters of case study unions: trade unions with a converging membership base wherein the borderline between primary and secondary membership segments is being blurred; trade unions with a diverging membership base wherein the segment of contingent labour diversifies even further alongside the on-going externalisation of contingent workers from the organisation of production; and trade unions with a clearly segmented membership base wherein the segments of standard employees and contingent workers remain distant from one another and thereby structurally invariant.

The remainder of the thesis builds on the aforementioned clustering and explores in more detail how dynamic tendencies between primary and secondary membership segments impinge on the trade union response to contingent labour and impact on contingent workers' and standard employees' perceptions of trade unions. The analysis of trade union strategic responses and particular methods directed towards contingent workers, as well as an overview of challenges and opportunities posed to trade unions, was undertaken on the basis of semi-



structured interviews with national union leaders and regional union secretaries alongside non-participant observation at relevant union meetings. Thereafter the thesis turns to the issue of contingent workers' and standard employees' attitudes towards trade unions. The respective research question was addressed through an advanced quantitative analysis of a nationally representative survey of employers, employees and employee representatives (the 2011 Workplace Employment Relations Study). Not only has this provided a comprehensive account of factors that affect employees' perceptions of trade unions, but it also elucidated the impact of the on-going labour market segmentation on the differences between contingent worker's and standard employees' attitudes towards trade unions.

In summary, the research questions outlined above are thought to encompass the tenets of a dynamic model of labour market segmentation and to provide a rich empirical background relating to the trade union response to contingent labour. The remainder of this chapter justifies pragmatism as a philosophical perspective central for the thesis, makes an argument in favour of mixed-methods research design and justifies specific qualitative and quantitative research methods used.

### **3.3 Philosophical foundations of the thesis**

Philosophical foundations are fundamental for empirical research, as ontological and epistemological principles through which a researcher views the phenomena in question shape research design and presuppose the use of research methods (Feilzer, 2010). This part of the present chapter justifies pragmatism as a philosophical basis of the thesis. Pragmatism evolved from Charles Pierce's work on the epistemology of truth. It is predicated upon very mundane and in a way non-philosophical understanding of what true statements are, and whether they

are of any use for the natural or social world (Feilzer, 2010). Such a dimension is arguably missing from on-going debates within the philosophy of science, which seem to have reached the impasse. The epistemological centrality of truth, not in its metaphysical but in a more practical sense, is thought to resolve existing philosophical tensions and empower a researcher with a fairly unequivocal philosophical perspective (Rorty, 1982; Morgan, 2007). For this very reason pragmatism is deemed appropriate for the purpose of the thesis. Using such an approach is especially relevant in the field of employment relations where scholars hitherto have aligned strongly towards either a positivist mentality or the principles of its archenemy – social constructionism. Indeed, positivists with their strong faith in sensual experiences as the only source of true knowledge, and interpretivists, with their devotion to transcendental science and the idea that social reality is constructed solely by humans (Benton and Craib, 2001), can add little value to our understanding of segmented labour markets and their effect on the trade union response to contingent labour. Moreover, as will be shown in the subsequent parts of this chapter, critical realism as a solution alternative to the two aforementioned extremes is unlikely to comply with the ontological essence of the present study. Critical realism will rather obscure the phenomenon in question, as its an otherwise healthy obsession with ‘emergent powers’ behind the events of the natural and social worlds exhibits very modest explanatory power with regard to contemporary labour markets (see Brown, 2013). Amidst the frontline debates between positivists, social constructionists and critical realists, other perspectives, involving Karl Popper’s critical rationalism and pragmatism are often overlooked (Popper, 2005; Rorty, 1982). Pragmatism is chosen as a key philosophical position within this study. In what follows it is situated in a wider context of the philosophy of science.

The mainstream philosophical discourse is preoccupied, as mentioned above, by three perspectives: positivism, social constructionism and critical realism. Each approach may be a plausible epistemological foundation of the thesis; nonetheless all of them were dropped in favour of pragmatism. The rationale for such a decision is as follows. Positivism, even in its milder iteration often termed neo-positivism, still rests on the notion of a purely objective reality external to social actors in general and to a researcher's mind in particular. Likewise, sensual experiences are still conceived within positivism as the only way through which true knowledge can be acquired (Popper, 2005). Without even touching upon positivists' central argument that social structures can be captured by and large through the laws of formal logic and thereby can be depicted almost explicitly by mathematical equations (Benton and Craib, 2001), it seems reasonable to avoid positivist epistemology within the present study. The reason for that rests on the main conclusion that stems from the literature review, namely that the nature of contingent labour and its repercussions for trade unions are characterised by a salient subjective element predicated upon the ways trade unions, employers and employees conceive contingent labour and its position within the organisations and labour markets.

This is not to say social constructionism is of more help for the current study. To begin with, social constructionists' argument evolved from an inductive type of logic wherein evidence is accumulated from individual cases, and no wider assumptions are required relating to the context beyond individual cases in question. Induction in accordance with Karl Popper, and such a view is shared by this thesis, despite its ability to shed light on the objects of real world, especially in the context of sparse knowledge of such objects, precludes one from formulating a

falsifiable theoretical position or corroborating empirical evidence in support of a particular hypothesis (Popper, 2005). Without using deduction in this or that way, no conclusion can be made in relation to the proposition in question. If taking a social constructionist standpoint, the crux of the present study will most likely be in uncovering the perceptions and meanings attached to contingent labour by each party involved, be it trade unions, employers or contingent workers themselves. Put differently, the kind of language trade unions use to describe contingent labour, their metaphorical expressions of the extent to what contingent work impacts on union policies will then represent the cornerstone of a social constructionist type of research. The foregoing is a legitimate set of philosophical principles, which however deviate substantially from the underlying idea of this study.

The thesis, drawing on available empirical evidence, asserts that objective dynamic processes within the labour markets shape, to a very large extent, challenges and opportunities posed to trade unions as well as the trade union response to the rise of contingent labour. Assuming that the only challenges trade unions are confronted with stem from social actors themselves and can thereby be captured by detailed scrutiny of their experiences would be at best conceptually insubstantial compared with what we already know about the underlying mechanisms of the trade union response to contingent labour (Heery and Abbott, 2000; Heery et al., 2004). As such, it seems reasonable to avoid using social constructionism as an underlying philosophical perspective of the thesis. Prior to moving to the tenets of pragmatism, the reasons are outlined for why the third perspective, a realist philosophy of science, has not featured prominently in this study.

Philosophical realism ensued from an attempt to reconcile the tensions between positivists and social constructionists. Following positivists, critical realists contend that objective reality indeed exists independently of our minds, but they also tap into the rationale for social constructionism, by asserting that social actors are important in that they serve to reproduce and reform social structures (Bhaskar, 1974). Scientists oftentimes omit the latter component; they are therefore prone to a so-called 'epistemic fallacy' whereby true 'emergent powers' of social phenomena (for example the role of social actors) are omitted from the analysis, which makes the outcomes of scientific endeavour rather misleading (Lawson, 1997; Edwards, 2005). Bhaskar goes further and introduces four layers of an emergent mechanism for the objects of a social or natural world (from a superficial appearance of a phenomenon through to its emergent powers), which researchers are then expected to unravel one after another (Bhaskar, 1974). Critical realism is thus compelling, as it proposes to disintegrate the phenomenon in question and explore the emergent powers behind it at different interrelated levels. Critical realism rejects the notion of causality as such, because it rather obscures the true emergent powers (Lawson, 1997). Along this line, experimental research design appears incomprehensive in that it by default eliminates otherwise highly important influencing factors. The foregoing features of critical realism attracted plenty of followers, particularly in the field of employment relations (Edwards, 2005; Fleetwood, 2013; Thompson and Vincent, 2010).

The present thesis however is critical towards the ontology and epistemology of critical realism and suggests that its crucial limitations preclude the use of critical realism for the purpose of this study. By disintegrating a certain phenomenon into its systemic layers critical realists, whilst providing a useful basis for case study

research, hinder the comprehension of the phenomenon in question as a whole (Brown, 2013). The foregoing particularly concerns employment relations - a system composed of inseparable elements involving employee representation, human resource management systems, employee behaviours, employers' policies and the like. Considering them in isolation from one another obscures their complex reality as coherent, synthetic unity. Explicitly summarised by Andrew Brown, the dialectical critique of critical realism is shared by the present study (Brown, 2013). Indeed, a study of the dynamic model of labour market segmentation and the trade union response to contingent labour conducted in line with the realist philosophy of science would yield rather inconsistent outcomes. Critical realists will most likely disintegrate the dynamic model of labour market segmentation into its components (for instance into specific labour market segments or actors within these segments) so as to look more closely at driving forces behind them. Despite being by all means a useful exercise, such an approach is at odds with the essence of dynamic labour markets, which exist only when their elements are assembled and interact with each other. Since the latter is the crux of theoretical propositions advocated in the present study, critical realism was neglected, leastwise for the purpose of underpinning the ontological and epistemological background of the thesis.

The thesis turns to pragmatism not as to a lender of last resort, but rather a philosophy that resonates with the researcher's view on the ontology and epistemology of labour markets and employment relations. The following paragraphs will demonstrate explicitly that the research questions formulated above are by and large pragmatic in principle. Thereafter, pragmatism will be

linked to mixed-methods research design as a methodological approach pertinent to the main aim of the thesis.

Pragmatism emerged in the late 19<sup>th</sup> century as a new philosophy of science aimed to topple previously hegemonic discourse centred on the abstract concept of true statements (Rorty, 1982). Central for pragmatism is the notion of true statements that entails two pivotal questions: 'What true sentences are?' and 'How do we acquire these true objects'? These questions allude to ontology and epistemology respectively (Rorty, 1982). Pragmatists' stance on them is often termed 'sceptical rationalism' (especially in relation to the ontology of truth), as pragmatism sees no sense in a presupposition about the existence of different kinds of truths (be it an objective truth in accordance with positivism or a myriad of subjectively valued statements socially constructed by individuals) (Rorty, 1982; Healey, 2012). According to pragmatists true statements are not true merely because they reflect some sort of reality; for meaning is nothing else than a derivative of a practical appearance of a studied phenomenon (Healey, 2012). One might erroneously suggest then that pragmatism is not a philosophy at all, as it ostensibly ignores the basic philosophical questions of ontology and epistemology. A pragmatist reply to such a contention, using the words carefully crafted by Richard Rorty, will be as follows: 'The pragmatist tries to defend himself by saying that one can be a philosopher precisely by being anti-Philosophical, that the best way to make things hang together is to step back from the issues between Platonists and positivists, and thereby give up the presuppositions of Philosophy' (Rorty, 1982: 4). The very idea of pragmatism, so to speak, is to model the future of science when philosophy as such becomes superfluous to further scientific progress, which is however no less philosophic than abstract

debates on the nature of things around us and on pertinent avenues for cognising them empirically. Ultimately, pragmatism neither appears non-philosophical nor indifferent to epistemological conundrums; it is merely predicated upon a different perspective on truth.

Despite its agnostic appearance pragmatism is rooted in a strong epistemological tradition often described as evolutionary. The epistemology of pragmatism rests upon the following principles. First, pragmatism rejects the 'bivalence' - a property of a sentence being either true or false. Second, pragmatists engage in a historical approach such that the appearance of statements or social structures in the past helps to estimate their behaviour in the future; drawing on such a premise scientists can tell true statements apart (Rorty, 1982). Pragmatists thus conceive the acquisition of knowledge as a process of understanding how objects appear historically, and what does such a historical account entail for their current and future state (Morgan, 2007). A flip-side of the foregoing perspective is pragmatists' agnosticism in relation to research methods. There can hardly be any better description of the methodological crux of pragmatism than the following: 'I do not care what methods a philosopher (or anybody else) may use so long as he has an interesting problem, and so long as he is sincerely trying to solve it' (Popper, 2005: 21). The only correction contemporary pragmatists may suggest to this expression is that they are not so much concerned with the scientific jigsaw as such, but they do care passionately about the implications of the phenomenon in question, particularly with regard to its interpolation (to explain the gaps in our knowledge about past events) and extrapolation designed in order to predict the future. Pragmatists therefore make a great deal of the extent to which research methods help cast light on research objectives. It does not come as a surprise that



pragmatism is extensively linked to mixed-methods research design (Morgan, 2007; Benton and Craib, 2001). Indeed, if one omits an everlasting contradiction between objective and subjective facets of true statements (in striking contrast to what is conventionally held by positivists, social constructionist, and to a certain degree by critical realists) there remain no impediments to embark on the triangulation of quantitative and qualitative methods. Pragmatists will be satisfied with whatever methods are used insofar as such methods contribute significantly and unequivocally towards the research questions.

The thesis supports the foregoing viewpoint, particularly relating to a study of segmented labour markets and contingent labour. Mixed-methods research design is elaborated upon in the subsequent parts of the current chapter. For now, it is important to reinforce yet one more time the relevance of a pragmatic type of research for the thesis. In part, it stems from the phenomenon in question, i.e. the segmented and dynamic labour markets as well as the trade union response to contingent labour, being pragmatic *per se*. How do segmented labour markets appear within the contemporary economic and social structures? What does it entail for trade unions and whether the trade union response to contingent labour is adequate to the dynamic processes within labour markets and trade union membership? These are profoundly pragmatic questions, for the factors affecting the trade union response to contingent labour are neither purely socially constructed nor unequivocally objective and external from the actors within the employment relations framework. Pragmatism, with its passionate care for what is true in practical sense and how such kind of truth affects reality, is deemed to adequately reflect the nature of the trade union response to contingent labour.

### **3.4 Research design**

#### *Justification of mixed-methods research design*

The thesis is a mixed-methods case study into the trade union response to contingent labour. It rests on the combination of qualitative and quantitative research methods, with the former being a pivotal method within the current study whereas the latter being utilised for the purpose of corroborating a theoretical supposition that contingent workers and standard employees differ significantly in their attitudes towards trade unions. Mixed-methods research design is referred to as any kind of design that assumes the use of quantitative and qualitative methods on the premise that both groups of methods contribute significantly to research objectives (Creswell, 2003). The use of mixed-methods design in this study is supported by the tenets of pragmatism and holds great promise as a tool for providing invaluable insights into challenges and opportunities faced by trade unions due to the rise of contingent labour in the UK labour market. Qualitative data is more suitable as a starting point for the current study, as it can provide means by which one can dig deeper into the experiences and attitudes of trade unions. National union leaders and regional secretaries (the key respondents for this study) possess unique first hand information that can be studied more effectively with qualitative interviews as a primary data collection technique (Bryman and Bell, 2003). Quantitative methods bear considerable importance as well, for they can provide a reliable account of the phenomenon in question across different social groups or sectors of the economy. Generalisability of quantitative data is another reason for turning our attention to mixed-methods research (Creswell, 2003; Yin, 2003). It is extremely problematic though, again from a pragmatic perspective, to use quantitative methods to explore an under-

researched field of study, as in such a scenario there is no premise to deduct scientifically meaningful conjectures (Morgan, 2007). When sufficient information is acquired the contribution of quantitative methods becomes indeed invaluable (Feilzer, 2010).

The foregoing corresponds well with the substantive topic of the present study. Very little is known about the dynamic model of labour market segmentation in general and its role in shaping the trade union response to contingent labour in particular. Thus, there is virtually no use of quantitative methods at the first stage of the thesis. For this reason the first and pivotal set of methods used in the current study is qualitative. After getting sufficient information about the dynamic processes within trade union membership and their correspondence with the trade union response to contingent labour, the possibility arises of further use of quantitative methods. The latter are more effective than qualitative methods for testing specific hypotheses about contingent workers' perceptions of trade unions and linking them with dynamic tendencies in the labour market. Thus the final phase of the thesis is quantitative. Not only does it broaden the scope of the thesis, but also deductively accentuates the propositions inductively derived from the analysis of qualitative data. The current study therefore is neither deductive nor inductive (Bryman and Bell, 2003). It is rather abductive since the thesis assembles qualitative evidence in an inductive manner, i.e. from individual cases, but it then deduces quantitatively falsifiable hypotheses from the theoretical foundations of the thesis, but still on the premise of findings established at the qualitative phase (Johnson et al, 2007).

Lastly, mixed-methods research design is gradually rising to prominence not only in social sciences in general, but also in the field of employment relations (Feilzer,

2010; Yin, 2003; Johnson et al., 2007; Creswell, 2003). As such, the rationale for why mixed-methods research was prioritised does not solely rest on the philosophical rigour of triangulating qualitative and quantitative methods. It also stems from the fact that prior research is usually split into purely quantitative or qualitative studies, which opens up a room for applying a mixed-methods type of research (Heery and Abbott, 2000; Heery et al., 2004; Heery, 2004; Benassi and Dorigatti; 2014). Such an opportunity has already been probed by some scholars involving Edmund Heery who successfully combined survey-based research design with qualitative methods (Heery, 2001; Heery, 2009). Other studies turned their attention to quantitative methods so as to assess the effect of contingent labour on trade unions. For instance, Böheim and Zweimüller analysed the impact of agency labour on trade unions using the Workplace Employment Relations Study (WERS), a nationally representative survey of managers, employees and employee representatives in the UK (Böheim and Zweimüller, 2013). Goslinga and Sverke followed the *modus operandi* within the field of psychology and employed a quantitative instrument to unravel the differences between contingent workers' and standard employees' attitudes towards trade unions (Goslinga and Sverke, 2003). Recently, Benassi and Dorigatti (2014) and Benassi and Vlandas (2015) have triangulated qualitative and quantitative methods in their research about trade unions' strategies in the area of contingent labour signifying therefore a turn towards more pragmatic mixed-methods design in employment relations research. The present thesis contributes to this emerging tendency. In doing so the thesis employs an embedded case study approach supplemented by the use of qualitative and quantitative methods (Creswell, 2003; Yin, 2003). In what follows each foregoing element is introduced in more detail.

*Justification of case-study research, qualitative and quantitative methods*

The present study is embedded case study research predicated upon two factors. First, the thesis concerns trade unions' activities in the area of contingent labour, which is merely a piece in a broader jigsaw of trade unions' policies and actions. Hence, the trade union response to contingent labour is embedded in wider challenges and opportunities posed to UK trade unions by contemporary economic, social and political environments. Second, the thesis does not cover the whole universe of UK trade unions, but carefully selects trade unions that actively respond to the rise of contingent labour. The leaders and regional secretaries of such unions were then recruited as key informants for the present study. This latter point can be clarified further. The only reasonable alternative to a stratified (i.e. logically pre-selected) sampling is to capture all major trade unions affiliated with the Trades Union Congress (TUC). Such an approach, however, is very unlikely to provide required information on the dynamics of union membership, as unfocused very broad experiences of multiple trade unions will rather obscure the comprehension of converging and diverging tendencies within union membership, let alone the necessity to further link these processes with the trade union response to contingent labour. Not only is the trade union universe characterised by its internal diversity, but also by a variety of forms of organisation of production within which trade unions have to operate at the workplace level. Unravelling taxonomy within this myriad of forms of production is virtually inconceivable. As such, a stratified sample of trade unions is prioritised in this study to quasi-random selection of cases. It is worth reinforcing though that case study unions, despite their heterogeneity, are nested on a wider case of the trade union response to contingent labour, which is thought to provide a better understanding of the

dynamic processes within trade union membership and their subsequent implications for unions' policies in the area of contingent labour. Embedded case study research, apart from being logically pertinent to the context of the current study, deviates significantly from other approaches involving descriptive, explanatory and holistic case studies (Edwards, 2005; Yin, 2003). Descriptive and explanatory case studies are heavily skewed towards social constructionism and a causal relationship between the objects of inquiry respectively. Unlike holistic case studies, traditionally shaped by qualitative methods, embedded case studies comprise multiple diverse units of analysis, which allows for further triangulation of qualitative and quantitative methods (Yin, 2003).

Turning to specific methods employed for the purpose of this study, it is worth noting that the rigor of mixed-methods research is achievable if qualitative and quantitative methods are combined in a logical fashion and if such a combination empowers a researcher with a viable and valuable analytical instrument. The present study complies with the foregoing requirement and meaningfully connects its qualitative and quantitative parts in such a way that a quantitative phase builds on the results of a qualitative analysis and broadens the substantive arguments developed at the first stage. The decision to center the bulk of this study on qualitative methods was driven by a number of objective factors. First, prior research on the trade union response to contingent labour is predominantly qualitative. However, an inherent intention to follow a general trend in the given field is not the only reason for prioritising qualitative methods. Second, it is the characteristics of the population of interest (union leaders and representatives), which shaped the choice in favour of qualitative methods. Respondents for this study will be introduced in more detail in the subsequent sections of this chapter. It

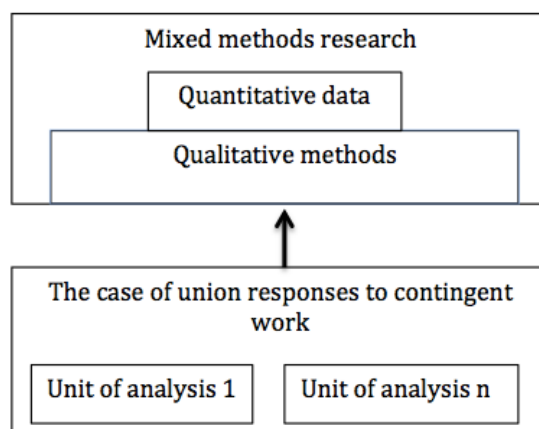
is important though to emphasise a key role of union leaders and representatives as main informants, i.e. participants who possess relevant information on the processes that occur within trade union membership. As such, semi-structured interviews will allow capturing explicitly their views and attitudes. The very reason why semi-structured interviews were preferred to other techniques, involving unstructured interviews (narratives) and highly structured interviews, is rooted in the theoretical grounding of the thesis. The themes for interviews stem from an elaborate theoretical background represented by the dynamic model of labour market segmentation and from the empirical framework of the trade union response to contingent labour (composed of the dimensions of strategy, scale and method). This rules out the use of unstructured interviews. The themes were quite broad though, as the extant literature is inconclusive in relation to the prevalent strategies employed by trade unions and in terms of the effect of dynamic labour markets on trade unions, which in turn eliminates the opportunity for highly structured interviews.

Semi-structured interviews were supplemented by non-participant observation at relevant union meetings. The researcher seized an opportunity and attended various meetings held by case study unions, which were at least partially dedicated to the trade union policy in the area of contingent labour. Fieldnotes taken at these meetings provided further insights into the trade union response to contingent work (a more detailed description of events attended throughout this study is provided in Appendix 1). The quantitative part of the thesis supplements its qualitative phase, but nonetheless provides a substantial individual contribution to the current study. The thesis utilised secondary data, namely the 2011 Workplace Employment Relations Study (the 2011 WERS), for the purpose of

thorough scrutiny of contingent workers' and standard employees' perceptions of trade unions. There are three reasons upon which the choice in favour of secondary data is predicated. First and foremost, a sampling procedure employed in the 2011 WERS is robust and nationally representative, as it captures organisations in all sectors of the UK economy, firms of different sizes and economic activities. Second, the survey instrument of the 2011 WERS is fairly comprehensive and involves variables that signify multiple facets of employee attitudes towards trade unions. Third, the 2011 WERS is a nested type of data in that employees are nested on particular workplaces, which opens up space for the use of a robust multilevel analysis. Moreover, the 2011 WERS does not solely consist of the survey of employees, but also involves the survey of managers and thereby allows taking account of the composition of the workforce at the organisational level involving the extent to which it is segmented into standard employees and contingent workers. The thesis acknowledges ongoing debates on the robustness of the WERS and the necessity for scholars to extend their intellectual curiosity to other nationally representative surveys in order to arrive at statistically reliable outcomes (see Timming, 2009). Hence, the thesis approaches a quantitative data analysis with caution so as not to overestimate the outcomes of statistical modelling. The characteristics of the 2011 WERS and description of particular quantitative methods employed are provided in the subsequent sections of this chapter.

The research design for the present study involving embedded case study research and a two-step data analysis based on qualitative and quantitative methods is depicted in Figure 5. It draws on Creswell's (2003) interpretation of an embedded case study approach.



**Figure 5: Research design**

In what follows the qualitative and quantitative methods employed for the purpose of this study are introduced in more detail.

### **3.5 Qualitative methods: interviews with union leaders at the national and regional levels of trade union structure and non-participant observation at union events**

The first and most substantial part of data collection is based on qualitative methods. Semi-structured interviews have been conducted with union representatives at the national and regional levels of union structure to form the bulk of qualitative data. The interview data were collected in two logically connected stages: at the first stage, general secretaries and national union officers were interviewed so as to gain an insight into the dynamic processes that occur within trade union membership and into subsequent challenges and opportunities posed to trade unions by the rise of contingent labour. The data collected at this stage allowed mapping out converging and diverging tendencies within union membership. It also helped to capture the position occupied by contingent workers both outside (in the workplace) and inside trade unions. Ultimately, information gained at the first stage of the interview process provided a sufficient base to

cluster case study unions in accordance with converging and diverging tendencies within their respective memberships.

The data collected at the first stage of the interview process affected the content of the second wave of interviews. The interviews with trade union leaders at the national level of union structure suggested specific themes that were further covered by in-depth interviews with regional union secretaries and union representatives - members of national and regional committees. A decision to concentrate on the regional level of union structure is predicated upon the specificity of research questions and on the findings derived from the interviews with national union leaders. It was highly anticipated that regional union secretaries and members of union committees at the regional and national levels accumulate invaluable information about the experiences of local union branches in relation to the representation of contingent workers. The study has not gone farther than the interviews with regional union secretaries despite the potential to gauge unique qualitative data at grassroots. Such a decision was made primarily due to the foremost aim of this study to explore the trade union response to contingent labour at the level of the trade union universe as a whole, in a generalisable fashion so to speak. Having said that, the majority of interviewed members of union national and regional committees were at the same time workplace union representatives and activists. The aforesaid, to a certain extent, counterbalanced the lack of a workplace perspective within the current study.

The second stage of qualitative data collection was accompanied by non-participant observation at five union meetings relating to the representation of contingent workers. Although only four case study unions provided such an opportunity, the data collected at these meetings and events have provided

insights into the rationale for trade union decision making in the area of contingent work. Such information was embedded into the main interview data. In sum, 35 interviews were conducted with union leaders and activists: 15 interviews were conducted with union leaders and national union officers supplemented by and 20 interviews with regional union secretaries and members of national and regional union committees. In terms of the latter, the preference was given to the committees established for the purpose of developing trade union policy in the area of contingent work. An average interview lasted one hour, with the range from thirty minutes to two hours. All interviews were transcribed verbatim and coded with the assistance of NVivo 10 software for qualitative data analysis. A set of thematic questions for both stages of data collection is reported in Appendix 2. The location of research including the interviewee profile is reported in Appendix 1.

A few concluding remarks should be made with regard to the robustness of qualitative data, especially in light of pragmatism as a philosophical background for this study. A two-dimension scope of the interview process involving interviews with union leaders at the national level of trade union structure alongside the interviews with regional union secretaries and members of specialists committees is deemed sufficient for embracing the multidimensionality of the trade union response to contingent work. To ensure this, the method of saturation was applied to qualitative data collected. Following Guest et al.'s (2006) strategy, semi-structured interviews were transcribed and coded in waves starting with the first five interviews within each group of interviewees (national union leaders and regional secretaries). Thereafter, every consecutive interview was transcribed verbatim, coded and analysed. The purpose of this process was to identify a particular point in data collection after which all themes were established and

further interviews can be useful with regard to ensuring that the saturation point has indeed been reached. Although such process is virtually meaningless with regard to the first stage of data collection (interviews with national union leaders were limited due to the finite total population of respondents), it was of high importance for the second stage (i.e. interviews with regional union representatives and members of union committees). Turning to the interviews with regional union secretaries, 60 per cent of all themes were established after the first 5 interviews, 75 per cent of the themes were established after 8 interviews and the saturation point was reached after 13 interviews were conducted. In all, the foregoing analytical methods allowed ensuring the robustness of findings derived from qualitative data.

As with the majority of qualitative research, ethical concerns were thoroughly considered prior to the fieldwork stage. Although the research questions do not assume a significant degree of personal sensitivity, all respondents have been anonymised and disguised in the empirical chapters of the thesis. The identity of respondents can be derived only from Appendix 2, which for this reason was not made publicly available. All participants signed the consent form and approved the final version of interview transcriptions. Ethical clearance was obtained from the University of Leeds Ethics Committee at the very early stage of the research project.

### **3.6 Quantitative methods: Secondary data and advanced quantitative techniques**

The quantitative part of the present study builds on the findings derived from the qualitative stage and contributes to the thesis through a thorough examination of contingent workers' and standard employees' perceptions of trade unions. In this

effect, qualitative data were analysed and confronted with the existing literature base on employee attitudes towards trade unions. Thereafter, the hypotheses that signify the impact of dynamic labour markets on differences between contingent workers' and standard employees' attitudes towards trade unions were developed (the exact hypotheses are justified in the respective empirical chapter). In order to test such hypotheses a decision was made to utilise secondary data, not least due to complexities associated with the primary data collection in trade union based research and because of the ability of secondary data to provide a researcher with the nationally representative sample (Timming, 2009).

Quantitative analysis presented in the respective empirical chapter draws on the management and employee surveys of the 2011 Workplace Employment Relations Study (2011 WERS). The 2011 WERS is the 6th survey in a series of British workplace surveys (Department for Business, Innovation and Skills, 2013). The survey provides extensive information regarding various aspects of employment relations and employees' work-life quality across the UK. The 2011 WERS was considered suitable for the present study for two main reasons. First, the survey is representative of all British workplaces, including those in the private and public sectors, and all industries: manufacturing, construction, wholesale and retail, hospitality, transport and communication, health and social work, financial services, and so forth. Second, the 2011 WERS provides linked employer-employee elements for analysing employment relations on a multilevel basis. The nested nature of the 2011 WERS, as well as the large number of sampled workplaces, provide sufficient statistical power that allows partition the analysis into management- and employee- level components to achieve more reliable representation of work organisation and behaviours.

Data for the management survey of the 2011 WERS were collected through a structured face-to-face interview with the most senior manager at the sampled workplace whose responsibility pertains to employee relations, human resources or personnel affairs. Each management interview lasted about 90 minutes and was performed on-site by a trained interviewer. The interviews were secured in a total of 2,680 workplaces, representing a fieldwork response rate of 46.3 per cent. Employee-level data were collected through a thirteen-page, self-completion questionnaire distributed to all employees in sampled workplaces with 25 or fewer employees, and a random sample of 25 employees in larger workplaces with 25 or more workers. A total of 21,981 employees from 1,923 workplaces completed the survey, representing a response rate of 54.3 per cent. To accommodate the nested nature of the 2011 WERS, data from the management survey were matched with the sample of workplaces from which employee responses were elicited.

A particular type of quantitative data analysis is reported in the respective empirical chapter. It is worth noting though that the 2011 WERS opens up a room for robust quantitative methods involving latent variable analysis (for instance, Latent Class Analysis) alongside the multilevel type of statistical modelling which accounts for a nested character of the data. The implementation of these and other methods has significantly increased the reliability and validity of observed statistical relationships. In what follows particular trade unions selected as case studies for the present research are introduced in more detail involving the rationale for case study selection.

### **3.7 Case study units**

Case study unions are deemed to adequately represent the multifaceted nature of the trade union response to contingent labour. This is evident by a merely superficial analysis of information publicly available on the websites of case study unions. Although the information derived from pre-moderated websites can hardly provide empirically reliable data, some conclusions were cautiously drawn in relation to the degree of union activity in the area of contingent work and in terms of the variety of forms of employment conceived by trade unions as contingent. Given this, sixteen trade unions were initially selected for the purpose of this study (see Appendix 3 for more details about each trade union). These unions were contacted for the purpose of gaining access and conducting interviews with senior union figures as well as with regional secretaries and members of relevant union committees. Only seven trade unions have agreed to participate in the present study. These unions are as follows: University and College Union (UCU); Community the Union for Life (Community); Bakers, Food and Allied Workers Unions (BFAWU); Communication Workers Union (CWU); UNISON; Union of Construction, Allied Trade and Technicians (UCATT) and Musicians Union (MU). These unions were found fairly representative as they satisfy the following selection criteria: i) the need to encompass multiple forms of contingent labour along the spectrum, from employees on short-term contracts through to freelancers ii) the need to reflect different types of trade unions from trade unions whose membership is largely formed by one core profession (for example UCU) and general trade unions (UNISON) through to specialist unions for specific groups of contingent workers (MU).

*University and College Union (UCU)*

The University and College Union (UCU) represents more than 120000 employees in post-school education. It was formed on 1 June 2006 by the amalgamation of two unions - the Association of University Teachers (AUT) and the University & College Lecturers' Union (NATFHE). The UCU has featured prominently amongst trade unions affiliated with the Trades Union Congress (TUC) as an active union in the field of contingent labour. UCU is well known for its active position against the most insecure forms of employment, with the focus recently being skewed towards zero-hours contracts. The union has organised a number of actions aimed at stamping out various types of casual contracts in the education sector. One of such campaigns, 'the anti-casualisation day of action', was first organised in 2008 and due to its positive reception by union representatives was approved as an annual event. Such anti-casualisation strategy aims to significantly reduce the exploitation of causal contracts (mainly zero-hours contracts) and in a long run to eliminate ever growing practice of using contingent labour in tertiary education. The case of UCU is also of high interest because trade unions in the education sector historically represented a specific cohort of employees: teaching and academic staff. Academia was traditionally characterised by a strong internal labour market wherein young scholars and lecturers are expected to take up multiple fixed-term contracts before they get promoted to a permanent full-time position, which in an American context is termed tenure. This is, so to speak, a very peculiar type of the organisation of production that shapes the relationship between trade unions and contingent labour. The extent to what such an environment holds up nowadays, especially in light of the dynamic model of labour market segmentation, remains under-researched. It is still obscure whether and



how an on-going transformation of employment relations in tertiary education impacted on challenges and opportunities posed to trade unions, and on the trade union response to the rise of contingent labour. As such, UCU is undoubtedly a valuable unit of analysis within the current study.

### *Community the Union for Life*

Community the Union for Life (Community) traditionally represents employees in the steel industry and textile factories across the UK. It has recently significantly diversified its membership base and expanded into such sectors as retailing, healthcare and social care, and the third sector as well. Having said that, steel and wire industries, carpet production alongside knitwear and footwear industries still form the bulk of Community's membership. Community was formed in 2004 as a result of amalgamation of the Iron and Steel Trades Confederation (ISTC) and the National Union of Knitwear, Footwear and Apparel Trades (KFAT). This was the second phase of union restructuring which succeeded a set of structural changes within the steel and textile industries where ISTC had merged with the Power Loom Carpet Weaver and Textile Union (PLCWTWU) and the National League of the Blind and Disabled (NLBD). A rich family tree of Community reflects its fundamental orientation on the internal labour markets involving all its tenets: skill specificity, on-the-job training and custom. For this very reason Community has historically treated labour negotiations as a most effective means of promoting better working conditions for employees and increasing union power in the workplace. This, however, has been challenged by organisational restructuring towards a more flexible, networking type of the organisation of production, which ultimately distorted the balance between the internal and external labour markets. Whereas such a tendency can be observed across the whole trade union universe

in the UK, its impact on Community's membership is perhaps less significant. It may well be the case that the bulk of employees in the respective industries remain within the internal labour markets, partially owing to the organisation of production being predicated upon the close ties between employees and their respective organisations. Perhaps for this very reason Community exhibited relatively modest interest in contingent labour, by narrowing it down to a growing share of agency labour in Community's main industries and to the rise of zero-hours contracts. Community did scrupulously investigate the experiences of workplace union branches with regard to agency work and other forms of contingent employment by conducting a large-scale survey that covers more than 8,000 Community members. As admitted by Community's leadership, this survey attests to the inclusion of the bulk of contingent labour in the trade union policies and actions. Whether such a conclusion persists in light of the dynamic converging and diverging tendencies in the labour market has yet to be empirically investigated. The foregoing exhibits the value of Community for the present study.

*Bakers Food and Allied Workers Union (BFAWU)*

Bakers Food and Allied Workers Union - the *BFAWU* - represents roughly 30000 members at work in the food and allied industries and trade. The trade union was established in 1847 as a trade base union in the food industry and got its current name in the middle of the 20<sup>th</sup> century. BFAWU is a nationally organised union with strong traditions of workplace collective representation, collective bargaining and reliance on industrial action as a means of securing better working conditions for its members. It was traditionally characterised by a rigorous internal labour market and the organisation of production that rests on well-established technological chains based on the inclusion of employees in on-the-job training.

This is to say, employees in the food industry were central for the organisation of production, which cemented union-management deliberations as a core representation strategy. There is however increasing evidence to suggest that BFAWU in being integrated in a network type of production characterised by undermined internal labour markets. Nowadays, BFAWU has branches in Premier Foods (the Hovis brand), in the fast-food industry involving the biggest franchising chains like Burger King and Greggs. These dynamic changes have further diversified trade union membership and spurred turbulent processes between the segments of contingent workers and standard employees. It is worth noting that BFAWU has recently undertaken industrial action within one of its Hovis branches. The action was directed against employer's attempts to increase the exploitation of zero-hours contracts, and got decent media coverage. Ultimately, the inclusion of BFAWU in the present study seems highly reasonable.

### *UNISON*

UNISON represents the frontline staff and managers working full or part time in local authorities, the NHS, the police service, universities, colleges and schools, the electricity, gas and water industries, transport and the voluntary sector. UNISON is the second largest trade union in the UK that represents more than 1.3 million union members who provide public services and work both in public and private sector organisations. The union was formed after the amalgamation of the National and Local Government Officers Association (NALGO), the National Union of Public Employees (NUPE) and the Confederation of Health Service Employees (COHSE).

UNISON is notable for its active campaigning against contingent labour involving such forms of employment as agency work, zero-hours contracts and self-employment. UNISON's policy in the area of contingent work is deemed systemic and nationally operated. Numerous actions have been initiated by union leaders at the national level so as to prepare a solid ground for union responses to the growth of contingent employment in the public sector. One such activity is a survey of contingent workers' needs and attitudes conducted in March 2012 and followed by an enquiry into the local governments' usage of contingent labour. It is, amidst other things, suggestive of growing attention paid by UNISON to the issue of contingent labour. Moreover, the case of UNISON is of particular interest for the current study due to on-going outsourcing of public services in the UK, concerning especially the care sector, non-academic activities in higher and further education and the healthcare sector. Previously homogeneous industries built on the premise of a strong internal labour market that guarantees low labour turnover have been distorted and turned into quite a turbulent environment, with the highly mobile workforce and growing reliance of employers on contingent labour. Similarly to all previous cases, the organisation of production, especially within the care and education sectors, has changed dramatically, which spurred further externalisation of contingent workers from standard employees. The extent to what it impacts on the trade union response to contingent labour remains obscure though. Thus UNISON is indeed a valuable addition to the current study.

#### *Communication Workers Union*

Communication Workers Union (CWU), the biggest communication union in the United Kingdom, formed in 1995 as a result of amalgamation of Union of Communication Workers and National Communication Union. It represents a wide

range of employees in Royal Mail and various telecommunication companies including such giants as BT, Telefonica UK among others. Like UNISON and BFAWU, CWU has undergone the process of rapid changes of the organisation of production resulting in the restructuring of regulatory labour market mechanisms. Undermined links between standard employees and internal labour markets were coupled with the emergence of distinctive cohorts of contingent workers involving agency labour, employees on zero-hours contracts and subcontractors. This shaped the CWU's agenda in a way that it has been turned into a heterogeneous type of strategy aimed at embracing structurally different segments of contingent workers and standard employees. One example in this regard is the national campaign called 'Closing the Loopholes for Agency Workers' aimed at raising the awareness of employment conditions of agency labour and at promoting equal treatment for agency workers. For this reason alone, CWU represents an interesting case of the dynamic membership base and therefore can be of high importance for the present study.

#### *The Union of Construction, Allied Trade and Technicians*

The Union of Construction, Allied Trade and Technicians (UCATT) was formed in 1971 as a result of amalgamation of a number of independent trade unions that represented workers in the construction sector across the UK and Ireland. The union represents members in the construction industry encompassing small and medium enterprises as well as such giants as the BAM Construct UK (hereinafter - BAM). UCATT is prominent for its allegiance to workplace industrial relations and a strong emphasis on collective bargaining. It indicates, similarly to other case study unions, that UCATT has operated in the environment characterised by a strong internal labour market. The aforementioned explains UCATT's strategic

orientation on advancing collective bargaining and union-management deliberations. For example, an industry-wide collective agreement, referred to by one of union leaders as 'the bible for construction', provides a backdrop against which employment relations at grassroots are regulated involving the issues of pay increases, health and safety, pension schemes and fringe benefits. To cut a long story short, UCATT's members on standard employment contracts still benefit a lot from collective bargaining. Things, however, changed considerably when the internal labour market in the construction sector was effectively dismantled to an extent that only a minority of the workforce now belongs to the internal labour market, with the bulk of shop floor workforce being pushed towards the secondary labour market positions. It is suggestive of the presence of a diverging tendency within the UCATT's membership. Statistically speaking, UCATT unites more than 80000 members; more than 1/3 of them are employees on various forms of contingent employment such as zero-hours contracts, agency work, fixed-term contracts and self-employment. Having said that, 'bogus' self-employment has allegedly occupied a central position within the UCATT's membership and was repeatedly nominated as a main threat to union organising and representation campaigns.

### *Musicians Union*

Musicians Union (MU) is a trade union that represents over 30000 musicians across the UK. Established in the end of the 19<sup>th</sup> century the union has a long-standing history of representing the interests of people who have chosen music as their profession and passion. MU's membership is comprised of musicians who perform in various genres alongside workers employed in the music industry such as sound engineers, promoters and teachers. Uniquely, a great deal of MU's

membership is contingent workers, most commonly self-employed musicians (freelancers) whose relationships with employers lie outside the conventional framework of employment relations. Therefore, the bulk of trade union activities are tailored to contingent workers distinguishing thereby the MU from other case study unions. It is somewhat close to the UCATT; albeit MU's membership is not so diverse which allows labelling it as a specialist union for freelancers.

To sum up, case study unions are all active players in the field of contingent work. They represent various types of contemporary trade unions along the spectrum, from general unions like UNISON through to specific trade unions concerned by and large with the representation of contingent workers (MU). Importantly, the case study unions are very likely to experience dynamic converging and diverging processes within their memberships, which may then impinge on the trade union response to contingent labour. Further links between case study unions and specific forms of contingent labour are exhibited in Table 2. The table also enlists documentary data obtained from case study unions.

**Table 2: Case study unions, forms of contingent labour and secondary qualitative data**

<i>Case study unions</i>	<i>Forms of contingent labour</i>	<i>Secondary data material</i>
UCU	<ul style="list-style-type: none"> <li>• Employees on fixed-term contracts (the most significant form of contingent labour)</li> <li>• Zero-hours contracts</li> <li>• Sessional or seasonal forms of employment (lecturers and teaching fellows on sessional contracts)</li> </ul>	<ul style="list-style-type: none"> <li>• UCU Anti-casualisation meeting agenda and report</li> <li>• Bristol anti-casualisation event leaflets and supporting documentation</li> <li>• UCU report on zero-hours contracts</li> </ul>
Community the Union	<ul style="list-style-type: none"> <li>• Temporary agency labour is a pivotal form of contingent work for Community</li> <li>• This is followed by temporary employment and zero-hours contracts</li> </ul>	<ul style="list-style-type: none"> <li>• Report on the survey of 8000 agency workers undertaken in 2008</li> </ul>
BFAWU	<ul style="list-style-type: none"> <li>• Agency labour is a key form of contingent work</li> <li>• An increasing share of zero-hours contracts is a worrying sing for the union</li> </ul>	-
UNISON	<ul style="list-style-type: none"> <li>• Temporary agency workers, fixed-term employees</li> <li>• Increasingly, subcontracting alongside zero-hours contracts</li> </ul>	<ul style="list-style-type: none"> <li>• Union report about casual employees based on the survey of workers in the care sector</li> </ul>
CWU	<ul style="list-style-type: none"> <li>• Temporary agency workers are a pivotal segment of contingent labour</li> <li>• Subcontracting and zero-hours contracts are two other noticeable forms of contingent labour</li> </ul>	<ul style="list-style-type: none"> <li>• Royal Mail collective agreement</li> <li>• Brochures for agency workers and employees on zero-hours contracts</li> </ul>
UCATT	<ul style="list-style-type: none"> <li>• Bogus self-employed construction workers represent the bulk of contingent workers within union membership</li> </ul>	<ul style="list-style-type: none"> <li>• UCATT's report on bogus self-employment in the construction industry</li> </ul>
MU	<ul style="list-style-type: none"> <li>• Freelance musicians are the largest cohort of contingent workers within union membership</li> </ul>	<ul style="list-style-type: none"> <li>• Two copyright agreements negotiated by MU</li> </ul>

### 3.8 Conclusion

This chapter sought to outline the aim of the present study and its research questions. The philosophical foundation of this study alongside the research design and methods has also been justified. In light of posited research questions, pragmatism was advocated as an approach pertinent to this study. Pragmatism also provides a solid background for mixed-methods research design, which was utilised for the purpose of the thesis. Semi-structured interviews were chosen as a



main data collection technique. Because the access was obtained to relevant trade union meetings, semi-structured interviews were supplemented by non-participant observation conducted at such events. In all, the qualitative phase of the thesis involves interviews with union leaders (general secretaries, national union officers and regional union secretaries) and fieldnotes taken at five union meetings at the national and regional levels of union structure.

Quantitative methods have found their application in the secondary data analysis utilised in order to explore contingent workers' attitudes towards trade unions. This second phase is built on the findings of the first stage of data collection. It draws on the dynamic model of labour market segmentation, particularly on its subset that concerns changes in employee behaviour spurred by converging and diverging tendencies in the labour markets. The 2011 WERS, a nationally representative survey of employee wellbeing and organisational employment practices in the UK, was used in this regard. The survey is representative of all sectors of the UK economy and is thought to provide sufficient statistical power for the analysis of contingent workers and standard employees' attitudes towards trade unions.

The following four empirical chapters consequently elaborate on the cornerstones of this research: the contextual background of the trade union response to the rise of contingent labour predicated upon dynamic tendencies within trade union membership; the analysis of the trade union response to contingent work in line with Heery's (2009) three-dimension framework; challenges and opportunities posed to trade unions by the rise of contingent labour; and the extent to which dynamic labour markets affect contingent workers' and standard employees' perceptions of trade unions.

## **Chapter 4: Contextual background of the trade union response to contingent labour**

### **4.1 Introduction**

This chapter sets out a contextual background of the trade union response to contingent labour. It draws on a dynamic model of labour market segmentation, particularly on the assumption that trade union membership undergoes significant transformations reflected in converging and diverging tendencies between primary and secondary segments of union membership populated by standard employees and contingent workers respectively (Marchington et al., 2005; Beynon et al., 2002; Grimshaw et al., 2007; Pulignano et al., 2015). This chapter conceptualises three clusters of trade union membership segmentation based on dynamic processes between primary and secondary segments. Such dynamic tendencies were uncovered through the analysis of interviews with national union leaders and full-time union officers (15 interviews in total) supplemented by fieldnotes taken at union events (attended between February 2013 and March 2014) and secondary data collected during the present study (primarily trade union surveys and reports). The empirical background for this chapter thus appears rather thin, despite the fact that national union leaders and union officers are by all means key informants in relation to trade union responses to contingent labour. Established clusters then ought to be treated with caution as ideal types of union membership segmentation rather than fully comprehensive and homogeneous groups.

The first cluster, to which UCU and Community were tentatively assigned based on qualitative data mentioned above, denotes a converging membership base wherein a frontier between primary and secondary segments of trade union

membership has been blurred. The converging tendency manifests itself through both deterioration of standard employment (UCU) and levelling-up of contingent labour to the conditions of standard employment (Community). Whereas the first cluster, or rather an ideal type of union membership segmentation, encompasses converging segments of standard employees and contingent workers, the second cluster denotes a diverging membership base characterised by further externalisation of contingent workers from the organisation of production. Not only do the membership segments experience a diverging tendency, but also the forms of contingent labour become more diverse. Once again, case study unions involving UNISION, BFAWU, CWU and UCATT were tentatively allotted to the second cluster based on the analysis of qualitative data. The third cluster represents a special case of MU, a trade union whose membership base is skewed heavily towards self-employed contingent workers whereas standard employees occupy a subordinate position in trade union membership.

This chapter is particularly important to the remainder of the thesis as its theoretical foundation rests explicitly on the dynamic model of labour market segmentation. Ensuing clusters of trade unions are used in subsequent empirical chapters to unravel trade union responses to contingent work alongside challenges and opportunities posed to trade unions by the rise of contingent labour. The present chapter proceeds as follows. Firstly, dynamic tendencies between primary and secondary membership segments are introduced, separately for each case study union. Secondly, the rationale for clustering trade unions is introduced and three clusters of case study unions are established. The importance of these clusters is elaborated in the concluding parts of the chapter.

## **4.2 Dynamic tendencies between primary and secondary segments of trade union membership**

It is worth reinforcing, prior to reporting the analysis of membership segmentation within each case study union, what is meant here by dynamic tendencies of membership segmentation and what kind of segmentation tendencies, ideal types so to speak, can be put forth in line with the dynamic model of labour market segmentation. Staying within the domain of dual labour market theory one can reasonably profess that the labour market is split into two homogeneous sectors (primary and secondary); hence, working conditions and career progression of employees within each segment can be reliably portended. The dynamic model, a central theoretical framework for the present study, contends the opposite, namely that segments in the labour market (and trade union membership alike) are variable and the frontier between them changes over time. It is plausible, from what is known about contemporary labour markets (Rueda, 2014; Grimshaw et al., 2007; Eichhorst and Marx, 2011), that under certain circumstances the borderline between primary and secondary labour markets is being distorted (for example where standard employees experience lower levels of job security chaperoned by incremental demands for greater productivity). It is equally plausible, particularly in the public and service sector, that formerly rigid internal labour markets have been disintegrated, with an ensuing diverse segment of contingent workers. By the same token, the existence of highly structured dichotomous labour markets formed by easily distinguishable primary and secondary segments cannot be ruled out, especially in industries (like the music and entertaining industry) where the segmentation of labour markets dates back to the 1980s.

In summary, it is plausible (in an ideal world) that dynamic tendencies between trade union membership segments can be traced in three broad clusters which signify converging and diverging tendencies alongside a dichotomous labour market that still adheres to the tenets of dual labour market theory. These rather ideal types of union membership segmentation were used to cluster case study unions. The rationale for assigning trade unions to such clusters is elaborated below.

#### *University and College Union (UCU)*

Labour market in tertiary education undergoes significant transformations from a dichotomous entity towards a blurred frontier between primary and secondary segments spurred by the decline of organised labour, tumble in collective bargaining and a downward trend in employee coverage by collective agreements (Simms et al., 2001). Contemporaneously, contingent labour occupies a discernible and growing position in UCU membership, causing the trade union to adjust its policy and actions (Heery et al., 2004; Conley and Stewart, 2008). This is not to say contingent work is something new for trade unions in higher and further education (Simms et al., 2001; May et al., 2013). Historically, the labour market in the education sector was split into primary and secondary segments composed populated by so-called tenure track positions and adjunct faculty respectively. Adjunct faculty members are not necessarily hired through contingent forms of employment (albeit this is often the case), but they are located outside a traditional career ladder in academia. Such workers usually occupy teaching only positions in research-oriented institutions; they may be hired either via full-time open-ended contracts or through various types of short-term or casual contracts (Simms et al., 2001). The foregoing exemplifies a clearly segmented labour market to which

trade unions adapted by tuning their policies to the needs of adjunct faculty. There is however evidence to suggest that such a clear dichotomy no longer holds up (Heery et al., 2004; Pernicka, 2009), as recent decades have witnessed a significant decrease in full-time open-ended contracts accompanied by the growth of contingent employment in tertiary education. Such a shift occurred in a downward fashion whereby a significant proportion of full-time employees have been moved closer to a secondary labour market position. At the same time, more contingent workers tend to take responsibilities of the core staff signifying thereby a converging tendency between trade union membership segments.

The foregoing was reflected in qualitative data collated during the present study. The notion of a changing structure of the labour market was evident in both interviews with union leaders and documentation provided by the UCU Anti-Casualisation Committee. UCU leadership acknowledged crucial transformations in working conditions of full-time lecturers and teachers. The foremost task for the union, as expressed in the quotation below, is to arrive at an optimal response to a changing status of both membership segments: contingent workers and standard employees.

We witness more and more hourly paid lecturers. It is hard because we can hardly predict what is going to happen to them in a year or two. Therefore, we need to come up with some sort of actions that would really help them, help them to secure a future.

National union officer (UCU)

Further evidence to a blurring borderline between contingent workers and standard employees was derived from non-participant observation at the UCU Anti-Casualisation meeting and from the documents supplied by the Anti-

Casualisation Committee. According to the union report based on statistics acquired through the freedom of information (FOI) request, even rapid dissemination of zero-hours contracts, in spite of their harmful effect on career progression of teachers and lecturers, has not restored the frontier between the two aforementioned membership segments. For what has occurred in relation to zero-hours contracts can be described as further undermining of standard employment conditions. Hence, it gets virtually impossible to distinguish between standard employees and contingent workers, as they are increasingly given conformable workloads and responsibilities. Not only does it concern teaching staff but also young career researchers for whom job insecurity at the early career stage was akin to apprenticeships, widely perceived as a stepping stone towards secure employment. Such a career ladder was undermined in that junior academics are often stuck within a churning cycle of fixed-term academic positions. This has recurrently cropped up at UCU anti-casualisation meetings.

A distorted frontier between primary and secondary segments of trade union membership has changed the trade union's attitudes towards contingent workers who are currently included in trade union membership on roughly the same ground as standard employees. That is, despite perceiving contingent employment as a case of special interest, union leaders have deliberately not made any distinction between contingent workers and the rest of union membership. It is true though that union representatives conceive existing gaps between contingent workers and standard employees in tertiary education as artificial and contend that these gaps can be narrowed down through better representation of contingent workers and their inclusion in union structures both at the workplace and within the union structure as a whole. The quotation below attests to this position.

We were trying to persuade management to give them full sessional and then permanent contracts. That's been the main work. We obviously want people to be in a more secure position. It is unfair what is going on at the moment. We also want them to feel themselves part of their union, to be involved at all levels.

National union officer (UCU)

Further evidence to deterioration of standard employment, which in turn incited a converging tendency within trade union membership, stems from the most recent activities of the UCU Anti-Casualisation Committee. Its 2014 Annual Meeting reflected a number of important facts. Firstly, the majority of delegates, in spite of their contractual situations, fully associated themselves with the academic institutions they work in. Their main aim, namely to pursue an academic career, has not changed even under the impact of sessional, fixed-term and zero-hours contracts. Secondly, across a wide range of representatives, from teaching fellows and doctoral students involved in the teaching process through to esteemed academics and teachers, a point of mutual consent was the necessity to fully incorporate contingent workers into trade union membership, as a conformable process takes place in the education sector. Stressing upon the strategic directions of union policy, the Committee emphasised the need for a more profound involvement of contingent workers in labour-management negotiations, notably at the workplace level, with a genuine intention to reduce a sense of isolation and deprivation amongst contingent workers.

In summary, whichever piece of evidence one takes, be it interviews with union leaders, opinions of union rank-and-file expressed at UCU events, or UCU's flagship initiatives in the domain of contingent labour, little doubt remains regarding the permeation of a converging tendency between primary and secondary membership segments into the union membership. That it to say,



standard employees, i.e. lecturers, teachers and researchers on full-time open-ended contracts drift, in terms of their working conditions, towards contingent workers. The latter in turn are given the burden of responsibilities similar to those of full-time faculty members. As such, a discernible frontier between the cohorts of contingent workers and standard employees within the UCU membership is rather an improbable scenario for the current state of affairs in tertiary education. Thus far, the picture seems relatively straightforward. A few concluding remarks though ought to be made with regard to the UCU membership. Despite being fairly comprehensive, the case of UCU covers primarily the area of higher education, with just a few examples being drawn from further education. This is not to say the current research is representative exclusively of higher education as the lack of interviews with union representatives in further education was compensated by non-participant observation at union meetings that encompassed all sectors within tertiary education. Nonetheless, skewness of this study towards higher education should be acknowledged. It is equally important to mention that UCU unionises only academic and teaching staff whereas administrative personnel are represented by other trade unions involving UNISON and Unite. Thus, a converging tendency reported above mirrors the reality of employment relations primarily within the academic labour market. As for the non-academic side, it will be partially covered by the case of UNISON but largely stretches beyond the scope of this study.

#### *Community the Union for Life*

If UCU represents an example of a converging tendency between the segments of contingent workers and standard employees, whereby the depletion of standard employment pushed standard employees into close proximity to contingent labour,

Community is a flip-side of the same coin. That is, a similar converging tendency within the Community membership came about through levelling up contingent labour, particularly in terms of working conditions of agency workers. The levelling up effect was evident in interviews with union leaders and, importantly, in secondary qualitative data, notably in the Community report on agency workers. Somewhat surprisingly, a converging tendency was transparent amidst the rise of agency labour and zero-hours contracts, which may otherwise give an impression of worsening employment conditions within the steel and textile industries. As witnessed by trade union leadership, the distance between the bulk of contingent workers and the rest of union membership has been gradually narrowed down, not least because the trade union managed to incorporate a significant proportion of contingent workers into the organisation of production. According to the trade union survey of agency labour, over 65 per cent of agency workers are closely connected, in terms of what their workloads and working conditions, to standard employees. This was possible not least because of continuous negotiations between trade unions and employers, let alone recently enacted Agency Workers Regulation. The quotation below further advances this line of reasoning in a sense that it emphasises Community's intention to treat contingent workers and standard employees as equals.

Working conditions are similar to other staff, but they do not speak about things, they are not so vocal. As a union we are reasonable. If you start organise agency workers you get power but we never abuse this power, we just want to get a fair deal for the people. We want them to be treated as our ordinary members.

National union officer (Community)

That is not to say the trade union's leadership does not at all draw a line between contingent labour and standard employees. The rise of casual labour, especially in

the form of zero-hours contracts has, according to the survey mentioned above, prompted Community to sideline such an emerging cohort of contingent workers. The rationale for that is rooted in the probability for casual labour to distort a fragile balance between agency workers and standard employees so painfully achieved by the union. A frontier between agency labour and other contingent workers as well as a more detailed explanation of how Community managed to stabilise the turbulent state of the labour market is reflected in the quotation below.

We were successful here because we do negotiate about agency workers as well. Well, you know, we give them as much as we can and talk to employers about what sort of benefits will be accessible for them.

National union leader (Community)

Above other things, the interview data revealed that Community positions itself as a union loyal to the system of employer-employee deliberations as pertinent for representing all membership segments, which is mentioned in the quotation below.

And our main strength is collective bargaining, negotiating with employers. This is how we secured a better deal for agency workers, by ensuring that they are well treated and respected by managers.

National officer (Community)

The foregoing was possible not least due to the allegiance of the steel and textile industries, the core industries for Community, to the contract-based type of employment relations. Moreover, organisational restructuring in these industries has not gone farther than the outsourcing of peripheral activities and has not dismantled completely existing hierarchical structures in the labour market. Thus, a conjecture seems reasonable that the current state of the union response to the rise of contingent work may be predicated upon a converging tendency within

Community's membership such that the discrepancy between contingent workers and standard employees has been as minimum stabilised and perhaps even narrowed down. Such a tendency though, in contrast to the case of UCU outlined above, is not unequivocal due to the presence of a salient cohort of agency workers, which occupies far more significant space than somewhat similar groups of contingent workers within UCU's membership. The foregoing, however, does not overshadow the observed converging tendency between the membership segments.

### *BFAWU*

Findings regarding dynamic segmentation tendencies within the BFAWU membership are drawn from interviews with union leaders and national officers. The interviews unveiled a diverse structure of BFAWU's contingent membership that can be split into two relatively broad groups composed of contingent workers still embedded into the organisation of production and contingent workers clearly isolated from it. This reflects a diverging tendency between primary and secondary segments wherein formerly core workers become externalised and transferred onto insecure jobs. A pertinent example of a newly formed secondary segment of union membership is employees on zero-hours contracts. Prior to being moved into contingent jobs these workers were concentrated in large organisations that provided them with secure employment within internal labour markets. According to union officers such workers used to do, and some of them still do, work of the same nature as direct employees on open-ended contracts. That is to say, a significant proportion of a currently contingent workforce were central to the organisation of production. As mentioned above, the modus operandi changed substantially in recent times such that contingent workers were gradually isolated

from core employees and devoid of basic advantages of standard employment, like on-the-job training. The foregoing is elucidated in the quotation below.

These are the people who were key to our industry. They had everything: salary, guaranteed working hours and what not. Nowadays they do infrequent hours here and there. Some of them are employed through an agency which makes things even worse for us.

Union secretary (BFAWU)

The quotation below circumscribed a pivotal segment of contingent labour within the BFAWU membership. Further analysis of qualitative data uncovered another conspicuous cohort of contingent workers formed by a casualised workforce located predominantly in the fast food industry. Such workers are not closely tied to the organisation of production, as they occupy extremely marginalised positions in their respective organisations. They have very little chances (if any) for stable employment and career progression not only within one organisation but also in the whole industry. It is true though that casual workers often come from peculiar social groups (for instance students) without any intention for long-term commitment to the organisation. That, however, provides no room for complacency for BFAWU, as union leadership perceives such contractual circumstances as detrimental, regardless of personal circumstances of contingent workers (see the quotation below).

We realise for many frontline workers in the fast food industry it is temporary. These are just boys and girls studying somewhere and earning pocket money. But that makes no difference for us, because for many union members it is the only means of subsistence.

National union leader (BFAWU)

Ultimately, BFAWU's membership appears, at least partially, segmented. Importantly, it is further diverging, with a crystallising segment of contingent workers. The latter, however, is not that straightforward and has its inner structure wherein some members remain connected to the organisation of production whereas other groups of contingent workers have been externalised from it. The closeness of contingent workers to the organisation of production is evidenced by industrial action organised by the Hovis branch in Wigan. The strike was called against a disproportionate increase in the use of contingent work in general and zero-hours contracts in particular. The action was successful, for it has led to the cancellation of at least some of employers' plans for further labour outsourcing. This was possible not least because industrial action was upheld by standard employees, which was not merely the act of solidarity, but predominantly a demonstration of close ties between contingent workers and standard employees. Another reason for a relative success of industrial action is career ladders available for contingent workers in Hovis, for this makes their struggle with the employer sensible and potential payoffs worth the effort. Similar methods would have hardly worked amongst the majority of contingent workers in the fast food industry. For this very reason, BFAWU's campaign for equal treatment in the fast food industry was organised on different principles rooted in the partnerships with the third sector organisations, and aimed primarily at promoting the equality and fairness in the workplace. The quotation below attests to that.

Wigan was massive for us. It was really great seeing the workforce standing together against employer's hideous plans. But it will never work let's say in Burger King or in Greggs. It is much harder to organise people there. They just see no sense in going out and being vocal. So we act differently there. We raise their awareness; draw public attention to working conditions there. But that's all we can do for now.

National union leader (BFAWU)

In summary, the case of BFAWU alludes to a diverging tendency between primary and secondary segments of trade union membership in that a considerable proportion of contingent workers, despite being somewhat embedded in their respective organisations, have been externalised from the organisation of production. Not only has it led to a split within the trade union, but also made a secondary segment within its membership diverse and composed of heterogeneous cohorts of contingent workers. Thus, BFAWU comprises quite distinct and yet diverging membership segments.

### *UNISON*

UNISON's membership in general, and the segment of contingent workers in particular are diverse, which does not come as a surprise since UNISON is a general union that comprises various cohorts of workers primarily within the public sector. With regard to dynamic tendencies, the interviews with union leaders and national officers allowed suggesting that UNISON may operate on a multifaceted membership base that embraces contractual-based and relatively stable forms of contingent labour alongside heavily marginalised types of contingent work externalised from the organisation of production. This, similarly to the case of BFAWU, points to a diverging tendency between primary and secondary segments of trade union membership spurred on by the on-going subcontracting of public services. Ultimately, UNISON's membership diversifies even further, with still traceable and distinctive patterns of such a process. What follows is an exploration of a diverging tendency within UNISON's membership backed not only by interviews with union leaders but also by UNISON's overview of the survey and reports conducted in order to monitor working conditions of contingent labour.

The most important forms of contingent labour for UNISON, notably in the homecare and healthcare sectors (where the majority of union membership is concentrated), are zero-hours contracts, agency work and subcontracting schemes. As emphasised in the trade union's recent report about its members in the care sector, despite being gradually externalised many contingent workers remain strongly connected to the organisation of production. Further interviews with union leaders uncovered a simple fact that the care sector would have inevitably collapsed without an army of care workers either outsourced or hired via zero-hours contracts, which, however, does not change the centrality of their labour to the services provided. The quotation below exemplifies the situation where workers formerly employed on the permanent and full-time basis were rapidly moved onto zero-hours contracts or were outsourced to employment agencies without further guarantees in terms of working hours and income.

There is a certain group of people within our union who are hired through atypical contracts. It used to be that almost all members of staff were permanent employees. When some people left for various reasons, some of them retired, some of them found a new job, new people were hired to replace them but only on zero-hours contracts. Then many services were contracted out to the agencies and other external organisations. Now we are overwhelmed with those kinds of contracts.

National union officer (UNISON)

Union leaders further disclosed that a diverging tendency within the trade union's membership is predicated upon a rapid change in the governance regime of public services. The multiplicity of actors created by the restructuring of the UK public sector resulted in constant negotiations and re-negotiations on mutual responsibilities between all stakeholders involved: state agencies, private providers and public organisations. This inevitably affected employment relations. As mentioned in the quotation below, a certainly plausible explanation for the



considerable rise of contingent labour lies in the growing uncertainty imposed by the state bodies on public services providers such that nowadays highly volatile demand for services prevents organisations from establishing stable contractual relationships with employees.

How can you possibly adapt to that? They keep outsourcing more and more, with crucial services being operated by private providers. As any other private business these providers rely on what they call flexible workers. But the reality of that is zero-hours contracts, unpredictable workload and what not.

National officer (UNISON)

It is acknowledged in the union's reports that UNISON has found itself in a difficult position wherein negotiations with employers entail virtually insignificant improvements in contractual situations of employees. The opportunities for trade unions to affect government policies, leastwise within the framework of labour-management deliberations, are limited because of the networking type of contractual relationships involving the multiplicity of public services providers, the state and employees themselves. Thus, UNISON was forced to accept the fact that significant part of its membership experiences the shortcomings of contingent contracts in spite of the role played by such workers in the organisation of production. Management in turn utilised the dynamic changes in the labour market to exert greater authority over contingent workers, which posed further challenges to trade unions and spurred the divergence of trade union membership base.

Assuming that UNISON locked its policy into campaigning against zero-hours contracts and other marginalised forms of contingent labour will be at best misleading. Other forms of employment are also present in UNISON's agenda and encompass a wide spectrum of contingent labour involving subcontracted labour, agency work, fixed-term contracts and various self-employment schemes. The

latter two forms however are of very limited importance for UNISON as they either occupy a minor position within its membership or overlap with other dominant forms of contingent work. The situation is different with regard to subcontracting and agency labour. Interviewees emphasised that agency work, being conceptually different from other forms of contingent labour, requires special attention from trade unions. The majority of agency workers are concentrated in the public sector organisations, predominantly in the education and healthcare sectors marking thereby the decades of organisational restructuring and the on-going subcontracting of peripheral organisational activities. Likewise, such services as security, cleaning and other facilities were almost entirely outsourced to the third party organisations, signifying thereby a move away from rigid internal labour markets towards a subcontracted form of employment relations (Martinez Lucio and Mackenzie, 2004). Thus, unlike the case of employees on zero-hours contracts, the segment of agency workers and subcontracted labour is often (but not always) clearly separated from the organisation of production. Moreover, these workers are often exempted from labour-management deliberations and core union activities.

The foregoing demonstrates explicitly that UNISON experiences a diverging tendency. The segmentation of union membership keeps expanding separating thereby the bulk of contingent workers from their counterparts on standard employment contracts. Such a process, however, seems to be heterogeneous in that at least two cohorts of contingent workers are prevalent within UNISON's membership: contingent workers embedded into the organisation of production and those, like the bulk of agency workers, who are by and large externalised from it. A pertinent example of the former is workers on zero-hours contracts in the care

sector. Despite being distant from employees on open-ended and permanent contracts they remain very important for the key organisational activities. By contrast, agency workers (as an example of the second cohort of contingent workers) are predominantly excluded from workplace employment relations, they have very limited if any communication with other organisational members and their tenure in the organisation tends to be relatively short. This attests explicitly not only to dynamic tendencies between primary and secondary segments of UNISON's membership, but also to a diverging process by which the cohorts of contingent workers have been further separated from each other.

### *CWU*

According to interviews with union leaders CWU is confronted with a diverging tendency between its membership segments. Decomposition of rigid internal labour markets in the telecommunication industry harks back to the 1980s, where BT first and then other major players had outsourced certain organisational activities hitherto held in-house. This predestined the emergence and subsequent externalisation of the cohort of agency workers, signifying thus a polarised labour market. Having said that, recent decades have witnessed further diversification of contingent labour, with ensuing cohort of workers on zero-hours contracts, self-employment and employees on fixed-term contracts. That is, despite the fact that the bulk of contingent workers are externalised from internal labour markets the two segments of the trade union's membership are coterminous. The quotation below sheds light on a diverging tendency between membership segments.

Things changed recently. We just managed somehow to put a foot in this precarious labour market but were again challenged by the rise of zero-

hours contracts and self-employment. So what employers do, they take full-time contracts away and replace them with these dodgy schemes.

National officer (CWU)

Above all, this quotation attests to heterogeneity of the segment of contingent workers, as it is formed of diverse and often incomparable forms of employment. Yet, within this variety of contractual employment arrangements agency workers and to an extent employees on zero-hours contracts are of great concern for CWU. That said, unlike the cases of UCU and UNISON outlined above, zero-hours contracts have not been pronounced by union leaders as a crucially important form of contingent labour. By contrast, senior union officers warned their branches from falling into a zero-hours trap, as the abolition of zero-hours contracts as such will hardly improve employees' job security. The quotation below underscores this stance.

You just need to have one hour of employment guaranteed to have a permanent contract, whereas zero hours is just about no hours at all. And this is nonsense, absolute nonsense. And what we have done in some areas become more and more popular. The problem is that some of the employers they can easily avoid this, they can just guarantee you one hour of contract per week. And it will be a permanent contract. Manpower guarantees four hours per week, which is fairly good, but with four hours you are not going to pay your bills.

National union officer (CWU)

CWU conceives the bulk of agency workers as a core cohort within its contingent membership that requires tailored treatment. The latter is constrained by the fact that significant part of the subcontracted workforce is still involved in the organisation of production. A pertinent example in this regard is workers in post offices, telecom industry and call centres, hired predominantly by employment agencies but nevertheless embedded in main organisational activities.

Encouraged by recently enacted Regulation for Agency Workers, CWU's leadership is keen to bridge the gap between agency workers and standard employees even further. That said, CWU acknowledges a considerable degree of externalisation of contingent workers from organisational long-term plans, which has resulted in high labour turnover amongst agency workers and employees on zero-hours contracts. To counterbalance such employment instability amongst its membership, CWU embarked on a relationship with the biggest employment agencies (like Manpower) and established itself as a stakeholder in the network of employers, employment agencies and agency workers, as demonstrated in the quotation below.

And recently we have written to Manpower, which is the main employment agency. There are over three thousand workers in the BT call centre. And nearly all of them are below the Living Wage. And hundreds of them are just on penny above the minimum wage. We have written to senior members of the board of Manpower saying to them that campaign continuous but meanwhile can he put all his workers who are on pay between assignment agreement, can he put them on the living wage because now they are on the minimum wage?

National secretary (CWU)

Ultimately, CWU represents an interesting case in terms of trade union adaptation to a diverging tendency between trade union membership segments. Organisational restructuring within the telecommunication and other core for CWU industries has marked the decades of labour market deregulation coupled with the creation of multifaceted, network-based organisation of production (Mackenzie, 2008 and 2009). Along the same line, the divergence of CWU's membership occurred in such a way that contingent workers have been further externalised from the organisation of production. It however was not a

homogeneous process, for significant part of contingent workers remain central for their respective organisations.

### *UCATT*

Interviews with UCATT's leadership revealed centrality of bogus self-employment and a diverging tendency between primary and secondary segments of trade union membership. The importance of self-employment or freelancing to UCATT was highly anticipated as prior research pointed to the on-going restructuring of the construction industry (Harvey, 2003). Employers in the construction sector were amongst first to utilise the flexibility of external labour markets and to reduce organisational dependence on contracted labour (Harvey and Behling, 2008). As reflected in multiple union reports on bogus self-employment in the construction industry, at the very preliminary stage of restructuring increasing relevance of subcontracting coupled with the creation of a two-tiered workforce. Later on, it fostered the division of labour into managerial personnel hired predominantly through direct and secure forms of employment and the rest of the workforce hired via multiple forms of contingent contracts. These features of restructuring of the construction industry are reflected in the following quotation.

BAM did not employ anybody at below the management level apart from maybe site labour. Everything else is done by a subcontractor. So what subcontractors do is basically the concrete frame will be delivered by one contractor, the fixtures and fitting by another contractor, the ground works will be delivered by another contractor. Whom to hire is really up to them.

Regional union secretary (UCATT)

According to interviews with national union officers, UCATT currently faces the reality of dismantled hierarchical-bureaucratic structures of employment relations whereby subcontractors play the role of labour delivery organisations. Such firms

are called payroll companies and they hire workers primarily as freelancers. Contingent workers, therefore, have become 'free agents' without any dependence on a single employer whatsoever. In reality, the way payroll companies operate is very similar to employment agencies. But, unlike the case of CWU, the frontier between self-employed workers and standard employees is very concrete, despite freelance construction workers being central for the production process. For this very reason UCATT's leadership uses the term 'bogus' self-employment to underscore the discrepancy between actual freelance jobs and everyday realities of self-employed workers in the construction industry. The rationale for this is explicitly outlined in the quotation below.

They use then what they call a payroll company. So what payroll companies basically do; that's basically an agency. So you are told by a construction firm what to do, but your wage is paid by a payroll company. So you are actually registered as self-employed. This is what we call bogus self-employment. Even when you know you are completely under the construction company, but you are not employed by them because you are paid through a payroll company.

National union officer (UCATT)

As with other case study unions, defining the degree of segmentation of UCATT's membership is a task of high complexity. Nevertheless, two salient segments are present within UCATT's membership: core members hired through standard employment contract and self-employed construction workers. Having said that, the segmentation process outlined above is dynamic, as the segment of contingent workers expands further by embracing a wider spectrum of contingent forms of employment (this may include for example zero-hours contracts and other forms of contingent labour). UCATT's membership thus is not merely segmented but it also experiences a diverging tendency between its membership segments.

*MU*

If UCU and Community represent a rare case of a converging membership base MU's membership is clearly segmented into primary and secondary segments populated by standard employees and contingent workers respectively. Unlike the case of UCATT, such a structure is static and heavily skewed towards contingent labour, which makes the case of MU unique within the current study. The segmentation of MU's membership stems from the traditional way the music industry is organised. For many musicians, especially at the early stage of their career, the concept of an employer-employee relationship is rather nebulous as they perform infrequently at random 'gigs', with a very limited opportunity of being proposed an actual employment contract. With the exception of a very narrow niche, occupied usually by highly skilled performers, the aforementioned constitutes the *modus operandi* of the music industry. Oftentimes musicians are forced to perform for free considering this as a generous opportunity for getting noticed. Importantly, musicians perceive such a situation as the norm, as the way things are run in the world of music, which kind of alludes to the experience of academics compelled to take casual jobs as a stepping-stone onto a full-scale academic career. A national union officer confirmed this day-to-day experience of many musicians.

Quite often they are told that playing the gig is an opportunity for them, they are given the scene to play, so they should play for free.

National Union Officer (MU)

Despite the fact that at least some part of MU's membership is covered by sustainable contractual relationships, the majority of musicians are left outside this framework. Organisational restructuring occurred in the entertaining industry



almost three decades ago. Early 1980s saw dramatic changes in the whole industry such that the majority of creative activities were outsourced in order to provide the organisations with greater flexibility in light of neo-liberal economic reforms. Even such corporations as BBC and ITV considered song writing, sound engineering and recording alongside other similar activities as external to their organisational structures. For the sake of avoiding the financial burden associated with keeping these activities in house they were outsourced to the third party organisations. Consequently, many musicians and performers were forced to take up freelance jobs despite being highly dependent on their former employers. This *de facto* destroyed the internal labour market in the entertaining industry (Bacon and Blyton, 2004), as illustrated in these words of a national union leader.

They still think that they are buying reputation rather than buying actual agreement. And that gets really-really creepy. A difficulty, particularly with performing rights, is that it does not require a licence...they are actually buying the product they use.

*National union leader (MU)*

The erosion of the basic tenets of contractual employment relations has put MU in quite a contradictory position. The union still represents standard employees who work in orchestras, theatres and schools on a contractual basis. This, however, becomes increasingly irrelevant as fewer workers in the music industry are granted a privilege of standard employment. Simultaneously, a large and growing cohort of freelancers has forced trade unions to considerably change their attitudes such that policies tailored exclusively towards contingent workers have become central for the union. As such, the case of MU reflects not only a clearly dichotomous membership structure, but also represents a membership base skewed heavily towards contingent workers.

### **4.3 Ideal types of trade union membership segmentation**

Thus far the present chapter was concerned with dynamic converging and diverging tendencies within the trade unions' membership. Congruent with the dynamic model of labour market segmentation it exhibited considerable support to the notion of a blurred frontier between primary and secondary segments of union membership and further diversification of the segment of contingent workers. What follows is a brief summary of empirical findings reported above. The foremost aim here is to elaborate in more detail ideal types of trade union membership segmentation, i.e. the notion of a converging, diverging tendency and a dichotomous membership base. To this end, each case study union was allotted into one of these three clusters so as to form a backdrop against which further empirical analysis of trade union responses to contingent labour was conducted. Because qualitative data upon which the current chapter is predicated are rather thin, established clusters of trade unions ought to be conceived as ideal types but not fully representative of an actual membership base of case study unions. The ensuing clusters are as follows: the cluster of a converging membership base (formed of UCU and Community), the cluster of trade unions with a diverging membership base (composed of BFAWU, UNISON, CWU and UCATT) and the cluster of a dichotomous membership base (the case of MU).

The first cluster encompasses trade unions with a converging membership base wherein a frontier between primary and secondary segments of union membership formed by standard employees and contingent workers respectively has been narrowed down, in relative terms (as perceived by union leaders and mentioned in secondary data collected during the present study). This segment is composed of such trade unions as UCU and Community. The former represents the case of

clearly converging membership since contingent workers are perceived by union leaders as being less externalised from the organisation of production than it was just a few decades ago. This occurs due to further casualisation of employment relations such that standard employees gradually lose the advantages of full-time secure employment and move thereby closer to the cohort of contingent workers. Contingent workers in turn take more responsibilities previously assigned exclusively to standard employees. The convergence of Community's membership, albeit not so transparent, is also significant, but based on levelling up the conditions of contingent labour, particularly in relation to agency workers. Being historically allegiant to the method of union-management deliberations, Community reacted to the rise of contingent labour by pursuing its inclusion in an internal labour market. This was partially successful, according to union leaders, and marked the convergence of union membership base. It is true though that recent decades have witnessed the rise of a sizeable cohort of casual workers within Community's membership (mainly employees on zero-hours contracts). But this ensuing cohort is rather marginal and does not neglect a converging tendency between the membership segments.

The second cluster comprises such trade unions as UNISON, BFAWU, CWU and UCATT. A distinctive feature of this cluster is a diverging tendency that occurs both between and within primary and secondary membership segments. All aforementioned unions have a polarised membership base formed under the impact of the externalisation of contingent workers from the organisation of production. The segment of contingent labour is, however, not homogeneous and formed by at least two separate groups. The first group is composed of contingent workers still connected to the organisation of production. A pertinent example here

is employees on zero-hours and fixed-term contracts, although specific composition of this part of union membership varies from one case study union to another. The second group comprises contingent workers isolated from core union membership and involves agency labour, contingent workers in the fast-food industry, self-employed construction workers and so forth (the specific composition again differs from one case study union to another). The heterogeneity of the second cluster is further evidenced by a diverging dichotomy of a trade union membership base. For instance, UNISON, being a general public sector trade union, embodies various types of public sector organisations and therefore comprises diverse cohorts of contingent workers. BFAWU's expansion to the fast-food industry has brought new, even more marginalised, cohorts of contingent workers distant from the organisation of production. CWU has passed through a long-term and well-documented restructuring and tailored its policy to the contractual circumstances of diverse segments of contingent workers including employees on zero-hours contracts and agency workers. UCATT's experience is somewhat similar to the one of CWU, albeit its contingent membership is less diverse and formed predominantly by 'bogus self-employed' construction workers. Thus, the division of UCATT's membership is arguably clearer compared to other unions within the secondary segment. This, however, does not preclude the researcher from clustering UCATT alongside other trade unions with a diverging membership base.

The third cluster is formed solely by MU, a unique trade union not only due to its clearly dichotomous membership base, but also because the segment of contingent workers, composed mainly of freelancers, constitutes a large and growing proportion of union membership. If the case of UCU represents a rare

example where contingent workers have not been very much separated from the organisation of production, the case of MU is another extreme wherein the bulk of union membership is composed of externalised contingent workers. Such a structure appears stable, which allowed separating MU from trade unions with the diverging membership base.

A few concluding remarks should be made with regard to the established clusters. First and foremost, as mentioned elsewhere in this chapter the proposed clustering is broad and does not aim to fully comprehend the complexity of trade union membership, nor does it attempt to explicitly unravel the rationale for dynamic tendencies between trade union membership segments. For instance, one might reasonably suggest that the dynamism of union membership reported in this chapter has clear-cut historical roots. UCU for instance historically operated in an environment where contingent labour was a stepping-stone onto full-time secure employment. To an extent this is the case even for MU, as the music industry has been long relying on flexible labour markets. On the contrary, such unions as CWU, UNISON, Community, BFAWU and UCATT traditionally operated within rigid internal labour markets entrenched into standard employment contracts and a traditional, stable, career ladder. The ongoing segmentation of labour markets has changed the face of respective industries, perhaps forever.

Second, as can be seen in the interviewees quoted within the present chapter the segmentation of trade union membership is linked to transformations in the organisation of production. A pertinent example here is the case of UCU where the bulk of contingent workers despite insecure and unstable contractual situations play a central role in their organisations. It is still the case that some researchers, lecturers and teaching fellows on short-term, sessional and zero-hours contracts

are considered by universities and colleges as potential full-time permanent employees. Likewise, employees on zero-hours contracts, who otherwise would have been considered as external to their organisations, play a key role in the care sector. At the same time, presumably internalised contingent workers in the fast food industry are locked into the secondary labour market positions. These examples demonstrate that contractual situations themselves may be a poor explanatory variable for dynamic processes that occur within trade union membership. The organisation of production, as it is suggested within the dynamic model of labour market segmentation, sheds more light on the underlying factors of observed converging and diverging tendencies. Having said that, further engagement in such a line of argument stretches beyond the scope of the thesis and therefore may be addressed in future studies.

The aforementioned limitations, involving a rather limited empirical base upon which this chapter was drawn, do not undermine the value of the analysis undertaken. Elaborated clusters of case study unions are deemed important, as they help cast the light of clarity on the trade union response to contingent labour within dynamic labour markets.

#### **4.4 Conclusion**

This chapter introduced a contextual background of the trade union response to contingent labour by operationalising three ideal types of trade union membership segmentation along a spectrum, from a converging membership base and a diverging tendency within union membership through to segmented, dichotomous membership. All case study unions were tentatively clustered across these ideal types in accordance with the analysis of interviews with union leaders and full-time

union officers supplemented by non-participant observation at relevant union events and the analysis of secondary data (trade unions' reports and agreements). The first cluster, a cluster of converging membership base, is composed of such trade unions as UCU and Community where the borderline between the bulk of contingent workers and the rest of union membership was distorted by the ongoing segmentation of the labour market. The second cluster is formed by such unions as UNISON, BFAWU, CWU and UCATT where the secondary segment of union membership, composed largely of contingent workers, alienates further from the primary segment formed predominantly by standard employees. Moreover, the cohort of contingent workers appears to be heterogeneous which further attests to the divergence of union membership base. The third cluster is formed solely by MU, a unique trade union with a dichotomous membership base wherein the cohort of freelancers does not only represent the most significant group of contingent workers, but also forms the bulk of MU's membership.

The proposed clustering is relatively crude and could not, even theoretically, reflect the complexity of dynamic tendencies between primary and secondary segments of trade union membership. It is for this reason alone that ensuing clusters were conceived as ideal types of trade union membership segmentation, for further clustering may be attempted within each established group of trade unions. For example, the convergence of union membership is more transparent in the case of UCU compared to Community. Likewise, within the second cluster CWU and especially UCATT align more towards the dichotomous membership structure and can potentially form an additional sub-cluster. Moreover, the rationale for segmentation, historical and occupational roots of segmentation differ from one trade union to another. Thus, the proposed clustering should be treated

with caution and its heterogeneity should be born in mind when making logical inferences and generalisations. Having said that, more detailed discussion on such dynamic processes lies beyond the scope of the present thesis. Thus the proposed ideal types were considered by and large satisfactory for the purpose of the current study.

The remainder of the thesis draws on the outcomes of this present chapter and is structured as follows. Chapter 5 analyses strategic responses and particular methods employed by trade unions towards contingent labour. Challenges and opportunities posed to trade unions by the rise of contingent work are explored in Chapter 6. Chapter 7 sheds light on contingent workers' and standard employees' perceptions of trade unions.



## **Chapter 5: The trade union response to contingent work: strategy scale and method**

### **5.1 Introduction**

The present chapter builds on the findings introduced in the previous chapter and explores the trade union response to contingent work. This chapter rests on Heery's (2004 and 2009) analytical framework composed of the dimensions of strategy, scale and method and clarifies the extent to which trade unions adopt one of the following strategic responses: exclusion, subordination, inclusion and engagement. Thereafter the chapter sheds light on the extent to which trade unions' activities in the area of contingent work have been shifted beyond the enterprise level of representation (Heery et al, 2004; Conley and Stewart, 2008; Gumbrell-McCormick, 2011). Lastly, the chapter explores particular methods employed by trade unions in response to the rise of contingent labour (Heery, 2009; Simms and Dean, 2015). As such, the chapter addresses the second research question, namely 'What are the contemporary strategies and methods employed by trade unions towards contingent workers?'

The foremost contribution of the current chapter lies in exhibiting contemporary tendencies in trade unions' strategic responses to contingent labour and specific methods employed by unions in the given area. These were further associated with the dynamic converging and diverging processes within trade union membership. Not only does such a contribution comply with the dynamic model of labour market segmentation, but it also draws on the clusters of case study unions established in the previous chapter. The chapter uncovers the intersection of trade unions' strategic responses to contingent work such that the strategies of exclusion, inclusion, subordination and engagement were simultaneously

employed at the internal (within trade unions) and external (in the labour market) levels of union representation. Such an inconsistency stemmed predominantly from the dynamic processes within trade union membership in that trade unions with a converging membership base have operated on the inclusion (with some elements of engagement) strategy at the internal level and on the exclusion or subordination strategy at the external level of union representation. On the contrary, trade unions with the diverging and dichotomous membership base appear to be more consistent in their strategic actions as they focused largely on the inclusion and engagement strategies at both levels of union representation. The chapter then turns to the upscaling process and trade unions' methods tailored exclusively to contingent workers. The latter is particularly noticeable among trade unions with the dichotomous and diverging membership base whereas trade unions with a converging membership base aimed at re-establishing union-management deliberations as a representation mechanism pertinent to contingent workers.

The present chapter draws on 35 semi-structured interviews with union leaders and representatives at the national and regional levels across all case study unions. The interview data were supplemented by non-participant observation at union events. The chapter proceeds as follows. First it presents evidence for recent changes in all key dimensions of the trade union responses to contingent work: strategy, scale and method. Thereafter the chapter summarises its empirical findings and bridges the trade union response to contingent labour with converging and diverging tendencies within trade union membership.

## 5.2 Strategy

According to Heery (2004 and 2009) trade unions' strategic responses to contingent labour are shaped by four main strategies: exclusion, subordination, inclusion and engagement. Altogether these strategies reflect the legitimacy of contingent workers' position in trade union membership, for they are employed at both the internal (workplace) and external (labour market) levels of union representation. Trade unions have progressed a long way from excluding contingent workers from trade union membership and strongly opposing the very existence of contingent labour, to establishing policies tailored exclusively to contingent workers. Such a journey was not perfectly linear, as alongside noticeable advancements trade unions often had to hold back on further engagement of contingent workers in trade union membership. Even nowadays scholarly and practice discussion is centred on a pivotal question of whether further inclusion of contingent workers is indeed a step forward or an extremely risky strategy that entails dire repercussions involving disintegration of union membership and depletion of union power (Heery, 2009; Heery et al., 2004; Conley and Stewart, 2008; Gumbrell-McCormick, 2011).

This part of the present chapter provides an insight into strategic responses employed by trade unions with the emphasis on the internal and external levels of union representation (Heery, 2009). All strategic elements of unions' responses involving exclusion, subordination, inclusion and engagement are subsequently reviewed in light of converging and diverging tendencies within trade union membership uncovered in the previous chapter.

There are two important contemporary tendencies in trade unions' strategic responses to the rise of contingent labour. Firstly, strategies employed by trade unions at the internal and external levels of representation are not consistent in that one and the same trade union may operate one strategy at the internal level whereas a polar strategy may be utilised at the external level. Secondly, no evidence has been found as to the extent of the penetration of the engagement strategy, according to which contingent workers are granted a special status within union membership, into trade unions' strategic responses to the rise of contingent labour. By and large, all case study unions with the exception of MU applied a mixture of inclusion and subordination strategies. Thirdly trade unions' use of particular strategies at the internal and external levels of representation is predicated upon converging and diverging processes within trade union membership. Where trade union membership is converging, the inclusion strategy drawn on the premise of equal membership status of contingent workers and standard employees appears dominant. A diverging tendency within union membership entails an even more complex scenario where trade unions apply a mixture of exclusion, subordination and inclusion strategies at both levels of representation.

Inclusion strategy has featured as a prevalent strategic response to the rise of contingent labour among trade unions with the converging and diverging membership base involving such case study unions as UCU, Community, UNISON, BFAWU and CWU. Such a strategy was also employed by UCAAT although it was supplemented by some elements of the engagement approach. Put differently, trade unions with the converging and diverging membership base aim to unionise contingent workers and provide them with equal status within trade

union membership. According to the representatives of these unions, acting otherwise is not in any way desirable.

We have not created any difficulties here [*in granting special status to casual workers*], and we do not want to. Why would we make them special, separate these workers from other employees? The reason why they need our protection is more about job security than anything else.

Regional union secretary (UCU)

We have not addressed the differences between these groups [*contingent workers and standard employees*] because if you do so you only fuel the differences between them.

Regional union secretary (Community)

Overwhelmingly, the decision to operate on the basis of this inclusion policy instead of separating the membership cohorts is perceived by union representatives as an optimal solution, for providing a differentiated status to contingent workers may spur their estrangement from trade unions. Not only is it evident in interviews with union representative but also in multiple sources of secondary data collected during the present study. For example, conclusions in favour of inclusion strategy were overt in motions passed by CWU conference and in Community's report on agency workers. Moreover, differentiating the membership cohorts is also a costly strategy, with potentially negative repercussions for standard employees. By treating contingent workers somewhat specially trade unions succumb to the inevitability of contingent labour and empower employers for further debilitation of employees' job security. The quotation below reflects this argument.

And somehow it counts down to management. I think they are playing on casualisation, I mean they are willing to employ more and more casual staff. And the impression they are giving to employees is that they should be

lucky getting the opportunities they are provided with. As soon as we accept that, the management starts pushing even stronger.

Regional union secretary (BFAWU)

The prevalence of the inclusion strategy was counterbalanced by a variable appearance of strategic responses at the internal and external levels of representation, uncovered predominantly through interviews with national union leaders but also evident in the motions passed at relevant union conventions (a key example here is the UCU Anti-Casualisation Committee). First and foremost, the use of inclusion strategy at the internal level of representation was not necessarily duplicated at the external level. Whereas the majority of case study unions seem to have utilised the inclusion strategy internally, the strategy within the labour market is often exclusive or subordinate with regard to the interests of contingent workers. Such duality occurred predominantly amongst trade unions with the converging membership base since a blurring borderline between standard employees and contingent workers empowered trade unions to conduct more aggressive actions outside the workplace level. UCU and Community strived to limit the use of such forms of contingent labour as agency work and zero-hours contracts in the labour market, despite accepting their presence at the workplace level. UCU, as is evident in the reports submitted to the annual meeting of its anti-casualisation committee, was particularly keen to exclude the most precarious forms of contingent work from the labour market. Community was humbler in its attitudes and merely expressed concerns in relation to the rise of agency labour and its detrimental impact on standard employees and trade unions alike. Community nonetheless aimed to isolate contingent workers from standard employees (in the labour market but not in the workplace), on the basis that it may protect the latter from fluctuations in the labour market.

For us the fact that agency workers exist gives some sort of flexibility you know. Whatever bad happens, employers try to get rid of them first. Don't get me wrong; we try our best to protect these workers. But while we negotiate about them, other members feel more or less secure, if you know what I mean.

Regional union secretary (Community)

It is worth mentioning that the UCU Anti-Casualisation Committee has fiercely attacked the very existence of zero-hours contracts and other forms of casual employment by actively promoting the 'stamp out casual contracts' campaign. This campaign, whose long-term aim is to eliminate zero-hours contracts from the labour market, has gained prominence in the past two-three years. The members of the committee strongly objected to the presence of contingent labour in tertiary education and lobbied its exclusion from the labour market. The approach at the grassroots was, however, much less aggressive since contingent workers are conceived as a legitimate part of union membership. Unlike UCU, Community was more discreet in its attitudes in that contingent workers were embedded in the labour market, albeit they occupied a subordinate position to standard employees. For Community the divide between standard employees and contingent workers was more of a 'zero-sum game', as by advancing in the area of contingent work trade unions threatened the job security of standard employees and *vice versa*. This was made explicit in Community's report on conditions of agency workers and reinforced at the interviews with union leaders at the national level. Having said that, at the grassroots Community branches were keen to accept contingent workers and treat them similarly to standard employees. It is important though to emphasise once again that Community appeared more aggressive at the external level of union representation where it operated the subordination strategy.

The notion of subordination deserves further elaboration, for it allows trade unions to use contingent workers as a shield to protect standard employees from fluctuations in the labour market. Termed in prior research as an 'encapsulation' strategy (Bergstrom and Styhre, 2010), in the context of the present study it evolved at the external level of union representation, predominantly among trade unions with a converging membership base. The rationale for that is relatively straightforward. Where the distance between standard employees and contingent workers has been shortened, the former no longer experienced high levels of job security at the workplace level, in relative terms. Trade unions thus attempted to counterbalance the downward trend in job security at the workplace level by using contingent workers to protect standard employees in the labour market. An insight into the complexity of a converging tendency at the grassroots is provided in the quotation below.

...and we were making some claims back. But then the employers came and said 'No, you can only claim for the last period of holidays you had'. And it went the other way again. When we managed to improve conditions for agency workers there are always ways to undermine the position of permanent employees. Employers and employment agencies are trying to undermine it. At the end of the day they want to make money: employers to reduce the costs, agencies to gain profits.

Regional union secretary (Community)

Although the thesis contends the dominance of the inclusion strategy at the workplace level, there are signs of further penetration of the subordination strategy into the grassroots, as witnessed by regional union secretaries and reflected in union reports, particularly in the case of the UCU Anti-Casualisation Committee that has reported a great deal of workplace activities. Many regional secretaries pointed out the rise of the subordination strategy at the grassroots whereby



significant groups of contingent workers were locked into a secondary membership position, with reduced rights to participate in union governance. There is no further evidence as to whether it occurs inadvertently or in accordance with a scenario thoroughly devised by union branches. Such a phenomenon was widespread across UCU and Community - trade unions with the converging membership base - and covered predominantly marginalised cohorts of contingent workers involving sessional staff in higher education and agency workers in the steel industry. As this interviewee admitted, trade unions preferred to lock agency workers into the subordinate position, for any efforts to unionise them were in vain.

We tried to organise agency workers, but there is not that many of them. Besides, all our efforts were useless. They don't see the point, and to be honest trying to take them on board is quite expensive. So we did not put any efforts in this area. We are, of course, happy if they join, if they want so, but otherwise there is not a lot we can do here.

Regional union secretary (Community)

The reaction of UCU's representatives was somewhat similar in that some union branches preferred to isolate teachers and lecturers on so-called sessional contracts (short-term or *ad hoc* contracts) from standard employees. It occurred primarily because the likelihood for such groups of contingent workers to make even a short-term commitment to the organisation is low.

Whereas five out of seven case study unions have not operated an engagement strategy, UCATT and MU have made use of such an approach. Albeit the extent to which these trade unions adopted the engagement strategy was variable, they nonetheless provided contingent workers with some sort of differentiated status in trade union membership and in the labour market alike. UCATT, as a trade union with segmented and further diverging membership where the segment of

contingent workers is represented largely by self-employed construction workers, has made considerable efforts to split its policy and secure tailored treatment to contingent workers. Standard employees within UCATT's membership are covered by a national industry-wide collective agreement that regulates issues of job security, pay increases, pensions entitlements and fringe benefits. Contingent workers, particularly self-employed workers, are deprived of such a privilege, as recurrently mentioned in UCATT's reports on bogus self-employment in the construction industry. In order to counterbalance such deprivation UCATT arrived at the necessity to design specialist structures to incorporate the needs of contingent workers into the union's actions. Such structures may take the form of differentiated solidarity groups at the internal level of union representation, as well as the form of specialist services provided exclusively to contingent workers at the external level of representation. As summarised in the quotation below, UCATT's representatives have been concerned with activities tailored exclusively to contingent workers.

So where we were successful with self-employees, bogus self-employees it was there... We say 'Look, if there is an accident we can still provide you with an injury protection'. These things became slightly weaker with legislation but we still do this. That's what attracts people, and they often take it on because our standard approaches are not suitable for them.

Regional union secretary (UCATT)

Along the same line, MU, whose membership is composed of self-employed musicians, had split its policies into two independent groups tailored to standard employees and freelancers respectively. As the quotation below indicates, the minority of union membership is covered by collective bargaining and union-management negotiations, whereas the bulk of contingent workers are excluded from such negotiations, which requires a whole different set of representation

activities. With this in mind, MU has diversified its strategy in the way that the representation of standard employees has been concentrated in conventional collective bargaining activities and collaboration with other unions (mainly UCU and PCS), whereas carefully crafted tailored actions were employed to represent freelance musicians.

We provide a lot of services and also in the orchestras we provide collective bargaining because our members there are employees. We certainly have collective bargaining. For instance, in the West Ham area we have over three hundred workers on a full-time contractual basis. And we obviously negotiate there to ensure that their working conditions and pay are appropriately protected. But it is completely different with freelance musicians. What we deal with here is copyright agreements and relationships between promoters, managers and musicians. And again this is all adjusted to musicians' own expectations how the industry should work.

National union officer (Musicians Union)

UCATT and MU represent two cases within the present study with a considerable degree of reliance on the engagement strategy. Not only have these unions operated an engagement strategy at the internal level of union representation, but they have also implemented policies tailored to the specific needs and circumstances of contingent workers at the external level of representation, i.e. in the labour market. In so doing, trade unions have created a platform to support the most insecure cohorts of the contingent workforce, with an overriding idea to make them physically and emotionally attached to trade unions (see the quotation below).

It is important that they feel needed, that they know their union is there to protect them, even if it is very-very hard. I guess that was our motivation to do something specifically to agency workers

Regional union secretary (CWU)

### 5.3 Scale

The notion of scale reflects the level of union hierarchy at which activities directed towards contingent workers are devised and implemented. Prior literature drew a sharp distinction between the enterprise or workplace level of union representation and the level beyond the enterprise, suggesting that moving towards the latter is one of the key avenues through which trade unions can succeed in the area of contingent labour (Heery et al., 2004; Heery, 2009). Such a shift was labelled 'upscaling' and put forward by many commentators as a viable direction for trade union revitalisation (Heery, 2009; Conley and Stewart, 2008; Gumbrell-McCormick, 2011). The key argument here is that by focusing predominantly on such instruments as collective bargaining and union-employer deliberations trade unions fail to capture the needs of its diverse membership, particularly in relation to contingent workers whose interests are often located beyond organisational boundaries. In order to tackle such a problem trade unions ought to reduce their reliance on collective bargaining and employ more flexible strategies that span the whole network of contemporary dynamic labour markets involving employment agencies and sub-contractors alongside the individual interests of contingent workers located not at the workplace, but in the labour market (Conley and Stewart, 2008; Heery et al., 2004). The idea of upscaling gained prominence in the academic literature not least because it was thought to adequately address the needs and circumstances of such marginalised cohorts of contingent workers as agency workers and freelancers (Conley and Stewart, 2008). The final destination of the upscaling however is rather obscure, as the bulk of union actions in the area of contingent work may equally reside at the national, regional or even sectoral levels of union structure. Furthermore, the upscaling might penetrate into various mechanisms of trade union representation, from organising and collective

bargaining through to legal actions. As such, it seems relevant not only to investigate the extent to which trade unions have adopted the upscaling approach, but also to pay close attention to the levels of union structure at which unions' responses to contingent labour are concentrated and to the impact of upscaling on the basic mechanisms of union representation.

The present study has largely confirmed the importance of upscaling for trade unions in that the majority of case study unions either had been contemplating whether to embark on such a journey or had already actively used this approach for a number of years. The interviews with union leaders and representatives revealed the on-going process of redistribution of trade unions' strategies and activities from the grassroots to the higher levels of union hierarchy. As with rest of the thesis, the converging and diverging tendencies within union membership seem to have played a pivotal role in the aforementioned process. In particular, trade unions with a diverging membership base have advanced more in upscaling compared with trade unions with a converging membership base. The reason for that is rooted in the fact that traditional workplace collective bargaining is a considerably less effective means for the representation of contingent workers when a segment of contingent workers is being further externalised from the organisation of production. An extreme example here is MU, whose membership is not only split into two distinct segments, but is also formed largely of contingent workers. It is not surprising then that this union demonstrated a more advanced level of upscaling compared with other case study unions. In light of Heery's (2009) classification of union activities into six areas (recruitment, participation, servicing, bargaining and legal regulation) the present study investigated whether

and how the upscaling penetrated into these mechanisms of union representation. The key findings are reported below.

### *Recruitment and participation*

Recruitment and participation are perhaps the most centralised aspects of union representation that were significantly affected by the upscaling process in the way that principal decisions in relation to organising activities tailored to contingent workers have been made at the national level of union structure whereas specific recruitment activities were delegated to the grassroots. Such transformations occurred among trade unions with a converging membership base (UCU and Community) and trade unions with a clearly segmented membership base (MU). Not only have these unions shifted the bulk of recruitment and organising activities beyond the enterprise level, they have also adopted online communication channels, involving the use social networks, to effectively reach contingent workers and union activists. Pushed actively by Anti-Casualisation Committee (in the case of UCU) and suggested as a viable direction for further progress in the domain of contingent labour in Community's report on agency labour, an upscaling has gained prominence notably amongst these two case study unions. Furthermore, according to interviews with union representatives such means of communication are significantly more productive for promoting union values and improving of trade unions' image in the eyes of contingent workers than traditional face-to-face means of communication.

A pertinent example with regard to the foregoing is a Twitter account of the UCU Anti-Casualisation Committee designed specifically to attract public attention to the dire working conditions of employees on zero-hours contracts. The account has

grown rapidly in less than two years to the extent that it has become one of the UCU's main media channels. It further became central for the national anti-casualisation campaign, which challenges the incremental use of contingent labour in higher and further education. The quotation below illustrates how this initiative evolved and expanded.

We have set up a Twitter account which was useful for making contacts, sharing information, letting people know that we are here. But also for the people from overseas, from the US, Canada, Australia. We found that it is not just our issue... it is also relevant for other countries. Then we had a day of action, established as an annual event. We are also trying to communicate with other regions by letting them know through the social media what is going on with the anti-casualisation campaign.

Regional union secretary (UCU)

The underlying principle behind the upscaling was a top-down approach where strategic steps were crafted by national committees and regional branches whereas local branches were directly involved in organising union events. A very similar approach was employed by MU, which has long sought to establish recruitment and participation activities pertinent to the circumstances of freelancers. A move beyond the workplace level of representation involved an attempt to unionise contingent workers on a top-down basis with simultaneously granting them differentiated status within trade union membership and reforming the principles of union governance to adequately reflect the current state of affairs in the music industry. The outcome of such changes is twofold. Firstly, it led to a sharp increase in the number of union officers specialised in the representation of freelancers. It has pushed MU into the vanguard of trade unions by the number of full-time officers per union member. Secondly, the balance of union power was redistributed from the grassroots towards the national and regional levels of union

structure. The quotations below exemplify the bottom line of the upscaling in the case of MU.

We are trying to get people active but it again comes to the way they can be organised. In our industry it becomes cultural how the branch is organised. So we respond to this at the branch level and at the national level as well. We train a lot of reps so that they understand what the union is, so they can promote our union and make the branches stronger.

Regional union secretary (Musicians Union)

Our aim was to create a powerful enough structure to provide services required to our members. We have got six regional offices across the UK; we have more than thirty thousand members, around 50 full-time staff and officials dealing with the whole range of activities.

National union officer (Musicians Union)

That is not to say that the elements of upscaling with regard to recruitment and participation activities were witnessed exclusively among trade unions with a converging and segmented membership base. Trade unions with a diverging membership were also drifting towards upscaling, particularly UCATT whose membership is perhaps more segmented compared to other trade unions in the respective cluster. UCATT has arrived at solutions that somewhat resemble UCU's and MU's top-down strategies, as reflected in the quotation below.

We have a lot fixed workplaces where we used conventional recruitment approaches but the bulk of our workplaces are different. We had a conference some time ago where one of the delegates said 'We should be moving to other broader areas, because construction is so fragmented'. And our general secretary replied: 'If there is one industry that needs to be properly organised, it is construction'. Nowadays, if we look at the construction area it is very hard to organise workers from the union point of view. Because of that a lot of activities are provided by the national committees and regional branches.

Regional union secretary (UCATT)



Other trade unions within the cluster of a diverging membership base were less persistent in their intentions to operate on the upscaling policy. Perhaps the reason for that rests on the fact that UCATT's membership, similarly to the case of MU, is composed of a very discernible and relatively homogeneous cohort of self-employed workers, which accentuates the need for upscaling. The foregoing is explicit in UCATT's documentation on bogus self-employment gathered during the present study. Albeit UCU's and Community's memberships are converging, they also implemented some elements of upscaling. Where membership segments converge it is a matter of practical convenience to concentrate recruitment and participation activities at the levels beyond the workplace. It then bears considerably lower risks for trade unions, although calling such a process upscaling would be an exaggeration. If, however, the membership base is clearly segmented trade unions do not seem to have much of a choice, as the needs of a growing segment of contingent workers requires union actions that cannot be effectively devised at the enterprise level. Lastly, trade unions with the diverging membership base were in a less clear-cut position, as the structure of their membership segments keeps rapidly changing, which precludes further progress with regard to the upscaling. Such trade unions thus preferred to implement only some elements of the upscaling. Even then, they have done it with caution by carefully weighing potential impact on all membership segments.

#### *Union-management negotiations*

The dimension of union-management negotiations is strongly linked to upscaling. Collective bargaining as a traditionally central area of union representation has faced crucial problems in light of ongoing labour market segmentation due to its inability to fully comprehend the needs of contingent workers. To offset such

undesirable consequences trade unions attempted to extend the practice of multi-employer collective agreements and thereby to encompass a wider membership base (Heery, 2004; Gumbrell-Mccromick, 2011). Those attempts were not successful though, primarily due to a decentralised system of collective bargaining in the UK. As such, national-industry wide collective agreements remain virtually irrelevant for a significant proportion of contingent workers in the UK. The present study, however, uncovered that the upscaling of union-management deliberations has intensified in recent years across two distinctive groups of trade unions: these who aim to encompass contingent workers by conventional (enterprise-based) collective bargaining and trade unions which seek other more effective forms of bargaining outside the workplace-level of union-management deliberations. The former comprised such trade unions as UCU, Community, BFAWU, UNISON, CWU and UCATT, in other words trade unions with be a converging and diverging membership base. These trade unions have not clearly separated the bulk of contingent workers from the workplace bargaining units, albeit such an approach was not always useful in representing the interests of all contingent workers. That is particularly the case in the construction industry (UCATT) where inclusion of self-employed construction workers in workplace collective bargaining had virtually no effect on their working conditions, as admitted in UCATT's own report about bogus-self employment. At the same time, trade unions have not attempted to go beyond that to establish bargaining units pertinent to the needs of contingent workers outside the enterprise level. Trade unions with a converging and diverging membership base tried to bring issues relevant for contingent workers onto the agenda of industry-wide collective agreements. Interviewees were certain that industry-wide collective agreements have covered a growing proportion of contingent workers, which has taken place not only in the public sector where the

tradition of such agreements is strong but also in the private sector (the cases of Community, CWU and UCATT are a good example here).

The second group of trade unions was formed solely by MU whose membership is composed of freelance musicians. In light of the growing irrelevance of collective bargaining and workplace negotiations for the bulk of MU's membership, the union has sought to devise the agenda for union-employer negotiations in order to capture the interests of freelance musicians. Two features should be noted in this regard. Firstly, such negotiation agendas have disseminated beyond the workplace level of union representation and embraced business associations and third party organisations that affect the contractual and employment circumstances of musicians. These additional stakeholders may represent various organisations predominantly located at the level external to the organisations involving employment agencies, payroll companies, copyright bodies and so forth. As such, MU has engaged in wider negotiations with all stakeholders on behalf of contingent workers.

Secondly, alongside encompassing a wider group of stakeholders and enriching the bargaining agenda, MU has switched its focus to non-labour related issues that shape the well-being of freelancers. MU developed expertise in such commercial aspects of the music industry as copyrights, promotion and legal consultancy. Hence, rapid casualisation of the music industry has shaped the necessity for trade unions to expand their activities into previously irrelevant areas of representation. The quotation below illustrates the multi-faceted character of union-management negotiations in the music industry.

What we deal with in terms of negotiations is all adjusted by musicians' own expectations how it should work, the difference between what managers actually do and what musicians actually understand. A good example is recording when recording company is not obliged to release anything, or there is no obligation to promote any kind of work. It does not always meet the expectations of musicians. So we have to take this on board and negotiate with the managers and copyright companies.

National union officer (MU)

In summary, despite the differences observed between trade unions with converging, diverging and segmented memberships, there is a similar pattern across all case study unions towards developing agendas for union-management negotiations beyond the enterprise-level. It may take the form of national industry-wide collective agreements (albeit their impact on contingent workers is still very minor) or the form of broader negotiations with stakeholders beyond the framework of employment relations (the case of MU).

### *Legal regulation*

Legal regulation has emerged in recent decades as an important ingredient of the trade union response to contingent labour. It has promised a great deal of success, for trade unions have pushed their efforts towards amending the current legislation and making it less hostile towards contingent workers. This regional union secretary explicitly summarised the aforementioned argument.

And that really would be the only way we do it, get legal changes. I doubt employers would take something else into consideration apart from the power of law. That's where we put a lot of our activity, in that area.

Regional union secretary (CWU)

In an attempt to improve the existing legal framework all case study unions have moved beyond the enterprise level of representation towards establishing the

mechanisms through which current legislation can be affected in a way beneficial for contingent workers and trade unions. This move occurred in two directions. Firstly, the responsibility to establish and promote legal campaigning in the area of contingent work was passed to the national level of union structure wherein tailored committees formulated and selected the key initiatives. Having said that, the connections between the grassroots and higher (regional and national) levels of union hierarchy have been preserved. Similarly to the recruitment activities described above, the method of legal regulation was designed on a mixed basis wherein a bottom-up type of communication served to inform decisions made at higher levels of union structure.

Secondly, the upscaling of trade union legal campaigning has spurred inter-union collaboration wherein the majority of case study unions have jointly lobbied changes in the regulations of and around contingent work. The most recent example of such collaborative legal actions is the Agency Workers Regulation (AWR), which according to some commentators has significantly improved the conditions of agency workers. In spite of a notorious 'Swedish derogation', it was pronounced as a great achievement. Furthermore, industrial relations oriented European legislation in the area of contingent labour fostered trade union cooperation at the international level where joint union efforts were undertaken in order to provide a platform for desirable changes in UK legislation. Such a shift from local lobbying to the European level is illustrated in the quotation below.

We built good relations with councillors and MPs. And we were campaigning very strongly as far as the implementation of agency directive went on. We went to Brussels, we were lobbying this on. The whole issue of equal pay is undermined. The problem is that when we have thousands and thousands who are paid at national minimum wage per hour, we have to change the legislation to do that. And that's the mountain to climb.

National union officer (CWU)

This quotation summarises the upscaling of union responses to contingent work in the area of legal regulation. Trade unions indeed have covered a long pathway from the individual-based actions and initiatives to the vertical and horizontal inter-union collaboration. Such a move is thought to address the loopholes in current legislation about contingent labour and, ultimately, appeal to a significant proportion of contingent workers.

#### **5.4 Method**

Methods employed by trade unions in the field of contingent labour are in close connection with the strategic responses and upscaling. The dimension of methods has been operationalised in prior research along the spectrum, from unilateral regulation, labour negotiations and legal regulation through to mutual assurance (Heery, 2009; Conley and Stewart, 2008; Gumbrell-McCormick, 2011; Heery et al., 2004; MacKenzie, 2010). Unilateral regulation, labour negotiations and legal regulation constitute a so-called regulatory framework of union policy that serves the purpose of affecting the labour market regulatory mechanisms to reflect the interests of trade unions and their members. The method of mutual assurance represents a different type of union philosophy characterised by the servicing model tailored to the needs of contingent workers. Such a model might include insurance schemes and consultancy both within and beyond the employment relations framework (Heery, 2009: 436). The remainder of the current chapter provides an overview of methods employed by trade unions along the foregoing spectrum.

*Unilateral regulation*

Unilateral regulation represents a set of union activities aimed at protecting contingent workers by means other than collective bargaining (Heery et al, 2004; Heery et al, 2005; Heery, 2009). In particular, where union-management negotiations failed to adequately capture the needs of contingent workers, trade unions sought to affect the conditions of the labour market and the contractual circumstances of contingent workers in a unilateral manner. This often takes the form of model employment contracts, recommended fees and rates, which may be taken on board by employers and contingent workers for individual negotiations. By undertaking such steps trade unions attempted to establish themselves as policy makers, whose stance is relevant for other stakeholders (e.g. employers and employees). Having said that, the scale and particular forms of unilateral regulation vary from one case study union to another with a clearly traceable effect of converging and diverging tendencies within trade union membership. Two groups of trade unions emerged in relation to their use of this method. The first group was formed of trade unions with a diverging and converging membership base. These trade unions bonded unilateral regulation with the outcomes of collective bargaining. Essentially, their foremost aim was to counterbalance the exclusion of contingent workers from collective bargaining by providing them with comparable benefits achieved through unilateral types of activities involving template employment contracts, social security services brokered by trade unions and so forth. For example, Community, CWU, BFAWU and UCATT were persistent in providing contingent workers with the same level of sickness pay, maternity leave and pension entitlements available to their counterparts on standard employment contracts. The evidence for this statement comes from

secondary data, particularly the examples of model employment contracts provided by UCU and UCATT. The reason for such an approach is rooted in a historically strong system of workplace collective bargaining among such trade unions, which allowed them to project the outcomes of labour-management negotiations on the policies tailored to contingent workers. The fact that at least some groups of contingent workers, and in the cases of UCU and Community the bulk of contingent workers, remain embedded in the organisation of production facilitated the aforementioned process.

It is worth providing a few more examples to reinforce the argument on close ties between unilateral regulation and labour negotiations among trade unions with a converging and diverging membership base. A pertinent example here is the case of UCU's London branch that has developed a toolkit for employment contracts with contingent workers. The toolkit, as reflected in the quotation below, was circulated to other union branches and has facilitated the unification of contractual situations of contingent workers in the unionised workplaces.

We are also trying to communicate with other regions by letting them know through the social media what is going on with anti-casual campaigns. Yes, for example in London they produced a London region toolkit, which we are looking at. We had a meeting about this, we have got a link on the website. We organised a workshop for people to get to know the toolkit.

A member of the National Anti-Casualisation Committee (UCU)

Although trade unions with a diverging membership base (UNISON, BFAWU, CWU and partly UCATT) have yet to promote initiatives similar to the toolkit for employment contracts, they employed perhaps less systemic actions, but still along the same lines as UCU and Community. A pertinent example here is BFAWU's response to unstable payment rates and infrequent working hours in the



fast food industry. As illustrated below, after being refused to negotiate openly with management, BFAWU attempted to resolve the issue unilaterally, which was deemed a success.

We had quite a good victory; we had a problem with the payment, with the working hours, contractual hours in Burger King. They would not give us access to workers, denying our officials to go and deal with our members. We got there and told members what we are doing and what needs to be done and they accepted this and spread a word. Ultimately, we had a pretty good result there.

Union leader (BFAWU)

The second group of trade unions was formed solely by MU, which went far beyond a typical agenda of labour negotiations. MU has taken on board specific regulatory initiatives that cover the needs of contingent workers. It is the only case study union that has not bonded the methods of unilateral regulation to what can be unequivocally considered as the labour negotiations agenda. MU designed separate templates tailored to the circumstances of contingent workers and aimed at securing their basic rights involving, for example, copyright agreements.

#### *Union-employer negotiations*

Thus far the present study demonstrated that union-employer negotiations, despite being a preeminent form of employee representation, contributed very little to the trade union response to contingent work. That is not to say trade unions were passive in reinforcing their bargaining power. Moreover, as will be shown in subsequent paragraphs, there is enough evidence to suggest that to a certain extent trade unions managed to increase the relevance of union-management deliberations for contingent workers. At least, there is a general trend towards the involvement of contingent labour in the workplace negotiations, where possible.

Similarly to the method of unilateral regulation, two clusters of trade unions emerged from the data analysis. First, trade unions with a converging and diverging membership base which demonstrated a propensity towards reinforcing the value of union-management deliberations for contingent labour. Second, and in contrast to the first group, MU as a trade union with a segmented membership base has not attempted to reinforce collective bargaining as such, but rather aimed at expanding the negotiations agenda into the areas relevant for freelance musicians. As regards the former, i.e. the clusters of trade unions with the converging and diverging membership, although the tendencies across the respective case study unions were conformable their specific bargaining agendas were variable. UCU and Community, as trade unions characterised by the convergence of their membership segments, seized a unique opportunity to negotiate with employers on central issues for contingent workers such as pay levels and pay increase, job security, pension entitlements and so forth. Beyond any doubt these trade unions were privileged since a large proportion of contingent workers remain connected to the organisation of production. Trade unions with a diverging membership base, such as UNISON, BFAWU, CWU and UCATT, had to deal with a higher level of membership dynamism, which narrowed down their bargaining priorities to such basic issues as contractual hours and sustainability of employment contracts.

Importantly, the rise of labour negotiations was accompanied by the growth of protesting activity. It does not come as a surprise that where contingent workers remain connected to the bulk of the organisational workforce trade unions may rely on their collective mobilisation. This is evidenced by the recent industrial action organised by UCU and supported by other unions in higher and further education

(mainly UNISON and Unite). Contingent workers participated in a number of work stoppages side by side with full-time and permanent members of staff. However, for some contingent workers it was a hard choice since they risked losing a substantial part of their income and many withdrew their support at the latest stages of the industrial action. Albeit trade unions have yet to address this challenge, a move towards membership consolidation is suggestive of the potential of labour negotiations in the field of contingent labour.

Although the following example was already provided in Chapter 4, it is worth noting again how successful the industrial action organised by BFAWU was. It was initiated in order to oppose a disproportionate rise in the use of zero-hours contracts and was massively supported by all membership segments, as reported in the quotation below.

The Wigan was an absolute revelation. It was not particularly militant or politicised. And what they said, the company, they came and said we are going to have a second generation of contracts and agency workers on side. Our members got together and we of course helped them nationally. We had a series of one-week strikes. To give you an example, there was one particular day when there were more than 900 people outside the factory. So we blockaded, we had marches, rallies and we achieved a great deal of success.

National union leader (BFAWU)

Above all, this quotation underlines the importance of collective mobilisation for labour negotiations, which is further evidenced in the following quotations from the representatives of other trade unions within the clusters of case study unions with a converging and diverging membership base.

...and we have one campaign now with even the possibility of industrial action over the pay rates. UNISON has just voted to take the action. But the way these things work, we need to discuss with other unions involved in the

organisation and also to take into account the interests of all membership groups.

Regional union representative (UNISON)

Where we go on strike it is not only lecturers and researchers, there are also librarians, porters, security services. I think we are quite successful here.

Regional union secretary (UCU)

There is emerging evidence to support the trade unions' ability to eliminate certain types of contingent work through persistent negotiations with employers. The evidence base here, rather weak though, stems not only from interviews with union representatives but also from secondary data (agreements summoned during the visits to union branches), and suggests that further advancement in union-management negotiations can deliver benefits accruable to contingent workers. Two particular cases should be mentioned in this regard. First, an agreement between the University of Edinburgh and a local UCU branch that assumes the abolition of zero-hours contracts from organisational employment practices. Spanning almost a decade of negotiations, this achievement has been pronounced by UCU as very important for the trade union anti-casualisation campaign. Second, CWU branches within the Royal Mail signed a national industry-wide collective agreement that has stamped out zero-hours contracts. Albeit zero-hours contracts are a rare form of contingent work in the postal services, such an achievement should not be undermined. These examples attest to the increasing activity of trade unions with a converging and diverging membership base in the area of labour negotiations.

The present study went further than a mere declaration of the fact that labour negotiations may bear some relevance for contingent workers and attempted to

unravel the underlying mechanisms of such a shift in the trade unions' policy. The majority of interviewees perceived union-management collaboration as the very reason behind the inclusion of contingent workers' agenda in labour negotiations. A collaborative framework of industrial relations is usually opposed to an adversarial style wherein the parties, usually employers and trade unions, demonstrate hostile attitudes towards each other and compete, often aggressively, at the workplace level and beyond. The adversarial type of industrial relations is basically a 'zero-sum' game wherein the gains of one party are the losses of the other party and *vice versa*. By contrast, cooperative union-management relationships are built upon common goals and trust between the parties.

The present study showed that despite predominantly negative attitudes towards the very existence of contingent work, trade unions pursued common interests with employers and utilised the cooperative industrial relations climate for the benefits of contingent workers. It is along these lines that the major advancements of UCU in the area of contingent work, despite notable industrial action in the public sector, were accompanied and to a large extent fostered by cooperative relationships between trade unions and employers. The agreement between the University of Edinburgh and UCU branch mentioned above was a product of union-management cooperation rather than the outcome of adversarial relationships. This is how one of the participants described the relationship between managers and trade unions in higher and further education.

I think in further and higher education we generally have good relations with employers. We have understanding that we work together. There are of course employers who want to undermine our power. But normally they do not stop us in what we are doing.

Regional union secretary (UCU)

UCU branches were somewhat successful in terms of persuading employers who overuse contingent work that such an approach inevitably results in low quality teaching and research. It would be an over-optimistic assertion to suggest that such a strategy reduced organisational reliance on contingent work. However, it has provided a platform for further negotiations with employers. Somewhat similar instruments have been used by UCAT, as indicated in the quotation below.

And we were telling them 'You won't sustain that, the industry will collapse by not being able to compete anymore'. That's where we put a lot of our activity, in that area. So when the construction fell, employers started dictating their rules, promising sanctions if you do not agree. But we managed to build the partnership between the union and a main contractor, and it was fantastic. And we used this to lobby minimum standards in the contract.

Regional union secretary (UCATT)

Another important conclusion that stems from the quotation above is that the ability to build cooperative relationships with employers is perceived by union representatives as an achievement in the post-recession era where both state driven financial austerity and the business policy of tight costs are still in place. As assured by interviewees from all case study unions, the cooperative style of relationships with managers does not rule out the possibility of industrial action, as evidenced by the most recent activities in the public and private sectors. But collaborative negotiations with managers allow trade unions to exert greater power in the workplace and thereby advance their representation strategies in the area of contingent labour. The quotation below illustrates this point.

I am quite proud to say I have never initiated industrial action. We were quite close but never got to that stage. I am in favour of a reasonable approach. We are here to support our industry, to help making profits. But if the company is unreasonable, our viewpoint is that we give them a chance to engage with us. If they do not use these opportunities then we will initiate

a strike. We have got close to that a few times, but the very threat of that solved the problems.

Regional union secretary (Community)

Such a climate was not noticeable in the case of MU though. It can be explained by its membership structure formed largely by freelance musicians externalised from the organisation of production. Instead, MU concentrated its activities in the non-labour related issues such as intellectual property rights and the promotion of musicians. As such, MU engaged in wider negotiations beyond the labour-management cooperative framework. Such negotiations belong to the method of mutual assurance, which will be reviewed in the following section.

### *Mutual assurance*

The method of mutual assurance, composed predominantly of services tailored to contingent workers, has risen significantly due to the diminishing role of collective bargaining. Such services vary considerably, from activities provided on the same principles as for standard employees through to individual services tailored to specific groups of contingent workers. Whether such services were derived from benefits already delivered to standard employees or, by contrast, they were designed exclusively for contingent workers, depends to a very large extent on the converging and diverging tendencies within trade union membership. For example, trade unions with a converging membership base used the method of mutual assurance to merely offset the disparity between working conditions of standard employees and contingent workers. This was done through multiple activities aimed at securing better chances for contingent workers relating to re-employment and equal pay. One examples here, as will be demonstrated below in more detail, is training and learning activities designed by trade unions so as to better prepare

contingent workers for dealing with employers and contractors in a flexible labour market. These activities are well documented in motions passed at union events and conferences, concerning particularly such trade unions as UCU, Community and UCATT.

By contrast, trade unions with a segmented membership conceived the needs of contingent workers as distant enough from standard employees to justify services directed exclusively towards the former. Such contrast becomes clearer when considered within the following dimensions of mutual insurance: security services, training and labour market services (Heery, 2009; Conley and Stewart, 2008).

Security services are tailored to the most insecure cohorts of contingent workers who are often exempted from the workplace and national industry-wide collective agreements. Such services may be aimed at protecting contingent workers from the situation where their labour capacity is temporarily undermined or where disruptions in work schedules significantly affect their earnings. The quotation below illustrates one of these cases in the construction industry where self-employed workers have been left without any payment, which in the case of direct employment is usually covered by collective agreements.

You do not have your holiday pay, you have no leave, no redundancy. If they do not work they are not paid, as simple as that. So when last year the Queen visited the site, the site was closed for two days basically because Her Majesty came to look at a new arena. Everybody was sent home apart from site managers. Those who were sent home lost two days of pay.

Regional union secretary (UCATT)

This example emphasises the necessity for trade unions to arrive at effective services tailored to contingent workers exempted from the conventional methods of employee representation. Hence, it is not surprising that the highest



concentration of security services was observed among such trade unions as UCATT and MU. For instance, in the construction industry union representatives pay close attention to health and safety, which are crucially important for self-employed workers. An example of such services is outlined in the quotation below.

So where we were successful with self-employees, bogus self-employees it was there. We say 'Look, if there is an accident we can still provide you with injury protection'. These things became slightly weaker with legislation but we still do this. And people will take it on.

National union officer (UCATT)

For MU the key security service is related to pay levels, particularly in terms of ensuring that musicians are paid for live performances. It stems from the complexity of contractual relationships in the music industry and from the multiplicity of stakeholders including recording and promotion companies. Thus, MU, as illustrated in the quotation below, undertakes actions to ensure that its freelance members escape a no-pay low-pay cycle.

All members that contact us have full access to all services that we provide. We check their contracts. Every member has at least three hours to spend with us to check the contract. We understand they do not have support at the workplace and they really need support more than probably anybody else.

National union officer (Musicians Union)

To provide the foregoing services with higher levels of efficiency as well as to reflect the peculiarities of contractual relationships in the music industry MU has tailored its structure to the various musical genres.

We have sectors for different genres of music, because we need to know what is going on in jazz, we have sector for education et cetera.

National union officer (Musicians Union)

If security services concentrated predominantly among trade unions with the segmented membership base (UCATT is a pertinent example here albeit it is clustered among trade unions with a diverging membership base), training is a primary service across trade unions with a converging membership base. Such unions as UCU and Community provided centralised training to contingent workers. For instance, UCU organised a series of workshops to facilitate the career progression of early career researchers, teaching fellows and lecturers on temporary, fixed-terms and zero-hours contracts. These workshops were open to standard employees as well, and were further cemented in the motions of the UCU Anti-Casualisation Committee. According to union representatives, UCATT organised a series of training initiatives aimed at providing self-employed construction workers with necessary knowledge to effectively negotiate working conditions with employers. These training sessions took place three-times a year over the course of the past five years. MU on the other hand is a clear-cut example of a trade union that organised training tailored to the specific needs of freelance musicians. According to the national union officers, workshops organised by MU encompassed a vast array of skills crucial for survival in the contemporary music industry, involving not only legal advice but also interpersonal, presentation skills and so-called soft-skills. The foregoing examples demonstrate that despite a common view that it is predominantly insecure cohorts of contingent workers who require extensive training (Heery, 2009), learning initiatives were equally provided to more secure cohorts of contingent workers.

Lastly, labour market services have featured prominently in the present study as a rapidly growing dimension of mutual assurance. Such services involve activities aimed at improving the prospects of contingent workers in the labour market

ranging along the spectrum from conventional HR services, CV and job application services through to trade unions taking the role of employment agencies. If such trade unions as MU and to an extent UCATT tend to align towards a more complicated servicing model where trade unions attempt to play the role of employment agencies, other trade unions operated on a more fragmented approach and preferred to provide standard recruitment services.

A final note should be made with regard to one of the most important issues emphasised by interviewees in relation to the method of mutual assurance, namely the necessity to build the relationship between contingent workers and trade unions based on trust. As many interviewees mentioned, workers' intuitive trust in managers needs to be counterbalanced by genuine trust between trade unions and contingent workers. Despite being an important element in the relationship between trade unions and all membership segments, it has featured as a foremost concern for trade unions in relation to contingent labour. So perhaps the following quotation is an appropriate conclusion for this section of the present chapter.

They believe what the company tells them all the time: 'Don't worry, you do not need the union'. Management are there all the time, we are not. So trust is a key thing. They trust the opinion of managers who talk to them about the last night out, about the weekends but I believe discriminate them when it comes to employment rights. That's where we put a lot of efforts.

Regional union secretary (Community)

## **5.5 Conclusion**

The present chapter sought to explore at in-depth levels the strategic actions and particular methods employed by trade unions in response to the rise of contingent labour. Trade unions' responses to contingent work were portrayed in line with a

conventional empirical framework composed of the dimensions of strategy, scale and method. This chapter contributed to our understanding of trade unions' policy in the area of contingent work by showing that albeit the strategy of inclusion may seem a dominant perspective amongst the majority of case study unions, trade unions often operated on the basis of a mixture of exclusion and subordination strategies at the external level of union representation (i.e. in the labour market). Likewise, the extent to which trade unions concentrated the representation of contingent workers beyond the enterprise level varies significantly between such areas of representation as recruitment and participation, labour negotiations and legal actions. Lastly, relating to the particular methods employed by trade unions the tendencies were not one-dimensional, in that the reinforcement of union-management deliberations as a method pertinent to the representation of contingent workers occurred simultaneously with trade unions' attempts to unilaterally regulate the working conditions of contingent labour. More importantly, the method of mutual assurance, whose focus is on providing tailored services to contingent workers often beyond the agenda of labour negotiations, has gained prominence among many case study unions.

The foregoing may be suggestive of unsystematic responses of trade unions to the rise of contingent labour. This study, however, found that an underlying mechanism for an otherwise chaotic combination of union strategies and actions is the dynamic tendencies within trade union membership. Upscaling, despite being very diverse, was mostly noticeable in the case of MU, whose membership is not only segmented, but also formed by a considerable cohort of freelance musicians. Trade unions with a diverging membership base paved a similar pathway towards better representation strategies, albeit their activities were still attached to the

workplace level and representation mechanisms pertinent to standard employees. Trade unions with a converging membership and MU were particularly successful in implementing the method of unilateral regulation, but with different purposes. The former counterbalanced the exclusion of contingent workers from labour negotiations and the latter moved beyond the labour negotiations agenda and engaged in the broader areas relevant to freelance musicians. Somewhat surprising findings concern the revitalisation of union-management deliberations as a method pertinent for protecting contingent workers. This was possible not least because of union-management collaborative relationships, especially among trade unions with a converging membership. Moreover, trade unions with a converging membership base and MU advanced more than other case study unions in the method of mutual assurance.

The next chapter further contributes to our knowledge of the trade union response to the rise of contingent labour by elaborating upon contemporary challenges and opportunities posed to trade unions by the dynamic processes within union membership. This is deemed important because the next chapter deals with the question of whether the strategies and methods employed by trade unions are consistent with the challenges and opportunities they faced.

## **Chapter 6. Challenges and opportunities posed to trade unions by the rise of contingent labour**

### **6.1 Introduction**

The present chapter addresses the third research question and explores at in-depth levels challenges and opportunities posed to trade unions by the rise of contingent labour. The chapter draws on the assumption that the very nature of contingent work, particularly its deviation from full-time permanent employment, poses crucial challenges to trade unions (Conley and Stewart, 2008; Heery and Conley, 2007; Heery and Abbott, 2000). The chapter postulates that converging and diverging tendencies between primary and secondary membership segments have spurred such challenges, made trade union membership more diverse and forced trade unions to change the way they treat contingent workers (MacKenzie, 2010; Conley and Stewart, 2008). It comes as no surprise though that aside from challenges contingent labour provides opportunities for trade union renewal (Heery and Abbot, 2000; Conley and Stewart, 2008). For by unionising and effectively representing contingent workers trade unions may not only diversify their membership, but also arrive at policies and methods congruent with dynamic tendencies in contemporary labour markets (Gumbrell-Mccormick, 2011; Heery, 2009).

Challenges posed to trade unions by the rise of contingent labour are relatively well explored. A widespread assumption in this regard is that organisational boundaries of union representation impede trade unions' attempts to organise contingent workers, for the interests of contingent labour are located predominantly beyond the enterprise level (Heery and Abbot, 2000; Conley and Stewart, 2008; Gumbrell-Mccormick, 2011). Existing union structures are also not

compatible with the representation of contingent workers such that trade unions' advancement in the area of contingent labour endangers the position of standard employees (MacKenzie, 2010; Gumbrell-McCormick, 2011). This occurs because of the tensions between trade unions' membership segments which force trade unions to hold back on further engagement of contingent workers in their membership (see MacKeznie, 2009 and 2010). The rationale for the foregoing challenges however has yet to be systematically addressed in academic literature. The present chapter addresses this limitation by bringing converging and diverging tendencies between trade union membership segments to the fore of scholarly and practice discussion on challenges and opportunities posed to trade unions by the rise of contingent labour.

The findings uncovered in this chapter allowed systematising challenges posed to trade unions along the spectrum, from variable behaviours of contingent workers, particularly in terms of their attitudes towards trade unions, and organisational constraints that stem from the on-going restructuring of employment relations through to internal obstacles fuelled by limitations imposed by existing union structures. The opportunities to an extent mirror the challenges. They were centred on contingent workers' desire for union representation and prospects for union modernisation both structure-wise and in relation to particular actions employed by trade unions. The present chapter draws on 35 semi-structured interviews with union leaders, national officers and regional secretaries in conjunction with data derived from non-participant observation at trade unions' events and secondary data collated during the present study. The remainder of the current chapter is organised as follows. It first of all elaborates on the challenges posed to trade unions by the rise of contingent labour followed by an overview of

opportunities arising for case study unions. The chapter also underscores the importance of converging and diverging tendencies between primary and secondary segments of trade union membership for a better understanding of challenges and opportunities posed to trade unions by the rise of contingent labour.

## **6.2 Challenges posed to trade unions by the rise of contingent labour**

This section is focused on particular obstacles encountered by trade unions when undertaking actions in the area of contingent labour. Qualitative data collected provided rich information in relation to impediments facing trade unions with regard to organising and representation of contingent workers. The following key themes ensued from data analysis: *employee attitudes*, *organisational constraints* and *internal obstacles*. The first theme stems from changes in employee behaviour relating to contingent workers' perceptions of trade unions. The second theme originates in organisational constraints imposed by incremental reliance of employers on contingent labour. Such organisational transformations have reduced the trade unions' capacity to organise and represent employees at the workplace level. The third theme stems from within trade unions and is closely related to the immobility of the trade union structure aimed predominantly at representing standard employees. These emerging challenges are reviewed below in more detail. The results are reported in a way to emphasise how challenges posed to trade unions are intertwined with converging and diverging tendencies between trade union membership segments.



### **6.2.1 Contingent workers' attitudes towards trade unions**

The analysis of primary interview data and secondary data uncovered crucial changes in employees' attitudes towards trade unions, particularly with regard to contingent workers' perceptions of union activities. Despite the fact that respondents have seldom noticed open hostility emanating from contingent workers, their estrangement from trade unions has been pronounced as a key challenge posed to trade unions. Recurrently nominated features of workers' behaviour have been systematised along the spectrum, from *workers' desire for employment flexibility* through to *contingent workers' estrangement from trade unions*. The latter was further explored as a direct consequence of *internal* and *environmental demands* inflicted on contingent workers.

#### *Contingent workers' desire for employment flexibility*

Workers' desire for employment flexibility encapsulates various determinants of employee inclination towards flexible work arrangements. Albeit the latter is not the same as contingent labour, these two types of employment have become increasingly interspersed such that flexible work arrangements are oftentimes implemented by means of contingent labour. It is true that under certain personal circumstances employees may genuinely desire contingent work, which however is of less concern for trade unions as opposed to the situation where employers use contingent labour to cut costs of labour. Employers then impose contingent forms of employment on workers, who seem to assent to new working conditions in their own accord, for such conditions may provide workers with a higher degree of independence from employers (particularly in terms of such schemes as self-employment and zero-hours contracts). Contingent work thus taps into workers'

inherent desire to exert greater influence over their work tasks thereby spurring their acceptance of contingent forms of employment as something that can improve employees' work-life balance and increase marginal utility of their employment. The reality of the foregoing scenario is not so optimistic as employers often portray, for contingent workers seldom enjoy the flexibility part of contingent labour and are more often confronted with its insecurity dimension resulting in a sporadic and low income, obscure employment prospects and ever growing levels of job strain. Reflected in interviews with union representatives, it occurs predominantly among trade unions with the diverging membership base (UCATT, BFAWU, UNISON and CWU). Apparently, where the borderline between contingent workers and standard employees is discernible, with growing diversity within the segment of contingent workers, employers have been successful in exhibiting the flexible part of contingent labour and hiding its negative side. Employees often appear convinced in positive outcomes of contingent work involving freedom from managerial control and an opportunity for an additional income outside standard working hours. Contingent labour then becomes a synonym for fairness, as employees are paid precisely for the amount of job they have completed and provided with generous bonuses for exceptional performance. Trade unions, however, are unequivocal in their opposition towards such a rationale for using contingent labour, as in trade unions' view it is by and large employers who benefit from contingent labour whereas workers are left to collect crumbs compared with what they might have gained from a standard employment contract. The quotation below underlines immensely subjective attitudes of contingent workers towards their contractual situations.

There is a certain pride in saying 'I am self-employed'. And when we ask 'Do you want to join the union?' They reply 'No, I am self-employed, you cannot do anything for me... you know, no-no'.

Regional union secretary (UCATT)

An important outcome that stems from this quotation is 'a certain pride of being a contingent worker', which is also mentioned as a worrying sign in UCATT's report on bogus self-employment in the construction industry. Such a perception is predicated upon contingent workers being empowered by their contractual situations, for the latter are presented to them as an instrument for reducing the power distance between workers and the management. Interviews with union representatives have corroborated these attitudes. Employers were often successful in tapping into employees' aspirations and creating a sense of exclusiveness amongst contingent workers. As this union representative has stressed, many self-employed workers in the communication industry are convinced that they are paid 'above market' wages for their compliance with organisational policies and high levels of productivity.

So they are actually workers with no rights, but they see themselves differently. You know, we have flexibility; we are not bonded to one employer. We are not fixed to this particular relationship. And they are paid what they believe is a premium on top of what they usually get. But that premium we argue... and we are trying to make a case for them to show it...the premium does not worth all other things they are giving up.

National union officer (CWU)

Crucially, such kind of behaviour rules out trade union representation for the bulk of contingent workers. Indeed, the lack of structured contractual relationships, especially in the case of diverging segments of union membership, undermines the representative capacity of trade unions. The foregoing, according to interviews with union representatives, was of particular concern for trade unions with the

segmented (MU) and diverging membership base whereas the representatives of trade unions with the converging membership segments admitted that their membership has been seldom affected by employees' predisposition towards contingent labour. This is not to say trade unions with the converging membership base were completely out of the hook. The rise in the number of employees on zero-hours contracts is a worrying sign for UCU and Community, for unlike their counterparts on other forms of contingent employment workers on zero-hours contracts were prone to an anti-union behaviour. The quotation below illustrates that trade unions have acknowledged this challenge.

Yes, there is that argument that some people like the idea of being on zero-hours contracts. They like the ability to refuse to work, depending on their personal circumstances quite often. For some people it suits very well, it seems fine.

Regional union secretary (UCU)

In light of the foregoing quotation, it is important to mention a distinction between the repercussions of employees' desire for flexible work for trade unions with the converging and diverging membership base. As regards the former, have not only contingent workers expressed a desire for flexibility, but they have also felt safe in doing so, primarily because of high skills and qualification levels at their disposal, which make these workers competitive in the labour market. Contingent work bears for them more flexibility and less insecurity compared with other cohorts of contingent labour within trade union membership, which was explicitly mentioned at UCU Anti-Casualisation Annual Meeting and included in Community's report on contingent labour. This however is rather an exceptional case whereas the bulk of contingent workers are typically coerced into contingent forms of employment. A trivial choice between accepting the latter or quitting the job or even the profession

leaves very little room for manoeuvre to self-employed construction workers and employees in the care sector whilst highly qualified academics, engineers and IT specialists possess greater bargaining power that allows them to be more flexible in the labour market. Likewise, self-employed workers, especially those who have been gradually sidelined from the organisation of production, may genuinely accept the inevitability of contingent work, for they see no alternative to contractual circumstances in question. It is important though to reinforce yet another time a key position advocated by case study unions, namely that such attitudes are artificial, spurred by employers and therefore not reflective of what is termed flexible work arrangements. Perhaps, the quotation below that belongs to a UCATT national officer summarises the discussion outlined thus far in an emotional but explicit manner.

And when you actually say 'Who do you work for?' They say 'I work for myself'. And then the supervisor comes and they become immediately scared. So they are actually workers with no rights, but they see themselves differently. You know, we have flexibility; we do not depend on the employer.

National union officer (UCATT)

In light of the quotation above, it does not come as a surprise that the inevitability of contingent labour was nominated as an important challenge by all interviewees from trade unions with the diverging membership base. In circumstances where opportunities for employment within certain industries or professions are locked into the secondary labour market position workers have virtually no choice apart from coping with employers' reliance on contingent labour. Such circumstances affect workers' behaviour by making them tacitly obedient to whatever initiatives are proposed by the organisations. At least in part, this behaviour is rooted in the lack of knowledge and prior experience of trade unions. Not properly knowing their

employment rights, let alone the fact that many contingent workers are not familiar with trade unions and other mechanisms of employee representation, workers perceive their contractual situations as the one and only reality of employment relations.

A final remark with regard to employee attitudes towards trade unions should be made in relation to the converging membership base represented by the cases of UCU and Community. Interviewees from these unions have echoed Dean's (2012) suggestion about inherently negative attitudes towards trade unions exhibited by highly qualified employees and workers within so-called creative professions. It was uncovered that employee devotion to their work, in spite of poor working conditions and the lack of job security, fuels further alienation of contingent workers from trade unions. Not only was it evident in interviews with representatives of the respective trade unions, but also reinforced in multiple conversations at UCU anti-casualisation network meetings. It does not come as a surprise then that academics and highly qualified professionals in the textile and steel industries often exhibited high levels of negativity in relation to trade union representation. They were particularly sceptical about the very idea of industrial action in that it may disrupt their work and undermine its quality. By all means, it comes as a disappointment for trade unions, as convincing contingent workers with such immensely high levels of work passion and devotion to organisational performance in the value of trade union representation becomes virtually inconceivable. The quotation below illustrates such a challenge.

Some people are just happy to work in the University; many of them were dreaming about this job. There is also culture of overworking in higher education and it is perceived as something quite normal even by people on zero-hour contracts. Trade unions, industrial action, all these words

sound strange to them. They care too much about students and research to think about something else.

Regional union secretary (UCU)

In summary, employee desire for contingent work poses crucial challenges to trade unions, as it negatively affects their attitudes towards trade unions and undermines the very idea of collective representation in the eyes of contingent workers. There are various objective and subjective factors that contribute to employee desire for contingent work involving employees' inner motives alongside artificial settings inflicted by employers. Importantly, employees' views on contingent work and their subsequent attitudes towards trade unions are shaped by a range of institutional factors, particularly by dynamic converging and diverging tendencies between trade union membership segments. As such, dealing with employees' desire for contingent labour and decreasing attractiveness of union representation on an individual basis appears rather fruitless. Whether contingent workers perceive employee representation as unnecessary for their relationships with employers, or they doubt trade unions' ability to improve their poor contractual circumstances, the rationale for such behaviours is usually located beyond individual perceptions. The remainder of the present chapter provides an insight into wider organisational and institutional determinants that impinge on employees' attitudes towards trade unions. Perhaps the short quotations below are a pertinent conclusion for this section of the current chapter.

It was harder for us to organise labour on sites, because to recruit them we need to address that they are self-employed workers who see no benefit in membership.

Regional union representative (UCATT)

Personally people who I work with do not see the relevance of trade unions for the broader issues of justice, equality. They just do not see it and there is nothing you can do about it.

Regional union representative (UCU)

They do not believe they need trade unions, they do not even know that they are being exploited.

National union officer (CWU)

### *Contingent workers' estrangement from trade unions*

Interviews with union leaders, national union officers and regional secretaries allowed suggesting that contingent workers' estrangement from trade unions poses a significant challenge to trade unions. It is different from employee desire for contingent work in that estrangement *per se* has very little to do with employees' intrinsic motivations. It is rather embedded in a broader organisational and institutional context and represents something trade unions have to deal with on an everyday basis, a challenge that stretches beyond psychological affections and individual perceptions of contingent workers. A set of factors that contribute towards contingent workers' estrangement from trade unions was operationalised as composed of two 'demands' imposed on workers: *environmental demands* (associated with organisational environment) and *internal demands* (inner motives that affect human behaviour but triggered by environmental demands rather than individual perceptions). Within the context of the current study environmental demands are very likely to be associated with employers' actions and organisational pressures that create an undesirable image of trade unions in the eyes of contingent workers. Internal demands, despite leading to somewhat similar outcomes, are different from environmental demands in that they originate from



contingent workers' motives and create thereby a different sort of barrier for trade unions.

In relation to *internal demands*, union representatives were concerned with the vulnerability of contingent workers as a key barrier for campaigning in the area of contingent labour. Job insecurity coupled with the unstable income impedes trade unions' organising campaigns, as contingent workers merely cannot afford union membership. As perceived by union representatives, paying membership dues in spite of a progressive subscription system employed by almost all case study unions is immensely hard for workers with an unstable and low income at or even below the living wage. Such a challenge is reflected in the quotation below.

We recently faced a problem of falling income among our most vulnerable workers. People cannot afford paying union subs anymore, so they leave.

National union officer (UNISON)

It is worth noting that this somewhat materialistic constraint has been bothering trade unions with the diverging membership base (UNISON, CWU, BFAWU and UCATT). It does not come as a surprise though, as dynamic labour markets within the respective industries have led to the formation of a segment of low paid contingent workers whose working conditions are being significantly deteriorated and workers themselves were externalised from the organisation of production. This very tangible obstacle was monitored by such trade unions as UNISON, CWU and UCATT through consistent surveys of their members.

The other facet of vulnerability, persistently mentioned by union representatives, is contingent workers' perceptions of trade unions as a 'trouble maker', as an organisation whose activities may result in severe, but unnecessary punishments

inflicted by employers. The correlation between a shift towards contingent employment and greater managerial control over the workforce is relatively well documented (Mackenzie et al., 2009). Along the same line, the majority of interviewees have pointed out the complications arising from trade unions' attempts to communicate with the most vulnerable groups of contingent workers. For the probability of being punished by managers precludes contingent workers from getting involved in trade unions. Despite the fact that a similar behaviour may be observed across various membership cohorts involving employees on open-ended and direct contracts, it takes particularly extreme forms among contingent workers and especially among trade unions with the converging membership base (UCU and Community) and trade unions with clearly segmented membership (MU). Concomitant tendencies between such contrasting case study unions are an interesting finding in its own right. It most probably rests on contingent workers' dependence on employers in both aforementioned circumstances. For example, as mentioned in Community's report on temporary agency work, contingent workers are increasingly given responsibilities similar to those of standard employees signifying thus the reinforcement of a regulatory function of employers. The scenario within a clearly segmented membership base is different in that freelancers are not embedded in the organisation of production whatsoever, but the outcome was pretty much the same, as self-employed musicians depend greatly on producers, contractors and copyright companies. As such, overcoming the estrangement of contingent workers from trade unions, regardless of the rationale for such a process, was a task of high priority that has featured prominently across the bulk of case study unions. The quotation below reflects the challenge discussed above.

Explicitly there is a feeling of a union being a troublemaker. When we ask them to join the union, to play an active role in the union, they think it might attract attention of senior management. They will be targeted, singled out by unfair treatment. It is all about union relevance, but these people are in a very vulnerable situation, the management can just get rid of them if they want.

Regional union secretary (Community the Union for Life)

*Environmental demands* alongside *internal demands* contributed significantly to contingent workers' estrangement from trade unions. According to the majority of interviewees some of the terms and conditions of contingent work are deliberately set up by the management in order to exert greater power over contingent workers. Union representatives have frequently witnessed the artificial competition between contingent workers and standard employees fuelled by employers in order to exert greater control over the workforce. A flip-side of that, whether intentional or not, is reduced relevance of union representation. Being overwhelmed with the competition imposed by employers, contingent workers have no desire to join trade unions and an even lower intention to engage in trade unions' activities. As disclosed by interviewees of trade unions with a converging membership base, employers were relatively successful in the implementation of such practices across trade unions with the converging and diverging membership base, as in both cases the links between contingent workers and core employees have not been completely dismantled. Consequently, employers are not embarrassed to hint that standard employees can be easily replaced with a striving cohort of contingent workers if they underperform or disobey. Thus, showing loyalty to the organisation and complying tacitly with employers' decisions are crucially important qualities for employees to keep their jobs relatively secure. As reflected in the quotation below, union representatives are confronted with such a peculiar style of human resource management on a regular basis.

Management imposes the competition between casual and permanent staff to show that permanent employees are less dynamic and innovative, because their position is secured. Managers use casual staff to force them to work harder and it makes a lot of harm to us, trade unions.

Workplace union representative (Community)

The competition between standard employees and contingent workers is coupled with another environmental demand, namely the costs associated with employees' active or passive involvement in trade unions. The latter, as was persistently brought up at the UCU Annual Anti-Casualisation Meeting, are fuelled by organisational pay and performance appraisal systems that impede on an otherwise genuine intention of contingent workers to support trade unions' activities. Union representatives have witnessed a noticeable decrease in contingent workers' support to trade unions, particularly during industrial action where contingent workers, for example employees on zero-hours contracts and agency workers, risk losing substantial part of their income. The most recent example in this regard is the national strike of workers in higher and further education organised by UCU wherein hourly paid lectures and tutors faced the reality of losing up to one quarter of their monthly income if supporting the action. In spite of being generally positive about the trade unions' goals, a significant proportion of contingent workers withdrew their support to the action. In the quotation below a national union officer explained the situation in more detail.

If I go on strike and I was full-time I would lose approximately 270 pounds of my annual income. If you are a sessional worker you will lose a third of your annual income. It is not fair and that will make me think twice. This basically threatens the success of our action.

National union officer (UCU)

The likelihood of losing more than can be potentially acquired alludes to the costs-effective rationale of employee behaviour. However, the findings reported thus far

exhibited a more nuanced picture. For contingent workers' decision to uphold or withdraw their support to trade unions is far away from being purely rational. There are other usually organisational factors and in times broader institutional forces (e.g. converging and diverging tendencies between union membership segments), which impinge on contingent workers' attitudes towards trade unions and spur their estrangement from the latter.

### **6.2.2 Organisational constraints**

Organisational constraints are the second broad challenge recurrently nominated by union representatives. Such constraints are connected to existing organisational forms of employment relations and the on-going segmentation of the labour market. Clearly, the foregoing shapes employee behaviours and attitudes explored above, but it nonetheless crystallised as a separate theme for further scrutiny. The key challenge arising for trade unions in this regard is the *marginalisation of employment relations*, which has developed in two interspersed directions: *workers' distancing from the organisation* and decreasing levels of *contingent workers' job engagement*. As regards the former, it has been spurred by dynamic labour markets and subsequent isolation of contingent labour from the organisation of production (Beynon et al., 2002; Marchington et al., 2005). However, unlike a behavioural dimension explored above, it has more to do with contingent workers' physical distancing from the organisations they work in than with the psychological estrangement. As a result, physically reaching contingent workers, let alone the necessity to further convince them in the value of union representation, becomes immensely problematic. The issue of *work engagement* is somewhat connected to distancing, for the latter triggers a sense of indifference amongst contingent workers. Importantly, the fact that contingent workers often

have to take up several jobs in order to make ends meet reduces their attachment to the organisation of production and negatively impacts on their propensity for union representation. In what follows these challenges are reviewed in more detail.

The on-going organisational restructuring of employment relations has profound implications for trade unions, as it creates the following conditions that impinge on the trade union representation of contingent labour: *the issues of time and space* including infrequent workloads, the lack of designated workspace, and undefined status of contingent workers within their organisations. These issues pertain primarily to trade unions with the diverging membership base, for contingent workers who are members of such trade unions suffer more from an irregular character of work. Contingent workers, especially those hired through casual contracts, are ordinarily provided with just a few working days or hours a week, without any further guarantees. Reflected both in interviews with union representatives and in the analysis of union reports (concerning particularly such unions as UNISON, CWU and UCATT), the foregoing gives an impression that the clearer the segmentation of union membership is the more likely contingent workers are to be externalised from the organisation of production. Hence, they are very likely to be deprived of a designated workplace; for their jobs become increasingly mobile, with shifts distributed sporadically between the workplaces. A pertinent example here is security services in colleges and universities and the bulk of care workers. Sporadic workloads and further externalisation of contingent workers from the organisation of production prevent them from settling down within one organisation, which in turn significantly undermines trade unions' activities (see the quotation below).

Because in the care sector in residential and nursing houses they have that system of shifts and they put workers in different shifts. How to reach them in these different shifts? How do they join the union? How would full-time organisers organise people in nighttime shifts or those who work only the weekends? So there is quite a lot of thinking and changes in the attitude of trade unions' organisers. And you know even in hospitals our organisers work full-time and it is hard to ask them to organise people who work in the evening. Sometimes organisers do not have a plan of how to talk with people on those kinds of difficult contracts.

National union officer (UNISON)

It does not come as a surprise that contingent workers' externalisation from the organisations they work in derails trade unions' attempts to unionise such workers. But it is not merely a matter of union communication channels not being suitable to contingent workers, which alludes to the upscaling process introduced in the previous chapter. The issue here is that developing new actions tailored to externalised groups of contingent workers is resource demanding and therefore a way too risky for many case study unions. Further evidence to this challenge, posed specifically to trade unions with the diverging membership base is reflected in the quotations below.

When you are on zero hours contracts you are more likely to deal with different people. You are more likely not to take care of the same person you did last time which is obviously related to the point of trust and ultimately quality. In terms of organising them, there are workplace issues. I mean who shall we work with? How can we contact these workers when they are there only one-two days a week and just for a few hours?

National union officer (UNISON)

You know sometimes street cleaners do not see each other. They go to the depot, take their stuff and leave. They do not really see each other too much. So you end up walking around in the evening saying 'Hey, how are you?' And they think 'Who is this lunatic, must be on drugs'. And their reaction is simple: 'Oh, it is a union, but what is the union?' It is really mind opening. They work few hours here and few hours there.

National union officer (UNISON)

The foregoing is further exacerbated by contingent workers' undefined status within their organisations. The lack of voice is coupled with the fact that many contingent workers are kept in the dark regarding employers' reliance on their labour. This distorts the bulk of representation strategies employed by trade unions, as the circumstances these strategies need to address are rather blurred. Whereas the externalisation of contingent labour was pronounced clearly among trade unions with the diverging membership base, the issue of status was recurrently nominated by trade unions with the converging membership base (UCU and Community). Because the borderline between contingent workers and standard employees is being blurred the former tend to perform multiple tasks that overlap with the responsibilities of the latter. This is how employers elicit maximum benefits from the contingent workforce. In so doing they overload contingent workers and keep standard employees under the immanent performance pressure, expecting the reciprocal reaction from both cohorts such that they persistently improve their productivity. Developing trade unions' policies in such a setting is undoubtedly challenging, for it is virtually impossible to satisfy the needs of contingent workers and standard employees simultaneously. The quotation below attests to the experience of union representatives.

You know in the union you might have different status...you can be on fixed-term contract, on part-time job, on zero-hours contract. But you also might be in different categories like an independent researcher, or a member of the group or just a teaching fellow. How are we supposed to address these different roles as a trade union without making harm to the workers?

Regional union secretary (UCU)

Lastly, contingent workers' marginalisation within the departments and units their work in has emerged from the interview data as a relevant challenge posed to



trade unions, alongside the multiplicity of tasks and roles assigned to contingent workers. This tendency was illustrated by interviewees on the basis of various examples of contingent workers' exclusion from departmental activities involving routine meetings and group discussions, and even social events outside the working environment. A widespread practice, especially in the education sector and in the steel and textile industries alike (according to interviews with the representatives of respective trade unions), is formal inclusion of contingent workers in the employee-employer consultative committees but without any subsequent inquiries into their opinions. This creates a sense of isolation among contingent workers and undermines the image of trade unions in their eyes. The challenge here is, as described below, that trade unions have to treat contingent workers as part of their bargaining units realising, however, that this may be detrimental for both contingent workers and trade unions alike.

These people from what I see are considered as supplementary to the main workers who are employed on the full-time basis or part-time permanent contracts. But then we have these sessional people who are employed on a real ad hoc basis and we can do nothing about that; we still have to negotiate with the employers as we usually do but it has zero relevance for these workers.

Regional union secretary (UCU)

All aforementioned circumstances have spurred the tumble in contingent workers' *work engagement*, predominantly among trade unions with the diverging and converging membership base. Work engagement is usually associated with higher levels of organisational productivity and thereby represents a major ingredient of human resource management systems. This was historically the case with regard to higher and further education and the care sector, but it is also relevant for the commercial sector involving the steel and textile industries, construction and

communication sectors. But because the very concept of work engagement has been undermined contingent workers no longer see themselves as important for the organisations they work in. One of the consequences of such detachment is contingent workers' disengagement from trade unions, for whether employees give virtually no care to their organisations they usually expose little interest in trade unions as well. Indeed, contingent workers are very often not tied to one organisation, so they see no point in joining trade unions. The quotation below underscores this concern.

I think the other problem is that if people are here just for a few months and they now that. Then what's the point of joining the union? They are not making long-term commitment to the organisation and what is the point of making long-term commitment to a trade union?

Workplace union representative (Community)

### **6.2.3 Internal obstacles**

Changes in contingent workers' behaviour and organisational constraints were not the only challenges posed to trade union by the rise of contingent labour. Internal obstacles have also featured prominently in the present study and were associated with two following dimensions: *structural and resource limitations* and *tensions between trade union membership segments*. The former refers primarily to the inability of existing union structures to comprehend rapidly changing employment circumstances of contingent workers (Conley and Stewart, 2008; Gumbrell-McCormick, 2011). This alludes to the orientation of trade unions on the dual membership base wherein trade unions' actions are predicated upon the existence of clearly identifiable segments of contingent workers and standard employees. Circumstances however have changed considerably, for converging and diverging tendencies between trade union membership segments have

allegedly distorted a dichotomous structure of union membership. As such, the necessity arises for trade unions to tailor their structures to a dynamic membership base. A flip-side here though is that transforming union structures is resource demanding and not always affordable for the majority of case study unions (Heery et al, 2004; MacKenzie, 2008; Mackenzie, 2010). Furthermore, the transformation of trade union structure should not be raised in isolation from a concomitant issue of resource concentration, as whilst operating within existing structures trade unions are coerced to prioritise one membership segment over another. For understandable reasons the priority is often given to standard employees who fit existing union structures better than contingent workers. The second internal obstacle stems from tensions between the membership segments such that different and in times contradicting interests of contingent workers and standard employees fuel tensions between them and thereby impinge on trade unions' activities. Along this line, standard employees often negatively perceive union efforts aimed at improving job security of contingent workers, for such improvements may be achieved at the expense of working conditions of standard employees. Moreover, trade unions' advancement in the area of contingent labour signals standard employees that their position within trade union membership has been undermined.

Although some of the foregoing challenges were covered in prior research (see MacKenzie, 2010; Conley and Stewart, 2008; Heery, 2009), the present chapter contributes significantly to the existing evidence base by demonstrating that such internal constraints are, to an extent, a product of converging and diverging tendencies between primary and secondary segments of trade union membership. For instance, resource limitation has featured as a significant challenge amongst

trade unions with the diverging membership base (UNISON, BFAWU, CWU and UCATT) and trade unions with a clearly segmented membership base (MU). The former have been concerned that spending more resources on contingent workers might undermine union funds but never payoff, for contingent workers, as demonstrated above, tend to expose negative attitudes towards trade union representation. Such a dilemma is of less importance for MU, as its membership is already heavily skewed towards contingent workers, which however does not negate the mere fact that MU also suffers from the lack of sufficient resources to adjust its structure to the complexity of contingent labour in the music industry. Turning to tensions between membership segments, they have featured prominently among trade unions with the converging membership base (UCU and Community). It was highly anticipated because a blurred borderline between the primary and secondary segments of union membership and dynamic process that occur within both segments bridge the power distance between standard employees and contingent workers, but with a discernible flip-side detrimental for trade unions. The latter is rooted in the growing competition between contingent workers and standard employees, explored in the earlier parts of the present chapter, and subsequent perceptions within both segments that whatever is good for their counterparts is by and large negative for themselves. All aforementioned internal obstacles are reviewed in more detail in the following paragraphs.

#### *Structural and resource limitations*

Trade unions' conservatism in relation to their structures and decision-making is widely acknowledged in academic literature (Heery, 2004; Kochan, 2004; Hyman, 1997). It has been exacerbated even further by the rise of contingent labour, for instead of initiating structural reforms trade unions find the refuge in the customary

methods of dealing with membership segments (Kochan, 2004; Hyman, 1997). Interviewees have nominated a set of reasons for slow adaptation to dynamic labour markets across the spectrum, from the lack of diversity in representative bodies through to the expensiveness of structures tailored to contingent workers. The first constraint stems from the lack of contingent workers' participation in trade union decision-making whereby they can have a louder say on trade unions' major policies. As it happens seldom, the main driving force behind the reformation of trade unions' structure is absent. Having said that, structural embeddedness of contingent workers into trade unions, involving their participation in the decision-making, was somewhat noticeable among trade unions with the converging membership base (UCU and Community). The overlapping of responsibilities and workloads between contingent workers and standard employees rules out trade unions' resistance to the penetration of the former in their structure. Also, involving contingent workers in the decision-making is not attached to particularly costly activities. Thus, unlike UCU (and to an extent Community), who has established the National Anti-Casualisation Committee and a wide network of union representatives that deal exclusively with the issues relevant for contingent workers, other case study unions have yet to arrive at similar solutions in relation to the involvement of contingent workers in their structures. UNISON is the only case study union amongst trade unions with the diverging membership base that has developed a substantial network that incorporates contingent workers. The very reason for UNISON's advancement rests on the mere fact that UNISON is a general union, the second largest in the UK after Unite, with a wide nexus of representatives and activists many of whom are contingent workers. As regards other unions within the cluster of diverging membership, they have struggled to cope with the pressure inflicted by standard employees who demand that their

subs should be spent exclusively on lobbying their interests and improving their working conditions. This in turn precludes the adjustment of trade unions' structure to the dynamic labour markets in general and interests of contingent labour in particular. Not being able to absorb the needs and circumstances of contingent workers the representatives of standard employees prefer to customarily pursue the initiatives adequate to the circumstances of standard employees, realising though that such actions may be virtually of zero relevance for contingent workers. Perhaps the degree of frustration expressed by this interviewee attests to the kinds of issues with which union representatives are confronted on a regular basis.

So there is a fight within the union whether we should take these issues (contingent work) seriously. So I can see why some people look at the situation from outside and say that unions can do nothing for them because they have not done very much so far.

Regional union secretary (UNISON)

One of the plausible explanations for such troubles encountered by trade unions is the lack of union representatives' experience relating to the representation of contingent workers. Union representatives themselves admitted quite willingly that without fully understanding the peculiarities of contingent employment and their impact on employees involving workers' wellbeing and attitudes towards trade unions, further adjustment of union structure to contingent labour is inconceivable. Thus, trade unions' desire to create a supportive environment for better representation of contingent workers often crushes into the indecisiveness of union leaders and the lack of expertise in the area of contingent labour (see the quotation below).

From the branch committee, from officials themselves I feel no resistance. They recognise the issue, but it looks like they do not know how to go

about it.... and it comes along with the history. Have unions ever been very much interested in what is going on with casual labour?

National union leader (BFAWU)

The challenges that stem from structural limitations are coupled with the constraints rooted in the resource demanding character of the trade union response to contingent labour. Organising and representing contingent workers is a costly type of union policy, as contingent workers often need to be addressed on an individual basis and outside the traditional channels of trade union communication. In certain industries and workplaces, where contingent workers are isolated from standard employees or employed specifically for overnight shifts, extra resources are required from trade unions to at least physically reach contingent workers, let alone the need for further efforts to organise and represent them. In light of the scarcity of union resources exacerbated by a continuing decline of union membership, the accomplishment of the abovementioned strategy is being significantly threatened. Importantly, the scarcity of resources was more often pronounced by trade unions with the converging membership and trade unions with a clearly segmented membership base. Whereas the former merely rely on contingent workers whose status is conformable with the one of standard employees (representing other groups of contingent workers is then indeed comparatively very expensive), the latter deal largely with the cohorts of contingent workers who otherwise fall out trade union radar completely (simply locating those groups is costly let alone further actions).

The diverging membership base is, however, of more interest as the respective trade unions are less prone to customary actions and therefore weigh more carefully advantages and disadvantages of the adjustment policy. During one of

the committee meetings, CWU's representatives shared their experience of unionising agency workers and disclosed that initial attempts to extend union membership and encompass the most vulnerable cohorts of contingent workers have not featured prominently as an effective tool for increasing union power. It occurred because even unionised agency workers rarely uphold unions' actions. Moreover, the potential contribution of such externalised membership segments to the workplace collective bargaining unit is virtually inessential. As such, many union representatives preferred to concentrate trade unions' resources on the agenda tailored to standard employees, for acting otherwise has not been considered rational.

Likewise, the notion of scant union resources was particularly widespread among trade unions with the diverging membership base where standard employees still form the core of union membership. It is not surprising then that the most insecure, marginalised groups of contingent workers are sidelined within trade unions' structure. It has not occurred of trade unions' own accord, for it rather has been the question of trade unions' structure being tuned to standard employees and not being particularly flexible with regard to the representation of outsiders. A pertinent example here (again from the experience of CWU) is union branches in the Royal Mail, which historically concentrated their activities on the area of union-management negotiations. Along the same line, the bulk of their membership is still formed by employees on standard employment contracts or (the worst case scenario) employees on temporary or fixed-term contracts whereas the most vulnerable groups of contingent workers, such as agency workers, constitute the minority of union membership. The majority of union membership then takes all or almost all union resources, whereas the minority represented by most vulnerable



groups of contingent workers are left with extremely modest leftovers. The fact that labour turnover amongst the latter is considerably high, does not help justifying the redistribution of union resources.

### *Tensions between membership segments*

Interviews with union leaders and representatives unveiled the escalation of tensions between trade unions' membership segments. According to Mackenzie (2010) such tensions emerge along the growing frustration of standard employees with the rise of contingent labour in trade union membership. The tensions further escalate when trade unions succeed in the representation of contingent workers, for it is perceived as a direct threat to job security of standard employees. At the same time, merely the unionisation of contingent workers without further attempts to actively engage them in the unions induces contingent workers' dissatisfaction with trade unions (Mackenzie, 2010). Such tensions are often spurred by discontent between the levels of trade union hierarchy, especially when nationally accepted policies relating to contingent labour are not effectively implemented at the grassroots (Mackenzie, 2010: 160). It further contributes to the conflict between membership segments, as by justifying the legitimacy of their position in trade union membership contingent workers inevitably touch upon the interests of standard employees (Mackenzie, 2010).

The present study has enriched existing knowledge of tensions between membership segments by demonstrating that such tensions stem from converging and diverging tendencies between trade union membership segments. In particular, trade unions with the diverging membership base were affected significantly by the escalation of tensions between membership segments. It does

not come as a surprise since in light of further diversification of the segment of contingent workers and turbulent processes within the segment of standard employees their respective interests have become increasingly interspersed. Hence, every time trade unions advance in the area of contingent work standard employees put more pressure on their union, for they feel their interests were sacrificed in favour of contingent workers. Sometimes it transforms into quite hostile attitudes of standard employees towards contingent workers, as reflected in the quotation below.

Members were saying to our reps 'we do not want them, because they are undermining our jobs, our likelihood to stay at work; that we should fight only for permanent workers and not for agency workers who are undermining our working conditions'.

Workplace union representative (CWU)

At the same time, the quotation above suggests that tensions between membership segments occur primarily in the areas where the borderline between standard employees and contingent workers is transparent enough for the members of both segments to feel the difference between their contractual situations. This point was reinforced by interviews with the representatives of UCU and Community (trade unions with the converging membership base), as they were seemingly free from concerns about possible tensions between membership segments. Once again, it was in a striking contrast to trade unions with the diverging membership base. There quotations below further attest to emerging tensions between the membership segments.

And more than 50% of staff here say well, you know, you guys taking them and then we can be moved there too, so we suddenly consider ourselves as a minority.

Workplace union representative (UNISON)

It is always a kind of tension. You know, why would we put our resources into organising them, we do not want them to be union members like that. We want them to be normal workers like us.

Workplace union representative (BFAWU)

In all, the emergence and escalation of tensions between the membership segments illustrates the departure of trade unions from a homogeneous type of membership towards dynamic, i.e. converging and diverging, tendencies between trade union membership segments. More important, trade unions have yet to arrive at the solution as to how to provide the environment within which the interests of contingent workers and standard employees could coexist peacefully.

### **6.3 Opportunities provided to trade unions by the rise of contingent labour**

Has not only the rise of contingent labour posed challenges to trade unions, but also opened up a room for trade union revitalisation. Ostensibly, there are two avenues by which trade unions' renewal can be achieved. First and foremost, contingent workers have been portrayed as a reserved and underrepresented army of trade union membership, particularly in the service sector where trade union decline was especially dramatic (Conley and Stewart, 2008). Contingent workers thus may act as a lever to improve trade unions' membership statistics and reinforce union power at the workplace level. Subsequently, the diversification of trade union membership may facilitate the update of trade unions' structure, as by encompassing a wider membership base trade unions will be confronted with the necessity to amend the way their committees are formed and decision-making is organised, like it has already happened for instance in the case of MU (Heery and Abbott, 2000; Conley and Stewart, 2008). As such, opportunities posed to trade unions by the rise of contingent labour are, to a very large extent, mirror the challenges. The remainder of this chapter focuses on the two foregoing aspects of

union revitalisation associated with the rise of contingent labour. In what follows the evidence is provided for whether trade unions' indeed capitalised on the positive side of contingent labour and to which extent it was predicated upon converging and diverging tendencies between trade union membership segments.

The opportunity that emerged for trade unions, as mentioned above, was twofold. Relating to contingent workers being an underrepresented segment in the labour market, union representatives relied extensively on contingent workers' desire for union representation triggered by their poor working conditions and job insecurity. As regards the subsequent structural transformations, there are positive signs in that some trade unions established national, regional and workplace committees orientated specifically towards the interests of contingent labour. Structural changes, however, have not stretched beyond establishing formal committees within existing union hierarchies. Importantly, both facets of revitalisation, namely contingent workers' desire for union representation and structural adaptation, have been predicated upon dynamic tendencies between trade union membership segments such that contingent workers' desire for union representation has featured prominently amongst trade unions with a diverging membership base whereas structural transformations have taken place among trade unions with a converging membership base.

#### *Contingent workers' desire for union representation*

Interviewees for the present study have recurrently nominated contingent workers' desire for union representation as an opportunity to engage such workers in trade unions. It does not come as a surprise, as the bulk of prior research on employee propensity for unionisation spelled out a strong correlation between poor working

conditions and workers' desire to join trade unions (Bryson and Freeman, 2013; Charlwood, 2002). It is along this line that contingent workers may have inner motives to join trade unions, stronger than standard employees (Bryson and Freeman, 2013; Charlwood, 2002; Kochan, 1979). A still unresolved paradox here, which will be addressed in the final empirical chapter of the thesis, is supposedly higher levels of contingent workers' desire for union representation compared to standard employees accompanied however by their estrangement from trade unions unravelled earlier in this chapter. Nevertheless, interviewees were firm when describing the interdependence of poor contractual circumstances of contingent workers and their desire for union representation. Such a viewpoint was evenly represented across all case study unions, but only trade unions with the diverging membership base exhibited intentions to capitalise on contingent workers' predisposition towards union representation. Two quotations below demonstrate how trade unions conceive underlying motives behind contingent workers' predisposition towards trade unions.

One of the biggest questions as it seems to me now is workload and stress levels. How much room do you have for anything else apart from work? If you are struggling to find a permanent job and therefore you are exhausted during this battle; who else then can help you if not a trade union?

Regional union secretary (UNISON)

But the downside is that they do not have pay increases, they do not have equal treatment for pay after twelve weeks. Many of them are paid just the minimum wage and the only organisation that addresses these issues is trade unions.

Regional union secretary (CWU)

These quotations underscore the strategic importance of contingent workers' attitudes towards trade unions for trade union renewal. There is understanding amongst union representatives that by appealing to contingent workers' frustration

with their contractual situations trade unions may advance substantially in the area of contingent labour. The latter alludes to the dissonance theories of employee behaviour wherein poor working conditions are assumed central for employee pro-union behaviour (Charlwood, 2002). An important circumstance to note here is that such a perspective holds promise primarily within trade unions with the diverging membership base, for further estrangement of contingent workers from standard employees fosters the sense of deprivation among the former. Also, because within the diverging membership base contingent workers are still somewhat embedded in the organisation of production trade unions can exert greater influence over them and use it to translate workers' inner desire for union representation into successful organising campaigns.

That is not to say contingent workers' desire for union representation was emphasised solely by the representatives of trade unions with the diverging membership base. Representatives of other trade unions involving UCU, Community and MU have also noticed growing frustration with poor working conditions and the ongoing externalisation from the organisation of production amongst contingent workers. MU, however, can hardly exert any benefits from such circumstances as its membership is already skewed towards contingent workers. Moreover, since the concept of employer-employee relationship in the music industry is rather nebulous, it is hard for freelance musicians to make sense of any alternative outside contingent employment. The case of UCU and Community is more complicated. The membership of these trade unions is converging such that the responsibilities of contingent workers and standard employees have become conformable. The payoffs differ considerably though and not in favour of contingent workers, which has resulted in relative deprivation

among contingent workers who feel themselves deprived by doing work of the same nature and quality as their counterparts on standard employment contracts, but for substantially lower remunerations.

The emergence of relative deprivation and its effect on contingent workers desire for union representation was overlooked in prior studies except for research on adjunct faculty in the US higher education (Feldman and Turnley, 2004). The present study has demonstrated that within the UK context relative deprivation might take place as a consequence of a converging tendency between trade union membership segments. Where contingent workers remain central to the organisation of production relative deprivation bears potential in relation to employee mobilisation, albeit trade unions' ability to capitalise on such an opportunity is rather opaque.

#### *Trade union modernisation*

Interviews with union representatives accentuated a flip-side of the rise of contingent labour that encourages trade union modernisation and fosters the development of union policies adequate to dynamic tendencies between trade union membership segments. The avenue for such renewal is twofold. First, diverse membership composed of contingent workers and standard employees is thought to foster the reformation of trade unions' governance - at the first stage through creating committees specialised on the representation of contingent workers, and then by enriching union leadership with the influx of fresh blood in the face of representative of contingent workers. Second, contingent workers' greater say within the union governance affects positively trade unions' collective strength, for united membership (but not necessarily homogeneous) represents a

means by which employers can be coerced into an integrative rather than an adversarial type of labour negotiations.

In terms of union governance, the reformation of existing trade unions' structure has originated among trade unions with the converging membership base. For instance, UCU has established the national Anti-Casualisation Committee in order to develop initiatives pertinent to the circumstances of contingent workers. The committee does play a considerable role within the trade union, albeit its status is rather informal, for its decisions have to become formalised and obligatory for the regional and workplace union branches. Another important aspect of trade unions' structural reformation is the extension of union leadership towards encompassing the representatives of contingent labour. Therein, involving contingent workers in trade unions on a full-time basis as union representatives or officers is a task of great importance. By looking more closely at the UCU Anti-Casualisation Committee one can identify a discernible career pattern for some contingent workers in higher and further education who due to opaque career prospects within their profession have embarked on a full-time trade union job either as national union officers or as union representatives. A somewhat similar scenario was observed in the case of Community, which however has yet to evolve among trade unions with the diverging membership base (UNISON, BFAWU, CWU and UCATT).

Unlike UCU and Community, trade unions with the diverging membership pay closer attention to the reinforcement of collective mobilisation of union membership by means of encompassing diverse interests of contingent workers and standard employees under the roof of existing structures of trade unions' governance. A diverging tendency between membership segments alongside



further diversification of the cohort of contingent workers has brought the issue of collective mobilisation to the fore of union policy, for structural amendments are virtually implausible due to the on-going dynamism of trade unions' membership base. In this effect, trade unions' reformation was locked in the search for mutual interests between diverging membership segments. Where such attempts were successful trade unions created a positive backdrop against which the social resonance between trade unions' activities and contingent workers' aspirations has occurred on a systemic basis, which in turn has not impinged on the interests of standard employees (Kelly, 1998). The quotation below belongs to one of the UCATT's regional secretaries and provides an example of successful collective action upheld by both contingent workers and standard employees.

We managed to bring all members together and persuade them that it is worth trying. All of them, including casual workers, were ready to go on strike. And in the morning we got a deal on the table with the employer. What they did, they reduced bonuses for the higher management but increased wages for the workers. And it was a fantastic result. To me that showed how well the organisation works, we used all the tools in our armoury.

Regional union secretary (UCATT)

Similar approach has been implemented, somewhat successfully, by BFAWU in the Hovis branch in Wigan. BFAWU's industrial action was tailored exclusively to contingent workers. Not only has the union reconciled the tensions between contingent workers and standard employees, but also brought both membership segments together in their desire to oppose unfair rules imposed by the management. The solidarity between the membership segments was possible because union representatives articulated clearly how relevant the campaign was for union membership as a whole and what sort of drawbacks can be expected in the case of its failure.

A few concluding remarks should be made in relation to the case of MU. It appears that this trade union has not been seriously concerned with challenges and opportunities posed by the rise of contingent labour. The only exception is internal constraints, particularly the resource demanding character of union activities tailored to contingent workers, which in the case of MU often takes extreme forms since freelance musicians change workplaces unsystematically involving not only their physical location, but also the nature of work. Other than that, the representatives of MU were relatively quiet with regard to contingent workers' perceptions of trade unions, organisational constraints imposed on unions and trade unions' structural transformations. The reason for that, especially in terms of the latter, is rooted in the fact that MU is already a trade union tailored to the representation of contingent workers in general and freelancers in particular. It would suffice to mention that the very structure of MU involving the network of union representatives and union branches is adjusted to the peculiar aspects of the music industry. MU has a group of representatives for freelancers as well as structural units for different kinds of musical genres. Thus, there is no urgent need for MU to undertake organisational restructuring, for it already encompasses a large and growing proportion of freelancers, especially compared with the state of affairs within the union decades ago, prior to the restructuring of the music industry.

#### **6.4 Conclusion**

The present chapter provided an in-depth overview of challenges and opportunities posed to trade unions by the rise of contingent labour. It contributed to existing literature by underscoring the diversity of challenges and opportunities posed to trade unions and unravelling their taxonomy. The latter was operationalised along the spectrum, from contingent workers' behavioural attitudes

towards their employment and trade unions alike, organisational constraints arising from the on-going restructuring of employment relations through to internal obstacles emanating from the immobility of trade unions' structure and tensions between membership segments (Heery, 2004; Goslinga and Sverke, 2003; Gumbrell-McCormick, 2011; Mackenzie, 2010). More important, the chapter has uncovered that the foregoing contemporary challenges are by and large predicated upon converging and diverging tendencies between trade union membership segments. For example, contingent workers' inner desire for contingent labour as well as their estrangement from trade unions were effectively spurred by the extent to which such workers remain embedded into the organisation of production. Likewise, organisational constraints, involving physical distancing of contingent workers from the bulk of standard employees and structural inadequacy of case study unions to the interests of contingent labour, were shaped by the same converging and diverging tendencies between primary and secondary segments of trade union membership.

There is, however, a flip-side of these tough challenges posed to trade unions. As emphasised in prior research, the rise of contingent labour opens up a room for trade union revitalisation through encompassing a wider and more diverse membership base and subsequent reformation of trade unions' governance (Conley and Stewart, 2008). In other words, the trade unions' ability to resolve imminent problems triggered by the dynamic labour markets comes down to strategic decisions made by trade unions themselves. It is important though that such decisions are accepted and adequately implemented at all levels of union structure - from the national level through to the grassroots. An important ingredient of trade union renewal, also predicated upon the converging and

diverging processes within union membership, is the potential for collective mobilisation of contingent labour, which reportedly stems from contingent workers' inherent desire for union representation fuelled by their poor working conditions and the sense of relative deprivation. The latter can be used to counterbalance contingent workers' estrangement from trade unions (Goslinga and Sverke, 2003; MacKenzie, 2010), with the considerable help from further reformation of trade unions' structure which crux is in involving the representatives of contingent labour in the decision making.

Notwithstanding the diversity and complexity of challenges and opportunities posed to trade unions, a vital ingredient which connects both of them is contingent workers' attitudes towards trade unions, particularly in relation to their differentiation from the ones of standard employees. As the present chapter exposed, a significant and yet growing cohort of contingent workers is inclined towards contingent employment because it is perceived as a flexible type of work that might provide employees with a better work-life balance. At the same time, contingent workers' estrangement from trade unions possesses the main threat to trade unions' organising activities and subsequent attempts to reintegrate contingent workers into labour-management negotiations. Having said that, contingent workers' inherent desire for union representation, as mentioned above, should not be crossed out of further investigation. Getting one's head around such conflicting attitudes on the basis of qualitative interviews with union representatives is problematic. As such, the next and concluding empirical chapter turns to this behavioural challenge and scrutinises the differences between contingent workers' and standard employees' perceptions of trade unions by means of an advanced quantitative analysis of a nationally representative survey of employers, employees and employee representatives (the 2011 WERS).

## **Chapter 7: The determinants of employee attitudes towards trade unions: A comparative study of contingent workers and standard employees**

### **7.1 Introduction**

This final empirical chapter kills two birds with one stone, so to speak. For it addresses the pivotal challenge, and at the same time an opportunity, posed to trade unions by the rise of contingent labour and in so doing builds on the behavioural dimension of the dynamic model of labour market segmentation. In short, the substantive contribution of this chapter lies in thorough examination of contingent workers' attitudes towards trade unions. The present chapter also examines whether contingent workers' perceptions of trade unions are different from those of standard employees and if such differences are reinforced or depleted by the workforce segmentation. Employee attitudes were operationalised across the following set of variables: employee desire for union representation, perceived union instrumentality and the likelihood of belonging to a trade union. Thus, this chapter addresses the fourth and final research question, namely 'How have contingent workers' and standard employees' attitudes towards trade unions been affected by the on-going labour market segmentation?'

Advanced quantitative techniques involving cluster analysis, latent class analysis and multilevel modelling were used to test the hypothesised assumptions. Statistical outcomes uncovered only a minor difference between contingent workers' and standard employees' perceptions of trade unions. In particular, there was no difference between contingent workers and standard employees in relation to their desire for union representation; however, the likelihood of contingent workers' being union members was significantly lower compared with full-time permanent employees. Having said that, contingent workers exhibited a slightly

higher level of perceived union instrumentality as opposed to standard employees. The crux of the present chapter was in establishing the workforce segmentation variable as a moderator in the relationship between employees' contractual situations and their attitudes towards trade unions. The findings were supportive to the dynamic model of labour market segmentation in that widening segmentation of the workforce impacted negatively on employee desire for union representation, but contributed positively towards perceived union instrumentality. It however had no effect on the likelihood of employees belonging to a trade union. The segmentation processes have also reinforced the differences between contingent workers' and standard employees' attitudes towards trade unions, particularly in relation to such outcomes as employee desire for union representation and the likelihood of belonging to a trade union. Not only does it explicitly attest to the importance of the workforce segmentation, but also complements an in-depth qualitative analysis undertaken in the previous chapter. For the present chapter elucidates otherwise opaque concerns expressed by interviewees in relation to changing patterns of contingent workers' attitudes towards trade unions.

The remainder of this chapter is structured as follows. It sets out the theoretical justification of hypothesised assumptions. Thereafter, the data (the 2011 Workplace Employment Relations Study) and specific quantitative methods are introduced. The concluding parts of the chapter report and discuss empirical findings derived from the analysis of the 2011 WERS.

## **7.2 Employee attitudes towards trade unions: Exploring the differences between contingent workers and standard employees**

A pivotal challenge posed to trade unions by the rise of contingent labour, as stressed by all interviewees during the qualitative phase of the current study, is

changing behaviours of employees, particularly the ways contingent workers perceive trade unions. Although respondents could not summarise explicitly the experience of trade unions with regard to such changing behaviours, they were firm in warranting crucial transformations in contingent workers' propensity for union representation and in their perceptions of union effectiveness. A more detailed analysis of qualitative data unveiled two crucial facets of contingent workers' attitudes towards trade unions. First, such attitudes may be inherently contradictory in that contingent workers are less likely to be union members compared to standard employees. Having said that, contingent workers also exhibit higher levels of desire for union representation and higher levels of perceived union instrumentality. The latter rests on comparatively poor working conditions of contingent workers and job insecurity attached to the very nature of contingent labour. As such, the 'added' value of union representation for contingent workers is potentially higher than what trade unions can accomplish for standard employees. But such an inherent inclination towards union representation does not necessarily, and in reality very rare, transform into the actual decision to join trade unions. Such a contradiction may be caused by contingent workers' estrangement from trade unions spurred by their further externalisation from the organisation of production.

The qualitative phase of the current study shed light on how to approach the question of differences between contingent workers and standard employees' attitudes towards trade unions. It appeared that the dynamic processes that occur in the labour market in general and in trade union membership in particular impinge on employees' perceptions of trade unions. Furthermore, the previous chapter suggested that contingent workers attitudes towards trade unions vary

considerably across trade unions with the diverging, converging and segmented membership base. Thus, one might suggest that the segmentation of the workforce plays an equally important role in determining employee behaviours. The latter alludes to extant behavioural literature on employee attitudes towards trade unions, particularly to its most developed stream based on the expectancy theory that centres on an individual's choice to behave in a certain way due to expected outcomes of such a behaviour (Klandermans, 1984; Robinson, 1989; Fiorito, 2001).

The expectancy theory was extensively applied to the question of employees' perceptions of trade unions, focusing on the link between working conditions and employee pro-union behaviour (Kochan, 1979; Charlwood, 2002; Bryson and Freeman, 2013). The bulk of such literature was introduced in the literature review chapter. The key argument here is that better working conditions and subsequent positive employee attitudes cause significant reductions in employees' propensity for union representation (Bryson and Freeman, 2013; Charlwood, 2002; Kochan, 1979). In other words, improvements in employee wellbeing empower employees and make union representation unnecessary in their eyes (Kochan, 1979; Charlwood, 2002). With regard to contingent work, the foregoing perspective translates into 'the worse the better' principle such that the worse the working conditions are the more likely contingent workers will desire union representation and see the value of union activities. The qualitative phase of the thesis indeed suggested that contingent workers might desire union representation due to poor working conditions and job insecurity. Contingent workers are thus expected to appreciate trade unions more than standard employees. The problem here though is that such positive attitudes, from trade unions' experience, rarely transform into



the rise of union membership density. Since many contingent workers are estranged from standard employees and core organisational activities, it makes very little sense for them to actually join trade unions. An apparently widespread perception of trade unions as a 'trouble maker' coupled with growing dependence of contingent workers on employers further exacerbates trade unions' efforts aimed at embracing a wider and more diverse membership base.

There are significant limitations of such an expectancy approach, for it does not take an account of inherently institutionalised dynamic processes within the labour markets. This chapter complements extant literature on employee attitudes towards trade unions by adding such a dynamic component that rests on the findings derived from the qualitative phase of this study. The basic assumption derived from the qualitative phase is that employees' attitudes in their own right can shed little light on challenges and opportunities posed to trade unions. Better understanding of a broader organisational context expressed, particularly in terms of the workforce segmentation process, is necessary to unravel the complexity of employee behaviours, and differences between contingent workers' and standard employees' attitudes towards trade unions. Whether the latter are predicated upon the workforce segmentation has profound implications for trade unions, for it may point to further directions for trade union revitalisation.

It is though very hard to formulate precise hypotheses for the present chapter, primarily because only a few empirical studies enquired into the differences between contingent workers' and standard employees' perceptions of trade unions (see Mackenzie, 2010; Goslinga and Sverke, 2003). MacKenzie (2010) suggests contingent workers and standard employees are driven by substantially different motives and their needs are therefore not in any way conformable. As such,

contingent workers and standard employees tend to view trade unions in different lights (MacKenzie, 2010). Goslinga and Sverke (2003) have thoroughly investigated employee attitudes towards trade unions across the spectrum, from perceived union instrumentality, union effectiveness, and perceived union support through to employee intentions to quit trade unions. Although their study has not avoided methodological limitations, its results are of high importance for the present chapter, particularly in relation to very minor differences between contingent workers and standard employees (Goslinga and Sverke, 2003). The differences in question however were still pronounced, so the present study takes this notion as its central theoretical assumption and breaks it into three following hypotheses.

*Hypothesis 1:* Contingent workers' desire for union representation is higher than that of standard employees.

*Hypothesis 2:* The likelihood of belonging to a trade union is lower for contingent workers compared with standard employees.

*Hypothesis 3:* Contingent workers demonstrate higher levels of perceived union instrumentality compared with standard employees.

As noted above, crucial limitations of the expectancy theory need to be addressed if one desires to accurately depict employee attitudes towards trade unions. Perhaps the most systematic critique of the expectancy-value rationale was provided by Gallagher and Sverke (2005) who pointed out the lack of organisational and institutional background in the prevalent behavioural theories. This is as if employee perceptions of trade unions were solely rooted in their

individual experiences and personal judgements without any influence from the external environment (Bryson and Freeman, 2013; Martinez and Fiorito, 2009; Way et al., 2010; Mauno et al., 2005). That, according to the dynamic model of labour market segmentation in conjunction with the qualitative findings reported thus far, cannot be further from the truth. It is, therefore, important to take into consideration the effect of labour market segmentation on employee perceptions of trade unions. As this thesis suggests, employee attitudes towards trade unions may worsen with the widening segmentation of the workforce, reflected in converging and diverging tendencies established in Chapter 4. This implies that at the organisational level the workforce segmentation is very likely to reduce employee propensity for union representation, to negatively affect perceived union instrumentality and, ultimately, to reduce the likelihood of belonging to a trade union. As such, Hypotheses 4-6 are as follows.

*Hypothesis 4:* The workforce segmentation negatively affects employee desire for union representation.

*Hypothesis 5:* The workforce segmentation negatively affects the likelihood of belonging to a trade union.

*Hypothesis 6:* The workforce segmentation negatively affects perceived union instrumentality.

Lastly, the present study showed that the dynamic processes in the labour market are unlikely to act in solitude. As interviews with union leaders and representatives showed, where the labour market segments are diverging contingent workers may further estrange from the organisation of production and from trade unions alike.

Bringing this logic down to the organisational level allows suggesting that the segmentation of organisational workforce affects the differences between contingent workers' and standard employees' attitudes towards trade unions. In statistical terms, it means that the workforce segmentation moderates the relationships between employees' contractual circumstances (i.e. whether employees belong to the segment of standard employees or to the segment of contingent workers) and their attitudes towards trade unions. As such, Hypothesis 7 is as follows.

*Hypothesis 7:* The workforce segmentation moderates the relationships between employees' contractual circumstances and employee outcomes accruable to trade unions involving employee desire for union representation, the likelihood of belonging to a trade union and perceived union instrumentality.

### **7.3 Analysis**

#### **7.3.1 Data**

##### *Sample*

The analysis presented in the current study is based on the management and employee surveys of the 2011 Workplace Employment Relations Study (2011 WERS). The 2011 WERS is the 6th survey in a series of British workplace surveys spanning several decades (Department for Business, Innovation and Skills, 2013). The survey provides extensive information regarding various aspects of employment relations and employees' work-life quality in the UK. The 2011 WERS was considered suitable for the present study for two main reasons. Firstly, the survey is representative of all British workplaces, including those in the private and public sectors, and all industries: manufacturing, construction, wholesale and

retail, hospitality, transport and communication, health and social work, financial services and so forth. Secondly, the 2011 WERS provides linked employer-employee elements for analysing employment relations on a multilevel basis. The nested nature of the 2011 WERS, as well as the large number of sampled workplaces, provide sufficient statistical power that allows partition the analysis into management- and employee- level components to achieve more reliable representation of organisational circumstances and employee behaviours.

Data for the management survey of the 2011 WERS were collected through a structured face-to-face interview with the most senior manager at the sampled workplace whose responsibility pertains to employee relations, human resources or personnel affairs. Each management interview lasted about 90 minutes and was performed on-site by a trained interviewer. The interviews were secured in a total of 2,680 workplaces, representing a fieldwork response rate of 46.3 per cent. Employee-level data were collected through a thirteen-page, self-completion questionnaire distributed to all employees in sampled workplaces with 25 or fewer employees, and a random sample of 25 employees in larger workplaces with 25 or more workers. A total of 21,981 employees from 1,923 workplaces completed the survey, representing a response rate of 54.3 per cent. To accommodate the nested nature of the 2011 WERS, data from the management survey were matched with the sample of workplaces from which employee responses were elicited. Thereafter, workplaces with less than five employees were excluded to ensure a sizable number of employees are considered for each workplace. Missing values imputation techniques have not been used in the present study since the majority of missing values are evidently system missing caused, perhaps, by the fact that not all organisations included in the WERS hired a

sufficient number of contingent workers and/or possess accurate information about the rationale for recruiting contingent labour.

### *Measurements*

All dependent variables were derived from the survey of employees. Following Bryson and Freeman (2013), *employee desire for union representation* was operationalised as a latent construct formed of four categorical variables that represent different areas of employee representation. Initially five variables were included in the dataset; however, as a result of latent class analysis, the variable that reflects training was omitted as statistically inconsistent. In terms of remaining variables, employees were asked who would better represent their interests in relation to the following areas of employee representation: getting increase in employees' pay; getting hours or payments reduced; making a complaint about working in the organisation; if managers wanted to discipline workers. Respondents were asked to choose from one of the following options: 'myself', 'trade union', 'employee representative (non-union)', 'line manager', and 'another employee'. The variables were recoded such that 1 signified 'line manager', 2 – 'myself', 3 – 'another employee', 4 'non-union representative', 5 – 'trade union'. Such a sequence denotes a growing desire for union representation. All aforementioned variables were included in the latent class analysis and used to establish a latent variable that signifies employee desire for union representation. The outcomes of a latent class analysis are reported in the results section.

The second dependent variable, employee belonging to a trade union, was derived from the survey of employees and recoded into a dichotomous variable where '0' reflects non-union members and '1' signifies union members. Finally, the

third dependent variable, namely perceived union instrumentality, was also derived from the survey of employees. It is a latent variable formed of three manifest variables measured on a five-point Likert-type scale. Employees were asked to which extent trade unions are significant actors in the workplace. The scale was internally consistent as it returned acceptable value of Cronbach's Alpha.

Independent variables were derived from the survey of employee and the survey of managers. These variables are as follows: employee contractual circumstances and the density of full-time, part-time and fixed-term workers within the workforce. The former is a categorical (nominal) variable with three categories: permanent contracts, temporary contracts with no agreed end date and fixed-term contracts with an agreed end date. These options were coded from 1 to 3 respectively. The latter three variables are all continuous computed by dividing the number of employees in each segment (full-time, part-time and fixed-term workers) by an overall number of employees in the workplace (a firm size variable). Such variables were loaded on a cluster analysis, which was used to derive homogeneous clusters of organisations in the sample in accordance with the extent of the workforce segmentation. As such, the segmentation of organisational workforce variable was established (the outcomes of a cluster analysis are reported in the results section).

#### *Control variables*

A full model comprised not only dependent and independent variables but also control variables so as to ensure the robustness of observed relationships. Prior research is rather inconsistent when it comes to controlling the regression models for the factors other than focal predictors. For instance, Goslinga and Sverke

(2003) controlled their model only for basic demographic characteristics such as age and gender whereas Bryson and Freeman (2013) included almost all possible individual characteristics alongside organisational-level variables. Within the context of the present study, a decision was made to limit the number of control variables only to the most probable interfering factors that may overshadow the effects of independent variables. Such a decision is deemed reasonable as it might help to avoid spurious correlations that may confound the multilevel analytical framework (Bliese, 2000). In all, the control variables included in all statistical models were as follows: firm size, sector, gender, age, income, occupational category, employee tenure, and standard working hours. All study variables including descriptive statistics and reliability analysis (where appropriate) are reported in Appendix 4.

### **7.3.2 Methods**

The present chapter is based on advanced quantitative methods. K-means cluster analysis was used to establish the groups of organisations in accordance with the workforce segmentation and a latent class analysis was utilised to establish employee desire for union representation variable. Finally, a multilevel regression analysis was used to test the hypotheses for the current study. In what follows these methods are introduced in more detail.

#### *Cluster analysis*

Cluster analysis is a statistical technique designed to derive statistically homogeneous groups of respondents from the total sample. It is, in a sense, a data-mining type of analysis that serves for the purpose of unravelling distinctive patterns of responses in the sample in question (Scott and Knott, 1974). It is



therefore pertinent to clustering organisations present in the 2011 WERS. To this end, the K-means clustering method was utilised – a popular clustering technique based on the vector quantisation approach. It deals with continuous variables and requires the number of clusters to be defined beforehand (Fraley and Raftery, 1998). The latter is particularly problematic, as three groups of clusters of trade unions have been established at the qualitative stage of the present study. As such, three variables involving the density of full-time, part-time and fixed-term employees were loaded on cluster analysis and the number of clusters was specified as exact at three. It is important to note that part-time employment was critically described in the literature review chapter and was not included in the qualitative part of the present study. The rationale for that was rooted in the fact that part-time work is more likely to overlap with other forms of contingent labour and therefore being a rather misleading form of employment. Having said that, for the purpose of cluster analysis part-time work is of considerable use, for together with other forms of employment it may exhibit the degree of workforce segmentation. Ultimately, cluster analysis extracted three homogeneous segments of organisations: those who hire predominantly standard employees (a cluster of homogeneous workforce); organisations with the segmented workforce which however has almost no trace of contingent labour; and organisations with the segmented workforce with a significant proportion of contingent workers. Cluster membership was saved as an independent variable in the dataset and was utilised for the purpose of regression analysis.

### *Latent class analysis*

Latent class analysis (LCA), like cluster analysis, is a data-driven analytical tool which aims to derive statistically distinctive groups of respondents from the main sample (Linzer and Lewis, 2011). Unlike cluster analysis, latent class analysis deals with categorical variables, both dichotomous and polytomous, assuming that a set of selected categorical variables forms a latent construct. LCA returns a model that can be assessed using conventional statistical indicators; such a model derives latent classes from the data, shows estimated class population shares and demonstrates predicted class memberships by modal posterior probabilities (Linzer and Lewis, 2011). The usefulness of latent class analysis lies in its ability to estimate factors that affect the probability of latent class membership by applying a conventional regression analysis to the derived class membership variable (Linzer and Lewis, 2011). The latter provided strong justification for utilising a latent class analysis for the purpose of establishing the variable that reflects employee desire for union representation. Four categorical variables that denote different areas of employee representation were included in the analysis and returned four classes composed of homogeneous groups of workers in accordance with the degree of their propensity for union representation. Class membership variable was saved in the dataset and utilised in the regression analysis.

### *Multilevel modelling and moderation analysis*

The 2011 WERS comprises the organisational and individual level data; hence, it is suitable for a multilevel type of analysis. Multilevel modelling is a type of statistical analysis wherein individual data (employee-level data) is nested on the

second level of analysis (organisational level). Since the 2011 WERS provides a unique serial number for each workplace, every individual response can be nested on a particular organisation. Multilevel analysis assumes a significant change in variance across the two levels of analysis. For instance, it is assumed that the variation of a depended variable (a random intercept model) at individual and organisational levels is statistically significant (Bliese, 2010). That may also be true for independent variables (a random slopes model). A full random effects model takes into consideration the variation of both dependent and independent variables at different levels of analysis (Bliese, 2010). Within the context of the present study, it was assumed that employee desire for union representation, trade union membership rate and perceived union instrumentality vary not only from one individual worker to another but also between the organisations. This assumption was confirmed by the results of appropriate statistical tests (log-likelihood change between the random models and standard regressions was statistically significant). Since independent variables have not featured prominently at the second level of analysis only random intercept models were applied. Due to the nature of dependent variables, linear (for perceived union instrumentality) and probit random intercept models (for employee desire for union representation and the likelihood of belonging to a trade union) were used, with the maximum likelihood estimator with regard to the linear model.

The moderation analysis was performed in accordance with Dawson and Richter's (2006) analytical perspective, also accounting for the nested character of the data. An interaction term of an independent variable and a moderator was computed for each model and included in the regression equation. Simple slopes test was then utilised to draw an interaction effect (Dawson and Richter, 2006).

## 7.4 Results

*Establishing the workforce segmentation and employee desire for union representation variables (the results of cluster analysis and latent class analysis)*

K-means cluster analysis was performed on the basis of three variables that altogether signify the workforce segmentation; the number of clusters was specified as exact at three (derived from the results of the qualitative part of the thesis). The analysis was undertaken in the R statistical software using a specific package for cluster analysis. The analysis returned good fit; particularly the means of basic variables vary significantly between each of established cluster (see Table 3). Three clusters are reflected in Table 4. The first cluster consists mainly of full-time employees whereas the density of part-time and fixed-term workers is virtually insignificant. The first cluster therefore reflects a relatively homogeneous workforce. By contrast, the third cluster is formed predominantly of fixed-term workers but the share of part-time work is also high, which implies that this cluster signifies the segmented workforce with high proportion of contingent labour. The second cluster represents a more complicated case where part-time work and full-time work are both significant but virtually no presence of contingent labour (fixed-term employment) was detected. Moreover, within the second cluster the composition of the workforce seems to be skewed towards part-time work. This cluster therefore adheres to the notion of segmentation albeit contingent labour has yet to permeate through the organisational boundaries. Along this line, the second cluster is deemed to reflect the segmented but not contingent workforce.

**Table 3: Cluster analysis (model fit)**

	Cluster		Error		F	Sig.
	Mean	df	Mean	df		
	Square		Square			
<b>Density full-time</b>	515.504	2	.019	22359	26527.312	.000
<b>Density fixed-term</b>	194.329	2	.005	22359	35773.267	.000
<b>Density part-time</b>	487.954	2	.019	22359	25045.575	.000

Sample size: 1866; Source: the 2011 WERS, survey of managers

**Table 4: Cluster analysis (output)**

	Clusters		
	1	2	3
<b>Density full-time</b>	87%	39%	50%
<b>Dens fixed-term</b>	4%	5%	90%
<b>Dens part-time</b>	13%	60%	47%

Sample size: 1866; Source: the 2011 WERS, survey of managers

Latent class analysis was performed on the basis of individual level data and four variables that capture the latent construct of employee desire for union representation. The analysis was undertaken in the R statistical software and poLCA package for polytomous latent variable analysis (Linzer and Lewis, 2011). The results of the analysis are reported in Table 5 and indicate the presence of four distinct latent classes in the data. Model fit indices are reported in the bottom portion of Table 5 and include such conventional indicators as Akaike Information Criterion (AIC – 12000.13), Bayesian Information Criterion (BIC – 12061.22); G<sup>2</sup> (likelihood ratio/deviance statistics) and X<sup>2</sup> (Chi-square goodness of fit) were equal to 208.1268 and 187.7199 respectively. The fact that the latter two indices do not allow rejecting the null hypothesis is explained by large sample size whereby strict statistical indicators fail to adequately represent the model fit (Linzer and Lewis, 2011). In such circumstances a general approach utilised in the

literature is to find the model which theoretically fits the data and where fit-indices are reasonable in comparison with other possible models (Linzer and Lewis, 2011). In line with these arguments, the model with four classes has returned a better fit than models composed of three and more classes.

The emerged classes are as follows. The first class is formed of employees not inclined towards trade union representation as the majority of workers within this class (from 72 per cent to 81.1 per cent depending on the area of representation) preferred to rely on line managers when it comes to the representation of their interests. For example, within this class only 1.0-4.9 per cent of respondents thought that trade unions would represent their interests in the most effective way. The second class represents some improvements in terms of employee desire for union representation with 85.4-93 per cent of workers relying on themselves, which is still far away from the idea of collective representation, but nevertheless sounds more positive for trade unions than the first class. Whereas the first two classes, albeit there are differences between them, accrue very little benefits for trade unions, the other two classes are of higher relevance for trade unions. If the third cluster signifies the group of workers who heavily rely on non-union representatives in all areas of employee representation (at least within this class employees seems to value the concept of collective representation) the fourth cluster is formed of workers positively disposed towards trade union representation (the level of union support varies from 43.8 per cent to 91.1 per cent depending on the area of employee representation with the lowest support demonstrated with regard to making complaints in the workplace and the highest level of support in relation to reduced working hours or pay). Such a sequence of classes captures quite explicitly employee desire for union representation from the

class of workers not inclined towards trade union representation whatsoever through to the class of employees who value the idea of trade union representation very high. The same set of indicators was utilised by Bryson and Freeman (2013) to establish the employee desire for union representation variable, albeit their study was not based on a latent class analysis. The class membership variable was saved in the dataset and used in further multilevel regression analysis. The share of the four classes in the dataset was 21.2 per cent, 26.9 per cent, 10.8 per cent and 41.1 per cent respectively in accordance with the predicted class memberships by posterior probabilities (Linzer and Lewis, 2011).

**Table 5: Latent class analysis (output)**

	<b>Line manager</b>	<b>Myself</b>	<b>Another employee</b>	<b>Non-union representative</b>	<b>Trade union</b>
Desire 1 (pay increase)					
<b>Class 1</b>	76.1%	16%	1%	1.9%	5%
<b>Class 2</b>	6.8%	85.4%	1.2%	2.5%	4.1%
<b>Class 3</b>	15.8%	19.5%	9.3%	45.9%	9.4%
<b>Class 4</b>	8%	9.8%	0.2%	1.7%	80.2%
Desire 2 (reduced working hours or pay)					
<b>Class 1</b>	81.1%	13.2%	0.6%	1%	4.1%
<b>Class 2</b>	3%	92.8%	0.4%	1%	2.8%
<b>Class 3</b>	8.9%	12.8%	9.5%	54.6%	14.2%
<b>Class 4</b>	3.3%	5.1%	0.1%	0.5%	91.1%
Desire 3 (making a complaint)					
<b>Class 1</b>	78.1%	17.4%	2.2%	1.3%	1%
<b>Class 2</b>	6.2%	92%	0.7%	0.7%	2.4%
<b>Class 3</b>	26.7%	27.3%	9%	34.5%	2.4%
<b>Class 4</b>	29.3%	24.4%	0.8%	2.7%	43.8%
Desire 4 (employer attempts to discipline employees)					
<b>Class 1</b>	72%	14.3%	6.1%	3.9%	3.7%
<b>Class 2</b>	4.3%	88.3%	3.1%	1.9%	2.4%
<b>Class 3</b>	13.2%	14.5%	14.2%	52%	5.9%
<b>Class 4</b>	7.9%	9.1%	1.3%	2.9%	78.8%
Predicted class memberships (by modal posterior prob.)					
Class1 - 21.2% Class 2 - 26.9% Class 3 - 10.8% Class 4 - 41.1%					
=====					
Fit for 4 latent classes:					
=====					
Sample size: 20908 Source: the 2011 WERS, survey of employees					
residual degrees of freedom: 557					
AIC(4): 170617.6					
BIC(4): 171150.1					
G <sup>2</sup> (4): 5843.855 (Likelihood ratio/deviance statistic)					
X <sup>2</sup> (4): 27173.13 (Chi-square goodness of fit)					

*Testing the hypotheses for the present study*

Multilevel regression analysis (random intercept models) was applied to test the hypotheses for the current study. Three regression models were constructed in accordance with the number of proposed dependent variables. Model 1 demonstrates the effect of independent variables on workers' desire for union representation whereas Models 2 and 3 are based on the likelihood of belonging to a trade union and perceived union instrumentality respectively. Since employee desire for union representation and perceived union instrumentality were aggregated to the organisational level of analysis the conventional indicators of within group agreement reliability involving ICC1, ICC2 and RWg were estimated prior to the analysis (the indicators are reported in Appendix 4).

The analysis was performed in the R statistical software using the 'multilevel' package for multilevel statistical analysis. Regression outputs involving the effect of control variables, independent variables (Hypotheses 1-6) and interaction effects to test Hypothesis 7 are reported in Table 6. The upper portion of the table contains regression coefficients and residuals for control variables first, followed by independent variables and interaction effects. The bottom portion of the table reports fit indices for each model in their final iteration, i.e. all variables included (the fit-indices are Akaike Information Criterion (AIC), Bayesian Information Criterion (BIC) and Log-likelihood). These fit indices were significantly better compared to other plausible models: with control variables only and with control and independent variables, but without interaction effects. The analysis corroborated the significance of employee contractual circumstances as a predictor of employee attitudes towards trade unions in all models except for Model 1 (employee desire for union representation). Therefore, Hypotheses 2 and



3 were supported whereas Hypothesis 1 was rejected. In particular, workers on fixed-term contracts were less likely to be union members than employees on permanent contracts ( $\beta$  coefficient = -0.071 at  $p < 0.001$ ). On the contrary, employees on temporary contracts and fixed-term contracts demonstrated higher levels of perceived union instrumentality than employees on permanent contracts, although the effect of fixed-term contracts is at the moderate level of significance ( $\beta$  coefficients are 0.165 and 0.101 at  $p < 0.05$  and 0.1 respectively).

The workforce segmentation has featured prominently indicating thereby full support to Hypotheses 4-5. No support was found for Hypothesis 6 in that the degree of workforce segmentation, in striking contrast to the initially hypothesised assumption, produced a positive effect on perceived union instrumentality. To be more specific, organisations with a segmented and contingent workforce were shown to produce negative effects on employee desire for union representation and the likelihood of belonging to a trade union as opposed to the organisations with a relatively homogeneous workforce ( $\beta$  coefficients are -0.327 and -0.120 respectively at  $p < 0.01$ ). Likewise, organisations with the segmented (but not contingent) workforce are characterised by substantially lower levels of employee desire for union representation ( $\beta$  coefficient is -0.140 at  $p < 0.001$ ), but employees in such organisations exhibit significantly higher levels of perceived union instrumentality ( $\beta$  coefficient is 0.100 at  $p < 0.001$ ).

Turning to the interaction effects between employees' contractual situations and the workforce segmentation, Hypothesis 7 was partially confirmed. In particular, the interaction effects featured prominently in relation to employee desire for union representation and the likelihood of belonging to a trade union. With regard to the

former, a significant interaction effect, although at the moderate level of significance, was observed between the cluster of organisations with the segmented workforce (but not contingent) and a group of employees on temporary contracts ( $\beta$  coefficient is -0.176 at  $p < 0.1$ ). The interaction effect was negative signifying thus the deterioration of contingent workers' desire for union representation as opposed to workplaces with a relatively homogeneous workforce. On the contrary, within the same organisational environment, the negative effect of fixed-term contracts on the likelihood of belonging to a trade union ( $\beta$  coefficient is equal to 0.089 at  $p < 0.05$ ). The interaction effects were depicted using Dawson's approach to probe an interaction effect (Dawson and Richter, 2006). The results are reflected in Figures 6 and 7 (High IV on the graphs indicates temporary and fixed term contracts respectively).

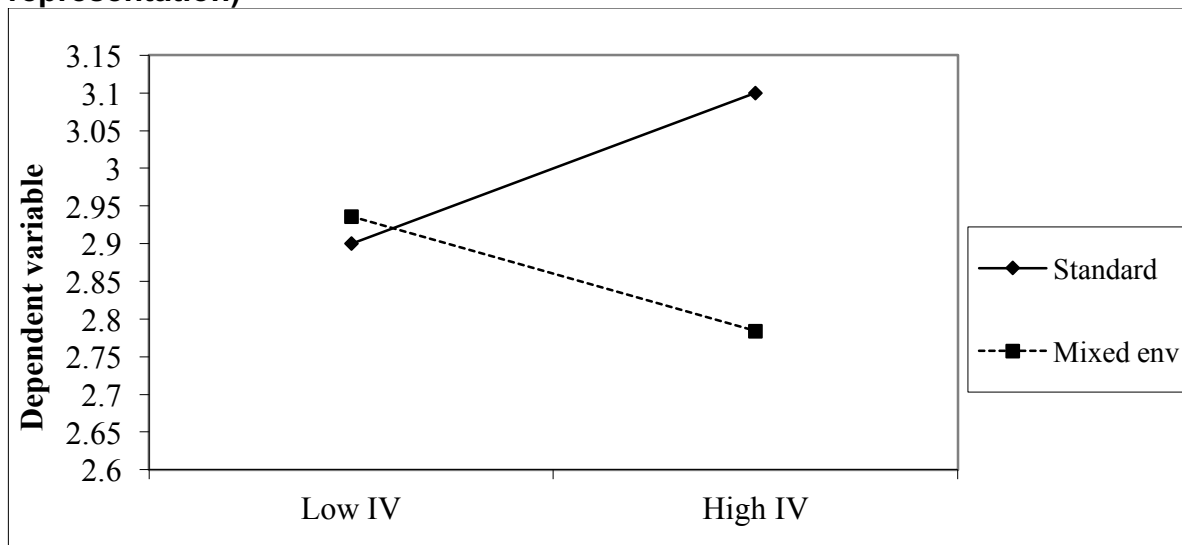
**Table 6: Multilevel regression analysis (output)**

	<b>Model 1</b> <b>Desire for union representation</b> <i>Regression coefficients (standard error)</i>	<b>Model 2</b> <b>Union membership</b> <i>Regression coefficients (standard error)</i>	<b>Model 3</b> <b>Union instrumentality</b> <i>Regression coefficients (standard error)</i>
Age (30-39)	0.049* (0.023)	0.029*** (0.008)	-0.067* (0.027)
Age (over 50)	0.051* (0.026)	0.065*** (0.009)	-0.043 (0.029)
Gender	-0.205*** (0.018)	-0.016* (0.007)	0.050 (0.019)
Income (medium)	0.011 (0.026)	0.092*** (0.007)	0.024 (0.028)
Income (high)	-0.066* (0.030)	0.123*** (0.011)	0.164*** (0.031)
Occupation (professionals)	0.213* (0.066)	0.165*** (0.029)	-0.035 (0.043)
Occupation (technicians)	0.186** (0.064)	0.094*** (0.028)	-0.028 (0.042)
Occupation (routine)	0.187** (0.065)	0.090** (0.028)	-0.099* (0.045)
Sector (private services)	-0.094 (0.049)	-0.029 (0.021)	-0.020 (0.035)
Sector (public services)	0.296*** (0.050)	0.178*** (0.022)	-0.082* (0.034)
Tenure	0.031*** (0.007)	0.043*** (0.002)	-0.034*** (0.008)
Working hours	-0.004 (0.011)	0.016*** (0.004)	-0.037** (0.013)
Firm size	0.104*** (0.018)	0.035*** (0.008)	0.001 (0.010)
Contract (temporary)	0.092 (0.072)	-0.008 (0.025)	0.164* (0.081)
Contract (fixed-term)	0.027 (0.053)	-0.074*** (0.019)	0.101* (0.055)
Organisation (segmented)	-0.140*** (0.039)	0.010 (0.017)	0.100*** (0.028)
Organisation (segmented and contingent)	-0.327** (0.103)	-0.120** (0.043)	0.004 (0.126)
Contract (temporary)X Organisation (segmented)	-0.176* (0.098)	-0.002 (0.034)	-0.073 (0.126)
Contract (fixed-term)X Organisation (segmented)	0.056 (0.101)	0.089* (0.036)	0.045 (0.118)
Contract (temporary)X Organisation (segmented and contingent)	-0.271 (0.193)	0.071 (0.068)	-0.403 (0.397)
Contract (fixed-term)X Organisation (segmented and contingent)	-0.243 (0.216)	0.049 (0.080)	0.349 (0.345)

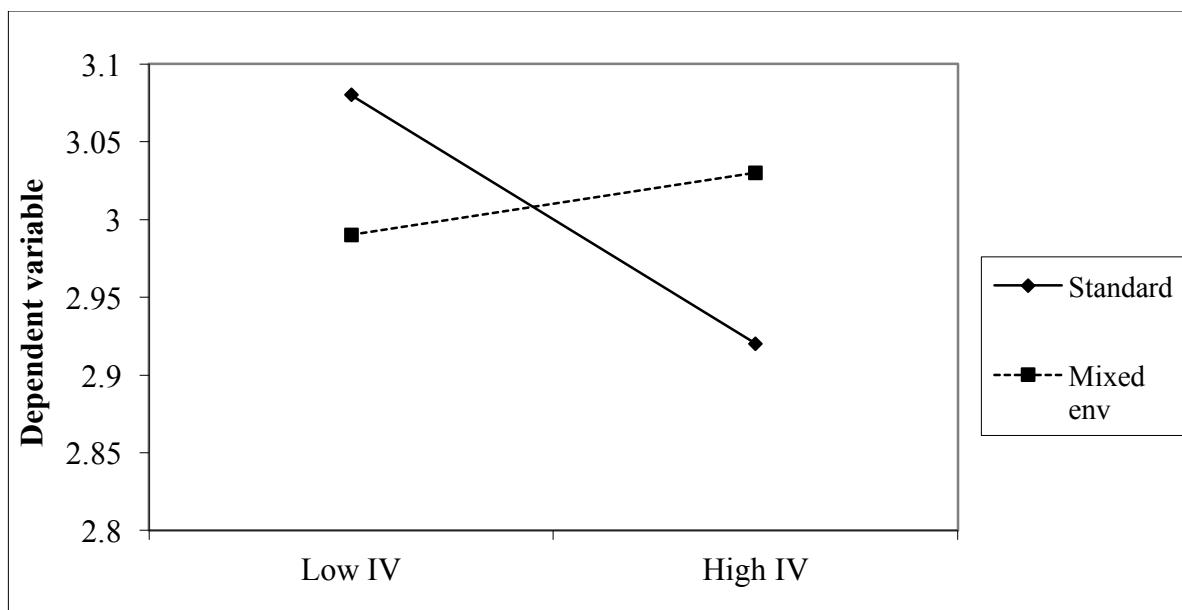
Note: \*\*\* p<0.001; \*\* p<0.01, \* p<0.05, '.' p<0.1; Number of workplaces: 1866; Sample size: 18592; Source: the 2011 WERS linked managers-employees surveys

<b>Model 1:</b>	AIC	BIC	logLik	<b>Model 2:</b>	AIC	BIC	logLik	<b>Model 3:</b>	AIC	BIC	logLik
	56383.64	56571.58	-28167.82		18890.78	19079.14	-9421.388		18248.56	18416.73	-9100.28

**Figure 6: Interaction effect between contractual circumstances (temporary contracts) and the workforce segmentation (segmented workforce, dependent variable: employee desire for union representation)**



**Figure 7: Interaction effect between contractual circumstances (fixed terms contracts) and the workforce segmentation (segmented workforce, dependent variable: trade union membership)**



*Note:* Figures 6 and 7 are drawn from the 2011 WERS linked managers-employees surveys  
Number of workplaces: 1866; Sample size: 18592.

## 7.5 Limitations

Similarly to other quantitative studies in employment relations the present study has not escaped limitations. First and foremost, the data used were cross-sectional precluding thereby a more robust longitudinal analysis of

observed relationships. Despite the fact that this limitation was addressed by a multilevel type of statistical modelling coupled with other advanced techniques, the lack of longitudinal analysis prevented more confident generalisations relating to the effect of employee contractual circumstances and, more importantly, the impact of the segmentation of organisational workforce on employee attitudes towards trade unions. Hence, a longitudinal study is the next logical step to build on the findings reported in the present chapter.

The second limitation stems from the variables included in the statistical analysis. The variables selected to capture the workforce segmentation represented only three, albeit widespread, forms of contingent work. Moreover, such forms included part-time work, widely criticised for its inconsistency. A similar problem occurred in relation to contractual circumstances, which were captured by three items that denoted full-time permanent employment, temporary and fixed-term work respectively. It is far more simplistic than the qualitative phase of the thesis suggests. Such a crucial limitation was addressed by means of cluster analysis, which allowed unveil the structure of the organisational workforce and establish thereby a relatively reliable measurement of the workforce segmentation. Using such an advanced statistical technique as latent class analysis has arguably offset a crude measurement of employee contractual circumstances. Furthermore, a nationally representative character of the 2011 WERS further ensured the robustness of findings derived from the statistical analysis. Having said that, explicitly capturing the diversity of contingent forms of employment is a task

worth pursuing in future research. It may be done through the design of a tailored questionnaire and primary data collection.

It is also important to note that if the qualitative phase of the study focused on the dynamic process between trade union membership segments, the secondary data analysis precluded a similar approach to the study of employee perceptions of trade unions. The workforce segmentation was used instead as a study variable. This drawback can be addressed in future research, perhaps through primary data collection, with greater engagement at trade unions' end.

## **7.6 Conclusion**

This chapter sought to elaborate the determinants of employee attitudes towards trade unions with a particular focus on the differences between contingent workers and standard employees. In this effect, a set of comprehensive dependent variables was utilised involving employee desire for union representation, the likelihood of belonging to a trade union and perceived union instrumentality. It was then tested whether employee contractual circumstances affect these attitudes; in particular, employees on contingent forms of employment were compared to standard employment contracts. The results were somewhat surprising because contractual circumstances in their own right have not added explanatory power to the determinants of employee attitudes towards trade unions. It is true though that fixed-terms contracts were associated with the lower likelihood of belonging to a trade union, albeit such an outcome was highly anticipated since similar results have been exhibited in the bulk of prior research and at the qualitative

phase of the thesis. At the same time, contingent employment was positively associated with perceived union instrumentality indicating that contingent workers value union activities higher than their counterparts on standard employment contracts. This particular finding resonates with the qualitative phase of the thesis wherein interviewees suggested that contingent workers are inherently positive about trade unions due to their poor working conditions and job insecurity. In conjunction with the negative effect of contingent work on the likelihood of belonging to a trade union it suggests that such positive attitudes do not necessarily transform into contingent workers' decision to join trade unions. This alone poses a significant challenge to trade unions.

The crux of this chapter was not merely in comparing the attitudes towards trade unions exhibited by contingent workers and standard employees, but also in testing the effect of the workforce segmentation both as a focal predictor and as a moderator in the relationship between employee contractual situations and workers' attitudes towards trade unions. The segmentation variable has featured prominently in both aforementioned cases contributing therefore to existing knowledge of the determinants of employee attitudes towards trade unions. First and foremost, the segmentation processes reduced employee desire for union representation and the likelihood of belonging to a trade union. However, the workforce segmentation contributed positively towards perceived union instrumentality. Second, such segmentation processes have reinforced the differences between contingent workers and standard employees' attitudes towards trade unions such that among the organisations with a segmented but not contingent workforce employees on temporary contracts have perceived union representation as

less desirable compared to standard employees. Having said that, in the same setting employees on fixed-term contracts were more likely to be union members than their counterparts on standard employment contracts. These findings point to potential avenues for trade unions' advancement in the area of contingent workers, particularly in relation to the means by which contingent workers may be effectively recruited by union organisers.

An interesting finding ensuing from the analysis is an apparent contradiction between the negative effect of the workforce segmentation on employees' desire for union representation counterbalanced by a positive impact of the same variable on perceived union instrumentality. At face value, these effects suggest that despite being more negative than standard employees in terms of their desire for union representation, employees within the segmented workforce value union representation higher than their counterparts on full-time open-ended contracts. There is no clear-cut explanation for this phenomenon, although given the results unveiled at the qualitative stage of the thesis one might tentatively suggest that contingent workers' fear of a possible punishment for joining trade unions alongside a concomitant perception of trade unions as a trouble maker sheds light on lower levels of their desire for union representation. By the same token though, such workers may naturally appreciate union activities more than standard employees, as union actions directed towards them deliver higher relative benefits. A lack of more comprehensive contextual variables prevents further speculation on the foregoing matter, hence the findings discussed warrant further investigation of contingent workers' attitudes towards trade unions.



A more detailed discussion of the findings reported in the current chapter involving their theoretical and practical implications is provided in the next chapter, which also summarises the findings of all previous empirical chapters and suggests directions for future research.

## **Chapter 8: Conclusions**

### **8.1 Introduction**

This thesis has shed light on the trade union response to contingent labour in the United Kingdom by placing it in a wider context of the on-going labour market segmentation. The thesis used a dynamic model of labour market segmentation that rests on the assumption that converging and diverging tendencies between primary and secondary segments of the labour market (and trade unions alike) distort the frontier between them. It further demonstrated that such dynamic processes disrupted trade union strategies and methods directed towards contingent workers, for existing trade union responses to contingent labour are hitherto based on the perception of the labour market as a dichotomous entity. Converging and diverging tendencies between trade union membership segments have posed new challenges to trade unions involving not only well-documented immobility of existing trade union structures and the on-going organisational restructuring, but also variable attitudes of contingent workers and standard employees towards trade unions. Contingent workers' attitudes towards trade unions were of particular importance, as apart from resulting in workers' estrangement from trade unions they have been associated with increasing likelihood of contingent workers belonging to a trade union in the workplaces with a relatively high degree of the workforce segmentation. Thus one of the key conclusions of the present study is that the effectiveness of trade union responses to contingent labour is contingent on the trade unions' ability to absorb dynamic segmentation tendencies in the labour market.

Not only has the dynamic model of labour market segmentation explicated the backdrop against which trade unions have adopted strategies and methods directed towards contingent workers but it also uncovered an inconsistency of individual trade union responses to contingent labour. For despite the fact that trade union responses fit a three-dimension framework composed of the elements of strategy, scale and method (Heery, 2009), individual unions' approaches appeared to be rather pragmatic than genuinely inclusive. The thesis further showed that such an inconsistency stems from the dynamic tendencies between trade union membership segments, for trade unions whose membership base is either clearly segmented or converging managed to orchestrate relatively coherent responses to contingent labour. On the contrary, where trade unions are confronted with a diverging membership base and a plethora of variable forms of contingent labour, they have struggled to articulate systematic strategies towards contingent workers. Coherency of union responses to contingent labour is an important conclusion. By coherent responses the present thesis assumes union strategies and methods operated in a consistent, logically justifiable manner. Such coherency implies that trade union responses to contingent labour are purposefully, systematically in other words, devised to counterbalance the attrition of union membership incited by dynamic tendencies between union membership segments. Put differently, the term coherency is used within this chapter as an antipode to sporadic and in many respects opaque union responses operated on an *ad hoc* basis. Such sporadic responses, as opposed to coherent strategies, discriminate (inadvertently or not) against significant groups of contingent workers. This concluding chapter thus turns to

the rationale for coherency and inclusiveness of trade union responses as opposed to sporadic activities in the domain of contingent labour.

In line with the foregoing, the remainder of this concluding chapter summarises the importance of dynamic tendencies between trade union membership segments for the trade union response to contingent labour. To begin with, an overview is provided of how the dynamic model has featured in the context of trade union responses to contingent work. Thereafter, dynamic converging and diverging tendencies between unions' membership segments are linked with empirical findings on trade union strategies and methods directed towards contingent workers as well as with the findings on challenges and opportunities posed to trade unions by the rise of contingent labour. All conclusions made in relation to union strategies and challenges posed to trade unions are drawn from qualitative data composed of interviews with union representatives, fieldnotes taken at trade union events and the analysis of secondary data collected during the visits to trade union offices and branches. Quantitative data analysis reported in Chapter 7 was used to draw conclusions regarding contingent workers' and standard employees' attitudes towards trade unions. The latter are reported in the concluding parts of the present chapter which also turn to theoretical and practical implications of the research findings and propose directions for future research.

## **8.2 The importance of dynamic tendencies between trade union membership segments**

This thesis has corroborated the initial assumption that whilst being structured segmentally, trade union membership should not be perceived as a crude

dichotomy of primary and secondary segments, as held by dual labour market theorists (Doernger and Piore, 1971; Dekker and van der Veen, 2015). It was demonstrated explicitly that converging and diverging tendencies between primary and secondary segments have distorted a frontier between them and further diversified the segment of contingent workers. Addressing the question of trade union membership segmentation was important in that existing trade union responses to contingent labour assume a clear split of the workforce into primary and secondary segments (also called core and periphery or sometimes insiders and outsiders) populated by standard employees and contingent workers respectively (Pulignano et al., 2015; Benassi and Dorigatti, 2014; Benassi and Vlandas, 2015). If however the frontier between primary and secondary segments of trade union membership is being distorted (Beynon et al., 2002; Marchington et al., 2015; Grimshaw and Rubery, 1998), existing knowledge of the rationale for the trade union response to contingent labour and challenges posed to trade unions in this regard is rather uneven. This part of the present chapter elaborates upon the dynamic tendencies between the segments of trade union membership uncovered within the current study. The chapter exemplifies yet another time why such tendencies are of great importance for our understanding of trade union responses to contingent work. Findings reported in the respective empirical chapter (Chapter 4) were derived from 15 semi-structured interviews with union leaders and full-time national union officers supplemented by fieldnotes taken at union events alongside the analysis of secondary materials gathered during the present study. These data appear to be threadbare, hence depicted dynamic tendencies between trade union membership segments ought to be

considered as ideal types rather than accurate in detail. That said, the broad picture they convey is deemed reliable enough.

Chapter four of the thesis dealt with the question of trade union membership segmentation and established three clusters of case study unions in accordance with dynamic tendencies between their membership segments. These clusters were further used for the purpose of a comparative analysis of trade union responses to contingent labour. In this effect, the empirical chapters of the thesis were aimed at identifying whether trade union strategies and methods directed towards contingent workers as well as challenges and opportunities posed to trade unions were variable across the established clusters of case study unions.

The clusters signified three groups of trade unions. Firstly, there were trade unions with converging membership segments whereby a frontier between primary and secondary segments (populated by contingent workers and standard employees respectively) is being distorted. This occurred for various reasons, but predominantly because standard employees have been gradually shifted towards secondary labour market positions whereas contingent workers have taken responsibilities that usually pertain to standard employees. Another reason for the emergence of a converging tendency is trade union advancement in the representation of contingent workers whereby job security of the latter has been improved considerably. This segment was represented by two case study unions: UCU and Community. As explicated in Chapter four, the rationale for a converging tendency between their membership segments are not necessarily conformable. However, both trade

unions used to operate in a strictly segmented, dichotomous, labour market formed by clearly identifiable primary and secondary segments cemented at the workplace level by rigid internal labour markets (Doeringer and Piore, 1971; Heery et al., 2004; Conley and Stewart, 2008). Transformations in the organisation of production, with an increasing role of contingent labour in the production process (be it education services or even manufacturing), have undermined the homogeneity of labour market segments in both aforementioned cases.

The second cluster was represented by a group of four trade unions involving BFAWU, UNISON, CWU and UCATT. This cluster is characterised by a diverging tendency between trade union membership segments such that the on-going labour market segmentation spurred the formation of the cluster of contingent workers, which has been externalised from the organisation of production and trade unions alike. This cluster however is not homogeneous in itself, for it is composed of a plethora of variable contingent forms of employment. Unlike the previous cluster of converging membership segments, trade unions within the current cluster have long enjoyed the advantages of relatively homogeneous primary labour markets involving high levels of job security and traditional, stable career ladders available to employees. Such a homogeneous labour market has been undermined by recent changes in the governance factors within the public sector (particularly relevant for UNISON) and transformations in the skill specificity of the workforce coupled with increasing reliance of employers on flexible labour in other industries (more relevant for other case study unions within the given cluster). As a result, trade unions within the cluster of a diverging membership

base have been confronted with a myriad of emerging forms of contingent labour, from temporary agency labour and casual work (for instance zero-hours contracts) through to bogus self-employment schemes (especially relevant for the case of UCATT).

Lastly, dynamic converging and diverging tendencies between trade union membership segments were not the only plausible scenario, as the case of MU has featured prominently within the present study as a separate case study of a trade union with a clearly segmented structure, which apart from being dichotomous is populated largely by a cohort of self-employed musicians. MU has been separated from other case study unions, for it dealt with a salient and relatively homogeneous cohort of contingent workers externalised from standard employees. This is the only cluster of case study unions that complied with the rationale for dual labour market theory, primarily because the music industry was at the forefront of organisational restructuring and marginalisation of employment relations long before similar tendencies occurred in manufacturing and the public sector. Unlike the cases of UCU and Community wherein homogeneity of labour market segments has been undermined by converging processes between them, MU's membership base has been structured segmentally without any indication that a frontier between primary and secondary segments can be distorted.

The thesis acknowledges crucial limitations of the clustering introduced above. To begin with, the data collected lacks the grassroots dimension, which precludes the researcher from claiming that converging and diverging tendencies alongside a clearly segmented trade union membership base is an



exhaustive list of dynamic processes between trade union membership segments. It may well be the case that a myriad of other tendencies and various combinations of tendencies established above have been experienced by UK trade unions. Another immediate limitation of the current study is the lack of account of driving forces behind the transformations in the organisation of production. Having said, exploring both limitations in more detail stretches beyond the aim of the thesis.

The foregoing however has not undermined the substantive contribution of the thesis, for this is the first rigorous empirical attempt to contest the dual labour market theory by delineating a range of dynamic tendencies that distort a frontier between primary and secondary labour market segments. In so doing the thesis exposed such tendencies, leastwise in relation to trade union membership segments, from a converging tendency and a clearly segmented membership base through to a diverging tendency. Extant literature has questioned a crude dichotomy of labour markets, as due to recent changes in the organisation of production and governance mechanisms labour markets are highly unlikely to be structured in such an unequivocally segmented way (Beynon et al., 2002; Marchington et al., 2005; Grimshaw and Rubery, 1998). Along these lines, prior research has suggested that contingent workers are not a homogenous group in the labour market (see MacKenzie, 2009 and 2010; MacKenzie et al., 2010). Furthermore, there is an emerging stream of literature centred on the supposition that trade union membership is heterogeneous and no longer clearly segmented into the cohorts of standard employees and contingent workers (Benassi and Dorigatti, 2015; Benassi and Vlandas 2015; Pulignano et al., 2015; Simms and Dean, 2015; Wright, 2013).

The present thesis has drawn on the aforementioned conjectures and contributed substantially to the extant literature by not only formulating an alternative to the dual labour market theory, but also by empirically corroborating a dynamic model of labour market segmentation, leastwise in relation to trade union structure. Such a model was then utilised for the purpose of uncovering the patterns of trade union responses to contingent work and unveiling the range of challenges and opportunities posed to trade union by the rise of contingent labour. In what follows, empirical findings relating to the foregoing elements of the present study are summarised, with an underlying idea to further exemplify a pivotal role of dynamic converging and diverging tendencies between trade union membership segments.

### **8.3 Trade union responses to contingent labour: Internal inconsistency and shift beyond the workplace level**

The thesis addressed the trade union response to contingent labour through a conventional empirical framework composed of the dimensions of strategy, scale and method (Heery, 2009). In so doing the thesis analysed trade union strategies and particular methods directed towards contingent workers. More detailed findings on this matter are reported in Chapter 5 of the thesis, which draws on primary and secondary qualitative data collated during the present study. What follows is a general overview aimed at sketching factors that underlie observed patterns of strategies and methods employed by trade unions in the domain of contingent labour. In so doing the present chapter oversimplifies otherwise complex empirical findings reported earlier in the thesis but nonetheless provides food for thought in relation to theoretical and practical aspects of the trade union response to contingent work.

Trade unions with a converging membership base as well as trade unions with a clearly segmented membership structure (like MU) appear to have orchestrated the most coherent responses to contingent work, unlike trade unions with diverging membership segments that struggled to articulate a systemic response to contingent labour. This is not a foregone conclusion though, as the former have not escaped limitations and inconsistencies despite centring their responses on union-management deliberations and activities tailored exclusively to contingent labour. The latter in turn sought for representation methods pertinent to contingent workers outside the framework of labour negotiations. In summary, the thesis concludes that trade union strategies and methods directed towards contingent workers are rather pragmatic and driven by dynamic processes between trade union membership segments than being inherently inclusive. These key conclusions are elucidated below. Chapter 5 of the thesis has reported more detailed findings on trade union strategies and methods directed towards contingent workers. Thus the purpose of this chapter is to provide a more general summary and place it in a wider context of dynamic tendencies between trade union membership segments.

The thesis has uncovered an inconsistency in individual unions' responses to contingent labour, which was especially transparent between the internal and external levels of union representation (Heery, 2009; Gumbrell-McCormick, 2011). Trade unions with converging membership segments were consistent in the strategies employed in that the inclusion strategy at the workplace level was chaperoned by a conspicuous objection towards contingent labour at the external level of union representation, i.e. in the labour market. Arguably,

dynamic converging tendencies between primary and secondary membership segments allow for such a clear strategic division between the levels of union representation whereby contingent labour is oft used as a buffer to protect standard employees from fluctuations in the labour market (Begstrom and Styhre, 2010; Böheim and Zweimüller, 2013).

Another example of a clearly articulated strategy towards contingent workers is MU, a trade union with a clearly segmented membership base. MU utilised the engagement strategy and provided a differentiated status to contingent workers whereas other trade unions have used only some basic elements of this strategy. By contrast, trade unions with a diverging membership base were less consistent in their strategic responses to contingent labour. The reason for that is perhaps rooted in growing competition between contingent workers and standard employees (MacKenzie, 2009; Benassi and Dorigatti, 2014). Employers also capitalise on this and use contingent labour to replace standard employees during the period of industrial action (MacKenzie, 2010). Trade unions with a diverging membership base were also constrained by grave tensions between membership segments spurred by increasing competition between them, and thus held back on further adoption of the engagement strategy. This was less of a problem for trade unions with a converging tendency between membership segments that operated some discernible elements of the engagement strategy and especially for MU, as it relied extensively on the strategy of engagement.

An upscaling approach, i.e. a shift in trade union representation of contingent labour beyond the enterprise level (Heery, 2009; Conley and Stewart, 2008),

has been pronounced in this or that way amongst all case study unions. This largely corroborated assumptions made in prior research (Heery et al., 2004; Conley and Stewart, 2008; Gumbrell-McCormick, 2011), but at the same time signified two specific tendencies. Firstly, a move beyond the enterprise level towards higher levels of union hierarchy was somewhat sporadic in a sense that where exactly decision-making and policy implementation activities should be located (at which level) has not been clearly articulated by case study unions. Secondly, a move beyond the enterprise level of union representation was still accompanied by increasing reliance of trade unions on the grassroots whereby an upscaling was merely an attempt to rectify the position of contingent workers at the workplace level. This has been noticed among trade unions with a diverging tendency between membership segments, for being confronted with a plethora of diverse contingent forms of employment these trade unions were hesitant in concentrating the bulk of their responses beyond the enterprise level. The latter was much less of an issue for trade unions with a converging tendency between memberships segments and for MU (a trade union with a clearly segmented membership base), as they allowed their strategies directed towards contingent workers to float more freely at higher levels of the trade union hierarchy. These trade unions also relied on expertise of the workplace branches, but in so doing activities designed by them at above the enterprise level were largely systemic in that they provided sufficient guidance for the grassroots. Except for the foregoing cases, an upscaling has seldom been based on a coherent systematically orchestrated basis whereby trade union responses to contingent labour are shifted beyond the enterprise level so as to provide a

platform for better representation of contingent workers outside the workplaces.

Somewhat similar tendencies have been observed in relation to particular methods employed by trade unions. Trade unions with converging membership segments have relied extensively on union-management deliberations as a platform for the representation of contingent workers (even when using the method of unilateral regulation), whereas trade unions confronted with a diverging tendency between their membership segments sought to establish the means of representation other than labour negotiations and collective bargaining. The former relied extensively on a cooperative relationship with the management whereas the latter have drifted only partially towards services tailored exclusively to contingent workers (mainly in the case of UCATT). The pattern however was more general, because trade unions with a more segmented membership base (like CWU, UCATT and definitely MU) have tended to concentrate their activities in the areas of legal regulation and mutual assurance more than in the area of labour-management deliberations. Other trade unions though were less articulate in this regard and have been held back by increasing diversity of the segment of contingent workers.

The case of MU was of particular interest, as being a trade union with a dichotomous membership base it has operated predominantly the method of mutual assurance and provided variable services to its members involving insurance services, copyright agreements and so forth. The union went farther and stretched its activities in the area of contingent labour beyond the

framework of employment relations involving negotiations with agencies, copyright companies and other stakeholders in the music industry. Importantly, shifting towards the method of mutual assurance has required building a different more intimate sort of trust between trade unions and contingent workers. In short, the variety of methods employed by trade unions was attributed to dynamic segmentation processes between their membership segments.

The findings summarised thus far have elucidated one of the central conclusions of the present study, namely that trade union strategies and methods directed towards contingent workers have been rather pragmatic and dictated by dynamic tendencies between union membership segments than inherently inclusive. This conclusion is made in spite of the trade union response to contingent labour being embedded in Heery's (2009) three-dimension empirical framework and despite the fact that a shift beyond the enterprise level of representation was pronounced amongst all case study unions. This thesis though is not the first attempt to cast light on the rationale for the trade union response to contingent work, as researchers have already emphasised the complexity of the relationship between trade unions and contingent labour (see MacKenzie, 2010; Benassi and Dorigatti, 2014; Benassi and Vlandas, 2015; Simms and Dean, 2015). The present study however provided rigorous empirical evidence for an underlying principle of trade union strategies and methods directed towards contingent workers. It demonstrated explicitly that dynamic tendencies between trade union membership segments explain the degree of coherency of trade union responses to contingent labour.

The thesis thus contributes significantly to the existing literature base. For example, Benassi and Dorigatti (2014) contend the decisive role of competition between standard employees and contingent workers for selecting particular union strategies. Simms and Dean (2015) associate successful trade union campaigns directed towards contingent workers with their position in collective bargaining. In other words, they claim that the closer contingent workers are to union-management deliberations, the more likely trade unions are to advance in the representation of such workers (Simms and Dean, 2015). Benassi and Vlandas (2015) further suggest that the determinants of trade union inclusiveness towards contingent labour, amidst salient institutional factors, are rooted in union authority and high collective bargaining coverage. The findings reported in this thesis are congruent with the aforementioned studies. The present study asserts though that existing knowledge lacks an understanding of an underlying principle of the complexity of trade union responses to contingent work. According to this thesis such an underlying principle is represented by dynamic segmentation tendencies between trade union membership segments, as they answer a key question of why existing trade union responses to contingent labour are rather inconsistent. A dynamic model of labour market segmentation also explains the upsurge of competition between contingent workers and standard employees, explicates the closeness of collective bargaining to successful unions' strategies and, ultimately, provides a better understanding of the determinants of the trade union response to contingent labour.



#### **8.4 Challenges and opportunities posed to trade unions by dynamic tendencies between trade union membership segments**

This thesis has linked findings relating to trade union strategies and methods directed towards contingent workers with challenges and opportunities posed to trade unions by dynamic tendencies between their membership segments. It thus casts light on the lack of cohesion and inclusiveness in trade union responses to contingent work, for unions have yet to devise a systematic approach towards challenges and opportunities emerging from dynamic tendencies between trade union membership segments. This was particularly the case with regard to trade unions confronted with a diverging tendency between their membership segments. This is not to say trade unions with a converging tendency escaped crucial challenges, but they evidently capitalised much better on emerging opportunities for structural reformation. Chapter 6 of the present study established specific challenges and opportunities along the spectrum, from workers' behaviours, organisational and internal constraints through to such a pivotal opportunity as trade union structural reformation. The chapter drew on qualitative data and thus reported nuanced empirical findings relating to aforementioned challenges and opportunities posed to trade unions by the rise of contingent labour. Because organisational constraints and immobility of union structure are relatively well documented in prior research (Conley and Stewart, 2008; Heery and Abbott, 2000; Pernicka, 2009), this chapter concentrates on the main contribution of Chapter 6, namely on the effect of dynamic converging and diverging tendencies between trade union membership segments on employees' behaviours. It thus paves the way to an advanced quantitative analysis of the differences between contingent workers' and standard employees' attitudes

towards trade unions undertaken in the final empirical chapter of the thesis. A flip-side here is again a more simplistic angle through which the summary of findings is provided, compared to a heterogeneous picture drawn in Chapter 6.

Crucial changes in employee behaviours have been nominated as a key challenge posed to trade unions by the rise of contingent labour. Particular behavioural patterns varied considerably involving such broader themes as contingent workers' desire for contingent labour and their estrangement from trade unions spurred by contingent workers' externalisation from their organisations. Prior to turning to such behavioural attitudes it is worth outlining other challenges and opportunities posed to trade unions. Organisational constraints were amongst important challenges spurred by converging and diverging tendencies between trade union membership segments. Imposed largely by employers they impeded trade unions' organising efforts. It was further aggravated by trade unions' internal structural immobility whereby representing contingent workers either went against the interests of standard employees and thus fuelled tensions between trade union membership segments or became costly because exiting unions' structures are tuned up to standard employees.

Organisational constraints imposed by employers and further distancing of contingent workers from the organisation of production impacted significantly on trade unions confronted with a diverging tendency between their primary and secondary membership segments. Such trade unions for example struggled to physically reach marginalised cohorts of contingent workers. Internal union constraints were spread across all case study unions, but had

different implications between them such that trade unions with a diverging tendency between their membership segments were constrained by costs and risks attached to the representation of contingent workers. They also faced tensions between primary and secondary membership segments of union membership, as by advancing in representation of contingent labour trade unions inadvertently impinged upon the interests of standard employees who felt that their working conditions are being undermined by trade unions' actions directed towards contingent workers. Trade unions with a converging tendency between primary and secondary membership segments struggled to cope with a blurring frontier between primary and secondary segments of trade union membership, albeit to a much lesser extent than trade unions with a diverging membership base. A blurred frontier between membership segments though has made standard employees relatively easily replaceable by contingent labour (MacKenzie, 2010). Employers thus gained an upper hand over trade unions, particularly when it comes to undermining industrial action.

Despite the aforementioned, trade unions with a converging membership base as well MU, a trade union with a clearly segmented membership base, were by far more advanced in adapting their structures to the representation of contingent labour than trade unions confronted with a diverging tendency between membership segments. As prior research suggests, these trade unions are better placed for increasing their power and embarking on a journey towards trade union revitalisation (Wills, 2009; Gumbrell-McCormick, 2011; Wright, 2013). Indeed, UCU, Community and MU tailored their structures to contingent membership either fully (for example MU) or at least

partially by establishing consultative committees concerned with the needs and circumstances of contingent workers (for example UCU).

The foregoing corroborates yet another time the assumption that trade unions with a converging tendency between primary and secondary membership segments orchestrated more coherent responses to contingent labour than trade unions confronted with a diverging membership base. This is however not a foregone conclusion, as a pivotal challenge posed to trade unions, namely contingent workers' attitudes towards trade unions, provides further opportunities to trade unions with a diverging tendency between primary and secondary membership segments. The evidence in this regard is reviewed below.

Employees' behaviour was a crucial challenge, but at the same time an opportunity posed to trade unions by dynamic tendencies between trade union membership segments. For contingent workers appeared to be estranged from trade unions, but at the same time prone to higher levels of desire for union representation compared with their counterparts on standard employment contracts. A growing feeling of union irrelevance uncovered by the present study aggravated by job insecurity and employers' attempts to capitalise on marginalised status of contingent workers reduced their likelihood for belonging to a trade union. Having said that, poor working conditions, the lack of job security and income instability are the natural forces of collective mobilisation in general and desire for union representation in particular. Although the foregoing is an oversimplification of much more nuanced findings reported in Chapter 6, it nonetheless conveys the message

that these contrasting attitudes laid the foundation of crucial challenges and opportunities posed to trade unions by the rise of contingent labour.

The extant literature seems explicit relating to the determinants of employee perception of trade unions (Kochan, 1979; Bryson and Freeman, 2013; Charlwood, 2002; Fiorito, 1987; Monnott et al., 2011). It draws predominantly on extensive psychological studies based on the rationale choice theory, a frustration aggression approach, expectancy-value theory and other somewhat orthodox narratives (Charlwood, 2002; Bryson and Freeman, 2013). This present study though suggests that such theoretical standpoints are at best uneven, for they ignore dynamic converging and diverging tendencies between labour market segments. These tendencies however appeared fundamental for shaping employee behaviours. Indeed, the qualitative phase of this study demonstrated that dynamic processes between primary and secondary segments of trade union membership are essential for our understanding of the determinants of employee perceptions of trade unions. For example, it was shown that the more segmented trade union membership is the more likely contingent workers are to desire union representation. It does not come as a surprise then that trade unions with a diverging membership base and trade unions with homogeneous primary and secondary segments (pertinent examples here are CWU, UCATT and MU) relied extensively in their responses to contingent labour on contingent workers' inherent desire for union representation. But it is important to reinforce another key finding of the thesis, namely that even within one and the same group of trade unions workers' attitudes may vary considerably. It is thus crucial to look more closely at the differences between contingent

workers' and standard employees' attitudes towards trade unions. The present thesis did so through an advanced quantitative analysis of the 2011 WERS. Its outcomes are summarised in the following section.

### **8.5 Differences between contingent workers' and standard employees' attitudes towards trade unions**

The quantitative part of the thesis has uncovered the complexity of contingent workers' attitudes towards trade unions through a robust multilevel analysis of the 2011 Workplace Employment Relations Study. It drew on the recurrent theme in the qualitative part of the study, namely that contingent workers' attitudes towards trade unions may serve as a challenge and the same time an opportunity to trade unions. Importantly, Chapter 7 of the current study placed the foregoing assumption in dynamic converging and diverging tendencies between primary and secondary segments of the labour market. In so doing, the effect of the degree to which the workforce is segmented into contingent workers and standard employees was estimated. What follows is a general overview of the findings derived from a quantitative data analysis. An overarching aim here is to challenge the pre-eminence of a psychology-driven micro perspective on employee attitudes towards trade unions through juxtaposing it to an institutional approach that rests on the dynamic model of labour segmentation.

The upshots of statistical analysis were novel and important for trade union responses to contingent work. To begin with, the present study showed that the differences between contingent workers' and standard employees' attitudes towards trade unions are rather narrow, as demonstrated in prior

research (see Goslinga and Sverke, 2003). This was the case with regard to employee desire for union representation; however contingent workers exhibited lower likelihood of being a union member but higher levels of perceived union instrumentality compared with standard employees. The degree to which the workforce is segmented into contingent workers and standard employees was crucial though, for it in itself negatively affected employee attitudes towards trade unions, be it contingent workers or standard employees. Moreover, the degree of the workforce segmentation moderated the relationship between the forms of employment (contingent versus standard) and employees' attitudes such that in the workplaces with the highly segmented workforce contingent workers were more likely to be union members. This surprisingly occurred at the expense of perceived desire for union representation, which was significantly lower among contingent workers compared with standard employees. Profound implications of these findings are briefly introduced in the following paragraphs.

That the difference between contingent workers' and standard employees' attitudes towards trade union was only moderate does not come as a surprise, for prior research has raised concerns in relation to such differences being inessential (see Goslinga and Sverke, 2003). More important, this finding attests to a dynamic model of labour market segmentation whereby contingent workers' and standard employees' perceptions are thought to have merged due to converging and diverging tendencies between primary and secondary labour market segments. Having said, there is still some gap between the two cohorts of workers, as the likelihood of being a union member was lower among contingent workers, who nonetheless exhibited

higher levels of perceived union instrumentality. This resonates with the qualitative part of the thesis wherein interviewees expressed concerns relating to low likelihood of contingent workers joining trade unions, but they were at the same time thought to value trade union representation more than standard employees.

The most important finding relating to contingent workers' and standard employees' attitudes towards trade union concerns the degree of the workforce segmentation. Not only has it directly affected employee perceptions of trade unions, but also amplified the differences between contingent workers and standard employees. This suggests that the segmentation processes, which formed the crux of the dynamic model utilised in the current study, are of greater importance for our understanding of contingent workers' behaviours than mere contractual differences between contingent workers and standard employees. Importantly, contingent workers were more likely to become union members in the segmented environment as opposed to a homogeneous workforce. Hence contingent workers may indeed value union representation high, but it is also viable for them to join trade unions, as contingent workers in such settings may remain embedded in the organisation of production. On a flip-side, the degree of the workforce segmentation was associated with lower levels of perceived union instrumentality among contingent workers, which may indeed stem from contingent workers' dissatisfaction with working conditions and job security (Bryson and Freeman, 2013).



The conclusions reported in this section cast light on a pivotal challenge facing trade unions, but they also uncovered avenues for further improvements in trade union representation of contingent workers. Importantly, the present study is at odds with the bulk of mainstream research on employee attitudes towards trade unions (Bryson and Freeman, 2013; Cotti et al., 2013; Kochan, 1979), for the extant literature usually ignores contextual factors that featured prominently in this thesis. The thesis thus concludes that instead of being rooted exclusively in employees' individual characteristics, workers' perceptions of trade unions are largely the repercussion of dynamic converging and diverging tendencies between labour market segments. This implies, as suggested in an emerging stream of research (see Gallagher and Sverke, 2005; MacKeznie, 2010), that existing knowledge of employee attitudes towards trade unions is still limited.

### **8.6 Implications for theory, practice and future research**

The theoretical contribution of this thesis is two-fold. First and foremost, it has empirically contested the dual labour market theory with its conjecture that labour markets are unequivocally split into primary and secondary segments (Doeringer and Piore, 1971). Not only has this study questioned a crude dichotomous principle, but also explicitly demonstrated that converging and diverging tendencies between trade union membership segments distort a frontier between them. These dynamic tendencies were further linked with trade union strategies and methods and were used to uncover challenges and opportunities posed to trade unions by the rise of contingent labour. The thesis thus contributed to a growing field of critical research that aims to unravel complex dynamic processes in contemporary labour markets (Beynon

et al., 2002; Marchington et al., 2005; Grimshaw et al., 2002; Grimshaw et al., 2007; MacKenzie and Martinez Lucio, 2005). It has also responded to the call in prior industrial relations research to look more critically at trade union inclusiveness towards contingent labour and to reassess existing trade union responses to contingent labour (Gumbrell-McCormick, 2011; Benassi and Vlandas, 2015; Pulignano et al., 2015). In so doing the thesis formulated an alternative to a dichotomous view of labour markets and termed it 'a dynamic model of labour market segmentation'. The dynamic model was not only theoretically grounded, but also empirically corroborated, at least with regard to trade unions' structure. This makes the theoretical contribution of this study substantial. For it implies that treating trade union membership segments as static and relatively homogeneous is fundamentally flawed. Therefore, the findings reported in this thesis contribute to the theoretical foundation of future research on segmented labour markets in general and on trade union responses to contingent labour in particular.

The thesis has also provided a less general conceptual contribution. It primarily concerns a three-fold framework of the trade union response to contingent labour composed of the strategy, scale and method (Heery et al., 2004; Heery, 2009). The framework does hold up, for trade union responses to contingent labour explored in the present study have fitted it quite well. However, the thesis exposed an intersection of strategies employed by trade union towards contingent workers and variable appearance of such strategies between the internal and external levels of trade union representation. Similar findings were observed in prior research (Benassi and Dorigatti, 2014; Wright, 2013; Hakansson and Isidorsson, 2014). The thesis thus suggests that

Heery's framework can be rectified in order to account for dynamic tendencies between trade union membership segments and accommodate conflicting appearance of strategies and methods that constitute the core of the framework.

The thesis has brought an employee perspective onto empirical research on trade union responses to contingent work. It has followed seminal work on the difference between contingent workers' and standard employees' attitudes towards trade unions (Goslinga and Sverke, 2003; MacKenzie, 2010) and conducted a rigorous quantitative analysis on this matter. The results were at odds with the bulk of extant literature in the field of employee attitudes towards trade unions (Bryson and Freeman, 2013; Kochan, 1979), as the degree of the workforce segmentation usually neglected in previous studies has featured prominently as a pivotal determinant of employee perceptions of trade unions and an amplifier of the differences between contingent workers' and standard employees' attitudes towards trade unions. The thesis thus theoretically challenged the pre-eminence of psychological research in the given field.

In practical terms, trade unions may find useful the notion of converging and diverging tendencies between their membership segments. Not so much in their own right, but primarily because such tendencies were shown to derail existing trade union strategies and methods directed towards contingent workers. This understanding may change the way trade unions orchestrate their responses to contingent labour. In particular, it will be wise for trade unions to change the orientation of their strategies from a dichotomous

structure of labour markets towards a more dynamic system that can absorb converging and diverging tendencies between primary and secondary segments of trade union membership. Although the present study has not sketched specific means by which such a shift can be achieved, it raised the awareness of segmentation issues that may be taken into consideration by trade union leadership. Likewise, the notion of employees' attitudes being a key challenge as well as an opportunity posed to trade unions may be of high interest to trade union practitioners. A better understating of the determinants and repercussion of employee behaviours, particularly in relations to the differences between contingent workers' and standard employees' attitudes towards trade unions can help improve the outcomes of trade union organising campaigns.

The findings uncovered in the present study point out a useful direction for future research on trade union responses to contingent work. Importantly, they raise a broader issue of the on-going labour market segmentation and its impact on trade unions, which may lay the foundation for future investigations into contemporary challenges posed to trade unions and into trade union revitalisation. An immediate suggestion stemming from the analysis undertaken in the empirical chapters of the thesis is to cement converging and diverging tendencies uncovered in Chapter 4 with a through investigation into dynamic processes that occur at the grassroots. This will provide a better understating of dynamic tendencies with which local union branches are confronted on a regular basis and will undoubtedly illuminate the results reported in the present study. Further research in this direction is warranted not least because the present thesis relied on a relatively subtle piece of

qualitative evidence. It did help depict a novel picture of the trade union response to contingent labour but at the same time left unanswered questions behind. Due to a lack of more robust qualitative data the thesis might have distorted the view on grassroots' activities employed by trade unions. Although these empirical voids do not undermine an overall contribution of the thesis, they do however prompt more nuanced future research.

A dynamic model of labour market segmentation requires further corroboration beyond the framework of employee representation and the issue of the trade union response to contingent labour. For example, it bears potential to improve existing knowledge of segmented labour markets, of employee wellbeing within them and of workers' job-related attitudes. For converging and diverging tendencies that have distorted a frontier between trade union membership segments can play a similar role in the labour market. This in turn has deeper implication for labour market studies than those reported in the present thesis. Turning to the trade union response to contingent labour, the current study illuminated the importance of future research on behavioural determinants of contingent workers' attitudes towards trade unions. It did so through contesting the overabundance of psychological studies in the extant literature, which ignore dynamic tendencies in the labour market. Because the latter have featured prominently in this thesis future studies may examine more nuanced effects of labour market segmentation on contingent workers' behaviour, particularly in terms of their perceptions of trade unions. A good starting point for future research thus is to establish rigorous measurements of dynamic segmentation

tendencies in the labour market, as this study relied on limited capabilities of secondary data.

## **8.7 Conclusion**

This thesis contributed to a better understanding of the rationale for and particularities of the trade union response to contingent labour. In so doing the thesis has adopted a mixed-methods approach underpinned by embedded case study research alongside ontological and epistemological principles of pragmatism. The thesis has explained how the on-going labour market segmentation distorted a frontier between primary and secondary segments of trade union membership. It further demonstrated that such dynamic converging and diverging tendencies between trade union membership segments have disrupted existing trade union strategies and methods directed towards contingent workers, for the trade union response to contingent labour is still underpinned largely by a dichotomous structure of the labour market. It was demonstrated that converging and diverging tendencies between trade union membership segments have derailed existing trade union responses to contingent labour. The thesis contended that it occurred predominantly because trade unions have yet to address crucial challenges emerging from such dynamic segmentation processes. Having said that, trade unions with converging membership segments orchestrated more coherent responses to contingent work compared with trade unions confronted with a plethora of diverse forms of contingent labour. The present study thus asserted that trade unions' success in the given area is contingent on their ability to take account of dynamic tendencies between trade union membership segments.

This research is of high importance for scholarly and practice debates, because it has extolled an alternative to dual labour market theory by sketching out tentative features of a dynamic model of labour market segmentation. Scholars have long attempted to formulate a plausible theory that can contest a dichotomous structure of labour markets. The dynamic model has featured prominently in the present study in relation to the trade union structure and trade union responses to contingent labour. It further extended our knowledge of the kinds of challenges and opportunities posed to trade unions by dynamic segmentation processes between trade union membership cohorts. The dynamic model allowed for an in-depth investigation into employees' behavioural attitudes towards trade unions. Not only was it a pivotal challenge posed to trade unions, but also an important opportunity for further advancement in the area of contingent labour upon which trade unions have yet to capitalise.

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### Appendix 1

<b>Interviews</b>				
<i>Union</i>	<i>Level of union structure</i>	<i>Region</i>	<i>Position of the interviewee</i>	<i>Gender</i>
Community the union	National	-	Secretary	Male
	National	-	National officer	Male
	Regional	Region 3	Branch secretary	Male
	Regional	Region 7	Branch secretary	Male
CWU	National	-	Secretary	Female
	National	-	National officer	Female
	Regional	South East Central	Branch secretary	Male
	Regional	London South East	Branch secretary	Male
	Regional	West London	Branch secretary	Male
	Regional	Merseyside Amal	Branch secretary	Male
UNISON	National	-	National officer	Male
	National	-	National officer	Female
	National	-	National officer	Female
	Regional	Northern	Member of the committee	Male
	Regional	Yorkshire and Humber	Regional convenor	Female
	Regional	Yorkshire and Humber	Member of the committee	
MU	National	-	National officer	Male
	National	-	Secretary	Male
	Regional	London region	Member of the committee	Female
UCU	National	-	National officer	Male
	National	-	President of the committee	Female
	Regional	East Midlands	Branch secretary	Male
	Regional	Yorkshire and Humber	Member of the committee	Female
	Regional	North	Branch secretary	Female
	Regional	Scotland	Branch secretary	Female
UCATT	National	-	Secretary	Male
	National	-	National officer	Male
	Regional	Yorkshire	Branch secretary	Male
	Regional	Northern	Branch secretary	Male
	Regional	Yorkshire	Member of the committee	Male
	Regional	Yorkshire	Member of the committee	Male
BFAWU	National	-	General secretary	Male
	National	-	Member of the committee	Female
	Regional	Manchester/Merseyside	Branch secretary	Male
	Regional	Northumberland & Co. Durham/West Yorkshire	Branch secretary	Male
<b>Non-participant observation at unions' events</b>				
UCU	National Anti-Casualisation Committee Annual Meeting			
UCU	Bristol Anti-Casualisation Network Meeting			
UCATT	Regional Meeting (Yorkshire)			
CWU	National Union Conference			
BFAWU	Branch meeting			
MU	Workshop for union representatives			

## Appendix 2

### ***A set of themes for the interviews with union leaders and general secretaries of case study unions***

1. Can you please give a brief overview of the situation with contingent work in your industry/industries?
2. Can you please tell me more about contingent workers, members of your union? What is their position in union membership, organisation. How do you see them in the union structure?
3. What are the key problems encountered by trade unions when organising and representing contingent workers?
4. Do you feel any opposition from employers? Do they undertake any special actions against unions?
5. Do you see any potential for the union in the area of contingent work?
6. What are the main union activities in the given area, do you operate on differential policies towards contingent workers and other members?

### ***A set of themes for the interviews with regional union secretaries and members of union committees***

1. What are the main challenges faced by your union due to the rise of contingent labour?
2. Do you feel there is a crucial difference between contingent workers and standard employees in the way they see trade unions and respond to the activities initiated by the union?
3. What is the strategic vision of your union with regards to the current position and future of contingent workers in trade union membership?
4. What particular activities are employed by your union in the area of contingent work?
5. Any specific activities provided solely to contingent workers?
6. To which extent the characteristics of contingent work are reflected in the existing union structure, what specialist schemes do you have to represent contingent workers?

### Appendix 3

Name	Year of foundation and membership	Representation of contingent workers	Selected activities in the field of contingent work
ATL - Association of Teachers and Lecturers	Was founded in 1884 affiliated with TUC since 1999. 125778 members	Agency work, fixed-term contracts, part-time work	Guidelines for fixed-term workers which cover their basic rights, presents key aspects of national collective agreement. It explores new regulation for agency workers.
BFAWU - Bakers, Food and Allied Workers' Union	Was founded in 1847. 20496 members.	Zero-hours contracts, agency labour	Prominent in campaigning against casualisation of employment relations, particularly in the fast food industry. Have recently organized industrial action against employers' use of zero-hours contracts in Hovis.
Community – The Union for Life	Was founded in 2004. 67488 contingent workers.	Temporary employment, agency work	<p>Two points of concern about temporary and agency workers were raised by Community union and sent to the TUC Commission on Vulnerable Workers:</p> <p>Are temporary and agency workers being exploited?</p> <p>Are temporary and agency workers being used by unscrupulous employers to undermine the pay and conditions of permanent employees?</p> <p>In order to raise this and other principal questions Community union in the period between January – April 2008, Community surveyed union branches in workplaces representing more than 8,000 members.</p>
CWU - The Communications Union	Was founded in 1995. 217807 members.	All forms, particular interest in subcontracting	<p>Closing the loopholes for agency workers. Main aim – equal treatment for agency workers.</p> <p>Another campaign provided by CWU calls “Justice For Agency Workers” targeted again on equal treatment in the workplace telecom workers in</p>

			relation to pay, working conditions, holiday entitlement and discrimination at work.
GMB	Was founded in 1889. 601730 members.	All forms	No specific campaigns apart from national political and legal actions provided by TUC. GMB also declared itself as a part of European campaign.
MU - Musicians' Union	Was founded in 1913. 29540 members.	Self-employment	Specialist union for self-employers. One of the most recent and prominent action provided by MU called "Campaign over National Insurance Rules on Self-employment" – union continues asserting that self-employed musicians (for tax purposes) and those who engage them should not be subject of employers/employees Class 1 NI deductions.
NUJ - National Union of Journalists	Was founded in 1907. 29930 members.	Self-employment	Freelance specialist union. Carried out the research concerning freelancers' wellbeing and provides training for freelancers. A campaign "Freelance Rights" was caused by a sharp fall in the work available for freelance journalists and actions of many media directed to reducing costs. They also provided a July freelance month to put freelance issues in the centre of trade unions' agenda
PCS – Public and Commercial Services Union	Was founded in 1998. 301562 members.	All forms	PCS declares the policy against fixed-term contracts insists on transformation of FT staff to permanent job. The union also employs parliamentary and legal campaigning.
Prospect	Was founded in 2001. 123409 members.	Part-time work, fixed-term contracts	Officially declares only standard services including legal advice, leaflets and etc. No specialist campaigns have been noticed.
RMT - National	Was founded in 1900.	Part-time work,	Provides separate campaigns

Union of Rail, Maritime and Transport Workers	79499 members.	fixed-term contracts	for different groups of members according to their occupation (rail, maritime and transport workers). An active action in transport industry was aimed to improve employment conditions of cleaners.
UCATT - Union of Construction, Allied Trades and Technicians	Was founded in 1971. 127433 members.	All forms, particular interest in self-employment including bogus self-employment	Considers current working conditions of non-standard workers as unfair. The union seeks to support self-employment, agency workers but the main aim is declared as transformations of temporal employment to permanent employment, subcontracting to direct employment.
UCU – University and College Union	Was founded in 2006. 119401 members.	Agency work, fixed-term contracts, part-time work	The most prominent campaign took place in 2008 and was called “Anti-casualisation day of action”. The action took forms of: Stalls, information desks and lectures. Rallies, demonstrations. Meetings and discussions. Postcards and leaflets for staff. Drafting petitions, collective grievance.
UNISON – the Public Service Union	Was founded in 1993. 1374500 members.	All forms including part-time work, fixed-term contracts, agency work	Conducted surveys. Contributed to the Committee of Vulnerable Employment and organized a research about the use agency workers in local government
Unite	Was founded in 2007. 1474564 members.	All forms including part-time work, fixed-term contracts, agency work	No separate campaigns related to non-standard forms of employment, but the largest union among all unions affiliated with TUC
USDAW - Union of Shop, Distributive and Allied Workers	Was founded in 1947. 386572 members.	All forms including part-time work, fixed-term contracts, agency work	Consultations for agency workers in order to put them on a Fair Ground General aim is to set equal labour conditions for agency workers and permanent staff.
WGGB - The Writers' Guild of Great Britain	Was founded in 2004. 1333 members.	Self-employment	Specialist union for freelancers



## Appendix 4

### Study variables (part 1)

Variable	Items	Frequency	Percentage
Contract type	permanent	19295	92.9
	temporary - with no agreed end date	715	3.4
	fixed period - with an agreed end date	767	3.7
Membership	Non-members	13101	62.7
	Members	7781	37.3
Desire (pay increase)	line manager	4730	22.6
	myself	6834	32.7
	another employee	337	1.6
	employee representative (non-union)	1392	6.7
	trade union	7615	36.4
Desire (cutting)	line manager	4167	19.9
	myself	6570	31.4
	another employee	265	1.3
	employee representative (non-union)	1356	6.5
	trade union	8550	40.9
Desire (complaints)	line manager	6867	32.8
	myself	8621	41.2
	another employee	404	1.9
	employee representative (non-union)	1102	5.3
	trade union	3914	18.7
Desire (discipline)	line manager	4344	20.8
	myself	6751	32.3
	another employee	870	4.2
	employee representative (non-union)	1688	8.1
	trade union	7255	34.7
Gender	male	9263	44.5
	female	11553	55.5
Age	Under 30	3828	18.4
	18-19	10304	49.5
	50 and above	6670	32.1
Occupation	higher managerial and professional occupations	1865	9.0
	lower managerial and professional occupations	4862	23.3
	intermediate and technical occupations	6771	32.5
	routine occupations	7338	35.2
Tenure	less than 1 year	2373	11.4
	1 to less than 2 years	2031	9.8
	2 to less than 5 years	4986	24.0
	5 to less than 10 years	5028	24.2
	10 years or more	6341	30.5
Clusters (organisation type)	homogeneous	14676	71.3
	segmented but not contingent	5407	26.3
	segmented and contingent	492	2.4

## Study variables (part 2)

Variable	Items	Mean	Standard Deviation	Cronbach's Alpha	ICC1	ICC2	RWg 1 <sup>st</sup> Q	RWg 3 <sup>rd</sup> Q
Union instrumentality	Unions/staff associations here..take notice of members' problems and complaints	3.74	0.84	0.812	0.08	0.38	0.78	0.92
	Unions/staff associations here..are taken seriously by management	3.49	0.90		0.09	0.40		
	Unions/staff associations here make a difference to what it is like to work here	3.28	0.93		0.08	0.36		
Membership	N/A	N/A	N/A	N/A	0.39	0.88	0.88	1.00
Firm Size	N/A	458.00	1185.53	N/A	N/A	N/A	N/A	N/A
Working hours	N/A	33.15	9.75	N/A	N/A	N/A	N/A	N/A