

Trade Union Power in the 1990s: a case study

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Abstract

The Conservative governments of 1979-1997 were determined to reduce what they saw as “excessive union power”. A succession of Employment and Trade Union Acts designed to undermine collective organisation and therefore trade union power were passed. The common perception tends to be that trade union power has been severely curtailed; however, some researchers suggest that very little has changed on the shopfloor. The main aim of the research was to ascertain what trade union members thought about the power of their trade unions. The focus of the study was on the local and workplace union organisations of the AEEU and UNISON. The research involved a case study approach. Data was obtained through the use of observation, interviews, questionnaires and the analysis of documentary evidence. It is concluded that trade union power is still a reality in the 1990s, though that power may be looked upon differently depending whether the focus is on unions at a national level or within the workplace. National unions may have changed but workplace organisations appear to remain much the same as they always have; some workplace organisations are effective and others do not appear to be as successful at achieving their aims. The success of workplace trade unionism is dependent upon the personalities and styles of working of the lay representatives. The legislation appears to have had little effect on independent workplace union organisations, though claims that the legislation had reduced trade union power appear to have been taken at face value, even by union members. As long as effective lay representatives are forthcoming there is no reason why unions at workplace level should not continue protecting their members’ interests well into the 21st century.

Sharon Blank

TRADE UNION POWER IN THE 1990s: A CASE STUDY

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Glossary of Terms and Abbreviations

ACAS	-	Advisory, Conciliation and Arbitration Service
AEEU	-	Amalgamated Engineering and Electrical Union
AEU	-	Amalgamated Engineering Union
ASE	-	Amalgamated Society of Engineers
AUEW(E)	-	Amalgamated Union of Engineering Workers (Engineering Section)
BIFU	-	Banking, Insurance and Finance Union
BSAS	-	British Social Attitudes Survey
BSAS7	-	The seventh British Social Attitudes Survey (1990)
CAB	-	Citizens Advice Bureau
CCT	-	Compulsory competitive tendering
COHSE	-	Confederation of Health Service Employees
CPSA	-	Civil and Public Services Association
CS	-	Casting shop (foundry)
CSEU	-	Confederation of Shipbuilding and Engineering Unions
EAT	-	Employment Appeal Tribunal
EEF	-	Engineering Employers' Federation
EETPU	-	Electrical, Electronic, Telecommunication and Plumbing Union
FTO	-	Full time officer
GMB	-	General Municipal, Boilermakers and Allied Trades Union
HRM	-	Human resource management
JSSC	-	Joint shop stewards' committee
MS	-	Machine shops
MSF	-	Manufacturing, Science and Finance Union
NALGO	-	National Association of Local Government Officers
NATFHE	-	National Association of Teachers in Further and Higher Education
NDLS	-	National Dock Labour Scheme
NGA	-	National Graphical Association
NHS	-	National Health Service
NUJ	-	National Union of Journalists
NULM	-	National Union of Lock and Metal Workers
NUM	-	National Union of Mineworkers
NUPE	-	National Union of Public Employees
PRP	-	Performance/profit related pay
SUDs	-	Single union deals
TGWU	-	Transport and General Workers Union
TUC	-	Trades Union Congress
TULR(C)A	-	Trade Union and Labour Relations (Consolidation) Act (1992)
TURERA	-	Trade Union Reform and Employment Rights Act (1993)
UCATT	-	Union of Construction, Allied Trades and Technicians

UMA	-	Union membership agreement
UNISON	-	Public sector union created by the amalgamation of COHSE, NALGO and NUPE
UPA's	-	Unions and professional associations
UPW	-	Union of Post Office Workers
USDAW	-	Union of Shop, Distributive and Allied Workers
WIRS	-	Workplace Industrial Relations Survey
WIRS3	-	The third Workplace Industrial Relations Survey (1992)
Xtown	-	The locality of the workplaces covered by the study

1:1

Introduction

The issue of trade union power was one of the central features of the Conservative Party's election campaign in 1979. They argued that trade unions had too much power and were a major force driving up wages, leading to higher prices and therefore inflation, which in turn reduced competition and increased unemployment. "Excessive union power" was seen as the main obstacle blocking the aim of restructuring the economy and creating a free and unconstrained labour and product market.

The Conservative's approach towards trade unions was part of their overall desire to establish "the market principle" into most aspects of society. Free market theory advocates that everything is determined "naturally"; that is, that the system, whether health care, the labour market or the education system for example, will work most efficiently if left to its own devices; any form of state intervention is seen as unnecessary and counter productive. The key words were individual choice and personal responsibility; any form of collectivism was to be changed so that each individual company or workplace and each individual within it were to be working in competition with each other. In essence immediate self-interest was seen as taking precedent over any long term interests of those concerned. Trade unions were viewed as imposing constraints on the free enterprise basis on which businesses should operate; low productivity and poor efficiency were seen as a result of union interference in the employer's "right to manage". Therefore, trade unions had to be curtailed so that firms could gain higher productivity and only pay wages which matched the market value of their products.

The newly elected Conservative government led by Mrs Thatcher was determined to prevent a recurrence of the so-called "Winter of Discontent", a particularly strike prone winter, which, among other things, in some areas left rubbish on the streets and the dead unburied. The winter of 1978/79 had enabled the Conservatives to claim in their 1979 election manifesto that union reform was essential to prevent situations like that happening again and perhaps aided their aim to create a labour market and business culture based on free market doctrines. To avoid the mistake made by the Heath administration in 1971 of attempting to do too much in one go a succession of Employment and Trade Union Acts designed to reduce the perceived "power" of trade unions were passed. Mrs Thatcher's government's two main aims were to empower employers to resist trade union industrial power and to encourage individualistic rather than solidaristic behaviour among workers.

In effect, much that was put into statute to help employers was already available to them at common law, but the legislation provided them with a quicker route to

preventing “abuses” of union power. However, in a different vein the government envisaged that by encouraging individualistic behaviour among employees union power would be undermined. As well as giving individual members rights against their union, employers were encouraged to treat their workers as individuals, rather than deal with them as a collective: “The most important challenge for employers in the 1990s will be to learn to deal with their employees as individuals...”¹ Rather than all workers doing the same job within a workplace having the same contract of employment individual contracts were encouraged, and where implemented this change could pitch worker against worker removing any solidarity of the workgroup and thereby reducing union power in the workplace. It appears that union members were seen as needing protection from the very organisations that were designed to advance and protect their interests², but any imbalance of power between employers and employees was ignored. This was one of the major reasons why unions developed in the first place; one rationale of collective bargaining is to even up the imbalance of power between workers and their employers. The 1906 Trade Disputes Act, which gave trade unions almost blanket immunity from civil liabilities in tort, had been passed in order to allow unions to exert their bargaining power against employers. The overall advantage was once again being encouraged to lie with employers.

Many of the measures adopted since 1980 had been thought about and some even put into practice (or an attempt was made to put them into practice) before 1979: the ill fated 1971 Industrial Relations Act is one example.³ However, while the step by step approach taken in implementing the legislation may be seen as an attempt to avoid the mistake made by Mr Heath of imposing change all at once, the number of “steps” taken towards the legislation also suggests that it was not having the desired effect; trade union power was not being undermined, and therefore, more legislation was introduced. Several times the Secretary of State for Employment announced that the necessity for union legislation had ended, but more tended to follow. A good example concerns the statutory requirements for industrial action ballots, which were continuously added to, but perhaps most significant is that the protection against unballoted strike action given to employers by the 1984 Trade Union Act was extended in 1988 to give individual union members the right to require their union to hold a ballot before calling for industrial action. Yet this was not enough; in 1991, the Green Paper “Industrial Relations in the 1990s” claimed that “[r]ecent strikes in the public sector, and threats of strikes on the railways and in other public services, have drawn attention to the continued vulnerability of the community to irresponsible calls for industrial action” (para 3.12). It was not enough that employers and union members could obtain injunctions against trade unions to prevent them calling for action without the properly conducted ballot: now members of the community can also do so. This

¹ “Industrial Relations in the 1990s” 1991, para 2.22.

² See “Trade Unions and Their Members” 1987, para. 1.6.

³ However, as Hutton (1996) claimed, Mr Heath’s objective was fundamentally different from that of Mrs Thatcher’s. Where Mrs Thatcher’s aim was to destroy any base of union “power”, Mr Heath’s aim was to codify and legalise the source of union “power” (p86).

could be taken as an indication that employers and union members were not seen as exercising their rights, which, therefore, had to be extended to another group of people.

The common perception tends to be that trade union power⁴ has been severely curtailed. It is argued that the fall in union density, the demise of the closed shop and a fall in the number of recorded strikes are all indicators of a weakening trade union movement. The decline in union density, especially in areas which were seen as traditional union strongholds, may have more to do with economic and employment factors rather than a reduction in trade union power and it does not necessarily mean that where unions still exist they no longer exert any influence, in fact, evidence from the third Workplace Industrial Relations Survey (WIRS3) indicates that this is still the case. The closed shop has been described as “perhaps the clearest symbol of trade union strength at workplace level” (Millward et al 1992, p102). However, the end of the closed shop⁵ does not mean that all employees in a workplace will not be union members; indeed, even when the closed shop was in operation it did not necessarily mean that all union members supported their union. A drop in the number of strikes could mean a strengthening of trade union power rather than the opposite; unions may be achieving their goals without having to use strike tactics. However, research reveals mixed conclusions as to the effects of the balloting procedures upon strike activity and trade union power (for example, McConnell and Takla 1990, Brown and Wadhvani 1990, Manning 1992). It may also be the case that many stoppages of work are not recorded by managers as strikes and therefore are omitted from the figures (Batstone et al 1978, Walsh 1987). Indeed, withdrawing their labour until a health and safety problem has been rectified, for example, may not even be considered by workers as strike action, let alone recorded as such by managers.

Some authors argue that the reduction of trade union power was one of the main successes of Thatcherism, (for example, Savage and Robins 1990, Kavanagh 1990, Roberts 1989), and others suggest that while the nature of industrial relations is changing, very little has altered on the shopfloor, (for example, MacInnes 1990, Marsh 1992a). It must be asked why is there such a difference of opinion about the power of the same organisations? A number of factors may contribute to this paradox including the definition of “trade union” and the definition of “power”. When discussing trade union power it is very likely that the debate centres on what the term

⁴ The study is primarily concerned with what is generally termed industrial power, rather than political power; readers interested in this aspect of trade union “power” should see K.D. Ewing’s 1982 book “Trade Unions, The Labour Party and the Law”. Ewing gives an excellent account of why trade unions originally became involved in political activities, which according to Ewing were a means of promoting the industrial interests of their members, and these political means were used only to supplement their industrial methods. This argument is backed by Steele et al (1986). They argued that trade unions conducted well organised campaigns emphasising the importance of defending their industrial interests through political action, which led to members voting to retain the political fund in those unions which already had one and the establishment of a fund for the first time in others.

⁵ The closed shop is not illegal but workers now have a right not to belong to a trade union and can claim compensation if they are dismissed because of their non-membership and can also complain to an industrial tribunal if they are refused employment on the grounds of their non-union membership.

“trade union” is referring to. For the sake of simplicity unionism can be divided into two separate entities: the national organisation and the shopfloor unit. In a nutshell, there is a vast difference between these two strands of unionism. While the national union may appear to be the flagship for the protection and advancement of workers’ interests, in many cases this may not be so; any bargaining power tends to be exerted on the shopfloor. Power relations can take many forms, making the measurement of “power” difficult unless the researcher spells out in precise detail exactly what he/she means by the term. Even then unless the same measurements of power have been used in other studies comparisons between the two will mean very little. Kirkbride (1985) summed up the situation by arguing that on one hand the term “power” forms part of the “taken for granted” language of industrial relations used by lay observers and the media to explain and describe situations and yet, on the other hand, it could be argued that despite its central position and importance to the study of industrial relations, relatively little attention has been focused directly on the concept of power itself “to the extent that it now represents a major theoretical lacuna within the discipline” (p44). This thesis aims to fill at least part of that gap.

1:2 *Power*

The term “power” has unsurprisingly been described as “an essentially contested concept” (Lukes 1974, p26). It is not my intention to give a lengthy review of the various positions that have been taken regarding the meaning of power, but only to outline some of the major arguments to give the reader an idea of the issues involved when trying to define the concept “power”.⁶

Many writers saw power as something that an individual had to be seen to be exercising and which prevented some other individual from doing something that they would have preferred to do. Those subject to power fell in with the preferences of the powerful; therefore, in this sense, power is seen as the subordination of the preferences of some to those of others. This view of power is often called the one-dimensional view (Lukes 1974). This view focuses on observable behaviour in identifying power. Power is equated with situations where it is seen to be exercised and as a result something happens or changes. Dahl (1957), for example, argued that “A has power over B to the extent that he can get B to do something that B would not otherwise do.” “This view of power involves a focus on behaviour in the making of decisions on issues over which there is an observable conflict of (subjective) interests...” (Lukes 1974, p15).

Within this view terms such as “power”, “influence”, “force”, and “coercion”, to name

⁶ For a comprehensive and illuminating account of the various debates surrounding the definition, conceptualisation and measurement of power dating back to Hobbes and Machiavelli see for example Clegg (1989). Clegg argued that until Lukes (1974) characterised the term “power” as a concept with a common sense essence but nevertheless subject to endless contestation, the debate about power appeared to have a relatively coherent character with reference usually being made to a distinct causal conception.

but a few, are used interchangeably or as Morriss (1987) put it, they are all collapsed into one category. To Morriss this is a wrong assumption because the different words have different meanings. For example, Morriss (1987) argued that there are considerable differences between “power” and “influence” and that they are definitely not interchangeable. Power comes from the Latin “potere” meaning “to be able” and influence from the Latin “influere” meaning “to flow in”. According to Morriss the terms “power” and “influence” do sometimes tend to overlap but at the core of each is a very different idea. After looking at the dictionary definitions of the two terms, Morriss concluded that all definitions of power refer to the ability to do something or the possession of control; “‘power’ always refers to a capacity to do things, whilst ‘influence’ sometimes (and typically) does not.” (1987, p12). In fact Morriss argued that most accounts of power are defective because they are modelled too closely on the term “influence” rather than “power”.

Morriss (1987) made a clear distinction between affecting and effecting, arguing that “‘power’ is not concerned at all with affecting, though influence is. ‘Power’ is concerned with effecting, which is a very different idea.” (p29). He also pointed out that in the social sciences power is most commonly associated with affecting others and quoted Lukes (1974) as an example, “the absolutely basic common core to, or primitive notion lying behind, all talk of power is the notion that A in some way affects B” (p26). Therefore, Morriss saw these sorts of accounts of power as defective because they are modelled on influence rather than what he defined as power.

Another criticism of the one-dimensional view of power is that it completely ignores the “structural face of power”. Bachrach and Baratz (1962) argued that there are two faces of power - the first is as described above, but the second is the possibility that a person or group may, consciously or not, prevent others from raising issues in the decision making process. The idea of the “mobilisation of bias” is brought into the debate about power. In this second dimension of power then, not only is observable conflict the subject of power analysis but the behaviour of those who are excluded from the decision making process, in the form of overt or covert grievances, is also considered. This is called “non-decision making”, which is a means by which demands for change can be suffocated before being voiced. The one-dimensional view ignores this process totally, arguing that if something cannot be seen, how can we know that it exists?

The third-dimensional or radical view of power takes this argument one step further by adding, “that the most effective and insidious use of power is to prevent such conflict from arising in the first place.” (Lukes 1974, p23). This is achieved by shaping people’s perceptions and values in such a way that they accept the status quo seeing it as natural, unchangeable and/or beneficial. This view comes under fire from Clegg (1989) who, amongst other things, argued that it is less radical than it might at first appear to be; the conception of power as something unknowably lodged in one’s subjectivity and consciousness is remarkably similar to the classic conception of power as zero-sum, that is power as the negation of the power of others.

All these views are subject to criticism; in particular they all seem to focus only on conflict, whether it is observable, hidden or just prevented from arising. Surely power can be exercised in non-conflict situations. For example, a call by a trade union for safer working conditions may be met by employers without a conflict situation even arising. The union has then achieved its aim and produced an effect without a conflict situation arising. When employers think that workers are content they may not be prepared to act, but in some situations it may be as beneficial to the employers to concede the workers' demands as it is to the workers themselves. The Trade Union and Labour Relations (Consolidation) Act 1992 (s. 244(4)) provides that an act, threat or a demand done or made by one party against another, which, if resisted, would have led to a trade dispute, shall be treated as done or made in contemplation or furtherance of a trade dispute, despite the fact that no dispute does arise because the other party submits to the act or threat or accedes to the demand. The point of view taken here seems to be one of conflict or at least potential conflict and the idea that any demand, act or threat could lead to a conflict situation. Perhaps power can only be exercised in situations which at least have the potential to result in conflict. The above example about a trade union calling for safer working conditions would be a potential conflict situation because there is always the chance that the employer might refuse to meet its demands.

Judging power by the outcomes of situations, where power is seen to be reflected by the ability to "win" or "influence" issues, is an "all or nothing analysis". The party that achieves its objectives is seen as "powerful", ignoring the fact that the "losing" party may still have a substantial amount of power (Kirkbride and Durcan 1987). This approach succeeds in cataloguing the "winning" of issues, but fails to explain the origins of the process by which the "win" was achieved. Similarly, this view also fails to acknowledge that the outcome may have been reached by a compromise on both sides and therefore, even though one party may seem to have achieved the outcome, both parties may have contributed to it and consider it successful.

Another approach to the study of power is to assume that power is derived from the possession and control of various resources and therefore the ability to affect another by the use of these. Morriss (1987) argued that to imply that resources themselves are power is to fall into the "vehicle fallacy". He argued that there is a big difference between committing this fallacy and acknowledging that resources can be useful evidence in reaching assessments of power. Morriss (1987) suggested that power as a dispositional concept, (that is a concept that refers to the relatively enduring capacities of objects), is neither a thing, (a resource or a vehicle), nor an event, (an exercise of power); it is a capacity. He argued that although many events can be described as an exercise of power, the term "power" should only be used if the researcher is specifically interested in the capacity for producing events and not if interested in the events themselves. Morriss' basic idea is that "power" is any capacity to produce effects and "a power" is a disposition that may or may not be activated because it can be exercised at will.

Kirkbride and Durcan (1987) argued that the existing literature on bargaining power in industrial relations tended to focus only on power as resource and power as outcome leaving two large omissions - the level of action and the question of the origin of the resources. To rectify this deficiency Kirkbride suggested that we must consider the deeper structural aspects of the power relationship. "Research needs to explain how power capacity is generated and more especially how it is exercised and utilised on a day to day basis through interpersonal social interactions." (Kirkbride 1985, p54).

In a similar vein, Pfeffer (1981) argued that power is context or relationship specific - a person or group is not powerful or powerless except in a specific social relationship with others. According to Pfeffer to assess the power of one party or another, one must be able to estimate: what would have happened in the absence of the exercise of power; the intentions of the party attempting to exercise power and; the effect of the actions taken by that party on the probability that what was desired would in fact be likely to occur.

It seems that the one dimensional view of power should be rejected because of its insistence on classing only observable outcomes as exercises of power and that those outcomes are seen as the result of a conflict situation whereby there is only one winner and one loser. The two and three dimensional views of power must be kept in mind, despite their reference to only conflict situations. The "mobilisation of bias" is an important notion because how can we say that A has more power than B when B may not even have had a chance to use his/her/their capacity to accomplish his/her/their goal? Similarly the idea that people are prevented from exercising their power because their perceptions have been shaped in such a way that they do not see any reason to do so should be considered. Again how can we say that A has more power than B if B does not realise that things could be different and thereby chooses not to exercise his/her/their power?

1:3 *Trade union "power"*

As many researchers, (for example Edwards 1978, Armstrong et al 1977), have suggested, power (particularly in the industrial relations field) is not directly quantifiable as power relations can take several forms. One form - bargaining power - possesses many dimensions. Armstrong et al (1977) argued that the development of a more theoretical analysis of the sources, weapons and objectives of trade union power was required because evidence suggests that a single variable is inadequate to reflect the many dimensions of union power.

Many analyses of trade union power are only partial in their coverage and, therefore, could be considered inadequate. Some studies tend to use a single variable when measuring union power; union density and strike activity are two examples: on their own each is an unsatisfactory measure (Armstrong et al 1977, Martin 1992). Union

density is certainly not an ideal way of assessing trade union power, for “power” cannot be measured purely by the number of members within an organisation; for example, solidarity between members may be 100% in a small private engineering firm and the members there may be largely successful in achieving their aims, whereas solidarity may be almost non-existent within a larger workplace and members may feel that “the union” does “nothing for them”. Therefore, union density alone cannot indicate the extent of union power. Using the fall in the number of strikes over the last fifteen years to indicate a reduction of union power, as government sources have done, is equally flawed. Strike action is very often seen by researchers and union officials as a sign of weakness rather than power. As Armstrong et al (1977) put it, “the most powerful unions may rarely resort to strike action, since a threat to do so modifies the employers’ attitudes”, (p94), and Martin (1992) argued that the National Graphical Association’s increasing involvement in strikes in the early 1980s was a sign of declining not increasing power. Strikes are only the obvious means of exerting power and may be less effective than non-strike sanctions which also impose certain costs upon an employer.

Very often studies of trade union power tend to focus solely upon observable behaviour. However, as argued above, judging power by the outcome of situations is flawed; both parties to a dispute may gain advantages which makes the measurement of power for one side or the other very difficult; there is not necessarily one winner and one loser. Indeed, Edwards (1978) identified four ways in which management and trade unions were able to determine the outcome of decision making, only one which involved a conflict situation; with the other three both sides could claim to have influenced the final decision. An example of a situation where both the trade unions and the employers concerned could claim to have determined the outcome was demonstrated by Richardson and Rubin (1993). They argued that what constitutes victory or loss in industrial disputes is very hard to establish. The popular perception is that the 1989/91 shorter working week campaign in the engineering industry was a major success for the unions, but Richardson and Rubin argued that the employers also succeeded because agreements were made to offset the costs of a shorter working week before any reduction in hours was made. In fact, they concluded that the shorter working week campaign actually resulted in more agreements being made to combat organisational slack and inefficiency than previously.⁷ While this was, in effect, a conflict situation, it still highlights how both parties in a dispute can accomplish advantages to their own benefit, making the measurement of power for one side or the other very difficult.

Different definitions and different measurements of power can lead to different conclusions about the extent of that power. Edwards (1983) demonstrated how by using two different methodologies for the analysis of “control”, it was possible to

⁷ A study of 21 engineering companies which had reduced their working week concluded that there are tangible benefits for employers agreeing to a reduction in hours. Greater flexibility, harmonised terms and conditions and an opportunity to adopt new working arrangements were seen as positive outcomes of such agreements. (IRS Employment Trends 596 November 1995.)

come to different and often opposing conclusions about the nature of power in the workplace. She argued that the methodology employed to a large extent determines the “findings” of the research and that “[n]owhere is the role of method in determining the findings of empirical investigation more clearly illustrated than in the study of power.” (p50). Edwards went on to argue that it would appear that the aspect of power most amenable to empirical study, that is bargaining power and decision making, merely represents the tip of the iceberg as far as the total process of power is concerned. Therefore, the methods chosen to measure the extent of trade union power must try and incorporate as many dimensions of that power as possible.

For the purposes of this study **power is defined as the capacity or ability to produce effects; that is, the ability to bring about or accomplish something. Trade union power, then, is the union’s capacity or ability to achieve a desired goal.** The basic purpose of a trade union is to act in defence of its members’ interests, particularly in their relationship with their employer. Therefore, it could be argued that **a trade union’s power is its capacity or ability to defend and advance its members’ interests.**

This is intentionally a broad definition. The ability to produce effects has meaning which stems far beyond observable outcomes and what is usually termed “bargaining power”. It may include the capacity to shape decisions and therefore the final outcome rather than dictate the terms of any agreement; many issues of concern to members may be solved without a conflict situation arising or even to their satisfaction without necessarily “winning” the issue. More importantly it is wide enough to include potential power as well as exercises of power; that is, the capacity to produce a goal may be present but not necessarily put into practice.

Also, a trade union’s capacity to defend and advance its members’ interests may extend further than just in relation to employment grievances. Many trade unions also provide benefits for their members such as legal aid for things such as accidents at work or for work related illnesses. The provision of these benefits can still be classed as a capacity to produce effects and in terms of power relations they can be of extreme importance to union members, especially if they have an accident at work for example, and therefore, must be included as a source of union power. Very often this aspect of trade union activity is neglected in studies of union power, but it may be an important factor to members, especially if they feel that unions at workplace level do not adequately represent their interests (Guest and Dewe 1988). Evidence does suggest that trade unions continue to play a vital role in dismissal procedures and that dismissal rates tend to be lower in unionised firms (Millward et al 1992). It is even suggested that workers in high unemployment areas are more likely to join a union not for pay increases but because arbitrary dismissal carries a larger penalty in those areas (Blanchflower et al 1990). Indeed, surveys have found that one of the most common reasons for union membership is for future protection (Stevens et al 1989, Millward 1990, Hedges 1994); this could be either in the workplace or by the national

organisation, for example legal representation for an accident at work, (nowadays this is also provided by some unions for accidents away from the workplace and even for members' relatives).

For the vast majority of trade union members the workplace is the main unit of union activity, (and most likely for many, the only unit of union activity). It is argued that the average trade union member is not interested in the workings of his/her individual union but is more concerned with the problems that may arise at his/her place of work, those that affect him/her personally (see for example, Goldthorpe et al 1968, Schuller and Robertson 1983). It is also argued that senior union officials tend to lose touch with their rank and file members (see for example, Lane 1974, Sherman 1986, Darlington 1994a, 1994b). If we accept these arguments, it could be assumed that shopfloor representatives are the most important people to union members, particularly when shopfloor grievances occur. These representatives concentrate on sorting out individual grievances and any shopfloor issue that might arise by negotiating with management where necessary in an attempt to come to some agreement. Where workplace representatives can work independently of their officials it is rare that a shopfloor issue is taken outside the workplace to the national union; therefore, it could be argued that the hub of trade union power actually lies in the workplace on the shopfloor, which for the rank and file members at least, is the place where most of their problems are likely to occur. Sometimes this power may involve the use of threats which are designed to cause the maximum inconvenience to the opposing party (of course this only applies in a conflict situation or a potential conflict situation). This is where the issue of costs and resources enter into the discussion about power, the more resources at a party's disposal the more likely that the costs will be greater for the opponent.

One of the crucial factors when considering trade union power in this respect is collective strength; indeed, it could be argued that the collective strength of workers is a trade union's main resource and is in fact the origin of its power in relation to employers. A combination of workers standing firm on an issue can be a very big influence upon an employer making a decision. This kind of power can rarely be achieved by an individual employee alone, although employees with scarce skills or in strategic positions may be better placed to do so than the vast majority of workers.⁸ To achieve collective strength co-ordination amongst the workers is essential; without it any power to produce an effect may well be lost.

Rather than relying on observable outcomes to measure the extent of union power the study concentrates on the views of trade union members obtained through interviews, questionnaires and observations. Edwards (1983) argued that the measures of control based upon perceptions used in her study of trade union power provided a much more accurate description of workplace power than her alternative diary method, because they covered some of the unobservable processes through which outcomes are

⁸ Cutbacks in training over the last decade have actually ensured that skilled workers are now more valuable to those employers who require a skilled workforce.

determined. In this way the “hidden faces” of power produced by the “mobilisation of bias” and “non-decision-making” are more likely to be discovered than by examining only the outcomes of decision making. One problem with this approach is that by using peoples perceptions any conclusions depend upon value judgments and if Lukes’ (1974) radical view of power is accepted, then it could very well be the case that those perceptions have been shaped in such a way that they are not really the individual’s own. The question then would be whose perceptions are they? The trade unions? The employers? Or the Conservatives? This could be a crucial point, especially in the light of the Conservative’s aims regarding trade unions and their members during the 1980s and early 1990s. One of the main aims was to promote individualism at the expense of collectivism. If this aim has been achieved then it could be expected that the views of individual members would be their own; alternatively it could be argued that nobody is totally unaffected by their environment and therefore everybody’s opinions have been shaped in some way or another.⁹

1:4 *The Thesis*

“The trade union movement no longer has any power”, “the trade union movement doesn’t support the cause of the working class anymore” and of course “trade unions no longer have the power that they used to have” are all familiar comments very often made by members of the general public. In many cases it is a matter of personal opinion and very often depends upon the background and experience of those making the statement. Now and again certain individuals are happy to go against this commonly held (and maybe socially constructed) view¹⁰ ; they argue that trade union power is the same as it has always been. When this comment is elaborated upon, it generally turns out that the individuals in question are union members in workplaces where the union is considered to be quite strong, most employees belong to the same union and the workplace union organisation has well respected figures behind it. Morale and union support tend to go hand in hand with the success that the workers, in the name of their union, have in the workplace, and this shows in the opinions of those making the comments. This is no new phenomenon. Research over the decades has shown that union organisation is different at different workplaces and that generally unions have only a certain kind of “power”, a defensive and negative power (see for example, Boraston et al 1975, Edwards 1978, Coates 1983).

The most crucial elements of a trade union are the members themselves; without the members a trade union would have no purpose and therefore no reason to exist. It can be argued that despite the fall in overall union density over the last fifteen years or so the fact that many workers are remaining union members, and indeed new members

⁹ See for example Berger and Luckmann (1966) “The Social Construction of Reality”.

¹⁰ The mass media is able to shape public opinion and as the focus of newspapers, especially the tabloid press, usually emphasises only one side of a story readers can be misled into believing something that is not strictly the whole truth; for example, lost production and profits tend to dominate the news rather than the causes of a dispute. Trade unions were usually portrayed as over mighty vehicles wielding unnecessary “power” consequently running down the country.

are not yet a thing of the past¹¹, it would be a viable project to find out exactly what members think of the power of their trade unions. They are remaining/becoming members for some reason; is it purely that they have a self interest in the insurance and services side as sources have suggested, (for example, the Employment Committee's third report, "The Future of Trade Unions" (1994), suggested that trade unions should provide a wider range of services to attract and retain members) or is there something more? Most empirical studies of union power in the workplace have focused on the shop stewards or the officials of the national union and many measured power in terms of the bargaining outcomes and the ability of the union (or the union representative) to get its own way. Few studies have looked at union power from the members' point of view; some have looked at members' reasons for membership and the British Social Attitudes Surveys touch upon members' opinions, but as Millward (1990) said: "We still know little about the characteristics of union members or about their reasons for belonging to unions or about any distinctive attitudes they may have" (BSAS 7 p27).

The main aim of the research was to ascertain what a sample of local trade union members thought of the power of their trade unions. While researchers, politicians and the media argue about the power of trade unions, what do the members themselves think? Different workers tend to express different opinions about their trade unions, some argue that trade unions are still as strong as they always have been and others argue that "they do nothing for me". Is this a result of the different expectations of union members or maybe an indication that different unions operate differently? Or perhaps there are other factors which determine the strength or power of a trade union?

It will be argued that the workplace is actually "the union" as far as most members are concerned and that how well their representative performs influences their perceptions of their union. The level of success that they have within the workplace largely depends upon the personality and style of working of their lay representative, which are essential in determining membership participation and interest in workplace unionism and, therefore, the level of success that the union has when dealing with management (Fosh and Cohen 1990, Fosh 1993). It is suggested that the lay representative and the way that he/she works is one of the main ingredients for successful unionism in the workplace and that overall the legislation has had little effect upon workplace unionism. However, there are differences between workplaces, especially between those in the public sector and those in the private sector. These differences can be attributed to a number of factors including the type of workplace, the nature of the employment itself, management strategy, and the relationship of the workers to each other, but overall the lay representative is the key player in the relationship of "the union" with management.

¹¹ Figures indicated that overall trade union density had almost halved since 1979 when 12.7 million members were affiliated to the TUC: in 1995 there were only 6.9 million. This decline, however, tends to be attributed to economic and employment factors rather than any widespread decline in support for unions amongst workers. Indeed, 12 of the unions supplying the figures had experienced an increased membership. Many of these represented "professional" members, indicating a growing insecurity in these areas of employment.

Forces outside the workplace might also play a part in altering the balance of the relationship between the union and management within different workplaces; the state of the British economy at any particular time can have a direct influence upon product and labour markets and it is widely argued that favourable product and labour markets help union power. However, the attempt to make the labour market work according to “free market” economic theory has ensured that the workforce in Britain as a whole is becoming progressively less protected and many workers are finding that their employment is less secure than ever before. The decline in the manufacturing industry has led to a new employment environment; more people are employed on a part time basis, particularly women, there are now more than five million part time workers and 80% of these are women (Hutton 1996); more job opportunities are opening up in the service industries; and more people are becoming self employed than ever before, during the 1980s the number of self employed almost doubled to 11.6% of the labour force (Hutton 1996). This employment situation has been described as the 30/30/40 society. Hutton (1996) argued that the bottom 30% of the workforce were the marginalised; they were either unemployed or worked for poverty wages. The middle 30% were the “newly insecure”; those who were insecurely self employed, worked involuntarily part time or were casual workers. Only about 40% of the workforce enjoyed tenured full time employment or secure self employment and Hutton argued that this was the category that the 31% of the workforce who were still represented by trade unions generally fell into. All the “new” job opportunities tend to be in areas which trade unions have not traditionally entered into and it could be argued that a new avenue has opened for unions to exploit.

However, the uncertainty of product markets has led many employers to take on “extra” workers when needed on temporary contracts; in this way they can be laid off much easier if business slackens. This can cause problems for unions who have tended in the past not to recognise temporary or part time workers as such; the AEEU, for example, will accept temporary workers as members and try to ensure that they receive the same benefits, wages and pension opportunities as the full time workforce. Yet, because the union recognised them as full time workers, a local district secretary argued that it was “a continuing battle” when management wanted to lay them off. Nevertheless, it could be argued that temporary workers need a trade union to protect their interests while ever they are employed, even the insistence that they are entitled to the same benefits and wages as full time workers ensures that they are not exploited as “cheaper” labour by employers. It could be argued that the growing army of temporary and part time workers also provides an opportunity for trade unions to move into “new” areas of employment. After all, all workers should be entitled to protection of their rights and interests.

In those workplaces which are unionised the economic climate may have had an effect, especially with the increased levels of competition between firms. The high level of unemployment may give workers an increased sense of job insecurity (for example, Hedges 1994) which may alter their relationship with their employer; that is, they may

not push for a high increase in pay, for example, for fear of losing their jobs.¹² Many employees may wish to hold on to what they have got, the loss of a steady income may mean the loss of their home or other possessions; over the last decade levels of personal debt has hit unprecedented levels. Unionism may then take on a different perspective for members; members may find that they prefer to work with their employers to ensure the survival of their workplace (Brown 1986). Nevertheless, this does not mean that the importance of trade unions, particularly in the workplace, has dwindled; in many respects the economic and employment climate has reinforced the necessity of workplace unionism (see also Cohen and Fosh 1988). As Bill Morris clearly stated in a BBC 2 documentary, “trade unions are needed now more than ever and if they did not exist they would be invented.”¹³

The following chapter outlines the differing views of trade union power taken by authors and researchers and looks at research which assesses the impact of the legislation upon trade union power and members’ attitudes towards unionism. Chapter 3 looks at trade unions in the public and the private sectors generally and charts the rise of the importance of the shop steward in the workplace along with the move towards workplace bargaining. Overall chapter 3 asks whether trade unions are best seen as national organisations or as shopfloor units. Chapter 4 outlines the trade union legislation, analysing why it was felt to be necessary and noting the possible effects it may have on unions themselves. Chapter 5 discusses the issues raised from the preceding chapters, including the issue of individualism versus collectivism. The hypotheses that the study was testing are then outlined. The final chapter in part 1 of the thesis describes the methods used in the research. Part 2 of the thesis sets out the results of the study and discusses them in relation to the issues raised in chapter 5 and also assesses the implications that they may have for trade unionism in general.

¹² However, it appears that the current employment environment may actually have more of an effect upon unemployed workers and especially the unskilled. Employers tend to prefer to keep their existing workforces where possible, viewing the unemployed as lacking the relevant skills and experience to carry out their production efficiently (without lengthy training that is). Research in America during the 1992 recession found that firms did not lay off workers unless they were forced to do so because of the demoralising impact on their workforce. Similarly they did not hire the unemployed at lower rates so as not to create internal pay inequities which might also have a demoralising effect on their newer employees (Bewlay 1993). Therefore, unemployment may affect those in the top 40% of the workforce much less than is often thought (see also MacInnes 1987, 1990, Daniel 1987, Martin 1992).

¹³ “All Those In Favour”, BBC 2, 29.11.93.

PART 1

Trade Union Power - Myth or Reality?

2:1 *Introduction*

There are many different trade unions in Britain, yet all have the same aim: to serve the interests of their members. The basic purpose of a trade union is defensive; it acts in defence of its members' interests especially in relation to their employment situation. However, trade unions have been instrumental in advancing the rights of all working people and therefore, advancing the interests of their members is also an essential reason for their existence. Trade unions originated as a vehicle to try and redress the inequality of power between workers and employers; "unions do not create a privileged position among otherwise equal parties, but seek to develop the bargaining strength of individuals who alone are relatively weak" (Burkitt 1981, p68). However, this view is not held by everybody and so called "trade union power" has been an issue for governments since their very formation.

Since the Conservative onslaught on trade unionism opinions about trade union power are mixed; some authors suggest that trade union power had been reduced drastically while others claim that much remains the same, at least on the shopfloor. This chapter outlines the differing views of trade union power taken by authors and researchers before and after 1979 and looks at case studies which touched upon members' attitudes towards trade unionism. A comparison of research before and after 1979 tends to show that trade union power, while definitely existing, was probably not as "powerful" before 1979 as sometimes advocated; in general trade unions exercise a negative and defensive power. Varied opinions are also revealed as to whether the legislation which was designed to reduce trade union power has actually had any damaging affects upon trade unions. Overall members tend to be portrayed as self interested individuals using unions only for what they can get out of them, yet, it appears that the shop steward is the most important aspect of unionism and is the key to activating members and their interest in unionism and, therefore, any power that the union may have.

2:2 *A fall in union density and strike activity*

Two single variables are commonly used to assess trade union "power": union density and strike activity. The fall in both these is taken as indicating a decline in union power, but taken on their own each is an inadequate measure (Armstrong et al 1977, Martin 1992). As Martin (1992) argued:

"Density does not invariably lead to power: it would be misleading to interpret the contrast between the high density of union membership amongst non-manual employees in the public sector and the low density of membership amongst similar employees in the private sector as indicating a comparable difference in union power - difference is primarily one of employer attitude. The significance of density depends upon environmental conditions and institutional arrangements, including the degree of

solidarity between different groups of workers, both inside and outside the specific union.” (p10).

The industrial relations and trade union legislation may have led to a decline in union membership (for example, Freeman and Pelletier 1989), especially if the legislation is seen as leading to a decline in union recognition (for example, Millward 1994). But this does not necessarily indicate a reduction in union power. A Labour Research survey (1992d) found that derecognition had become more widespread since 1988, though it was noted that derecognition had only affected a minority of unions and a relatively small number of workplaces. The survey suggested that “[i]t would be wrong to assume that non-unionism is the inevitable outcome of an employer’s desire to derecognise” (p7); in a number of the cases surveyed the employer’s aim was single unionism, and all but one union was derecognised. Millward (1994) argued that single union representation was a widespread and long standing phenomenon, though compared with multi-union workplaces, his analysis of the Workplace Industrial Relations Surveys (WIRS) data suggested that where a single union was present there were generally weaker forms of unionism. Nevertheless, some of the unions involved in the Labour Research survey had successfully resisted the attempt at derecognition and others had been able to maintain certain representational or consultation rights despite being derecognised.

The TUC’s bi-annual survey of trade union trends (1995a) also concluded that derecognition had only affected a minority of unions and a small number of workers. A fifth of the workplaces affected had successfully resisted derecognition. Furthermore, 60% of the unions responding to the survey had secured new recognition deals in the preceding six months. Where figures had been available they showed that 18,275 workers had achieved union recognition compared with 1,394 who had lost it (or partially lost it). The overwhelming majority of these deals were for full recognition, many in the education and health sectors. Unions have also successfully organised and gained recognition for new groups of workers; according to Gall (1993) union recognition agreements between 1988-1993 covered an estimated 60,000 employees and in some of these cases employers had actually approached unions about recognition. However, around 80,000 employees had had their union derecognised during the same period (Gall and McKay 1993). Nevertheless, the authors concluded that the scope of derecognition was still relatively limited and the TUC’s (1995a) figures suggest that new recognition deals may now be covering more employees than derecognition. It appears that derecognition is not a significant factor leading to declining union membership; furthermore, workers can remain/become members of a derecognised union; however, employees are more likely to belong to a union if it is recognised (Metcalf 1991).

Nevertheless, the decline in union membership does not necessarily indicate a reduction in trade union power. A change in employee attitudes (a principal aim of the legislation) would explain the decline in union membership, and as solidarity among members is a union’s major source of “power”, workers’ attitudes would go a long

way towards explaining any reduction in trade union power. Studies into the recent decline in union density tend to show an uneven distribution of union membership among different groups of workers. Green (1992) suggested that this was due to some extent to the uneven availability of unions at workplaces and was only partly due to employees' different choices regarding union membership. The seventh British Social Attitudes Survey (BSAS7) found that around a tenth of non-members said that no one had ever asked them to join and nearly a quarter of non-members cited the lack of a union at their workplace. Therefore, it appears that employee attitudes towards unionism may not be the reason that union density has declined since 1979, rather it is more to do with the lack of union recruitment in particular workplaces. Indeed, a 1994 Labour Force Survey found that 3.6 million non-union employees worked in unionised organisations, suggesting that there are many potential recruits for trade unions (TUC 1995b). Other studies have shown that the number of workers joining professional and non TUC affiliated unions has risen significantly since 1979, (Burchill 1995, Farnham and Giles 1995), suggesting that workers are not averse to becoming union members.

Waddington (1992) also rejected the decollectivisation of workers' opinions and attitudes as the cause of the decline in union membership, arguing instead that union membership was affected by compositional effects and the decline in the number of large manufacturing establishments which were traditionally seen as "union strongholds". (See also Bain and Elias 1985, Millward and Stevens 1986, Gallie 1989). The loss of members created by the decline of manufacturing employment had not been replaced by workers in the growth areas (Metcalf and Dunn 1989). Therefore, there are vast recruitment areas for unions to exploit.

Using strike activity as a measure of union power is, as Martin (1992) and Armstrong et al (1977) argued, not even plausible. Both argued that the most powerful unions rarely resort to strike action. A powerful union may resolve grievances without the need for any overt pressure to be put upon an employer. Research into strike activity in the 1980s highlighted a dramatic fall in the number of strikes, though this was generally attributed more to changing economic circumstances than a reduction in union power. It has also been suggested that the balloting procedures may have reduced strike action (see for example, McConnell and Takla 1990) but not necessarily in the employers' favour (Brown and Wadhvani 1990). If one were to use the falling strike figures as an indication of a weakening of trade union power, then this would be seen as a great reduction in the power of trade unions. However, if the most powerful unions rarely resort to strike action then the fall in the number of strikes could be taken to indicate a strengthening of union power rather than the reverse!

2:3 *A reduction in trade union power?*

There are conflicting views about whether the Conservative governments succeeded in their aim of reducing trade union power (or the power that they were perceived as having). Kavanagh (1990), for example, argued that the Thatcher governments had

gone a long way towards puncturing claims about union power. Accordingly, the weakening of their power was due to an interaction of legislation, unemployment and technological change, but the legislation had taken hold and the balance of advantage had changed since 1979 from union leaders to employers and managers.

Similarly, Roberts (1989) claimed that:

“The reform of industrial relations and the results that have followed must rank as one of Mrs Thatcher’s greatest achievements. Government policies made effective by the length of her office, together with the effects of economic, social and technological changes, have resulted in a significant reduction in union power, which has brought considerable benefits to all sections of society.” (p78).

These arguments were given backing from the ninth BSAS. Between 1985 and 1990 respondents were asked to rate the power of trade unions, business and government on a five point scale ranging from “far too little power” to “far too much power”. In 1985 the majority of respondents rated unions as overpowerful but by 1990 a significantly higher proportion felt that they either had “the right amount” or “too little power”. Therefore, members of the public also felt that trade union power had been reduced. Evidence from the seventh BSAS revealed that only 4% of employees thought that their own union wielded too much power at their workplace, around half thought it had the right amount and 37% that their union had too little power. “Clearly the public image of trade unions is one thing: their role in the workplace is quite another.” (Millward 1990, p28.) Millward claimed that the evidence suggested that there was a growing feeling, albeit a minority one, that strong unions were no longer necessary. Still, those who actually used their union in the workplace could not have all agreed with this as over a third felt that their union had “too little power” suggesting that union members did feel that strong unions were necessary.

The general feeling appeared to be that trade union power (or their perceived power) had been reduced. Questions can be asked as to whether the Conservative legislation had in fact succeeded in its aim of reducing trade union power or whether statements that the legislation had been effective had just been taken at face value.

Roberts (1987) argued that “a miracle happened in 1979”. The 1980s, according to his argument, saw a remarkable change in the climate of industrial relations with a dramatic drop in union membership and the bargaining power of trade unions. Roberts suggested that employees wished to be treated as individuals rather than as collectivities and if employers offered an alternative system which satisfied employees that their interests were being protected, trade unions would eventually cease to be important as a major institution. But Roberts must have still envisaged trade unions as having a certain amount of power because he stated :

“[B]ut as this may be a long way off it is essential that society continues to be protected from the misuse of union power.” (p27).

Like Roberts, Metcalf (1993a) concluded that “legislative changes have undermined

collectivism by promoting individual responsibility and voice, exit from collective agreements, and loyalty to the company.” (p39). According to Metcalf the Conservative government had achieved virtually all it set out to do. The 1980s witnessed the rise of individualism and the rule of the market which altered company performance. Metcalf argued that it may well be that unionised workplaces now had higher levels of labour productivity and investment than their non-union counterparts. This, he argued, seemed to be due to labour compliance in the conduct of workplace relations. However, it could be argued that this suggestion actually indicates that trade unions are powerful; if unionised workplaces have higher levels of labour productivity than non-unionised workplaces it could mean that the union actually “controls” its members by ensuring that they work harder (possibly by ensuring that they get high returns for more productivity), which managers in non-unionised workplaces are unable to do. Case studies have concluded that trade union organisations do act as regulators over their members (for example, Beynon 1973, Edwards and Heery 1989b). Unions generally do not want to jeopardise a firm’s interests and may be willing to work with management as long as their members’ interests are also protected. Indeed, Machin (1995) concluded that there was no evidence that a union presence damaged a company’s long term performance or forced uncompetitive establishments to shut down and Brown (1994) suggested that the promotion of collective organisation and bargaining was the best way to secure increased productivity as without a union presence companies merely managed labour badly. (See also Williams et al 1986, Daniel 1987).

Research during the 1980s tended to conclude that collective bargaining still took place but that there had been a change in its conduct. Brown (1986) suggested that this was largely because of international competitiveness in the private sector and because of a financial crisis in the public sector. He argued that trade unions, especially in the private sector, were being forced to adopt new structures. They were still involved in labour management but in more compliant ways. Brown concluded that “the structure of trade unionism, originally developed for the strategies of employee solidarity, is increasingly being shaped to the needs of employers.” (p165). However, compliance does not necessarily mean a weakening of trade union power. Undy et al (1981) argued that British trade unions can adapt to anything if they have to, usually interpreting the challenges on their own terms. Steele (1990) also argued that trade unions had complied with and adapted in their own way to the new legal requirements concluding that “[c]ontrary to public opinion and, more importantly government supposition, trade unions are not unwilling to change or adapt to new circumstances.” (p70.)

Indeed, Terry (1986) argued that even though case studies may provide support for the thesis of declining shopfloor union power, there are problems with the results as the studies contain areas of “uncertainty and ambiguity”. As particularly in times of recession :

“It is plausible to suggest that workers and management share a common interest in the

immediate survival of the firm Under these circumstances our traditional measures may well be inadequate since we do not have tools to estimate union power when it may be acting to assist rather than frustrate managerial intentions.” (p177).

Towers (1989) suggested that despite the various demonstrations of trade union weaknesses, such as the collapse of the National Union of Seamen’s strike in 1988:

“It may be that trade unions and their members have run the painful gauntlet of Thatcherism remarkably well, bruised and shaken but still largely intact and considering their options.” (p187).

Towers argued that not everything was working against trade unions; for example, many foreign owned firms, (especially American), often chose to work co-operatively with them. Marsh (1992a) argued that little had altered on the shopfloor. Marsh’s concluding comment is worth repeating:

“Overall, it is too easy to view governments as omnipotent and omniscient, particularly when they themselves attempt to project this image. The Conservatives have had some success in achieving their aims in the industrial relations field, but it has been limited by the realities of industrial relations on the shopfloor.” (p249).

Batstone (1988) also argued that one of the most striking features of the 1980s was the stability of workplace industrial relations and workplace unionism rather than its transformation. (See also MacInnes 1987, 1990.) Beck and Stones’ (1992) research indicated that new industrial relations practices actually co-existed with the older more traditional forms, though considerable variation existed within each workgroup. It is clear that no consensus exists about the issue of trade union power; however, when the focus is upon decision making, research has tended to identify management as holding the key to the final outcome.

2:4 *Decision making - management or trade union prerogative?*

Edwards and Heery (1989a) concluded that because of the recession the management of Freightliner had changed their style and reformed the company’s policy - the balance of power was in management’s favour and this was recognised by the unions involved. The official union response was one of “damage limitation”. Edwards and Heery argued that collective bargaining had not been abandoned but that its structure had just been altered.

“Changed outcomes were produced through collective bargaining partly because management in Freightliner had become more assertive and more prepared to insist that the unions accepted their proposals for turning the company round.” (p69).

The researchers also investigated the perception of trade unionism held by the workers themselves. The fact that union density in the company remained at the same level it had been in the 1970s suggested that commitment to collective representation was not diminishing, though Edwards and Heery acknowledged that check-off arrangements could have maintained union membership despite declining worker interest. Yet on the other hand there was evidence of workforce dissatisfaction with official trade

unionism; the perception seemed to be that union leaders were ineffective, remote and too close to management. (See also, for example, Beynon 1973.)

Another study by Edwards and Heery (1989b) attempted to provide a more systematic analysis of workplace power by extending its scope to areas which were not usually the subject of bargaining activity. They concluded that the various aspects of the power of the NUM was largely confined to routine job-related decisions, supporting the argument that the extent of union power in industry in general may have been exaggerated in the past. Nevertheless:

“This is not to say, however, that union power was insignificant from management’s point of view. Most managers viewed the NUM branch as a considerable force to be reckoned with and recognised that their job would be almost impossible without the union’s active co-operation in the running of the colliery.” (p166).

But, as in Edwards’ (1978) study, there were differences between collieries, with union officials at some being far more successful than others in their attempts to get their own way.

“These not inconsiderable differences in union power between collieries cast doubt on how far it is possible to generalise about its extent in one industry, let alone make statements about union power in the country as a whole ... No doubt it is this fact, combined with the use of different indices of power, which has produced so many contrasting accounts of the extent of union power in the workplace and the impact of recession on workplace unionism.” (Edwards and Heery 1989b, p167).

Still, Edwards and Heery did add that their evidence shows that at workplace level trade-unionism had been relatively untouched and the power of representatives remained largely intact. Both studies by Edwards and Heery add weight to the findings of other studies. In workplaces where management had asserted their right to manage many union members tended to view their “official” union as ineffective. However, managers still regarded trade unions as “a force to be reckoned with” and recognised that with union co-operation the running of their business was made a lot easier (see also, for example, Darlington 1994a, 1995). In general at shop floor level unionism remained more or less as it always had been; however, there were vast differences between different workplaces as to the success of trade unions to get their own way. (See also Colling 1995.) This was not a new phenomenon. Brown et al (1978) concluded that there was a marked contrast between local unions in manufacturing and the public services; local unions in the public services tended to rely more on the branch and full time union officials (FTOs) than those in manufacturing. Boraston et al (1975) also found that there were vast differences between workplaces and the extent to which the local union relied upon its FTO. (See also Heery and Kelly 1990.) Brown and his colleagues found that dispersed workforces, such as in the public services, generally had less formal union organisations than concentrated workforces. This suggests that the degree of dependence of the shopfloor organisation on its FTOs to a large extent determines the level of success that stewards have in the workplace.

However, according to Boraston et al (1975) trade unions could influence the scope for workplace bargaining - they could modify it - but "only by agreement with the managers with whom they negotiate and only within the limits imposed by the structure of managerial organisation" (p188). It has also been argued that management strategy, (or the lack of it), is an important factor explaining the development of the union organisation (Brown et al 1978, Terry 1982, Fairbrother 1990). Therefore, managers were seen as an important element determining the amount of influence that unions had in the workplace.

Marchington's 1980 study concluded that although participation did exist at the workplace he was studying, management still tended to make the final decisions, very often by "selling" their ideas to the worker representatives. Management tended to see this as part of the consultation process and regarded themselves as the only ones capable of making such decisions, though Marchington did suggest that certain decisions seemed to be more important to management and, therefore, that they might be more willing to share control over issues which had low importance for them. Even in 1973 Beynon argued that even though a steward may challenge management's authority on the shopfloor he was "more often in situations where he is forced to play the game management's way", (p158). Marchington's study indicated that employees possessed no great desire to run their factory, preferring instead to have a say only in events directly affecting their own lives. (See also A.I. Marsh 1963, Beynon 1973, Batstone et al 1977, Hanson and Rathkey 1984, MacInnes 1990.)

Results from a later study led Marchington and Parker (1990) to conclude that, despite maintaining a presence in the workplace, trade unions were becoming more marginal to the management of employee relations. This did not appear to be part of a conscious strategy by employers to undermine trade unions but was more likely to be linked to the use of managerial initiatives such as employee involvement schemes. However, each of their four case studies was different, and unionism remained central to work in the engineering factory. Even though the role of trade unions was becoming more marginal in terms of employee relations in the other studies, there was no attempt by management to remove the closed shop. Marchington and Parker admitted that a causal connection could not be imputed because the unions involved did not occupy a central role prior to employee involvement being introduced and as it had not been introduced to undermine union activity. Despite the potential for an employers' offensive the authors argued that there remained doubt about management motivation to make such a move and the likelihood of success if it was made.

Trade unions were also found to have had little influence in decision-making, at least from a managerial perspective, by Wilson et al (1982). However, management did admit to a constant preoccupation with union questions and affairs. Wilson and his colleagues argued that trade unions tended to be in a defensive position - reacting to already defined parameters:

" What unions did *do* was to shape, stretch and delay the detailed *implementation* of

decisions... In comparison with management, who can initiate and influence decision topics, union power appears to remain comparatively insubstantial in the process of strategic decision-making." (p339. Original emphasis).

Wilson et al did suggest that trade unions had the power to impede management over personnel issues but added that this power remained on the fringe of decision-making.

These studies suggest that whilst trade unions did have a certain amount of bargaining power in the workplace, the overall decision remained the prerogative of management and it appears that this was the case well before 1979. However, these results should be treated with caution, especially in the light of Edwards' (1978) conclusions; management may claim to have made the final decision but in reality the union may have shaped and altered the original issue in such a way that it could also claim to have substantially influenced it. Edwards (1978) identified four ways in which management and trade unions were able to determine the outcome of decision making:-

- 1) By the modification of objectives in anticipation of each other's responses.
- 2) Where the objectives of each party were congruent and therefore the desired goal were pursued together.
- 3) By the use of persuasion to bring the objectives into line.
- 4) Where the objectives of each side were opposed and the conflict was resolved at the expense of one side or the other.

At face value studies appear to portray employers and managers as the more powerful when it comes to the final decision-making. However, in respect of Edwards' first three ways of decision making, both sides may claim to have determined the outcome making the quantification of power in one direction or another very difficult. Claims that managers have rediscovered the "right to manage" (for example, Purcell 1991) may be based on inaccurate measures; that is, managers may never have lost the "right to manage" and that "right" may be shaped and influenced substantially by the union organisation so that, in effect, unions actually structure management's right to manage.

2:5 *Trade union power - no change?*

Carter L. Goodrich's 1920 doctoral thesis "The Frontier of Control" examined the extent of union power back in the early 1900s and his arguments could perhaps still be said to have some relevance today. In answer to the question "how much power have the workers got?" he argued that it was no use making general answers like "very little" or "a good deal"; instead one should refer to the different types of power or control. He identified the distinctions between a number of different types of control :-

- 1) Agreeable control and enforced control :

"The line between "agreeable" and "enforced" control, or better between *dependent* and *independent* control, must be drawn not on the ground of the origin of control or even of the extent of control, but solely by the test of whether or not the workers' side does actually exert an independent force." (1975 ed. p257).

2) Negative and positive control :

“It is a commonplace that the control now exercised by the workers is mainly negative - that they may sometimes say ‘no’, or say that work must not be done, or changes must not be introduced, except under certain conditions, but they can very rarely say that this or that must be done.... Most of the ‘trade union conditions’ - of hiring, apprenticeship, demarcation, and the rest - are clearly negative. It is much shorter to enumerate the instances of positive control ... Positive control covers then only a very small proportion of the cases even of that independent control ... Insistence on this distinction does not imply that regulation and negative control are not real control or that they are not of great importance. The standard of foremanship, for example, is maintained almost entirely by the highly negative process of insurgency. And the right to say *yes* or *no* shades very easily into the right to say *which* or *what* .” (1975 ed. p258-9).

3) Old craft or customary control and conscious or contagious control:

“Old craft control is traditional and clings on but does not spread. On the other hand, news of each ‘invasion’ made by the theorists and propagandists of the newer control is carried to other trades and made the basis of agitation there. It is for this reason that the word ‘contagious’ seems a significant one for describing this newer and more conscious control.... the temper of the old crafts is monopolistic and conservative; that of the latter, propagandist and revolutionary.” (1975 ed. p264).

To Goodrich this type of control was not based on the degree of “reality” of control exercised but on the nature and policy of the union exercising it and was of the highest importance. The answer to the question “how much power?” depends on which kind of control it is addressed to. From Goodrich’s account it appears that the amount of control (or power) exercised by trade unions varied between different unions, was only applied at certain times and was usually dependent on the varying circumstances. The trade union’s role was primarily negative and defensive.

Over sixty years later Coates (1983) echoed this view, arguing that union power, in particular their industrial power, was grossly exaggerated. Trade unions only had power over a narrow range of issues, such as wages and conditions, which was more a negative power and was shared with management. However, management could, and did, make the vast majority of decisions unilaterally, (see also Burkitt 1981, who argued that rather than shaping decisions and events unions merely reacted to them). In addition, this limited amount of trade union power was only enjoyed at certain times and, according to Coates, even this power was being eroded by government induced unemployment and international competition. Coates suggested that if power was equated with participation in decision-making then union power had significantly increased, but argued that this power was limited as was union power measured by effects, that is the capacity of a union to achieve its goals.

The evidence appears to suggest a rather mixed bag. When measuring the power of trade unions it seems at first sight that management tend to have the upper hand in the decision making process, but this conclusion could be interpreted differently if the whole process of decision-making was examined rather than just the final outcome. Conclusions about the nature of union power or even management power are very

obviously related to the way that “power” was defined and measured. However, in general it appears that trade unions, even before 1979, only had certain powers, but so did employers (though it should be remembered that the common law was on the side of the individual and in general the law tended to support employers rather than a group of workers). It certainly appears that trade union power was perhaps not as great as some would have us believe and “is far from the all-powerful force frequently depicted” (Burkitt 1981, p67). Therefore, claims about drastic reductions in that power may be based on a false assessment.

MacInnes (1987) argued that evidence from the first two Workplace Industrial Relations Surveys (WIRS) suggested that the 1980s had actually seen a decline in the rate of change compared to the 1970s. The results from WIRS3, which was carried out in 1990 and covered more than 2,000 workplaces, revealed that there had been a widespread decline since the mid 1980s in trade union membership, recognition, collective bargaining coverage and the closed shop (Millward et al 1992). The authors argued that though part of the explanation lay with the changing composition of workplaces, declining support for trade unions among employers and employees seemed to be a more relevant factor. But where trade union representation and collective bargaining persisted little appeared to have altered, though there had been a drop in the number of workplaces who had lay union representatives - seven in ten workplaces with union recognition had a lay representative in 1990 compared with eight in ten in 1984. Those workplaces without union representatives were much more likely to be represented by paid union officials than in the past.

Where unions were present many features of local trade union organisation remained the same and membership levels had generally held up through the 1980s where unions were recognised. The report also concluded that trade unions in the 1990s were much more heavily involved in workplace level matters than they were in 1984. The results of the survey indicate that there are more advantages for employees in unionised than non-unionised establishments; trade unions continued to have an impact on pay levels, particularly those of the lower paid and dismissal rates were much lower in unionised firms. In fact, the results suggested that trade unions continued to play an important role in representing and assisting individual members in dismissal and disciplinary procedures. They also exercised representational functions in a sizeable proportion of establishments where they were not formally recognised for pay bargaining purposes; nearly one in five managers had said non-recognized unions played a part in resolving disputes. Also, formal grievance procedures and committees, especially health and safety committees, were more common when a union was present at a firm. The aim of the unions was to be consulted by management on all issues of concern to employees, and it was found that consulting and informing was more common in union than in non-union workplaces; there had been no change, according to union representatives, in the level of management-union

consultation and the releasing of information between 1984 and 1990.¹ The results also suggest that among workplaces with a strong union presence, management support for trade unionism remained high throughout the 1980s.²

Martin (1992) supported this conclusion. He argued that firms which maintained or enhanced their market position required continued labour co-operation, which was secured substantially through strong working relationships with shop stewards. He also argued that there was official union support for new technology and at plant level shop stewards accepted that investment in new technology was an indication of management commitment. According to Martin the limited direct role of unions in the introduction of new technology did not indicate union weakness, particularly because technology production was regarded as a management prerogative and it tended to increase earnings. Indeed, despite frequently used phrases, such as “worker/union resistance to change”, unionised workplaces are more likely to introduce technical change than those where no union is recognised (Daniel 1987). According to Daniel (1987) trade unions facilitated the introduction of advanced technology as it was seen to represent investment, optimism, achievement and workers derived benefits from the change, such as increased earnings and more skilled, responsible and interesting jobs. It was also concluded that union support for technical change was so great that managers had not had to use consultation, negotiation or participation to win worker consent (Daniel 1987). Resistance to change was usually provoked by organisational change, that is, the restructuring of working methods or practices without the introduction of new machinery (Daniel 1987).

Martin (1992) also argued that the level of unemployment had less influence upon union bargaining power than otherwise suggested, for a number of reasons, but especially because the unemployed are different from the employed, in particular existing employees already have the relevant work experience and skills. (See also MacInnes 1990.) As Burkitt (1981) stated, “capital relies for its profit not upon the employment of an individual but of the labour force as a whole” (p67).

Overall Martin concluded that the balance of bargaining power between unions and management changed less in the 1980s than images of union density and political exclusion suggest; bargaining power at workplace level remained dependent on the same features as in the 1960s and 70s; however, at the centre of the trade union movement there had been a major decline in its power base. Martin contended that the role of the national union had become increasingly like that of the employers’

¹ Millward (1994), after further analysis of the WIRS data, contended that “arrangements at workplace level that managements had put in place to consult, communicate with and inform employees were more widespread and highly developed in unionised workplaces than in the non-union sector.” (p129). On a wide range of matters that would be of interest to employees, managers in the non-union sector were much less likely to disseminate that information to employees than in the unionised sector.

² The chief conciliation officer for ACAS in 1987 said that the great majority of businesses with an established history of collective bargaining continued to value collectively bargained agreements with trade unions and staff associations, including those which were not legally binding. (Dennis Boyd, 1987, Foreword to Towers 1991).

association - a source of expert advice and information and the provider of services:

“The effect of changes in the 1980s was to reduce the power of the trade unions as organisations, but not to reduce the power of labour equivalently.” (p177).

This suggests that when talking about trade union power it makes a vast difference if talking about trade unions as national organisations or as local units - the shopfloor or workplace organisations. Even then, as Edwards (1978) and Edwards and Heery (1989) pointed out, there are variations between different local units even within the same industry. Nevertheless, it appears that trade union power actually remains more or less as it always has been, some union organisations (even of the same union) may be seen as more powerful than others, but that, it seems, has always been the case. Evidence, such as that from the WIRS surveys, appears to indicate that trade unions are still invaluable to their members (and possibly to employers) and that trade unions are still achieving substantial goals for their members.

2:6 *The legislation and trade union power*³

Research during the 1980s and 1990s to a large extent focused upon whether the legislation had had any effect upon trade union power. It appears that the legislation has not always produced its intended effects and that unions have adapted it to their own advantage (Fosh et al 1993). Elgar and Simpson (1992) concluded that while the law had, in general, become a more important factor across the spectrum of industrial relations, to understand its impact it must be located in the context in which it operates, which varies considerably between different employment sectors. They also argued that while strike ballots had had a universal impact the other labour legislation had not made such a general impression.

The balloting procedures received a lot of attention. McConnell and Takla (1990) found that an increase in strike activity had occurred between 1980 and 1984 followed by a significant decrease after 1984; “[t]his suggests that the requirement for unions to hold secret ballots before they go out on strike has had the most effect in reducing the frequency of strikes.” (p17). Strike activity may have fallen, but, as Brown and Wadhvani (1990) argued, “[a] decline in overt disruption does not necessarily imply reduced union power” (p13). They suggested that balloting does not necessarily result in a large number of majority votes against action; on the contrary, it tends to highlight the strike threat and the strength of support behind it leading to a settlement without any action taking place. Ballots provide more information to both parties about their relative bargaining strength and, therefore, are more likely to increase the efficiency of bargaining.

Elgar and Simpson (1993a) concluded that the use of ballots had emerged as a feature of union strategy in negotiations. Indeed, they argued that the law on strike ballots stands out as the most important of the changes made by the 1980s legislation. They

³ The legislation and its possible effects on trade union power is looked at in more detail in chapter 4.

also found that while the majority of ballots produced votes in favour of industrial action, action was rarely taken (see also TUC 1995a). However, they did find that some union negotiators could find themselves exposed during negotiations if a ballot was not supported by members, and the majority of negotiators questioned saw the law as an important factor favouring employers in the bargaining process. The TUC bi-annual survey of trade union trends (1995a) found that unions were more likely to ask members whether they wanted to take full strike action and action short of a strike, rather than opting for only one or the other, enabling them to pursue the winning vote rather than risk opting for the action which might not be the preferred member choice.

Members from 9 of the 31 unions who had responded to the TUC's survey (1995a) had taken industrial action in the preceding six months and the majority of these cases were endorsed by the national union. However, the report did admit that "[t]his high level of official action may, of course, be because unions at head office level (where most of the responses were compiled) did not have information on short, local and possibly unofficial action."⁴ Most strike action involved selective strikes, often of one day's duration, the majority lasting for less than a day. It was also found that if unions took selective action they were more likely to win some of their demands. Overall 57% of the unions who had been involved in some form of industrial action said that they had won all or some of their demands. The single greatest cause of industrial action was pay followed by redundancies and changes to working practices. (See also Labour Research 1992c.)

It appears, then, that rather than producing a change in trade union power, ballots may have actually strengthened the hand of trade unions when bargaining and may have contributed to a reduction in industrial action but not necessarily trade union power; officially trade unions are still able to protect and advance their members' interests. The fact that it takes a certain amount of time to organise industrial action ballots⁵ may mean that when workers have to confront an urgent problem, such as the dismissal of a workmate, they may be more likely to take immediate and, therefore, unofficial action to rectify the problem; waiting even a week for an official ballot to be conducted may be too long in these types of circumstances. As national unions rarely get to know of this type of action, which is usually short lived and successful, the actual figures for successful industrial action may be much larger. It could also be argued that the balloting procedures may have led to more unofficial (and possibly unrecorded) action taking place.⁶

Nevertheless, Manning (1992) contested the assertion that ballots may strengthen a

⁴ Indeed, many employers may not even define short stoppages of work as strikes let alone record them (Batstone et al 1978, Walsh 1987.)

⁵ Only 29% of unions responding to the TUC survey could do so within two weeks and 5% took five weeks or more (1995a).

⁶ The Department of Employment's statistics for unofficial action (which would not include unrecorded action), collection of which ceased in 1981, showed that well over 90% of industrial action was unofficial between 1960 - 1979 (Metcalf 1993b).

union's hand when bargaining. He argued that because employers would want to use their first wage offer as an information gathering exercise, it would probably be a low offer rising according to how large the majority in favour of strike action was. "In this case, balloting may simply become a ritual; employers routinely make an offer they do not expect workers to accept and workers routinely vote against it ... Ballots would then have no effects on outcomes and would simply be a waste of time." (p14). Manning continued by arguing that ballots may affect trade union bargaining power in other ways, especially if members vote in line with their self interests. For example, union influence over employment decisions could be reduced; self interested workers whose jobs are safe are unlikely to vote for strike action over an issue, whereas workers' interests are usually more affiliated in wage disputes.

Despite this argument it does appear that "[t]he readiness of workers to vote for strike action denies one of the giant assumptions behind the Tories' existing union legislation, which has sought to give individuals an unintimidated voice in union affairs through secret ballots" (Metcalf and Dunn 1989, p22). By the use of secret ballots (for union elections and other important decisions, such as whether a union should have a political fund, as well as for industrial action) it was envisaged that union government would be reformed and that unions would become more democratic and accountable to their members. The overall objective was to reduce trade union power by undermining collective organisation by "giving the unions back to their members"; that is, by increasing the involvement of union members as individuals rather than as members of a collective group. It was expected that individual members would vote by postal ballot in their own interests without any intimidation from other members. Indeed, it has been concluded that low turnouts for union elections shows that the legislation has had the opposite effect to that intended - to increase the democratic participation of members in union affairs (Labour Research 1990a).

According to research, awareness of the law does play an increased part in industrial disputes and negotiations. Evans (1987) argued that his evidence pointed to the increasing importance of the role of the law in shaping how industrial disputes were conducted; however, he did admit that it only applied at the margins. Elgar and Simpson (1992,1993b) found that managers had an increased awareness of the law especially in relation to the balloting procedures and the legal vulnerability of individual workers when taking industrial action. However, according to the researchers they seemed to prefer resolving disputes, where possible, with the union FTOs, failing this the managers would then use the industry's dispute procedure.⁷ Nevertheless, Elgar and Simpson concluded that if industrial action did become a more central management concern then the law would undoubtedly play a significant part in the strategies of employers and unions. Indeed, a survey of 62 private sector companies by Dibb Lupton Broomhead solicitors found that around one in six

⁷ It may well be the case that managers actually prefer dealing with their stewards rather than FTOs. As Goodman and Whittingham (1969) commented, stewards are available and better informed of the history, facts and implications of a shopfloor dispute than FTOs. (See also Clegg, Killick and Adams 1961, McCarthy and Parker 1968.)

employers anticipated industrial unrest in the following twelve months. The majority of the employers would have considered taking legal action against a union if they were faced with an unlawful dispute; however, 90% preferred where possible to resolve a dispute through negotiation. A high proportion of the employers (98%) thought that it was useful to have the option of legal action available to them where industrial disputes were concerned.⁸

Nevertheless, according to the TUC bi-annual survey (1995a) legal action against trade unions remained very unusual⁹; only three employers had commenced legal action against a union and two unions reported that they had been threatened with legal action. However, the survey found that there appeared to be a greater willingness on the part of union members in some unions to sue their union; these cases largely concerned the union's disciplinary powers. In the cases that had been completed no union was fined or had damages awarded against it, but the costs faced by the unions were high and the survey estimated that all TUC affiliates could have faced legal bills of more than a £1 million in the previous year. This suggests that though employers may threaten unions with the law (it may be the case that employers actually threaten their workplace union rather than the national organisation; therefore, the number of threats against trade unions may be much higher than the TUC figures) it is rarely resorted to.¹⁰ Yet, the legislation does appear to have mobilised some union members to complain about their trade unions, even if these cases are only a minority, the fact that some members have challenged their unions might have been seen as a step in the right direction by the Conservatives.

Studies may appear to confirm that knowledge of the law is quite common for those concerned; however, whether that knowledge is correct or not remains another thing. One of Elgar and Simpson's (1993a) conclusions was that:

"The fact that some employers apparently made threats for which there was no legal basis is indicative of the importance which the parties' perceptions of their legal rights and obligations may have, even where these are some way removed from the reality of the law." (p11).

Welch (1993) conducted a survey of lay union representatives in order to identify their perceptions of the current law and their attitudes towards compliance with it. He found that misunderstandings of the law were common. With respect to employers' rights of dismissal and the organisation of industrial action short of a strike, many lay

⁸ "Industrial Relations Review and Report" 549 December 1993. Elgar and Simpson (1994c) found that public sector transport employers had made greater use of the law in disputes than any other employers surveyed. Yet there were mixed opinions of the results of the resort to the law. On London buses, for example, challenges to the validity of strike ballots had led to fresh ballots and larger majorities for industrial action .

⁹ A Labour Research survey, while confirming this view, also found that employers had a renewed interest in using the law, particularly to challenge unions on industrial action ballots (Labour Research 1994b).

¹⁰ However, it could be the case, as Martin (1992) suggested, that "the potential threat of interlocutory injunctions - and eventual sequestration of union assets - has significantly inhibited union action" (p165); therefore, there would be less need for employers to use the law.

representatives were found to underestimate the consequences of the law with respect to themselves, their members and their unions. Additionally, the nature of legal liability was exaggerated with respect to the balloting procedures and picketing; the lay representatives believed that a breach of the criminal law was involved. Welch argued that the findings indicated that trade unionists are more likely to favour compliance with the law and he concluded:

“This suggests that in the here and now legal controls are working to restrain the forms of industrial action that trade unionists take, and that the law has an inhibiting impact at workplace as well as national level. Misunderstandings as to the nature of legal liability can clearly reinforce this inhibition.” (pp240-241.)

However, he also argued that the findings suggested that many of the respondents generally favoured defiance irrespective of whether they thought the relevant action was contrary to the law. Presumably this would depend upon how well the “activists” could persuade their members that defying the law and possibly their own trade union was in their best interests. If, as Welch argued, most trade unionists are more likely to favour compliance with the law then this may be a mammoth task. The main point is, though, that misunderstandings about the legal positions of employers and trade unions could lead to situations which may not have happened if the law was clear in the minds of all those concerned.

Overall it does appear that, despite well publicised disputes where employers have demonstrated their increased readiness to use the law, most notably in the printing industry,¹¹ the legislation has not affected trade union power to the extent that the Conservatives wished. The demise of the closed shop and the virtual elimination of all kinds of secondary action (Millward et al 1992) along with the loss of union immunities without first holding pre-strike ballots may appear to have weakened trade union resolve, yet, even though the law may have made trade unions at national level act with greater caution, the number of balloting successes suggest that members continue to support their unions. The balloting procedures may have even strengthened a trade union’s bargaining position. The law may have provided employers with a further means of control over trade unions (Evans 1987); yet, many employers appear reluctant to use that means. Those who have been most likely to derecognise unions and/or use the legislation against them tend to be concentrated in those industries and workplaces which have been marked by a history of poor industrial relations, for example, the printing and shipping industries. This, according to Marsh (1992b), indicates that it is the history and current state of relations between an employer and his/her workforce within a given company which has the most effect on the institutions and outcomes of industrial relations in that company. “In the private sector at least, the Government can influence the legal framework and the ideological context within which industrial relations occur, this influence is important but it is indirect.” (Marsh 1992b, p49.)

¹¹ Elgar and Simpson (1994a) found that in contrast with the newspaper industry considerable change had been achieved in general printing without major confrontation with the unions. While the law had been a prominent feature of the management of the process of change, it was seen as a background factor of real, if limited, significance.

The crucial thing keeping trade union organisations together (whether locally or nationally) is the membership. Yet, one of the most striking features from a study by Guest and Dewe (1988) was the poor evaluation of their union's role among members. In their 1991 article, Guest and Dewe also concluded that trade unions were not perceived at local or national level as doing a satisfactory job, even by their own members. Only half of the union members studied accepted that unions at plant level were even moderately successful at representing their interests. But, as Fosh (1993) concluded, members are likely to evaluate their unions differently depending on the circumstances at the time of the study, and Guest and Dewe (1991) did conclude that the best predictors of allegiance were perceptions of trade union performance.

A specially commissioned survey of trade union membership and the closed shop conducted during February and March 1989 asked employees a number of questions in relation to trade unions. Stevens et al (1989) found that the most common reason for union membership was "to protect me if problems come up in the future" followed by "to get higher pay and better conditions". When asked about the power of British trade unions two-fifths of employees thought they had "about the right amount of power" and about the same number thought they had "too much" or "too little". Interestingly, similar proportions of union and non-union members thought they had the right amount, but twice as many non-members than members believed trade unions had "too much power". 45% of employees felt that the power of the unions at their own workplace was "about right", 37% that they had "too little power", and 2% thought they had "too much power". These results are very similar to those cited earlier from the seventh BSAS. Similarly the two most common reasons for belonging to a trade union found by the seventh BSAS was for future protection and higher pay and better working conditions. However, whereas Stevens et al reported that only a very small minority (6%) of their respondents thought that becoming a union member "shows solidarity with the people I work with", Millward (1990) found that the majority of respondents thought that "to help other people I work with" (76%) and "I believe in them in principle" (67%) were important reasons for union membership.

The differences between these two sets of results and those of Guest and Dewe could be related to many factors. For example, the way that the questions were asked, or phrased (employees could interpret the term "power" differently to questions asked about the representation of their own interests), the timing of the study (Fosh 1993), or there may have been vast differences between the different workplaces, the employees and indeed the union organisations there. Nonetheless, it can clearly be seen that the majority of members chose self interested reasons for union membership. However, there was a vast difference in the percentage of respondents giving "solidaristic" reasons in Stevens et al and Millward's surveys. This again could be due to how the questions were worded ("showing solidarity" may be interpreted differently to "helping those I work with" for example) or to the different workplaces

and circumstances involved. Indeed, Millward suggested that instrumental or self interested reasons were most often cited by the younger union members (those at an age when family formation can produce economic problems) and those lower down the occupational hierarchy and, therefore, generally lower paid, whereas solidaristic reasons were more relevant to the older age groups, particularly those in skilled manual jobs. However, the differences are most probably due to the fact that Stevens et al asked respondents to choose which was the most important reason for them personally from a list of possible reasons, whereas the BSAS survey asked respondents to rate how important each of eight possible reasons for membership was to them. Therefore, in the BSAS survey members could indicate that a variety of reasons were considered important factors for union membership rather than just one.

Nevertheless, members' attitudes do appear to be changing. The BSAS series found that while in 1989 improving pay and protecting jobs were regarded by employees as equally important goals for unions to work towards, by 1993 nearly four times as many employees regarded job security as more important than improving pay (Hedges 1994).¹² In 1986 only 30% of union members thought belonging to a strong union was important for job security.¹³ Hedges suggested that job security may have become a more dominant concern because inflation was seen as being under control whereas unemployment was not. He also added that beliefs that trade unions were less effective than they used to be may have been a contributory factor. However, this factor appears to be the least likely of the two, as the survey also found that the proportion of employees with unions at their workplace who thought that they were doing their job "well" remained consistently close to 60%.

A number of American studies have pointed to how unions can influence their members' perceptions of them. Kuruvilla et al (1993) from their comparative study of Sweden and Canada argued that their results suggested cross-cultural generalisability. They found that those members with the most contact with their union were more committed and concluded that:

"Simply put, unions can, through purposefully designed actions, influence their members to evaluate them positively." (p512).

Fiorito et al (1988), using data from the 1977 Quality of Employment Survey, found that union participation was positively related to perceptions of union performance in "bread and butter" issues and member-union relationships, and in turn union participation was found to enhance satisfaction with the union. The researchers also argued that the more a worker participates in union business the more he/she begins to

¹² However, it could be a case of who is asked these questions; respondents in well paid jobs may consider pay a lesser priority. Stevens et al (1989) found that "to increase earnings" was below "to improve working conditions" and "to protect existing jobs" when their respondents were asked what they thought the main objectives of the trade unions at their workplace should be. In addition it has been argued that unions' ability to determine wage levels is much greater in non-competitive industries (Mischel 1986, see also Gregg and Machin 1991), therefore, employees in competitive industries may have different priorities from their counterparts in non-competitive industries.

¹³ "Working in Britain", MORI survey for IBM/Shell/ Sunday Times. January 1986.

appreciate the constraints on union influence as well as the significance of union achievements. Though they did suggest that beliefs about unions in general conditioned workers' perceptions of their own union and those with negative ideas tended to rate their own union performance much lower on all issues.

It appears that union members are largely self interested; the most common reasons for membership tend to relate to the member as an individual and to problems within the workplace, such as working conditions which affect them personally. In 1968 Goldthorpe et al suggested that workers were more concerned with shopfloor issues, particularly those which were "economic" in nature and "local" in their origins and scope, than with the national union itself or even with the activities of their own branch. The shop steward was the most important union representative in their eyes. Goldthorpe et al argued that unionism had little significance other than in relation to "bread and butter" issues and could, therefore, be described as "instrumental collectivism"; that is, it is only seen as a means to an end with the emphasis on self-interest. (See also Nichols and Armstrong 1976.) This it appears may still be the case. However, research also suggests that unions can influence their members' perceptions of them and that participation in union affairs tended to enhance those perceptions. Therefore, if the most important person to members is their workplace representative, it follows that he/she must be the key to involving members in the union. This argument has been emphasised by Fosh (1993).

Fosh (1993) argued that "union involvement comprises participation in and attitudes towards the local union" (p578). The concept of participation is many faceted and covers both formal participation (attending meetings and voting etc.) and informal participation (reading the union journal and interacting with the shop stewards). According to Fosh, different workplaces have varying patterns of "surges and troughs" in participation. The significance of union meetings also varies; a crucial workplace meeting to determine a pay claim or other dispute will have a much larger attendance rate than the routine branch meeting.

Fosh identified two dimensions of commitment to workplace unionism:

- 1) Commitment to solidarity and its opposite, where the member has an individualistic attachment to the union.
- 2) Commitment to union goals, the member has an ideological orientation to unionism. The opposite is an instrumental conception of unionism, a means to the ends of the individual or the workgroup "usually in terms of insurance or economic betterment" (p579).

Whereas members are generally seen as having one or the other of these forms of "union orientation", Fosh argued that members continually move between the two opposites in each dimension depending on the varying circumstances. Equally, most rank and file members' conception of unionism can contain elements of both instrumentality and ideology; members cannot be divided statically into either solidaristic or individualistic types:

“Members’ individualist rationales towards the union as a source of valued benefits interlink with a more collective attitude: the members see the union as a necessary protection against a more powerful employer.” (1993, p580).

Similarly, instrumentally oriented members can be as active as those who are ideologically driven.

The most important part of Fosh’s argument was that the fluctuations in members’ patterns of participation and variations in their commitment to their workplace union over time are connected to “the impact of events or developments that disturb the local union context. The levels of participation and of solidaristic commitment to the workplace union rise when issues of concern to the membership are being decided or widely discussed.” (pp580-581). (See also Batstone et al 1977.) However, according to Fosh, the impact of events on the membership are mediated by several factors, such as industrial relations atmosphere, past experiences of workplace unionism and the structure of the local union. However, overall local leadership style is of particular importance; a leader who stresses the importance of involving all the members in decision making can encourage members to take an interest in union affairs:

“A collectivist outlook is one where issues are seen by local leaders as relating to a shared situation of employment rather than where they are taken up as individual grievances.” (p1993, p581).

If a “leader” treats a grievance solely as an individual one, not involving other members, then the member and his/her fellow members participate to a significantly lesser degree in the grievance process and do not develop a conception of the union “that encompasses group action”.

The essence of Fosh’s argument was that members fluctuate between different attitudes towards their union and the key to encouraging greater participation is the style of working of the union representatives. However, Fosh’s argument also brings out another point, that individualism and collectivism can be intimately connected, the two working together to protect each other. Members may be self interested and see unionism as a means to an end, but sometimes only by acting collectively are those ends met. Nevertheless, it has been argued “that steward leadership is likely to be more common where the nature of the work situation fosters collective strategies among members” (Batstone et al 1977, p131). This might seem a reasonable assumption, but Fosh argued that even though the workplace situations and attitudes of management may be very different for different lay representatives, the adoption of the right style of working could increase member participation and, therefore, the effectiveness of the union within any workplace. Therefore, it could be argued that the steward is actually the key to successful unionism within the workplace; it is the steward who interests his/her members in the union and encourages them to participate in union affairs, and member participation actually enhances satisfaction with their union.

2:8 *The shop steward - a role or an individual personality?*

It appears that the shopfloor organisation has always been “the union” as far as the majority of rank and file members are concerned and in many cases the shop steward might actually be seen as “the union” (see for example, A.I. Marsh 1963, McCarthy and Parker 1968, Goodman and Whittingham 1969). As Marchington (1980) said, “many of the findings have served to substantiate the thesis that for most members, the shop steward is the union.” (p66). However, is the position of shop steward just a role that an individual takes on or is there much more involved?

Batstone et al (1977) suggested that patterns of power and influence could be created so that a new incumbent to the position of steward could find him/herself already endowed with the “power” that their predecessor had built up. This suggests that once established the role of shop steward itself may actually be “powerful” and “influential” rather than the person taking the position. In reality it appears that this is far from the truth. Batstone et al (1977) found this and argued that “much power” may be based on past achievements of “a personal kind” so that a newcomer does not automatically inherit these sources of “influence” and “power”. Goodman and Whittingham (1969) also acknowledged that the extent of a steward’s discretion to lead depended on his experience, past record and personality; they also argued that very often management began to respect a shop steward as an individual, (see also Marsh and Coker 1963). The success of shop stewards in advancing and protecting their members’ interests does vary between and within different workplaces, different industries, different unions and between all these at various points in time. The explanation appears to lie with the personalities of those involved, especially those of the lay representatives, in particular the main lay representative.

Whilst Edwards (1978) was in fact trying to show that power relations can take several forms, her findings tend to indicate that management-union relations and the power that each may possess may be a result of the personalities at the place of work. She found that management-union relationships were very different in two collieries; in one the bargaining strategy of each side was one of conciliation rather than conflict, whilst virtually the opposite was the case at the other. The importance of the individuals concerned is also brought out in studies of union membership. Fosh and Cohen (1990) found little support for the idea that institutional or demographic factors were related to different patterns of participative democracy. They concluded that the local leader’s style was essential in determining membership participation and interest in workplace unionism. Commitment to collectivism induced local leaders to try and involve their members in local decision making and a high level of participation was found to be effective in winning advances and concessions from management.

Fosh (1993) continued this argument (see above) and distinguished between the different types of participation and the different dimensions of union commitment, between which members continually shift. This is an extremely important point which must be remembered, especially when using attitude surveys, because if Fosh was

correct, most members will express different feelings in varying circumstances depending upon the impact of recent events. However, overall the steward's style of working was essential to induce member participation and therefore the effectiveness of the union within the workplace. Even in 1968 McCarthy and Parker recognised that some stewards had more influence than others and suggested that this could be to do with the differences in leadership style and therefore effectiveness; they distinguished between the charismatic leader who gained a wide degree of discretion and influence and those who chose not to lead at all and were little more than a channel for objectives and strategies of others. (See also Batstone et al 1977).

Other case studies add weight to these arguments. Beynon (1973) argued that despite stewards' complaints about their members' lack of interest in the union, "given the correct leadership [the members] could behave properly. A prerequisite for ... correct leadership was continuous contact with the members" (p221) and that the willingness of members to follow their leaders "can be a result of the activities of the leaders" (p222). Beynon's study contained many examples which indicated that it was the personalities and styles of working of the stewards that were the key to successful unionism within the workplace. Another point suggested by Beynon was that as well as the steward's personality his/her social framework of his/her life and contacts should also be considered (see also Batstone et al 1977); contacts may be essential when needing advice and support, but it could be argued that a person's life and the contacts that he/she has built up are also a product of that person's personality and individuality. However, contacts with other stewards may be especially important so that the norms of leadership are built up and continually reaffirmed (Batstone et al 1977).

Schuller and Robertson (1983) also concluded that groups of well organised shop stewards who were visibly effective tended to promote better relations. Though they found that the shop steward was seen more as an individual - problem solver than as a leader of a collective approach to problems; the bulk of steward contact with members actually concerned individual grievances probably leading to the view by the shop stewards that their members were only self-interested. (See also Goodman and Whittingham 1969, Batstone et al 1977, Terry 1982). Indeed, Schuller and Robertson argued that if contact with members was confined to individual grievance processing it would reinforce the tendency of members to ignore the role of the union as a collective organisation. Perhaps if these stewards had involved the whole work group in the problem solving process, thereby turning individual problems into group ones, they and the union may have been regarded differently by their members.

However, even self interested members may act collectively to achieve their aims, hence the term "instrumental collectivism" (Goldthorpe et al 1968). Providing the steward has the right personality and style of working to induce member participation, there should be no reason why unions should not be able to achieve at least some of their goals on the shopfloor. Nevertheless, it is imperative that lay representatives have the backing of their members, otherwise any potential "power" may be lost; "the

crux of the power of any shop steward is his ability to carry his[her] members with him[her] in a course of action” (Goodman and Whittingham 1969, p14). Members play a vital role in the styles of behaviour which stewards might adopt (Batstone et al 1977); however, if the representative has the right style of working he/she ought to be able to “lead” his/her members effectively (Fosh 1993). Nichols and Armstrong (1976) suggested that the workers at Chemco had “not demonstrated any awareness of the fact that they will not get the representation they want until they themselves are willing to provide the backing” (p110); perhaps if the stewards there had developed a different style of working they may have had more success in getting their members’ participation in those affairs that involved them.

From his evidence Terry (1982) suggested that with a dispersed workforce, as is very often the case in the public services, a “key steward” was crucial to the success of workplace unionism. The steward must have mobility, that is accessibility to members and to the decision-making levels of management. Contact with membership was essential to ensure that everyone knew that the trade union organisation existed and was available to them, otherwise the trade union simply became a label which went along with the job. The key steward formed the basis of the trade union structure. Terry also argued that an emphasis on individual grievances put less of a strain on a fragmented workforce than collective issues might. However, it could be argued that this might also reduce the effectiveness of the organisation in the workplace as a whole.

Two seemingly contradictory state of affairs can be seen. Research suggests that trade union members are largely self-interested and treat their shop steward as an individual problem solver; and yet membership participation in union affairs was found to have a positive influence on perceptions of union effectiveness. Linked to this is the assertion that the style and personalities of local leaders are important in determining membership interest and participation in union activities. If members are largely self interested it might be assumed that unless something affected them personally they would not be interested and union participation would be slight, possibly leading to a poor evaluation of the effectiveness of the union itself. However, it could be argued that because most trade union members have the same self interests, generally higher wages and improved working conditions, participation in union meetings and activities which are arranged to specifically address problems of this nature may be much higher than participation in a meeting designed to discuss an issue unrelated to the shopfloor. This suggestion is given added weight by the findings from a study which found that willingness to attend union meetings was strongly related to both goal motives and role related characteristics (Flood 1993).

Perhaps the two findings are not as contradictory as it may at first seem. Providing that the problems are local and relate (even indirectly) to all members maybe they would find it beneficial, in their own self interests, to participate in the union activities that relate to those problems. This may, to a large extent, rely upon the effectiveness of the local shop stewards’ “styles” in “involving” their members in the problem

solving aspects of any grievance (Fosh 1993). This in turn may affect members' perceptions of the effectiveness or the "power" of their union. In fact Hancke's (1993) comparative study demonstrated that local structures were a much stronger predictor than national structural elements of union strength. Hancke argued that national arrangements were only beneficial to the national union movement and then only in addition to strong local unions. Unions with strong local structures lost very few members or actually gained some whilst those unions without a strong local organisation saw their union density drop. It may be the case that where workers can see that a union is attempting to protect its members' interests they may be more inclined to join. For example, the 1994 BBC dispute prompted more than 600 membership applications to the NUJ, mostly in the two weeks before the first day of action.¹⁴

These factors indicate that union organisation can be built up providing workplace organisations deliver the goods as far as the employees are concerned. Authors who suggest that trade union organisation is declining by basing their assumptions on a national system of industrial relations rather than a workplace based system, may be misleading their readers (see for example, Beaumont 1987).

Friedman (1982) was interested in the Teamsters Union in America. He concluded that workers can take over a local union and use it to defend themselves at their workplace. Democratic workers' movements are those in which power is held at the bottom by the rank and file; the active involvement of the rank and file in negotiations produced much more favourable settlements of grievances. Successful unionism depends upon the direct action of union members. Officers, argued Friedman, can at the most lead the workers but the workers must do the fighting, "reliance on legalism destroys workers' capability to take direct action, and even weakens workers' ability to use legalism effectively" (1982, p245). Therefore, it could be argued that the legislation will, from Friedman's point of view, seriously weaken the power of national trade unions to defend and advance their members' interests, but not necessarily members' power in their own workplaces.

However, whether members in particular workplaces will be prepared to become actively involved in those issues which concern the union may depend upon their steward's ability to interest them in unionism and therefore encourage them to participate. Fosh and Cohen (1990) argued that it did not matter whether the lay representative was ideologically or instrumentally driven providing he/she had the right style of working to encourage his/her members to participate in the affairs that involved the union. Yet it has been concluded that the different responses of NUM members in two almost identical collieries during the 1984/5 miners' strike were due to the ideological differences of the union leadership at those workplaces. Rigg (1987) argued that those leaders who had completed courses in politics, economics and industrial law appeared to be more theoretically and practically equipped to influence and raise the consciousness of their membership.

¹⁴ "Your Union At Work" National Union of Journalists Report (1995).

Darlington (1994a) also argued that “the best defence of workers’ interests is strong workplace union organisation which, despite the need for compromise, is both willing and able to engage in militant struggle against management” (p290). Darlington appeared to be advocating that unionism must be more than just workplace based. He argued that political organisation and consciousness was of paramount importance in the revitalisation of workplace unionism; shop stewards’, and therefore their members, “factory consciousness” should be broadened into a more “class conscious” perspective. However, as other studies have shown, workers, even two or three decades ago, were less inclined to develop a “class consciousness”, which implies a wider movement, than they were a “factory consciousness” which involved them personally. Therefore, while Darlington, amongst others, may see the way of overthrowing capitalism through a combined movement of worker struggles, workers themselves appear interested only in the fates of their own workplaces (Brown 1986, Terry 1986) and are not interested in changing society. Even in 1968 Flanders commented that workers did not join unions because they thought alike and shared the same political outlook, they joined for the sake of gaining immediate improvements in their lot, (see also Moran 1974). If workers do not share the same political outlook, and surveys have shown that some union members had voted Conservative (for example, Rentoul 1989, Millward 1990), they cannot be expected to fight for a “new society”. Nevertheless, Darlington’s case studies did reveal that the different personalities and styles of working of the stewards could affect the “power” of the union in the workplace and the morale of members.

2:9 **Trade union power - myth or reality?**

Overall no firm conclusions can be reached regarding trade union power. Research has even revealed mixed conclusions as to whether the legislation designed to reduce that power had had any damaging effects upon trade unions. Indeed, in some instances it seems that the very legislation designed to reduce union power may actually have had positive effects for trade unions, for example, the balloting procedures. However, the review of the literature does reveal a few important and interconnected points:

There are two different strands of unionism - the national organisation and the shopfloor unit and it appears that it does make a difference which of these a person is referring to when he/she comments about trade union power. As a rule, those who argue that trade union power has been curtailed tend to be referring to national union organisations, whereas those who suggest that nothing much has changed are usually referring to shopfloor or workplace organisations. As the next chapter elaborates, trade union “power” may once have appeared to have belonged to national organisations and the trade union movement as a whole, yet, in many respects this may have been an illusion which has now almost disappeared, perhaps due to the union legislation, which seems to restrain national unions much more than their workplace units, (see chapter 4). As MacInnes (1990) said:

“Trade unions have changed less than we expected under Thatcherism, because the core of their activity - collective bargaining at workplace and company level, has to some extent been insulated from mass unemployment and anti-union legislation.” (p229).

The balance of advantage may well have been transferred from the national union leaders to employers (Kavanagh 1990) but this view neglects the fact that within the workplace the “union leader” may still retain a “powerful” position and this may also be recognised by management.

The two different branches of unionism represent **different dimensions of trade union “power”**; that is the ability of the union to achieve a desired goal and produce effects. The shopfloor or workplace unit tends to be the centre of union activity for most members and it is here where any “bargaining power” is used over workplace grievances, very often without the “interference” of the national union. The national union wields the “power” to administer services (especially legal services) and benefits to members when they are needed. Most studies of trade union power concentrate only on their “bargaining power” and tend to neglect the fact that union benefits, such as representation at industrial tribunals, can still be classed as a capacity to produce effects and can, therefore, be seen as an exercise of power. In fact it has been argued that for the smaller less militant unions, their social role was probably more important than their economic role (Milligan 1976). The benefits, insurance and support provided for members helped “with the maze of officialdom they have to confront” (Milligan 1976, p179).

Evidence from the 1990 WIRS suggested that trade unions continued to play an important role in representing and assisting individual members in dismissal and disciplinary procedures; indeed, dismissal rates were found to be much lower in unionised firms (Millward et al 1992). This could reflect upon the “power” of the workplace organisation, which may negotiate with management for the member’s reinstatement, but it might also reflect unions’ success rate at industrial tribunals; employers may be reluctant to dismiss union members unless they feel that they have an undisputed case.¹⁵ In fact, it has been argued that risk-averse workers will willingly join a trade union and pay subscriptions even if there is no wage gain from

¹⁵ According to a Labour Research article 40,000 individuals submitted industrial tribunal applications alleging that they had been unfairly dismissed in 1993; the largest ever recorded figure. (Labour Research 1994d.) This figure appears to be rising rapidly; between March 1993 and March 1994 nearly 70,000 claims were submitted (Labour Research 1995). Perhaps more alarmingly, according to the Employment Department’s analysis there was a sharp fall in legal representation for employees and an increase for employers. As certain employment sectors were over represented among the tribunal applicants, in particular distribution, hotels and catering, it might be reasonable to suggest that these types of workers would benefit from union membership. The 1995a TUC survey found that unions actually had a much higher success rate in negotiating settlements than all other parties and, with one exception, unfair dismissal and redundancy were the most common grounds for submitting applications; eighty per cent of the claims were over part time workers’ access to equal pension provision. The fact that unions have been using tribunals to challenge discrimination against part time workers is a good indication that unions are protecting their interests as well as full time workers, and if non-union part time workers see that their union counterparts are gaining from their membership it might encourage more to join.

doing so if unions offer “insurance” against victimisation and arbitrary dismissal (Blanchflower et al 1990).

Perhaps not such a pressing reality because no one likes to think that accidents will happen to them, but another union benefit is usually the provision of legal representation for accidents at work, which can be a very costly experience for a worker paying his/her own legal fees. Many workers may not realise the importance or even existence of this benefit until the unfortunate moment itself happens. A 1994 Labour Research survey found that though unions’ priority was preventing work accidents and ill health by campaigning for better health and safety standards, unions were very successful at ensuring that their members were properly compensated for work related injuries and illnesses (Labour Research 1994a). This suggests that unions are “powerful” in the sense that they are able to achieve a desired goal for their members, compensation against employers for work related accidents or illnesses.

However, it appears that while benefits provided by the national union are important to members,¹⁶ especially in terms of compensation, they are more interested in their union’s “power” to help them on matters relating to their everyday working situations; in particular money, working conditions and job security. The shopfloor union organisation appears to be the most important as far as rank and file members are concerned. This it seems has always been the case. The steward is the union representative who members look upon as “the union”; he/she is the person who deals with their problems, even those problems, such as an accident at work claim, which the national union eventually resolves tend to be dealt with initially by the steward for the member. **Therefore, the steward is the union as far as the majority of members are concerned and it is most likely that the steward’s performance influences members’ perceptions of their union.**¹⁷ National organisations and their shopfloor units appear to be different entities, each with their own views and ways of working. As Fairbrother (1990) argued “a nationally-based and focused set of policies need not necessarily correspond with the specific detail and circumstances of workplace organisation and action.” (p172).

Different workplace union organisations, even of the same union, have varying degrees of success within the workplace. This may, to a large extent, reflect the different personalities at those workplaces, in particular that of the lay representatives and especially the main lay representative. When measuring the power of trade unions in terms of decision making, at first sight it may appear that management have the upper hand; however, this could be interpreted differently if the whole process of decision making is taken

¹⁶ The seventh BSAS found that 71% of union members questioned thought that “to get members’ benefits” was an important reason to belong to a trade union (Millward 1990).

¹⁷ Colling (1995) argued that the vast differences that existed between the different workforces he investigated, especially as to the strength and maturity of the local organisation, “exposed and intensified divisions between the membership and had serious consequences for the perception of the union locally” (p142).

into account rather than just the final outcome. Even studies which had concluded that decision making was a management prerogative also concluded that management remained preoccupied with union affairs (for example, Wilson et al 1982, Edwards and Heery 1989). Nevertheless, it certainly appears that **trade union power, while definitely existing, was probably not as “powerful” as sometimes stated.** This coupled with the fact that the amount of “power” possessed by unions varies from workplace to workplace makes it **extremely difficult to generalise about the extent of trade union power let alone any decline in that power.** In general trade unions exercise a negative and defensive power and the key to that “power”, at least in the workplace, appears to lie with the lay representatives.

From the evidence presented above, it can be argued that **trade union power has never been a myth;** however, in reality trade unions exercise different types of “power”, depending on whether the focus is on the national organisations or the shopfloor units. The national organisations still retain the “power” to help their members through the use of union services and benefits. Perhaps Martin (1992) was correct when he argued that national unions were becoming like Employers’ Associations, they do appear to resemble insurance agencies, a fall back in times of need. The “power” of a trade union to defend and advance its members’ immediate interests in the workplace appears to be a distinct reality in some workplaces, while in others that “power” is less predominant. However, this does not indicate a reduction in trade union power; even before 1979 some shopfloor organisations were much more successful than others at getting their own way. Explanations for this include the type of union involved; for example, those representing public sector employees and those representing the private sector, reliance on FTOs and the nature of the bargaining arrangements. Yet it appears that the main reason for any difference in trade union power between workplaces is actually the lay representative him/herself.

The essential ingredient for trade union power is the solidarity of the workers, “where they are united they invariably achieve their ends” (Batstone et al 1977, p98), and the key to membership involvement is the steward. The shopfloor is the place where members are most likely to unite over issues that affect them personally, unless they require some form of union benefit members tend to be less interested in the activities of their national union. Therefore, from a members’ point of view it could be argued that trade union power actually lies within the workplace rather than with their national union. **National unions may have changed but on the shopfloor much appears to remain the same as it always has.**

The next chapter looks at the rise of the shop steward along with the move towards workplace bargaining, which, it could be argued, placed the onus on the steward rather than the national organisation. Overall the chapter asks whether trade unions are best seen as national organisations or as shopfloor units.

3:1 *Introduction*

When the term “trade union” is referred to its meaning is rarely questioned, but does the term always refer to the same organisation? Evidence seems to point to the fact that there is more than one strand of unionism. Therefore, it is possible that one person’s meaning of a trade union is different from another’s. Unionism for the sake of simplicity can be divided into two entities - the national organisation¹ and the workplace or shopfloor organisation.² Whilst they are connected each has its own identity and very often the term “trade union” is used when referring to either.

Many commentators have argued (for example, Kavanagh 1990, Roberts 1987, 1989) that the 1980s witnessed a decline in “trade union power” and others have suggested that while the nature of industrial relations may have changed trade unions tend to remain intact and at workplace level nothing much has altered, (for example MacInnes 1987, Batstone 1988, Towers 1989, Marsh 1992a). However, when discussing the issue of “trade union power” it seems very likely that the debate centres on what the term “trade union” is referring to; those who suggest that trade union power has been curtailed are usually focusing on the national side of trade unions. In the light of previous research findings, it is highly likely that to members “trade union” refers to their shopfloor unit and not the national union. It has even been suggested that for many employers “the unions” are simply their own workforces (MacInnes 1987).

Members are more concerned with shopfloor issues and those problems that affect them personally rather than with the activities of their national union or even their own branch (for example, Sherman 1986, Goldthorpe et al 1968). There is a distinct lack of interest among the membership when it comes down to branch meetings; perhaps this has always been the case. Allen (1954) noted low branch attendance; he argued that this may indicate nothing more than the fact that subscriptions are collected “on the job” or that an effective shop steward system was in operation. Is this an indication that to members the union is based in the workplace and not outside it? At least in the

¹ The national union, in this context, is taken to include every union organisation other than the branch which is outside the shopfloor unit, for example the district and regional offices. In other words everything which is headed directly by an official who is paid by the union itself constitutes the national union. Whereas branch officials are paid by the national union for their branch activities they tend to be elected from amongst senior shopfloor representatives. Different unions do have different branches and there may be differing degrees of reliance on them but it does seem that, in many instances, the branch today is nothing more than a go-between for the national and shopfloor organisations.

² Shopfloor and workplace will be used interchangeably. However, there can be a difference between the shopfloor organisation and the workplace organisation. In a workplace different workshops may have their own union organisations which are separate from each other; therefore, the workplace organisation could be described as being made up of the different shopfloor units, each with its own ways of working and own levels of influence.

private sector, the shop steward at the workplace performs most of the functions necessary to resolve members' grievances and even if the full time officer (FTO) has to be called in, members probably would not see the situation as being handled by the national union. It has even been found that matters relating to unions as a whole were rarely discussed between stewards and members and that most members did not see their representative as a link with the national union (Schuller and Robertson 1983).

As will be seen in part 2 of the thesis the national union is considered to be "out of touch" with the realities of the shopfloor. Benefits are provided by the national organisation but where these benefits are connected to workplace grievances, such as an accident or an industrial disease, in general members still see their workplace representative as the "union"; he/she is the person who gives them the advice and as a rule helps them to make their claim and deals with any problems relating to it.³ Nevertheless, according to the AEEU many members were failing to take advantage of the services on offer, even those services which are directly connected to work such as legal representation for an accident claim. Some members were using private solicitors at tremendous cost to themselves and usually lacking the specialist knowledge that the union solicitors can provide; very often cases were only resolved satisfactorily after a union solicitor had been brought in.⁴ This is possibly another indication that to workers the shopfloor is "the union": those particular members may have joined the union for the shopfloor benefits; that is protection against the employer on the shopfloor itself. The workplace is the location where problems occur and is usually the place where those same problems are solved without any reference to the outside organisation. Nothing much has changed in the nature of workplace unionism, for even before the acclaimed watershed year of 1979, some workplaces had strong organisations and others had weaker ones. The gap between the workplace organisation and the national organisation is not a new phenomenon.

3:2 *Shopfloor units - the first step to union organisation*

How did it transpire that the prominence of shopfloor units should take precedence over the national organisation, at least from the members' point of view? To answer this question it is necessary to look briefly at the formation of unions in the nineteenth century. It can then clearly be seen that unions were originally based upon the workplace and the fact that shopfloor units actually become "the union" can be looked upon, not as a new phenomenon but, as a product of their very formation.

The early unions, which were essentially craft or "trade" unions, were loose federations of trade societies, temporarily united to fight issues that extended to whole trades. The fragmentation of trades into many small workshops each catering for a local market, plus the fact that transport, and therefore communication, was not fully developed at that time, kept anything resembling a "union" confined to the workplace.

³ Goodman and Whittingham (1969) claimed that many members regarded their FTOs as legal claims experts rather than as their representatives.

⁴ Union Review, May 1994 & Union Review, August 1994.

From the 1850s, with the aid of a railway system making communication beyond the immediate community much easier, local societies tended to join together to form national unions with a growing centralisation of power at that level. The main attractions of these unions were their friendly society functions; bargaining tended to remain at local level. National bargaining became widespread only in the inter war years. Typically the formation of a union would take place at workplace level and wherever sections of workers established themselves as “a union” they tended to be vigorously opposed to central direction. Labour unrest at grass roots level was not political in motivation but mainly economic. In many cases, the rank and file, who were faced with immediate and specific problems, were resentful of their national leadership who, in turn, were suspicious of the activities of their members. National leaders tended to frown upon any activity which might consume the assets of the union and prejudice sick and superannuation benefits.

The second wave of unionism in the late 1800s and early 1900s involved semi- and unskilled workers. Again, these “new unions” were little more than federations of small unions based on a localised occupation and many elected their own, albeit unofficial, workplace leaders. The workers, it seems, even then saw “their union” as the workplace unit; the workplace was, and still is, the place where workers could identify with each other, which has been described as a “factory consciousness” as opposed to a class consciousness.⁵ It has been argued, probably correctly, that trade unionism did not develop a “class consciousness” that went beyond the workplace antagonism of labour and capital (Lane 1974). Organisations of working men may have been looked upon as revolutionaries by governments, employers and even their national organisations,⁶ but in general this could not have been further from the truth. No doubt people existed who wished to change the social order, but the average working person was more concerned with the immediate problems related to work. It could be argued then, that trade unionism was solidly rooted in the workplace from the time of its very conception.

Collective bargaining in Britain has passed through three broad phases of development (Marsh and Coker 1963). Before the first world war, wages and conditions were primarily settled at local level. The war was followed by depression, Whitleyism and a new pattern of general unionism which gave impetus to the development of national negotiations and national agreements on wages and conditions. During and since the second world war the tendency has been for national agreements to remain but as a general framework for the growth of workplace bargaining. While national agreements may be advantageous in some respects, (for example, they introduced an element of predictability into the course of labour costs easing competition between

⁵ Beynon (1973) suggested that while a shopfloor organisation may not be political as such, politics is essentially about power and who does what to whom; therefore, a shopfloor organisation can have quite a developed political understanding but the boundary of this politics is the factory floor and is “implicitly tied up with the day-to-day battle with the boss.” (p87).

⁶ During the early twentieth century, some employers fearing revolution from their employees were willing to accept trade unions as national organisations, seeing them as barriers to social revolution (Lane 1974).

firms in the same industry) where they cover working conditions they seldom cover the regulation of many matters of importance to the shopfloor, leaving considerable scope for the practice of workplace bargaining.

The main body of domestic negotiations operate in an informal fashion, is confined to the privacy of the factory walls and is seldom recorded in formal agreements of any kind.⁷ A. I. Marsh (1963) compared it to a family circle; it only becomes of public interest when any arrangements break down. He contended that workplace bargaining evolved to fill the gaps in an inadequate system of national agreements. However, it could be argued that workplace bargaining was most probably a central feature of the unionisation of workers. In fact, Marsh himself suggested that “[t]he growth of workplace bargaining is most easily explained as arising from clashes of interest between management and work groups.” (p22). This is surely one of the reasons workers initially formed into unions and, therefore, could be taken to mean that workplace bargaining has always been the norm. Negotiations usually involve a key figure, at workplace level that key figure today is most commonly known as the shop steward.

3:3 *The rise of the shop steward*

Shop stewards first rose to prominence (that is visibility outside the workplace) in the war years but they had been active for many years before that, the engineering industry being the original home of the “shop steward”. The district committees of the ASE were first authorised by their union rules to appoint shop stewards in 1896, primarily to keep the membership in check, but the growth of a conspicuous, rival leadership based on the workplace occurred during world war one. Engineering stewards had no nationally recognised rights in workshop negotiations until the end of the war; their recognition was a result of their own work during the war and their unofficial leadership of the rank and file (Marsh and Coker 1963).

The “Shop Stewards and Works Committee Agreements” of 1917 and 1919, (which are substantially repeated in the 1922 Procedure Agreement), gave stewards the representational rights of their members after the foreman stage within the limits of their workshops, but insisted that they should conform to the same working conditions as their fellow workers. These agreements were an important milestone for the engineering stewards, giving them the basis for a formal position and status in the workplace and ensuring they were free to deal with domestic matters without interference from outside officials, who were only allowed to be present when

⁷ However, some workplaces may record any agreements made between the shopfloor and management: the shop steward organisation of a local firm insisted that every concession they gained was written down or added to existing agreements. These agreements were not legally binding, and had nothing to do with the employers’ association or the national union as such, but the management and the workers abided by them. The convenor argued that when everything is written down there is always proof that certain things had been agreed upon; if either side to the agreement wanted to change any part of it it had to be renegotiated. McCarthy (1966) noted that sometimes informal arrangements were codified in procedures between the union and management.

domestic discussions between the shop steward(s) and management had been exhausted.

It cannot be disputed that workplace bargaining became more prominent after the second world war; however, it is highly likely that workplace bargaining has always been present, though its scope was obscured by its informality (Goodman and Whittingham 1969). It could also be argued that many workplace union organisations have always been independent of their national bodies: their workplace leaders were (and still are) not publicly visible; the less an organisation becomes visible the more effective it probably is, because problems are solved within the confines of the workplace.

The definition and role of the shop steward may vary between unions and industries. Originally the role was seen by the national unions as an information carrier between union and management hierarchies, and the steward was regarded as a recruiter of members and a guardian of national agreements. In practice this supposed situation is not the case and probably never was - the shop steward (from whichever union) may have many tasks but his/her prime and most important one is to represent the interests of his/her members in the workplace. This is where the role of workplace bargainer enters the scene. The most important duties according to shop stewards were issues of pay, hours, policing agreements with management, hygiene, joint consultation, branch and steward meetings, members' welfare problems, production queries and complaints about management (Goodman and Whittingham 1969). However, a separate study comprised of observation and analysis of the work diaries of shop stewards found that pay and hours were seldom important (Goodman and Whittingham 1969). This could be related to two factors: either the steward did not bargain over pay or he/she only did so when the pay negotiations came around, usually once a year; the rest of the year was taken up with the more pressing realities of the workplace.

It is important to recognise that workplace bargaining can be a cloudy area. Lack of *de jure* recognition of a shop steward does not mean that *de facto* recognition is not present within the workplace.⁸ In many establishments management find it easier to deal with one person representing many than with each worker individually; encouragement of shop stewards by managements is an important but often overlooked element in workplace bargaining (Goodman and Whittingham 1969). It had even been suggested that one of the most important reasons for the "great power and standing" of stewards in British industries was because managements' liked them to have it and helped to give it to them (Clegg et al 1961).

Most stewards are prepared to bargain about anything that may affect the interests of their members (A.I. Marsh 1963). Indeed, McCarthy (1966) argued that the steward used "every opportunity available to him to try and satisfy members' demands. If necessary he is ready to circumvent established procedures and union rules in pursuit

⁸ For the purposes of this paper the term "shop steward" refers to the workplace union representative whether he/she has credentials or not.

of this objective.” (p4). This is probably still true today, and despite legislation designed to bolster the employers’ position in respect of unofficial action, it may not affect the stewards’ position within the workplace as many employers prefer to deal with their own workforce representatives rather than FTOs (Clegg et al 1961, McCarthy and Parker 1968, Goodman and Whittingham 1969). It is an advantage to keep problems within the workplace⁹: the shop steward knows the intimate details of the case and more importantly knows the implications of the dispute and has better contacts with the workers. All this may be unfamiliar to outside sources. It could also be argued that without a workplace representative many issues may take a lot longer to process (if indeed they are brought to anyone’s attention) leaving a dissatisfied workforce for longer, which may lead to even bigger problems. In addition, managements do not like to admit that they cannot manage their own affairs and if the outside union is called in, it usually means that employers’ representatives will be called in too; many managers may feel that it is a confession of defeat to allow issues to proceed outside the workplace (A.I. Marsh 1963).

Negotiation with shop stewards may also improve domestic relations within the workplace. A long established steward can be essential to the workplace organisation, especially with his/her knowledge of plant practices and precedents; he/she can also be a stabilising influence upon the other stewards. Shop stewards may also maintain a certain degree of internal discipline among the workforce. Beynon (1973) suggested that controlling the membership was a part of the shop steward’s job and could mean that the steward, rather than management, disciplined individual workers for not working properly. Stewards may also prevent workers from taking various courses of action (see for example, Batstone 1984). This may still be the case in some workplaces. The convenor of a local firm insisted when interviewed that “the union controls the shopfloor to the advantage of management”; if a member stepped out of line management would say “he’s your responsibility, you deal with it”. Similarly, a retired AEU shop steward commented that “the steward was as good as a gaffer” during his working time and ensured that members did a “fair day’s work for a fair day’s pay”. Indeed, Marchington and Parker (1990) found that in one of their case studies there was no attempt by management to remove the closed shop because they saw no point in destabilising an arrangement which offered a degree of order in the workplace. (See also Edwards and Heery 1989b.)

An established steward can also be useful to management, particularly because management will most likely have got to know the individual and his/her reactions and, therefore, where they are liable to stand on an issue before they even confront the workforce with it. In fact, it could be argued that stewards who are good at their jobs would not allow management to confront the workforce with issues that they know will be found unacceptable to their members. It has been suggested that the degree to

⁹ A.I. Marsh (1963) called it the “cult of privacy”, meaning “without outside interference”. Private settlements resolve immediate problems without any fuss, create no precedents elsewhere and both parties have to live with the consequences - outsiders may create difficulties for which they accept no responsibility.

which management initiates discussion and negotiation (rather than the union representative) depends on two factors: their views as to the strength of the workers' organisation and their personal relationships with the shop stewards involved (McCarthy 1966).

It is probably still true that the shop steward is "more of a lubricant than an irritant" in the workplace (McCarthy and Parker 1968, p56). This part of the steward's role would be difficult to conduct by sources outside the workplace. It can be very important that the steward is seen as "one of the lads"; if he/she is viewed as being outside the group the likelihood is that he/she will not be accepted and a rival leadership may emerge. The shop steward's relationship with his/her members is the most crucial aspect of his/her job and the key to his/her success.

3:4 *Shopfloor dependence on the national union*

It appears that national and workplace union organisations are definitely two different strands of unionism. Brown et al (1978) concluded that steward organisations were mainly "home grown" arising despite, rather than because of, the formal constitution of the outside union. This could be interpreted to mean that the "shopfloor union" is a separate unit to the national union, which fits entirely with the thesis that the national and workplace organisations of the same union are two entities each with their own identity and goals. A shopfloor organisation may be "largely self-contained and self-regulating, in the sense that its main motivations, pressures and controlling impulses originate within the plant itself" (McCarthy and Parker 1968, p67) and is concerned largely with the realities of the workplace. The national union is an external organisation, and as Nichols and Armstrong (1976) put it, "quite simply, the officials are not part of these workers' world." (pp30-31). Indeed, studies have found that when shop stewards become FTOs they may unintentionally become distanced from their members just by the nature of their job; they tend to take a different view on certain issues to a shopfloor perspective (see for example, Beynon 1973). National organisations may cover so many different workplaces that it is impossible to expect officials to be familiar with every issue of concern to members, especially those that are unique to particular workplaces; many national unions find it difficult to give substance to workplace concerns (Fairbrother 1990). Therefore, it could be argued that for unionism to become effective within a workplace it is essential that the shopfloor unit can work independently of its parent body.

However, there are vast differences between workplaces as to how reliant shopfloor organisations are on their FTOs. Boraston et al (1975) described a continuum with complete shop steward independence at one extreme and virtually complete dependence on their FTOs at the other, along which different workplaces fell at different points in time. Numerous studies have stressed the importance of particular factors which may shed light on this phenomenon.

It has been suggested that variations in the way work is organised, for example,

different technologies and job descriptions, leads to different behavioural characteristics of workers which influences the industrial relations of different plants (Sayles 1958). It has also been suggested that the size of a workplace may influence the nature of its shop steward organisation (for example, Brown et al 1978, Boraston et al 1978). Large firms may give shop stewards an advantage over those in smaller firms; there are more members (and potential members) and where there are more members there tends to be more shop stewards, who may then build up a network of relationships and build on each other's experiences. While these explanations may go some way towards explaining the difference between different types of workers, for example, clerical workers who may work on an individual basis and factory workers who work together as a team, they would not account for the differences between similar groups of workers or between workplaces of the same size or even the fact that small workplaces may have a strong union organisation.

The attitudes of management, FTOs and even the union itself may influence the amount of independence that shop stewards exercise. Boraston et al (1975) concluded that the outside union can either actively encourage or discourage workplace independence, especially by the availability of the FTO; lack of a FTO may push a workplace organisation towards independence whereas the ready availability of a FTO may hold it back. (See also Derber 1955). However, once a workforce has become self reliant there is little the national organisation can do but accept it (Boraston et al 1975). Managers may also be involved in this process. Brown et al (1978) found that management resistance or acceptance could have an affect on union organisation; in their opinion management played the dominant part in determining the strength of the workplace organisation. In co-operation with employers, and within the limits set by them, the national union could restrict the decision making which was left to the workplace organisation (Boraston et al 1975).

Therefore, institutional factors, such as the degree of centralisation in a workplace or industry, the form of its collective agreements and the nature of its wage structure, may influence steward behaviour. It has been suggested that if a national union is initially invited by management to organise the workplace it hinders the development of member-steward communication; recognition of the national union ensures that the workers do not experience the shared struggle often necessary to gain union recognition. The argument is carried further by suggesting that with national agreements employees' working lives are structured by externally given facts, rules and procedures, so that they lack an effective power base of their own (Nichols and Armstrong 1976). However, even where all major agreements must be settled at national level, taking the main bargaining areas out of the stewards' hands, there is plenty of scope for a strong workplace organisation to develop; many grievances can occur during the working day which the shop steward could negotiate with management about, especially those which need immediate attention.

The fact that most managements prefer to deal with their shop stewards rather than outside sources (Clegg et al 1961, McCarthy and Parker 1968, Goodman and

Whittingham 1969) may encourage shopfloor union development. Indeed, it was suggested that employers assisted the development of workplace bargaining by resisting detailed outside regulation and the free entry of FTOs into the workplace (A.I. Marsh 1963). However, while this may explain the differences between different workplaces it does not shed any light on why differences may exist between two shopfloor organisations within the same workplace.

It must be argued that despite changes in the compositions of unions and the labour market over the last five decades it is very likely that there are other factors which determine the independence and, therefore, the “power” of shop floor organisations. The union, as far as the rank and file are concerned, is situated in the workplace and evidence tends to point to the fact that this has always been the case. The steward, even if not always known as such, has probably existed wherever men and women have worked together. Different unions may advocate certain ways of working for their shop stewards; however, in the end it is down to the individual him/herself. The variations between and within workplaces (and between different points in time) of the independence of shopfloor organisations and their success within the workplace may have an important connection with the personalities and working styles of the representatives in those establishments. Therefore, it could be argued that the personality and style of working of the lay representative are essential ingredients for successful unionism in the workplace. This would go a long way to explain the differences between and within workplaces as to the perceived power of the union organisation.

3:5 *Are national unions becoming too big?*

Many shop stewards feel that their national union organisation is out of touch with shopfloor issues. These shop stewards are usually members of the larger unions which have established workplace organisations in many industries and over a wide geographical area. It is understandable that workers’ representatives feel that they themselves have more knowledge about their own workplace and the problems that they encounter there. However, in smaller unions the situation may be very different. “As a small union we’re much closer to our members. I regularly attend shop floor meetings and any union member can pick up the phone and arrange to see the general secretary within 24 hours” said the general secretary of the National Union of Lock and Metal Workers (NULM). (*Labour Research* 1992a p15). This would be an impossibility in the larger unions.

Many small unions are craft unions and have a highly localised base, usually dealing with one industry and one employers’ federation; therefore the national union is in close contact with its members and their problems. In a sense this can be compared to the workplace organisation of a larger union. The general secretary of the Rossendale Union of Boot, Shoe and Slipper Operatives summed this up neatly:

“Our structure is firmly based on the shopfloor and in the local community. We know

all our members and employers and understand what's going on in the factories and the communities." (*Labour Research*, 1992a, p15.)

Therefore, in contrast to the larger union organisations, it could be argued that in small unions the national organisation itself is considered to be "the union". The larger unions are so big and cover many workers in different industries that it is essential for the workers to develop a strong shopfloor organisation to maintain themselves adequately within the workplace. Those with close contact with the workplace have a better understanding of the immediate problems there. It would be impossible for the national leaders of a large union to understand the problems encountered in each individual workplace.

As a union expands it tends to become alienated from the problems of its individual workforces, becoming more a source of information for lay representatives and a benefit and service agency for members. This is not to say that small unions do not provide benefits for their members, but, with the exception of perhaps the NULM, many do not directly offer the same specialist services as those provided by the larger unions (*Labour Research* 1992a). Nevertheless, as their members still appeared satisfied with "their union" whether benefits were on offer or not, it can be presumed that the local base of a small union and the special contact that members may have with their national organisation is what they enjoyed. This may be another indication that to members of the larger unions the shopfloor is "the union" rather than the national organisation; it is local, close knit, has knowledge of local problems and the lay representative is more readily available than a national officer. In a sense, a small union could be seen as the equivalent to a shopfloor organisation of a larger union, at least from the workers' point of view.

In multi-union firms a convenor or senior steward from one union may represent stewards from the other unions on site. In fact, case studies have revealed that on some multi-union sites a self-governing organisation made up of representatives from many unions existed within the workplace. This shows that even where many unions were involved the workplace/shopfloor was still considered to be "the union" by those involved. Beynon (1973) argued that the multi-union situation at Fords in Dagenham led to a "powerful and efficient organisation" owing no allegiance to any of the individual unions represented, much to the dissatisfaction of the national unions involved; they resented the independence of the shop stewards' committee and its strength within the workplace - which was called "a private union within a union" by the two inquiries set up to look at industrial relations at the Dagenham car plant where constant friction had caused many stoppages of work (1957, 1963).¹⁰ The shop stewards were relatively immune from the disciplinary powers of their FTOs but it also

¹⁰ *Report of a Court of Inquiry into the Causes and Circumstances of a Dispute at Briggs Motor Bodies Limited, Dagenham.* (1957) London: HMSO. Cmnd. 131, p51.

Report of a Court of Inquiry into the Causes and Circumstances of a Dispute at the Ford Motor Company Limited, Dagenham. (1963) London: HMSO. Cmnd. 1999, p26.

See also Turner et al (1967) who concluded that the shop stewards' organisation had become a real union with almost a similar degree of elaboration and complexity as the larger union.

meant that they existed without the protection of the official union organisation. This suggests that “union” organisation can take place solely within a workplace without a national organisation to watch over them. Admittedly members would then be without the added protection of benefits, but if the workplace organisation is strong enough there is no reason why it should not continue, providing the workers give their support. So, in theory, there is no reason why workplace organisations could not survive without national backing.

John Edmonds of the GMB has argued that the labour movement must return to its roots if fifteen years of falling membership is to be halted and if unions are to cope with the decline of the large workplace.¹¹ The roots of the union movement are firmly embedded with the members and the workplace; therefore, national unions would be well placed to recognise this. If we cannot have small unions, (the amalgamations of many larger unions is creating even bigger organisations), then it must be recognised that it is an advantage for workers to be represented by strong shopfloor organisations when dealing with an employer. National unions have traditionally been seen as the predominant organisations within the public services, largely because of the nature of the bargaining arrangements; however, the move towards more workplace and local bargaining may be advantageous for the development of more independent workplace organisations within the public sector.

3:6 *Workplace bargaining in the public services* ¹²

In most public services and nationalised industries the scope for workplace bargaining was fairly narrow, limited by tight industry agreements. Such agreements did not destroy workplace independence, but limited the scope for its application and transferred authority to the higher levels of the union organisation. Studies have found that in the public services there tended to be a greater reliance upon the FTO than in the private sector and generally this was associated with either a scattered workforce (for example, Terry 1982) or national level bargaining (Brown et al 1978). In fact Brown et al (1978) argued that the existence of a well developed shop stewards’ organisation, such as in the private sector, was associated with a reduced wish to see more of the FTO. Terry (1982) argued that although dominant senior stewards were less frequently found in local government than elsewhere; where they did exist they exerted an important influence. The FTO was still an important figure but his data suggested that he/she may not have played the major role in local negotiations. Therefore, where stewards did negotiate themselves the importance of the FTO was reduced.

The marked contrast between public and private sector workplace unions’ reliance on their national organisation may change. National agreements, especially in the public services, have been blamed for the differences in the levels of independence of

¹¹ *The Daily Telegraph*, 14th June 1994.

¹² The case studies reported in part 2 of the thesis attempt to highlight any differences between a public sector union and a private sector union; therefore, this section is important particularly because of the rapid changes which were taking place in public sector employment.

individual workforces on their FTOs. However, during the 1980s and 90s a move towards more plant based and local bargaining was actively encouraged by the government; national level collective bargaining was considered as interfering with the operation of the free market, whereas local bargaining was seen as offering a flexible response to the conditions of the local labour market (Fatchett 1989). This could have a positive effect on trade union workplace organisation; negotiations at workplace level may encourage lay representatives to become more involved in those issues that directly affect them and their members. Providing the results are to the members' satisfaction, an effective workplace organisation could be built up.

From a national union's perspective workplace bargaining may be rejected; for example, public sector unions do not favour local bargaining (let alone workplace bargaining) within the NHS, arguing that workers doing the same jobs but at different workplaces may get different pay rates and conditions attached to their jobs depending on the trust and the availability of funds. While it could be argued that this might depend to a large extent upon those negotiating it is not a new argument. During the advent of shop stewards and their increased role in bargaining activities it was commonly argued that workplace bargaining would weaken rather than strengthen the union position because the employer might evade recognition of uniform conditions established by collective bargaining for **all** workers in a trade or district. "Members in the workplace receive intimate service, but soon to the cost of overall solidarity" (A.I. Marsh 1963, p26). This argument largely rests on the assumption that a trade union is looked upon by its members as a national organisation; however, if the union is looked upon as being based in the workplace the argument may be ignored. If the workplace union is able to bargain satisfactorily for its members the national union (and even similar workplaces) may not be considered. It could be argued that national unions dislike local bargaining because many issues are taken out of their immediate jurisdiction. The Donovan Commission (1968) recognised that with the move towards workplace bargaining the control over the bargaining process by national unions and employers' associations diminished (p18).

Research studies have shown that workplace organisations can effectively "run a plant" without significant contact with their national union (for example, Batstone et al 1977). Indeed, Martin (1992) argued that the "workplace organisation may be more important than national union organisation" (p169) because the development of company oriented industrial relations policies undermined the power of national unions but not the power of workplace organisations. In hospitals, for example, with the move to NHS trusts¹³ and local accountability, the workers in those establishments may find that they have more bargaining power than if they were part of a nation-wide industry. One important contrast in the structure of management in the public services and private industries commented on by Boraston et al (1975) was that most private

¹³ Trusts are employers in their own right who control their own budget and have the freedom to determine the terms and conditions of employment of their own staff. One of the central objectives of the creation of trusts at unit level was to break up the existing system of national bargaining (Elgar and Simpson 1994b).

industries consisted of independent firms with their own administrative and accounting procedures usually working in competition with each other, whereas the public services were run by a national or a regional board. This is not strictly true anymore. Most hospitals, for example, are now run by their own board of administrators and are generally made to compete against each other.

Fatchett (1989) argued that there was good reason to suggest that, in the context of skill shortages, workplace bargaining might actually benefit many employees in the health and education sectors and lead to an overall increase in pay; the competitive nature of workplace bargaining could force a hospital trust or educational establishment to pay above the current national rate for particular skilled jobs, which in turn would force similar establishments to match those rates of pay in order to retain/recruit their own staff.¹⁴ If as evidence suggests (for example, Ferner 1989) the government interfered in many public sector pay talks causing the level that management were prepared to offer to drop substantially, then it could be argued that local pay bargaining, without government interference, might increase public sector workers' wages. Bryson et al (1995) concluded that while managements' perspective was dominated by affordability there was an opportunity for unions to press for pay awards in excess of nationally determined outcomes.

Bryson et al (1995) concluded that the public service unions, especially UNISON, "are well placed to have a powerful influence on industrial relations in trusts." (p131). They found that management had failed to persuade staff to abandon their protected conditions in large numbers in all but a few trusts, indicating that staff value their union protection. Moreover, they found that where management worked with the unions, trust conditions were more likely to be accepted. This suggests that "union power", that is the ability to produce effects, was working within hospital trusts; when the unions were involved, agreements on trust terms were made much easier and in some cases the unions had been successful in modifying management proposals. Bryson et al's (1995) evidence indicates that trusts either believed that unions were a threat to their human resource strategies or worked very closely with them to win staff commitment towards trust objectives. Elgar and Simpson (1994b) concluded that "[m]anagers were ... generally influenced by a concern to maintain patient services at all times and also, it appeared, a belief that a cooperative approach with unions, professional associations and a workforce which, maybe for pragmatic reasons, shared something of the same concern, would be likely to be most productive." (p14).

Bryson et al (1995) concluded:

"The key to ensuring an influential role in trusts appears to be sufficient membership numbers or high density in powerful occupational groups.... The unions must continue to attract members and cannot rely only on staff distrust of management.... Union policies need to be seen to be effective in an environment where industrial action is not always even a last resort (although if forms of action excluding strike action are

¹⁴ This argument probably carries a lot of weight especially when it has been claimed that personnel managers in trusts had been advised not to offer better terms than the national ones for staff that are easily recruited and retained (Corby 1991).

successful, this may lead to change in policy by some organisations). The key to effective policies is to develop their own wider agenda rather than just respond to management initiatives.

Under the new NHS internal market the supposed key to success for trusts is to maximise their competitive advantage. It is crucial for unions to show that their presence is essential for a trust to provide an effective service.” (p132).

If unionised firms in the private sector are more productive than non-unionised companies (Metcalf 1993a) this statement may contain the key not only to public sector union success but also to the success of individual trusts.

However, it could be argued that within the NHS the national union organisations tend to retain control over bargaining rather than allowing workplace organisations to negotiate their own terms and conditions. It has been argued that while many unions in the public services have taken initial steps to establish workplace structures, “these moves have often resulted in the sponsorship of forms of organisation that bear the stamp of leadership manipulation and control, rather than autonomy and membership initiative. In these circumstances, the steps towards the development of workplace steward structures has often resulted in stewards who are dependent upon remote branch leaderships and who act within a very narrow remit.” (Fairbrother 1990, p172).

It could be argued that workplace bargaining would be more beneficial to a trust (and its members) than national or even local level bargaining. National bargaining, because it covers many workplaces, may lead to national disputes which are much harder to resolve locally. Indeed, it was found that during the 1980s, where a national dispute led to industrial action within the NHS, part of the response at local level was to seek agreements which limited its impact on local services and avoidance of measures which might lead to an escalation of the dispute (Elgar and Simpson 1994b). If workplace bargaining within the NHS becomes widely accepted it may be to the advantage of both managers and workplace unions, in much the same way as private sector companies strive to keep their industrial relations, where possible, within the confines of their own workplaces. Certainly, Elgar and Simpson (1994b) found that it was clear “that disputes and actual or threatened industrial action in the 1980s were equally if not more likely to arise over local issues” (p13). Therefore, if bargaining should be allowed to remain within the confines of the workplace, it is possible that a quicker solution may be found and as the concern to maintain services was shared by the NHS unions as well as management (Elgar and Simpson 1994b) an amicable agreement is more likely to be made between the parties concerned rather than outside sources not directly involved. Where industrial action did take place during the 1980s,¹⁵ “management response would not normally involve any legal dimension, both because of the short lived nature of most action and a concern not to risk making relations at local level worse” (Elgar and Simpson 1994b, p10). The law relating to

¹⁵ During the 1980s industrial action in the NHS tended to take various forms, usually short of an all out strike, including demonstrations and marches, working to grade, threat of strike action and national days of action (Elgar and Simpson 1994b).

industrial action was rarely used by NHS managers; however, they tended to use the law against individual workers, such as deducting pay from individuals for taking action short of a strike (Elgar and Simpson 1994b). Therefore, the trade union legislation appears to have had little effect upon trade unions within NHS trusts.

If the key to successful unionism in the workplace is the steward, it is essential that shop stewards within the NHS become more involved as leaders of their workgroups rather than as individual problem solvers (Terry 1982) and develop a style of working that encourages the participation of their members and diminishes their dependence on their FTOs. Colling (1995) argued that although the compulsory competitive tendering (CCT) legislation had the specific aim of breaking the grip that unions had on local services by putting pressure on national agreements, contracting may provide the stimulus needed to encourage the forms of workplace unionism that have been missing. The same could be said of workplace bargaining within NHS trusts. Colling contended that national union responses to CCT remained focused at national level, whereas local bargaining over contract submissions was the primary determinant of the terms and conditions; national agreements became purely a benchmark. Colling concluded:

“The crucial test for trade unions will be their ability to reconfigure the current distribution of authority, skills and resources within their organisations and to actively build and invest in workplace organisation in particular.” (p142).

Within the public sector, trade unions need to recognise that the key to their success is to encourage active and independent workplace organisations to develop and maintain themselves. As Colling (1995) put it “[i]t is difficult to maintain clear organising principles at national level when the circumstances faced by members are so variable” (p142).¹⁶

If the government viewed the public sector as “the breeding ground for over-mighty trade unions, out of touch with their members and unconstrained by the threat of their companies’ bankruptcy” (Ferner 1989, p1), it could be argued that a move towards workplace bargaining might change this, at least from a national perspective. However, there is also the possibility that workplace bargaining may lead to many more local (albeit confined within the workplace) disputes as national unions have

¹⁶ Colling (1995) found that there were differences between groups of women workers, especially part time women, and groups of men. Women were much more likely than men to suggest that unions had been powerless to protect their interests and to admit to having considered cancelling their membership. This suggests that as well as building up independent workplace organisations it is essential that unions encourage women as well as men to participate collectively in those affairs that involve them; participation enhances union success and therefore satisfaction. However, it appears that unions may not actively encourage certain groups of workers to form independent union organisations; Fairbrother (1990) found that the rationale behind keeping stewards dependent upon remote branch leadership was that unions considered that certain workers were not “ready for autonomous forms of union organisation, either because of their class or gender position or the specific circumstances of their employment as public service workers.” (p172-3). Therefore, some unions may intentionally keep some members dependent upon their FTOs and yet this may have the unintentional effect of isolating those members rather than encouraging them to build up their own shopfloor unit.

traditionally intervened to stamp out local disputes which were outside the scope of their bargaining machinery (Ferner 1989); national bargaining may involve national unions restraining members' "power" within the workplace. Unions at national level may become less prominent within the NHS if local bargaining is adopted, but if adequate workplace representation could be built up, the public sector unions may become more powerful within their own workplaces. Workplace bargaining would be more beneficial to members. They could at least see if their interests were being protected, whereas when bargaining is conducted at national level members may feel that their needs are not being addressed.

This raises the question of how far national union leaders actually represent the interests of their members. Agreements which are acceptable to management and union officials may not be to the shopfloor; national agreements may be forced upon workforces without their consent whereas domestic agreements are not. In some instances a national union may concede to a deal with management which does not take away its rights, but members may find that the new deal takes away some of their concessions; in other words the national union is not affected by the agreement - the realities of the shopfloor are not necessarily taken into account by the national union when bargaining with employers (see for example, Beynon 1973, pp299-305). A comment from a NUJ member is quite apt here: "Trade unions at national level will very often sell you out".¹⁷ The interests of the national union may not correspond with those of its members.

3:7 *A conflict of interests?*

Declining membership is liable to have a greater effect upon national union organisations than strong workplace organisations, especially in terms of finance; fewer members means less subscription money. Fewer workplaces in the traditional strongholds of union recruitment will decrease the number of members overall, but in those workplaces where a union presence still exists nothing much has changed on the shopfloor (Millward et al 1992). Where the workplace union is seen to be effective membership tends to be constantly upheld (Hancke 1993). Union amalgamations may be designed to combat the fall in membership, but are amalgamations considered necessary for the benefit of the members or the national union itself? It seems very likely that it is for the benefit of the national organisation, especially in terms of finance; for example, it is cheaper to run one union from one headquarters than two unions from two headquarters. (See Undy et al 1996 for a discussion on union mergers and the reasons behind them.)

Undy et al (1981) saw the role of the union leadership as critical for union growth, but it could be argued that the role of the shopfloor representative is more important. The shopfloor is where unionism begins and for the vast majority of members that is where their interests are largely protected. In fact, it has been suggested that the national union is turning into an anachronism, especially with the move towards local

¹⁷ *The People's Parliament*, Channel 4, 3rd September 1994.

bargaining, and that rather than amalgamating the trend ought to be demerger, so that the basic unit of trade union organisation would be the workplace.¹⁸ However, whether unions merge or demerge, it seems to be the case that the basic unit of union organisation already is the workplace, whether that organisation is seen to be strong or weak reflects upon a number of factors but especially the personalities of all those involved.

Martin (1992) suggested that the role of national unions had changed: they had become sources of expert advice and providers of services. National unions are beginning to offer members services that are directed at them as individuals, including services that are unrelated to work activities. Perhaps the promotion of individualism has had some effect since union leaders are trying to attract members by individual incentives rather than collective ones.¹⁹ They may also be trying to encourage members to think of “the union” in terms other than the workplace. However, on the shopfloor it appears that members still prefer to act collectively to realise their self interests, hence the union. While benefits do play a large part in the lives of those on the shopfloor, especially where accidents and industrial disease are concerned, the initial attraction of unionism for members appears to be the satisfactory resolution of workplace problems with the emphasis on protection and “strength” against the employer. The fact that some members do not take advantage of the services available to them is also a strong indicator that the protection and advancement of their interests at work is still the main union objective for many members; opinion polls have also confirmed this view. It is, therefore, quite feasible to argue that at national level unions have in many ways grown apart from their members.

Indeed, members may not even support the political issues raised by their national organisations. Moran (1974) found that the Union of Post Office Workers’ policy on political issues did not reflect its members’ views. Almost all the members had joined the union for “calculative” rather than political reasons because they saw material advantages in doing so. More importantly the UPW leaders did not feel that they were out of touch with their members!

With the succession of 1980/90s legislation a further difference between the national organisations and their shopfloor units has emerged; one is restrained by the legislation and the other is on occasion prone to act on impulse. National unions are very careful that they act within the legislative boundaries when a confrontational

¹⁸ The Economist, 3rd July 1993.

¹⁹ Many unions have developed their provision of “member services”, “a broad term covering any union facility which is of benefit to members individually” (IRS Employment Trends 1990). Unions provide services which are directly funded themselves, such as legal assistance for non-work related matters, and attractive packages which cost them nothing at all, such as discounted financial services. Fixed rate provident benefits for sickness, retirement and unemployment are no longer a priority for most unions and many are running down or discontinuing these benefits. 90% of unions believed that the provision of discount arrangements and access to specialist advice will play an important part in the future recruitment of new members. (IRS Employment Trends 1990). During the six months preceding the TUC’s 1995 bi-annual survey more than half the respondent unions had introduced new services aimed at individual members.

situation with an employer is imminent; they realise the problems they might face if they do not. A frequent comment from local shop stewards is that the national organisation is scared of sequestration, which could be seen as an indication that “head office” is looking after its own interests rather than the immediate ones of its members. If a grievance is passed to the national union from a workplace organisation, unless that organisation is a weaker one, it is usually one which cannot be settled in the workplace; that is, a deadlock has been reached between management and workplace union; as a rule these disputes are rare and usually involve pay settlements.

3:8 *Union power at shopfloor level*

It appears that trade unions originated on the shopfloor and for the majority of members that is where they remain. The national organisations may be of great benefit to members in times of need or even for discount financial packages but the main function of unionism, that is advancing and protecting members’ interests, seems to be performed most adequately in the workplace itself. Different shopfloor organisations have had varying degrees of success within the workplace since trade unions first appeared; therefore, it can be argued that trade union power, at least at workplace level, remains more or less the same as it always has.

However, it has been contended that:

“[I]f we simply stop at the workplace and conclude that there has been minimal loss of trade union power and there is no crisis, then we are redefining what trade unionism has meant in the past.” (McIlroy 1988, p224.)

A number of comments can be made about this statement. One has the distinct suspicion that the Conservatives were trying to remould the image of trade unionism, especially by their attempt to promote individualism amongst union members; that is the idea that each individual should pursue his/her own self interests in such a way that they would in effect be in competition with each other, rather than working collectively to pursue their goals. If this should happen, unions as a whole would become nothing more than service and benefit agencies, providing a form of insurance against accidents, unfair dismissals and even legal advice on matters unrelated to work. This would be a redefinition of what trade unionism has meant in the past, but it would also encompass a change in the attitudes of those trade unionists on the shopfloor. Yet most evidence seems to point to the fact that at shopfloor level many union members still realise their goals and self interests by acting collectively. The national organisation may be seen as a form of insurance but that does not mean that for rank and file members the definition of trade unionism has changed. Indeed, many studies into trade union activities in the 1960s and 1970s also concluded that for members “the union” was the shopfloor and their reasons for membership are no different now from what they were then.

The crucial point to remember is that when trade unions were first formed the social situation was very different from now. The national organisation was seen as more

important then. Trade unions at national level were the front runners campaigning for rights for the working man and a demand for greater equality in society as a whole; many trade union activities did benefit the whole of the community. However, the social situation has changed dramatically, and these changes (for example, changes in leisure time with the shorter working week, changes in living conditions and a change in the material welfare of the working class in general) have affected the position of trade unions and their members. People's ideas have changed and their "working lives" no longer dominate their existence. This is not to say that everyone is well off or treated on an equal footing to everyone else - there are many issues that are still campaigned about today. The point is that the original objectives of trade unionism - the protection and advancement of members' interests - are still the same but they tend to take place more within individual workplaces rather than prominently on the national front. Past practices and forms of organisation no longer suffice as effective ways of representing and articulating workers' interests (Fairbrother 1990).

Campaigning by national trade unions, representing both the public and private sectors, still takes place. National unions still campaign on behalf of all workers and indeed all members of society, for example on issues such as VAT on fuel, health and safety and better training and educational facilities. Ten unions challenged the legality of government plans for the new criminal injuries compensation scheme; they failed to win their action, but it illustrates the point that national union organisations do attempt to challenge what they see as a matter of injustice for all in society. However, while being a matter of concern for everyone, the importance of the issues raised may not be realised by individuals until they are put into the position where they have to confront them personally. For most rank and file members the only problems that concern them are those which have a direct bearing upon their current situation.

Within this scenario it is hard to agree with McIlroy's (1988) statement about redefining what trade unionism has meant in the past. To the average worker and trade union member unionism means the same now as it did then, the protection of their interests at work. Of course there are the added advantages of services and benefits, but these tend to take second place in terms of reasons for membership. The workplace is for most members, in the private sector at least, "the union" and even in the public sector, where problems of dispersed workforces may mean a greater reliance on the national organisation, the working environment is generally the main focus of union activity. When McIlroy talks about a redefinition of what unionism has meant in the past, he is probably right from the perspective of national unions but not from a shopfloor perspective.

Trade unionism as a whole may have been seen in the past as a movement which attempted to embrace all workers. However, it is the case now, and has certainly been the case for at least the last thirty years (perhaps from the start of the union movement) that individual members are more concerned with issues that affect them personally rather than remote issues that are affecting someone else. Allen (1954) argued that most trade union members regarded non-economic objectives as extras and that few

workers had illusions about the ability of unions to build a “new society”. In fact, according to Allen, they were rarely interested in this aspect of unionism; wage increases, hours reduction and improved working conditions were the main interests of members, and presumably this would be at their own workplace. As Goldthorpe et al (1968) said, unionism is only seen as a means to an end with the emphasis on self interest. When pay negotiations are taking place employees are concerned with what they can gain for themselves, albeit as a collective; they do not think of others elsewhere who may not have had a wage increase or those without a job.

The impression given is that for most members they are not part of a wider union movement; “the union” is the shopfloor and most problems are dealt with there. Here we can see the distinction between the “sword of justice” aspect of unionism and the “vested interest” aspect. The first refers to the unions’ role as campaigners against inequality and injustice and is mostly a matter of national lobbying and “their striving to change society”, the latter as “wielder of economic muscle”, which involves local or workplace bargaining (Flanders 1961). MacInnes (1990) argued that the “sword of justice” aspect of unionism has always been the weaker of the two and has been hit hardest by “Thatcherism”; it is at national level that trade union influence has been weakened because they have been denied any influence over government policy making. However, he also suggested that because trade unions had never been too centrally involved in the political decision making process that this effect has not been as dramatic as it might have been.

John Monks, the TUC’s general secretary, told USDAW’s 1994 annual conference:

“I make no excuse for talking about solidarity. Some argue that the future of trade unions is about individuals, about providing the sort of services at work that the AA provides for motorists, but there is more to unionism than that.” (*The Daily Telegraph* 2nd May 1994, p2).

This statement is largely backed up by research studies. For members there is definitely more to unionism. Whether they experience it though depends upon the workplace and the union organisation within it. The service side of unionism tends to belong to the national organisations and it is very likely that this is how most members think of their national unions; that is, if they think of their national organisation at all.

3:9 National and shopfloor unions - two different entities

It must be concluded that the national union is a different thing from the shopfloor organisation. In general when members speak of their “union” they are usually referring to their workplace organisation, even if that organisation is reliant on the national union; to the majority of members their representative is “the union”.

The two strands of unionism can be summarised as such: one is restrained by the legislation and as far as members are concerned is probably nothing more than an insurance agency, providing legal services and benefits in times of need; the other

may act on impulse for maximum impact without much regard for “the law” and does attempt to address the problems that members encounter at work. Far from working for the national union a shop steward’s main task is to act as a go between for the workers and management, and his/her loyalty is to his/her members. It can be argued that the shopfloor unit is more concerned with the pressing realities of the workplace than the legal boundaries within which they should work. Nevertheless, how “powerful” the shopfloor unit is perceived as being appears to be dependent upon the place of work and the personalities there, in particular that of the lay representatives (see for example, Fosh and Cohen 1990, Fosh 1993).

When people talk about trade union power it makes a great deal of difference which of these organisations they are referring to. Since 1979 the role of the national union has diminished (although it could be argued that the larger a union becomes the less important the national organisation is to the members anyway) especially in the political sphere, but even here there are doubts as to whether unions were really influential before 1979. Admittedly, if the unions’ opposition to the 1971 Industrial Relations Act is compared to that of the 1980s’ legislation it could be argued that their influence has diminished. But that political influence, whether diminished or not, does not necessarily affect the shopfloor. Indeed, it may be the case that members do not even identify with their national union’s political objectives.

Unlike small unions, if the national organisation of a larger union was the main unit coordinating all union activity, there would most likely be vast problems, especially in relation to individual workplaces. Without the smaller shopfloor units members’ employment interests would most likely be at a severe disadvantage. If it was not for the shop steward many grievances would not become known and members’ loyalty might be lost (A.I. Marsh 1963). It can be argued that the “power” of a trade union lies at the bottom of the union hierarchy with the members. The members are the essential components making up the shopfloor units and without them “the union” would not exist. It is on the shopfloor that any “bargaining power” is exercised, even if the external union is called in it is still the members who hold the key as to what action they should take. “Power, as opposed to formal authority, rests with the rank and file who may entrust it to external officers or seek to exercise it themselves” (Goodman and Whittingham 1969, p18). In some respects it could be asked if the national organisation itself has ever been the “powerful” part of a trade union if that very “power” actually works upwards from the shopfloor. It is possible that a workplace organisation could survive without the national organisation, albeit without the added protection of benefits such as legal aid. However, even though national organisations exist independently of any particular workplace, it could be argued that they could not survive without the shopfloor units.

There are two very different organisations within the same institution; one caters more for the member on an individual basis in the form of benefits and services and the other looks after individuals on a collective basis. It is possible that those workplace organisations (particularly in the public sector) which are reliant on their FTO tend to

deal more with grievances on an individual basis because of their stronger connection with their national union. Developing a collective approach to those problems may strengthen their workplace organisation. As Fairbrother (1990) contended: “Only through active and semi-autonomous workplace organisation will workers be able to meet the diverse and uneven developments that are taking place throughout the economy.... Effective workplace organisation and activity signifies the recognition of the collective rather than the individual moment in social relations.” (p174).

Not all members may be satisfied with the performance of their shopfloor union, or for that matter their national union, but it does not alter the fact that it is highly likely that to most members the shopfloor unit is what they consider to be “the union”. As it is no new phenomenon that from a members’ point of view the term “trade union” refers to the shopfloor, it could be argued that there has been no significant loss of trade union power, as different workplaces appear to have exercised different amounts of “power” since the formation of unions themselves.

Employment and trade union legislation since 1979 had been designed to reduce trade union power. The next chapter looks at the law relating to trade unions and attempts to assess how it has affected the power of unions to defend and advance their members’ interests. It appears that while the legislation has encouraged national union organisations to act with greater procedural caution, indications are that the law has had little impact upon the majority of workplace organisations.

4:1 *Introduction*

From 1979 onwards the Conservative government was committed to reducing trade union power. Trade unions were seen as the main obstacle blocking the government's aim of restructuring the economy and creating a free and unconstrained labour and product market. A move away from government involvement in the enforcement of sanctions against trade unions was developed: by the empowering of employers to resist trade union demands and the encouragement of individualistic attitudes amongst trade union members. Legislative changes since 1979 include limitations of trade union immunities, the introduction of compulsory postal ballots for union elections and before industrial action is taken and giving individual union members rights against their trade union.

This chapter looks at aspects of the law which relate to trade unions and individual members and attempts to assess how it has affected the power of unions to defend and advance their members' interests.¹ The issue of democracy within trade unions is looked at first followed by the law relating to industrial action. Overall, while the legislation has caused national trade unions to act with more procedural caution, it is concluded that union power, that is at shopfloor level, remains much the same as it always has and has been largely untouched by the law.²

4:2 *Union democracy*

The issue of trade union democracy involves the relationship between the national unions, their officials and their members, the crucial question being one of the representativeness of trade unions in advancing their members' interests. As chapter 3 argued the interests of a national union organisation may not always be those of its members. Conservative thinkers believed that union officials were unrepresentative of their members. There was a tendency to view employees as being coerced into membership and collective action and, therefore, it was claimed that members needed protection from their own unions. This was to be achieved by strengthening the individual's rights against his/her union, thereby diminishing goal divergence between leaders and members by allowing members to influence policy and prevent unrepresentative leaders from controlling them against their will.

¹ Appendix 1 sets out in more detail aspects of the legislation that are not outlined in the text.

² It is essential to note that the legislation tends to refer to trade unions as national organisations; therefore, when the term "trade union" is used in this chapter it is referring to the national organisation unless otherwise stated.

The Trade Union Act 1984 made it mandatory for trade unions to hold elections by secret ballot for all voting positions on the executive of the union and to hold ballots to determine whether a political fund should be established or continued. More importantly the Act required that any industrial action must be supported by a majority vote in a secret ballot if the trade union(s) involved wished to retain their immunity from tort liability for industrial action. The 1984 Act was amended and consolidated by the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) and this Act was amended by the Trade Union Reform and Employment Rights Act 1993 (TURERA). Before 1984 the only rules regulating balloting procedures were those found in each trade union's rule book.

The Donovan Commission (1968) had rejected the idea of compulsory strike ballots, arguing that they would not alleviate unofficial action "which makes up the overwhelming majority of the total number of strikes" (p114), and that there was little justification for the view that workers were more likely to vote against strike action. The Commission also suggested that once a ballot had been taken room for manoeuvre within the negotiating process was limited and strikes could last longer. Practical problems might also arise such as how to phrase the question on which the vote was to be taken. These arguments were largely vindicated.

Nevertheless, the view taken was that a secret strike ballot would reflect members' views, whereas without a ballot the leadership may call a strike which members did not wish to support but felt they must because of fear of reprisals if they did not. Therefore, an essential component of the measures was aimed at encouraging individual members to restrain their union from using its "power" excessively. The fact that the ballot paper must stress that industrial action is a breach of contract is clearly an attempt to dissuade union members from voting in favour of action. As far as strike ballots are concerned it appears the overall aim was to reduce the number of strikes or, failing that, to at least make the process of calling members out on strike much longer, possibly with the intention that the longer the process the more time for tempers to cool and a settlement to be reached.

The use of secret ballots was seen as leading to the long term transformation of trade unions by increasing union democracy and making the leadership more responsive to their members' opinions. The 1981 Green Paper "Trade Union Immunities" declared:

" The internal authority of trade unions over their members will always be inadequate if their leaders are felt to be out of touch with those they represent and without proper democratic procedures there will inevitably be suspicions that trade unions sometimes pursue policies which the majority of their members do not support." (1981, para 20.)

Members should make the important decisions; "if trade unions are to serve and fairly represent the interests of their members they should ensure that any important

³ See appendix 1A for further details of the balloting legislation.

decisions are supported by a majority of the members voting in a secret ballot.”⁴ For example, according to the Conservatives many union members were unaware that they were paying a political levy; they should be free to choose whether their union had a political fund and whether to pay the levy towards it.⁵

The introduction of mandatory balloting provisions was an attack on the perceived “excessive power” of trade unions. It could be argued that the two most important reasons for the balloting reforms were that they would lead to a more moderate rather than militant leadership and less industrial conflict by a restraining of union power from within their own ranks. Events during the 1984/5 miners’ strike had convinced the Conservative government that dissident members were willing to constrain the exercise of union power, enabling the legislation to be enacted with confidence. Mandatory postal ballots can also be seen as an attempt to individualise union ballots; that is, to try and ensure that individual members vote in their own subjective interests without any regard for the collective interests of the workgroup. This was in line with the aim of promoting individualism at the expense of collectivism.

4:4 *The effects of mandatory balloting on trade unions*

Balloting, particularly before industrial action, may have become a permanent feature of industrial relations in Britain (Elias 1990). Martin et al (1991) found that unions which used ballots routinely saw both advantages and disadvantages with their use. The three main advantages were: the scope of consultation was broadened; a legitimate means for resolving conflicting opinions within the union was provided; and balloting could provide valuable support for negotiators facing management, by indicating the strength of membership opinion. The major disadvantages were practical: the length and inconvenience of the required procedures and the reduction in the role of leaders to “postmen”. Low turnouts for elections and narrow majorities were also seen as negative effects of balloting (Elgar and Simpson 1993a). However, balloting was popular among members (Elgar and Simpson 1993a, Rentoul 1989).

Union elections: “Union leaders are now more accountable to their members than ever before” declared the Conservative government.⁶ Yet the expectations that the introduction of postal ballots for union leadership elections would lead to the emergence of a more “moderate” leadership and, therefore, changes in union policy have proved to be largely unfounded.

Trade unions have substantially reformed their rules and practices to comply with the legislation but their leadership and policies have largely remained unaffected. In some unions changes have resulted; for example, the NUJ’s general secretary was defeated by a moderate candidate and NATFHE members elected a candidate from the left rather

4 “Democracy in Trade Unions” 1983, para 56.

5 Contracting out procedures were already available for those who objected to paying a political levy, but the Conservatives were concerned that many unionists were unaware of its existence.

6 “Industrial Relations in the 1990s” 1991, p6.

than the sitting general secretary. But these are the exceptions and in general the sitting office holders are rarely defeated (Smith et al 1993). It could be argued that members (or at least those members who vote) were satisfied with their leadership in the majority of unions. However, not all union elections are subject to the same degree of competition; some may be uncontested and, therefore, a vote is not necessary. (See for example, Labour Research 1990a.)

The legislation, then, has not led to a more moderate leadership and even where a union's leadership is seen as more "moderate" than its members, those within the union can always defeat the executive if their views are somewhat different; for example, at their 1994 national conference the NUT executive was defeated on a number of motions by its own membership. In this case, contrary to Conservative expectations, it seems that the membership were actually more militant than the general secretary who had been elected.

However, it appears that the legislation may have reduced membership participation in union elections rather than strengthened it (for example, Labour Research 1990a). Whether union leaders are now more accountable to their members than ever before must be a matter of opinion - if fewer members are voting for their "leaders" than previously, (under workplace/branch ballots), it is arguable as to whether the leadership is as representative as it was before postal balloting was made compulsory. Indeed, it is probably the case that those who voted in these elections were not the "silent majority" that the government hoped to mobilise; perhaps those members are not really interested in the internal processes of their unions after all.

In the case of union elections it appears that, at least for the present, the reforms have not led to the change in trade unions that was envisaged. A similar situation can be seen in relation to ballots held for the retention of a political fund.

Political funds: To date all trade unions with established political funds have had majority votes returned in favour of their retention. In addition, a number of unions had voted to establish a political fund for the first time (for example, the Inland Revenue Staff Federation and the National Union of Hosiery and Knitwear Workers). The participation level in the majority of these ballots was quite high and two of the highest turnouts were in the two unions which balloted on the establishment of a political fund for the first time. There was also a clear relationship between the size of the turnout and the method of balloting used; workplace ballots achieved much higher levels of participation than the postal ballot (Steele et al 1986). Steele et al (1986) argued that the explanation for these results lay in the strategy adopted by the unions. "They conducted professional and well organised campaigns which emphasized the importance of defending their industrial interests through the political fund." (p459.)

Industrial action: The law on strike ballots tends to be seen as the most important of the changes in the law,⁷ the use of ballots emerging as a feature of union strategy in

⁷ Indeed, the present government intends to retain it.

negotiations (Elgar and Simpson 1993a). Employers also felt that the legal obligation to hold ballots before industrial action was a good thing for trade unions, mainly because of the more “democratic” or “truthful” representation of members’ views giving “a stronger mandate to union representatives” (Elgar and Simpson 1993b, p13). However, despite an increased awareness of the law, managers, particularly in the NHS, appeared reluctant to challenge their workforces usually because of the short lived nature of any action and to prevent making industrial relations at plant level any worse (see for example, Elgar and Simpson 1994b).

The assumption that balloting before industrial action would lead to less industrial conflict is supported by the strike figures (see for example, McConnell and Takla 1990). But, as Brown and Wadhvani (1990) argued, this does not necessarily mean a reduction in trade union power; majority votes in favour of strike action tend to highlight the support behind the strike threat and may lead to a settlement without action taking place (Brown and Wadhvani 1990, see also Elgar and Simpson 1993a, TUC 1995a). However, Manning (1992) argued that ballots may affect the level of trade union bargaining power in more direct ways: if workers vote in line with their self-interests employers may be able to make offers that benefit a majority of workers at the expense of a minority. He also suggested that the delay in organising industrial action may give opportunities for both sides to strengthen their bargaining positions. But as ballots reduce the scope for rapid strike action the presumption must be that the delay is to the advantage of the employer and that the balance of power may have shifted away from union leaders towards shopfloor activists as ballots act as a constraint more on official than unofficial strike action.

Manning may have a valid argument. However, he neglects the possibility that most workers have the same self interests and tend to work collectively to gain them; workers whose jobs are safe, for example, may still wish to fight for the jobs of those who are threatened, because the next time it could be their own job which might be lost. His assumption that the delay in organising industrial action is to the advantage of the employer has been recognised by others. Brown and Wadhvani (1990), for example, acknowledged that the delay necessary for a strike ballot introduced a “cooling off” period whereby if the grievance is of a type that fades with time the “passions” of members may wane or employers may be provided with time to buy them off. However, it could be argued that the “cooling off” period may also put added pressure upon employers; the “legalism” of the procedure may result in the rank and file becoming even more committed to the cause, the eventual strike becoming more disciplined and whole-hearted, making the dispute much harder to settle (Brown and Wadhvani 1990). It is true that ballots act as a constraint on official rather than unofficial action; however, balloting cannot be said to have shifted the balance of power away from national union leaders to the shopfloor activists when it appears that the seat of “power” has always been with the shopfloor (see previous chapter), and if 90% of recorded industrial action was unofficial between 1960-1979 (Metcalf 1993b), ballots may act as a restraint only upon a minority of potential disputes.

Industrial action ballots could be said to have had an impact upon strike action; therefore, they could be considered successful. But they have also had a significant impact upon the conduct of collective bargaining and appear to have been incorporated into the strategies used by unions when negotiating, very often to their advantage. The decision of whether to take any action or not is supposed to be an individual decision recorded secretly without any pressure or coercion from other people, the presumption being that the individual will vote for him/herself rather than on behalf of the collective. However, many research studies show that “far from undermining collective consciousness, ballots have been adapted in ways which largely reinforce it” (Martin et al 1991, p198).

4:5 *Balloting - an aid to union power?*

If the reason for introducing compulsory secret ballots was to make union leaders aware of their members’ opinions and, therefore, more representative of their membership the balloting procedures could be said to have succeeded. However, if union members were presumed to be less “militant” than their leaders and, therefore, that they would generally vote against their unions,⁸ leading to a reduction in the so called “abuse” of “union power”, this idea it appears was largely misconceived; far from undermining trade union power it could be argued that ballots, especially industrial action ballots, may strengthen that power.

“There is little evidence that ballots have had the anticipated effects on trade unions; trade unions have not become decollectivised. Instead, ballots have been absorbed into the repertoire of union bargaining tactics, and have helped to legitimize union decisions.” (Martin et al 1991, p203).

It can be concluded that in general ballots have been an advantage to all parties in the negotiating arena, enabling the strength of membership feeling to come to the fore.⁹ Overall, while not always enhancing union power, industrial action ballots cannot be said to have undermined that power.

On the face of it, it may look as though both the Conservatives and unions can claim victories in respect of the balloting legislation. Not only has compulsory balloting enabled trade unions to show that their leaders and their policies were already what their members wanted and, therefore, in many ways has legitimated them even more, but the balloting procedures have given trade unions a valuable tool to use in the negotiating process as well as opening up a new route of communication with their members, one that is seen to be legitimate by all those involved. Evidence suggests that balloting has actually become more widely used than the law requires: for example, unions may use ballots to determine their members’ opinions on employers’

⁸ Many industrial action ballots are instigated at the request of members in a particular workplace rather than by the national union itself; therefore, the national union is doing the bidding of its members rather than the other way around.

⁹ National union leaders do not always advocate militant action; very often the national union stance may be against industrial action; when a ballot is called members may then vote for strike action against the advice of their national leaders.

offers or proposed settlements (see for example, Elgar and Simpson 1992).

Postal ballots do, however, tend to have a lower turnout than workplace ballots; accordingly, it could be argued that even though all members are entitled to vote they are not doing so and, therefore, the idea of representativeness could be questioned. Indeed, the result may not even reflect the majority of members' views. However, the Conservatives justified the use of postal ballots by arguing that high levels of participation are not the most important factor ensuring a democratic decision is reached; more important is the fact that postal ballots are least susceptible to union manipulation. Nevertheless, it could be argued that while the postal ballot enables the voter to choose his/her preferred option without any interference, members may be casting their votes without being fully aware of all the issues involved and, indeed, may be influenced by outside manipulation; the member may even take his/her voting paper to work and ask advice which defeats the object of the "secret ballot". Of course, the idea was that those members who disagreed with "the activists" at work could vote secretly without exposing themselves in public. But if the turnout is lower with a postal ballot, then it seems that these voters either are not interested in voting anyway, or else they are voting with the "majority".

The abolition of funding for trade union ballots will most likely place a large financial burden upon all trade unions, and even though the legislation insists that postal ballots should be at no direct cost to members themselves, they may find that eventually the cost of balloting may affect them indirectly if unions increase their subscriptions so as to meet any extra costs. National unions do conduct their daily business with more procedural caution, but it would be wrong to conclude that the balloting procedures have reduced trade union power in any way; it could be said that in certain cases balloting has even highlighted trade union power.

4:6 *The closed shop*

The term "closed shop" is usually applied to an agreement or arrangement which requires employees to join a certain union as a condition of employment.¹⁰ It had long been recognised that trade unions could exert a tremendous power over individual workers' job opportunities through the operation of the closed shop. The legislation relating to the closed shop was more concerned with the rights of the individual rather than abolishing the practice altogether.

Arguments for and against the closed shop had been voiced for years. In a nutshell, the rationale against the closed shop was largely based upon the individual's rights: for example, the right not to belong to an association, the right to work on terms freely agreed between the individual and employer and the right to choose whether to take industrial action or not. But, it was said that, overall, the operation of the closed shop

¹⁰ For an enlightening discussion on the closed shop and a look at the differing explanations for its survival and the competing theories for why managers either "loved or hated" it, see Dunn and Wright (1993).

placed too much economic power in the hands of trade unions (for example, the Donovan Commission 1968).

Despite the views against the closed shop the Donovan Commission recommended that its prohibition should be rejected, arguing that it would be better to recognise that with proper safeguards a closed shop could serve a useful purpose; acceptance of the “rule of majority” was a normal democratic principle and 100% membership was a stabilising factor in industrial relations, an aid to efficient consultation machinery and in encouraging effective productivity bargaining. It was also argued that the closed shop helped to secure the observance of agreements since it added to the power of the union to discipline those who ignored them. Therefore, a closed shop situation was seen as an advantage to management as well as the unions concerned and it could be argued that research on unionism and company performance, for example, does tend to support the view that a union presence is beneficial to all concerned (see for example, Beynon 1973, Williams et al 1986, Brown 1994).

Dunn (1981) suggested that the spread of the closed shop in the 1970s was actually permitted and encouraged by management. The legislation to a certain extent concentrates upon penalising employers who either refuse to employ a non-unionist or who dismiss an employee for being a non-unionist. If Dunn’s analysis was correct the closed shop actually represented no threat to industry and was dependent upon management to survive. This support can no longer be relied upon. However, if managers believe that a union presence enhances the efficiency of their workplace they may still encourage employees to become union members.

The 1971 Industrial Relations Act gave employees a right not to belong to a trade union, but the Trade Union and Labour Relations Acts of 1974 and 1976 reversed this position. The 1974 Act allowed dismissal for non-membership of a union in a closed shop unless the employee genuinely objected to membership on religious or any other reasonable grounds. The 1976 Act narrowed this to religious objections only. The 1988 Employment Act effectively “abolished” the post-entry closed shop altogether, by making it unfair to dismiss or take action short of dismissal against a worker because he/she was not a union member.¹¹ (Also see appendix 1D.) In these situations the normal qualifying period of employment before bringing a claim does not apply. The demise of the pre-entry closed shop came with the 1990 Employment Act, which provided a right to complain to an industrial tribunal for anyone refused employment on the grounds of non-union membership or for refusing to become a union member after the employment has begun. All the above stipulations other than those which have been repealed are now contained in TULR(C)A 1992. In addition a union now loses its immunity against action in tort if industrial action is taken in support of any closed shop.

The 1988 White Paper “Employment for the 1990s”, which was directed at creating employment by removing barriers to jobs, cited research findings from the London

¹¹ This also applies if a union member is dismissed because of his/her membership.

School of Economics¹² to show that trade unions had used their power in ways which adversely affected labour costs, productivity and jobs, particularly where a closed shop was in operation. Contrary to opinions by unions and employers that the closed shop helped to create stability in the workplace, it was argued that there was very little evidence that it actually reduced conflict.

However, amidst concerns for the flexibility and efficient working of the labour market, the main aim of the legislation relating to the closed shop was, it appears, to encourage the individual worker to resist union membership, thereby, promoting individualism rather than collectivism. The attack on the closed shop was yet another card played in the attempt to reduce the perceived power of trade unions by undermining their organisation by reducing union density in the workplaces that had previously insisted on 100% membership. The Conservative government claimed that their legislation had helped curb the abuse of trade union power (1988, para. 2.22).

4:7 *Has the demise in law of the closed shop reduced trade union power?*

The most obvious effect of the legislation is that no individual can be forced to become a trade union member as a condition of his/her employment. However, individuals may have rights against unfair dismissal, but that does not mean that they will not suffer ostracism at the hands of their union workmates. In fact, Stevens et al (1989) found that there was a range of sanctions that employees could expect from fellow workmates if they gave up their union membership.

Even though the closed shop may no longer exist in theory, 100% membership at workplaces where the workforce all wish to be union members cannot be prevented. Millward et al (1992) argued that those establishments which had maintained 100% membership in 1990 were very likely to have done so without any active endorsement or encouragement from employers. This suggests that a decline in closed shop arrangements does not mean that employee support for unionism has declined.

“Rather than tacitly supporting [the closed shop] to stop it disappearing, managers tacitly support it where it refuses to disappear: where it represents the will of the membership and is part of the furniture.” (Dunn and Wright 1993, p23).

However:

“[T]he fact that there were so many fewer cases of 100 per cent membership must be substantially due to the withdrawal of support for union membership by employers and the increased legal obstacles to maintaining closed shop arrangements.” (Millward et al 1992, p100.)

It could be said that the legislation has led to a decline in union density in some

¹² Blanchflower, D., Millward, N. and Oswald, A. J. (1988), “*Unionisation and Employment Behaviour*,” Centre for Labour Economics: LSE.

Metcalf, D. (1988), “*Trade Unions and Economic Performance: The British Evidence*,” Centre for Labour Economics : LSE.

workplaces, which may not have occurred if employers did not have to face legal implications if they maintained that all employees must be union members. However, employers may still see advantages with a predominantly unionised workforce, and while not enforcing membership upon new employees may advise them that a union is present on site. (See for example, Marchington and Parker 1990 - while a closed shop did not exist at the workplaces they studied, most managers did advise that a union was present and in some cases referred the new employee to the union representatives.)

It could be argued that an attack on the closed shop was the surest way of reducing solidarity within the workplace and, therefore, the power of the union(s) involved. In fact some authors have argued that “real union power rests on the closed shop and the strike threat” (Metcalf 1988). Therefore, it is easy to see why some commentators suggest that trade union power is now diminishing. But, if in a closed shop situation some members were not committed to unionism, it could be argued that any supposed solidarity of the workforce was already being undermined from within. In fact, Milligan (1976) argued that even when the closed shop was in full operation the system was not supported by all union members. The only remedy against individuals who did not comply with union wishes was disciplinary action, and, as we shall see, this situation has changed.

On the other hand, evidence from the seventh BSAS suggested that continued employment in a closed shop may actually strengthen trade union allegiance; the average trade unionist in a closed shop situation reported far greater participation in union affairs than unionists in open shops (Millward 1990). If greater membership participation in union affairs enhances the success of the workplace union to achieve its aims, (for example, Fosh and Cohen 1990, Fosh 1993), it might be expected that where a closed shop situation existed the union was more successful at achieving its goals than in open shop workplaces. This might explain why 100% membership does remain at some workplaces; however, at the other extreme, if members in a closed shop situation were more active in their union’s activities than those in an open shop, union participation may decrease now that the closed shop can no longer be legally enforced. Whether workers will stick together appears to be dependent upon the place of work and the union organisation there.

Claims that trade unions, especially in closed shop situations, had used their power in ways which affected productivity can also be countered by research which reached quite different conclusions (see for example, MacInnes 1990, pp214-215). Therefore, it would be hard to claim that productivity in unionised firms has improved since the legislation was brought into force. As far as limiting union power is concerned, employees still tend to have far more advantages if they work in a unionised workplace, whether there is 100% membership or not (see for example, WIRS 3 1992). It could be argued that the demise of the closed shop has not necessarily reduced the power of trade unions to help their members.

It is often suggested that another indicator of management support for trade unionism is the existence of “check-off” arrangements, although this is not necessarily true: the 1990 WIRS, for example, found that the practice extended to workplaces with union members but no formal union recognition. The check-off system was one of the last trade union practices to come under fire from the Conservative legislation.

4:8 *The “check-off”*

“Check-off” is the name given to the practice whereby employers deduct trade union subscriptions direct from the wages of members and pay them to the relevant union. The Donovan Commission (1968) argued that check-off was a useful arrangement and recommended that trade unions not collecting subscriptions by this method might consider doing so.

Until 1992 there were no statutory requirements regarding the use of check-off provisions other than a section in the Employment Act 1988 which gave employees a statutory right to have the check-off facility stopped if they had terminated their union membership. Union members now have the right “not to suffer deduction of unauthorised or excessive union subscriptions” wherever a check-off arrangement between an employer and a trade union exists (section 15 TURERA 1993). Where such an agreement does exist the employer must ensure that the employee has “authorised” the deduction by signing and dating a document. An authorisation once made remains operative for three years unless the worker withdraws it in writing. However, the fact that the employee has authorised the deductions does not mean that the employer is obliged to maintain or continue a check-off agreement (section 68(9) TULR(C)A). The amount deducted by the employer must not exceed the “permitted amount”, which is the amount of the union subscriptions set under the check-off arrangement. When union subscriptions are increased the employer must give at least one month’s notice of the new amount to those affected before any increase can be deducted. The notice must be in writing, state the amount to be deducted and in addition state that the worker may at any time withdraw from the arrangements by giving a written notice to the employer. These provisions also apply to any additional deductions such as a levy to the union’s political fund.¹³

Why did the Conservatives want to alter a system that many companies had operated for decades, that employers appeared content with, and most of all was convenient for unions and their members? The 1991 Green Paper “Industrial Relations in the 1990’s” stated that the majority of trade union members had their union subscriptions collected by means of the check-off system and that difficulties could and did arise for individual employees who wished to remain union members but not to pay their subscriptions via this method. The Green Paper focused upon cases where union

¹³ An employee may complain to an industrial tribunal if his/her employer makes a deduction in breach of section 68 TULR(C)A. The complaint must be made within three months from the date of the last deduction, unless it was not reasonably practicable to do so. If the complaint is upheld the tribunal will make a declaration to that effect and order the employer to refund the unauthorised deduction(s).

members had objected to paying particular “levies” such as a contribution to a strike fund, and that where that levy was collected through check-off as part of the union’s subscriptions the member had no redress other than leaving the union.

On the face of it, it appears that the concern was for the individual member and his/her right to choose how to pay his/her subscriptions and whether they wished to contribute to any additional levy. But underlying this concern was probably a deeper motive, one connected with the reduction of trade union power. By insisting that all union members must sign the check-off authorisation every three years the hope may have been that many members would refuse to sign and give up their membership. In addition the onus is placed on employers rather than trade unions to ensure that the correct procedures are followed. The check-off system may in effect become a time-consuming and expensive system to operate for employers who may decide to pull out of any existing check-off arrangements. Indeed, the AEEU had received letters to this effect.¹⁴ The 1991 Green Paper said that employers should examine and re-evaluate their existing practices, presumably one of those was the check-off system.

Most unions had over 70% of their members paying subscriptions through check-off facilities; research in 1989, showed that 80% of union members paid their subscriptions by check-off arrangements and argued that the use of this arrangement in the last ten years had contributed greatly to the rise in the percentage of due subscriptions collected (Willman et al 1993). The Conservatives recognised that “the check-off gives the union a secure income at minimum administrative cost” (1991, para.. 6.21). The check-off laws could be seen as an attack on the financial base of trade unions; a purposely designed hindrance to their revenue collection. The main aim, it appears, was in line with the original aim of reducing trade union power indirectly by using employers and individual members. The law, while not directly challenging trade unions, may encourage employers to opt out of the check-off system and encourage individual members to drop out of their union, reducing union membership and, therefore, their finances.

4:9 *The effect of the check-off legislation on trade unions*

Clearly the main effect on trade unions would be the damage suffered if members did not renew their check-off arrangements or use alternative methods of payment. Many unions were already struggling to maintain their levels of subscriptions income (Waddington 1993). However, during the six months leading up to the final date after which written authorisations had to be made (29th August 1994) trade unions were mobilising their officials to ensure that all their check-off paying members signed authorisations. Most unions also engaged in communications via newsletters, union journals and their workplace representatives to make sure that members were aware of all the benefits they would lose if they opted out of membership.

Behind these campaigns was the knowledge that some existing members may fail to

¹⁴ “AEEU Journal”, November 1993, p3.

sign their renewal notices. Union officials were also aware that the obligation is on employers rather than trade unions to ensure that check-off authorisations are up to date. To remedy this and ensure that employers retained check-off facilities some trade unions, for example the AEEU, took the initiative and worked with employers; drafting the renewal notices and mobilising their representatives to ensure that they were signed and returned to the employers in plenty of time. They also advised their officials to reassure employers that their only liability was if a union contribution was deducted without a valid written authorisation.

Generally employers were helpful in the unions' drive to get their members to re-sign for check-off and in some cases they appeared as keen as trade unions to facilitate check-off agreements (Labour Research, September 1994c, p12). However, any extra cost incurred by employers might induce them to begin charging trade unions administrative costs or where these already exist to charge more for the service. Apparently some NHS trusts were beginning to charge for the administration of check-off as a means of income generation, even two trusts which had derecognised COHSE had allowed check-off arrangements to continue.¹⁵ According to Waddington (1993) the reason that a large number of unions ran into deficit during 1991 was the result of "burgeoning administrative expenditure" (p220), this could be added to if employers decided to charge more for the existence of check-off facilities.¹⁶

At least for the present trade unions appear to have ridden the storm rather well and have come out of it even better than they themselves imagined; as union representatives collected existing members' signatures, an opportunity for new recruitment opened up. The AEEU, for example, recruited over 150 new members at British Airways.¹⁷ However, members must re-sign their authorisations every three years; therefore, trade unions must ensure that they deliver the goods as far as their members are concerned to encourage them to remain members.

Throughout the legislation relating to democracy in trade unions the emphasis was on the individual rather than the collective unit. The individual union member has also been given a substantial range of rights against his/her trade union.

¹⁵ IRS Employment Trends 545, October 1993.

¹⁶ Alternatively, trade unions were aware that any difficulties created by the legislation could be minimised by persuading members to pay their subscriptions by direct debit. However, local workplace representatives had reservations about this method of payment; it is very easy to cancel the payments and not let the representative know making it harder for shopfloor representatives to keep track of their members. Similarly, the CPSA was also worried that because direct debit provides members with day to day control over whether to pay their subscriptions it could endanger its future income. However some unions find the move to direct debit a lot easier than others; for example, 5,000 BIFU members transferred to direct debit at the Royal Bank of Scotland between March and June 1993 as part of the annual pay agreement. BIFU saw its direct debit campaign as "three-pronged" - all new members were automatically put on direct debit, bulk transfers of members were encouraged and an ongoing campaign of leaflets and journal articles was being used to encourage the switch from check-off to direct debit. (IRS Employment Trends 545, October 1993.)

¹⁷ AEEU Union Review no.5 August 1994.

A trade union is a voluntary, unincorporated institution governed by its constitution which is found in its rule book. The union rule book is characterised in English law as a contract of association among the members of the union. The foundation of a member's rights vis-a-vis his/her trade union is the contract between him/herself and his/her fellow members whereby he/she agrees to join the union and abide by the rules. Trade unions generally had, until recently, a great deal of freedom when drafting their rules; the only constraint was that the courts could intervene to interpret the rule book and control its terms. If a union does not act in accordance with its constitution it is open to any member to challenge the validity of that action in the courts on the ground that it is a breach of contract.¹⁸ The limits of a member's right to enforce the constitution depends upon the judges' views about how to accommodate two conflicting principles: the contractual right of the member to have the constitution obeyed and the principle of majority rule (Elias and Ewing 1987). In some instances statutory requirements will prevent certain rules from being enforced in the courts. The present statutory requirements prevent rules such as those allowing for disciplinary action against non-striking members from being enforced.

The common law rights of trade union members have long formed an extensive body of law; however, judges were rarely capable of extending union members' rights beyond those that were contained in the rule book. To confer rights upon trade union members that were not provided for in the rules could be achieved only by legislative intervention, which is precisely what the Conservative government did between 1980-1993.¹⁹ Members now have a substantial number of rights against their trade unions including the right not to be excluded or expelled from any trade union and the right not to be unjustifiably disciplined. (See appendix 1B for an outline of some of the rights of individual members.) The statutory rights of an individual in respect of his/her trade union membership or non-membership are contained in TULR(C)A (1992) amended by TURERA (1993). The legislative framework, however, does not affect the common law rules unless they are in conflict with one another, in which case the statutory provisions must be followed.

The post of the Commissioner for the Rights of Trade Union Members was established to help protect certain statutory rights of members and was extended to

¹⁸ The courts will enforce the contract of membership where they find that a rule has not been strictly followed and will refrain from doing so only where there can be no doubt that the union concerned is acting within its powers. Where the rule is unambiguous and specific the question of whether there was a breach of contract will generally be based on a question of fact. However, if the rules are ambiguously worded or open to more than one interpretation then the courts will tend to adopt the interpretation that favours the individual member. For an early, short and readable account of some of the judicial interventions into the internal matters of trade unions, see for example, Grunfeld 1963.

¹⁹ Though the 1971 Industrial Relations Act had imposed a detailed system of regulation upon trade unions' internal affairs and established a "bill of rights" for union members (Elias and Ewing 1987). The Act was repealed in 1974. The Trade Union and Labour Relations Act 1974 and its amendment in 1976 marked a return to statutory non-intervention in the internal affairs of trade unions. However, the Act did require trade unions to keep proper accounting records; that is professionally audited ones.

cover the protection of contractual rights. The process of application to a court can be expensive and daunting for an individual and before the Commissioner was established, according to the Conservative government, union members needed to be “exceptionally determined and sometimes courageous” to take the route to enforcing their full rights.²⁰ Because the courts were not being used it was considered necessary to set up a post that was accessible and inexpensive to union members so that they could ensure that trade unions observe their statutory duties and do not break the contract of membership.

The statutory rights given to trade union members against their trade unions were another attempt to undermine the perceived power of trade unions by the policy of promoting individualism. Rather than directly intervening into trade union internal affairs or by empowering employers further, the aim was to constrain union power from within their own institutions. This rationale was influenced by the events of the 1984/85 miners’ dispute; civil litigation played a crucial part in weakening the NUM during the strike and, for the most part, that litigation was generated by dissident union members seeking to enforce the union rule book. Union members had shown that they were willing to take action against their own union.

It was argued that: “The right of the individual to choose to go to work despite a call to take industrial action is an essential freedom.”²¹ A union may lead its members into action for which it has legal immunity, but members do not; that is, they could risk losing their jobs. To ensure that individuals may exercise their freedom to choose, it was claimed that clear and practical protection against being disciplined for refusing to take industrial action was necessary, otherwise the member may be deterred from making the “right” decision; that is, by a threat of being disciplined. As the courts already provided safeguards against “unjustified” discipline, (that is discipline that is not administered according to the rule book), it could be argued that rather than safeguarding the individual, the principal aim of the right not to be unjustifiably disciplined appears to have been directed at undermining the effectiveness of lawful and democratically called strike action.

In relation to trade union funds the reasons for the statutory rights seem quite legitimate at face value:

“The members, on whose contributions the unions’ funds largely depend, have a legitimate interest generally in the use to which these funds are put and, in particular, in avoiding unnecessary expenditure arising from unlawful activities.” (“Trade Unions and Their Members” 1987, para. 3.1.)

This all appears straight-forward. It is also just that members are entitled to information about their union’s financial affairs. However, the majority of members may consider it an unnecessary expenditure to allow “dissident” members or those expelled under the union rules to claim damages and compensation from their unions.

²⁰ “Trade Unions and Their Members” 1987, para. 6.9.

²¹ “Trade Unions and Their Members” 1987, para. 2.10.

There is no right allowing union members to question this sort of expenditure. It would appear that rather than making unions more accountable for their finances, deeper ulterior motives existed. It could also be argued that where the concern appeared to be about trade unions “avoiding unnecessary expenditure arising from unlawful activities”, the legislation has created an environment whereby to stay within the legal boundaries trade unions have to spend money, for example, on postal balloting before industrial action.

Despite the Conservative government’s claims that their objectives were to protect the democratic rights of trade union members, (itself a contentious issue when the new rights have in effect created a right to disregard a majority result in a democratically held ballot to take industrial action), it appears that the main motive was to undermine the solidarity of workers, and therefore, trade union power, by attempting to mobilise a minority of members to take action against their unions. As McKendrick (1988) suggested, the new rights are only directed at a very particular type of individual:

“It is the individual who does not wish to go on strike and who wishes to restrain his union from embarking upon ‘unlawful’ activity. No new rights are given to the union member who wishes to engage in industrial action despite the fact that no immunity is provided for such action.” (p141).

For those members who may support the principles of trade unionism and believe in “solidarity” with their fellow workers, no new rights have been given other than the right of others to undermine democratically agreed decisions and, therefore, the collective organisation.

4:11 *Potential effects of individual members’ statutory rights on trade unions*

Union members now have certain rights regardless of whether they are contained in the rule book or not; for example, the right to elect their leaders, the right to call for a ballot before industrial action and the right to restrain their union from using “their” funds in ways considered inappropriate to the benefit of members. The most significant of the new rights must be the right not to be unjustifiably disciplined. Unions can act in complete conformity with their rule book and still have action taken against them. This right significantly undermines the contract of membership, where if a particular decision falls within the rules of the union then each member is bound by their contract with the other members to follow that decision. Individual members have a right to ensure that the “relevant” rules (obviously a member could not complain that his/her union was not complying with a rule on disciplinary action against a non-striker) are followed but at the same time they are given statutory freedom to ignore certain rules themselves. For example, they can ensure that a call for industrial action is not made without a majority decision in a secret ballot, but regardless of the union rules they do not have to follow that decision themselves. This right could be seen as undermining the whole democratic process of balloting and, indeed, the structure of unionism itself. One of the fundamental elements of unionism is that the authority of a

union is based on the principle of majority rule, which is reinforced by the fact that members are generally responsible for the creation of their union's rules and policies; therefore, the rules ought to be legitimately enforced.

According to Gennard et al (1989) the rules which set out a union's disciplinary authority are very important to ensure that the principle of majority rule prevails: "Union disciplinary powers ensure that in the last resort members and leaders comply with the rules and policies and provide the means of maintaining the unity and coherence of the organisation." (p7). Trade unions must be able to enforce membership compliance if their industrial and social objectives are to be achieved. Democratically made decisions must be enforced, otherwise the union may run the risk that those who support the majority decision may resign in protest. "Individuals cannot join a union without realising that they may at some point have to submit themselves to the discipline of the organisation and abide by majority decisions with which they may not agree if the union is to achieve its objectives." (Gennard et al 1989, p7.) Union disciplinary powers are central to collective bargaining and industrial action and are also necessary to ensure compliance with collective agreements made with employers. The need to maintain unity is essential and it is, therefore, necessary that those who seek to undermine solidarity be disciplined.

Allowing a right not to be unjustifiably disciplined was no doubt an attempt to undermine the needed unity and solidarity when industrial action is anticipated, albeit one disguised under the head of "freedom and choice". Far from ensuring democracy within trade unions the meaning of the word is turned upside down. To undermine the principle of majority rule where decisions comply with constitutional and legal requirements threatens effective and cohesive trade union action. The balloting process itself could be undermined; individual members may feel that they need not vote in a ballot because no matter what the result they do not have to comply with it. In turn this could result in a majority vote which won't be complied with because if everyone entitled to vote had done so the result might have been different. Alternatively members who wish to take industrial action may see no reason why they should abide by a majority decision against the action, which is, in effect, reversing the situation and could cause problems for the trade union(s) involved. (See section on industrial action below.)

It might be thought that if a union member was dissatisfied with his/her union's policies and decisions, the reasonable thing to do would be to resign from the union. However, as Auerbach (1990) has argued, one of the key aims of the legislation was to encourage dissident and unsatisfied union members to opt for the strategy of "voice" rather than "exit", thereby challenging union power from within. This is an indication that the Conservatives may have been trying to turn trade unions into service and benefit organisations; those members who are dissatisfied with some of their union's policies may wish to remain in the union to keep their entitlement to benefits but need not support their union on other matters.

Aggrieved union members now have an easier and inexpensive route to solving their grievances than the courts alone provided. The year 1991-1992 was a typical one for the Commissioner for the Rights of Trade Union Members; it was characterised by a large number of inquiries, a relatively low number of applicants and an even smaller number of assisted applicants (Morris 1993). The fact that the Commissioner receives many inquiries coupled with the assertion that after approaching the Commissioner many problems are sorted out internally (Morris 1993) indicates that the intervention of the Commissioner may induce unions to sort out problems faster than their normal procedure would take.

The right not to be excluded from any trade union means that the “Bridlington Agreement”, which governs inter-union disputes arising from competition for members, can no longer be used effectively. However, it is generally thought that the law will have little effect in this area because of the reduction in inter-union competition for members following union amalgamations; many amalgamations have been by unions with a history of competition for members. Simpson (1993a) looked at the possible effects that the change in the law could have on existing arrangements between unions and employers, and in particular at single union deals (SUDs). He argued that two separate issues were involved: whether existing SUDs would be undermined if significant numbers of workers joined another union; and, whether employers would be dissuaded from entering into SUDs by the impossibility of the agreement being protected by “Bridlington”.²² From an employer’s perspective the Bridlington principles operated to deter TUC affiliated unions from seeking to disrupt existing bargaining arrangements.

The legislation was clearly intended to enhance the power of individuals within trade unions at the expense of the unions’ collective objectives. The rights of the individual are given a much greater priority than the collective interests of the union. One individual is able to challenge and prevent certain types of action, which in turn could destroy a system that the majority want and benefit from. The promotion of individualistic attitudes within trade unions could lead to the end of trade unions as we know them. Even so, whilst only one dissident member can undermine certain union activities, it will require many members to rebel against their unions before any real change to the main objectives of unionism will be made. The fact that trade unions are prevented from disciplining non-striking members does not mean that fellow members will not show their hostility to those who did not support their action. This can be expressed in many ways which does not constitute a breach of the law, but could make life miserable for those on the receiving end.

Fear of the law by trade unions may be understandable, particularly when they risk

²² However, the results reported in part 2 of the thesis show that, at least in the local area covered by the study, employers were still willing to enter into single union deals, (also see Millward 1994), and that many local union members believed that they should then become a member of the recognised union. Therefore, employers had not been dissuaded from entering into SUDs and some employees were actually leaving their old union and joining the recognised one so that union might become pitched against union.

losing substantial amounts of money and maybe even control of their assets. In addition English common law has always been individualistic in its nature and, therefore, tends to work against collective groups such as trade unions. This predicament has now been made even clearer with the new emphasis on individual members' rights against their trade unions. However, when considering the possible effects on trade unions of the rights of their members against them, the main point is not so much whether members may be disgruntled with their union, but whether they are prepared to take advantage of the rights given to them.

4:12 *Industrial action*

Industrial action is a means of exerting pressure on an employer and can take many forms, such as a work to rule or an overtime ban; however, the most commonly thought of is the withdrawal of labour or the strike, probably because strike action is generally the only form of action which may be widely publicised and may affect the public. It is usually the case that workers who resort to strike action do not do so lightly, and very often because they have not been powerful enough to achieve their goals by other means (Armstrong et al 1977, Martin 1992). Nevertheless, a strike can be a powerful weapon, particularly if workers from more than one industry stop work at once, though it is rare for a strike to affect more than one industry at the same time with the possible exception of the public sector.²³ The Conservative government argued that trade union power in this respect was being misused - by causing the maximum amount of inconvenience to the public to achieve a desired goal - and strikes were seen as the cause of the poor economic performance of the British economy. The response was to "impose one of the most restrictive regimes of strike law in Europe" (Davis and Freedland 1993, p658).

It was argued that "the existence of unconditional and practically unlimited legal immunities for trade unions and their officials from 1906 to 1980 lies at the heart of the British trade union problem and, some would say, at the heart of the economic problem too" (Hanson 1991, p20). Therefore, the removal of some of the previously enjoyed immunities by trade unions was inevitable. At first sight the objectives for the loss of immunities were to ensure greater democracy, by requiring unions to hold secret ballots before industrial action so as to avoid decisions that the majority of the rank and file might not support, and to prevent unnecessary hardship caused by industrial action to third parties not connected with the dispute. However, the underlying motive of the measures was the curtailing of trade union power.

Overall the main aim of the legislation was to reduce trade union power by limiting the scope of lawful industrial action and by making national unions liable for their actions and for those of their members. The encouragement of individualism was evident; the Conservatives hoped that individual members would prevent trade unions using their "power" by not being intimidated into taking action that they did not personally support. The notice that a national union must send to its striking members if it

²³ For example, the Winter of 1978/9.

repudiates their unofficial action is also an indication of how the Conservative government was trying to appeal to the self interests of individual members; reminding them of the fact that if they are dismissed they have no right to complain of unfair dismissal (see appendix 1C).

One of the first priorities was to gain control over mass picketing and secondary action. The use of secondary action gave rise to the specific concern that employees who had not been participating in strike action were being induced by pickets to support the dispute. By controlling picketing²⁴ and other forms of secondary action an effective part of the strategy of strike action would be undermined.

4:13 *The Right to strike*

Under English law there is no positive right to strike²⁵; unions have only enjoyed negative rights by being granted immunities from civil liabilities in tort.²⁶ The Trade Disputes Act 1906 had given trade unions “the social right to strike” by removing the common law liabilities that had rendered the taking of industrial action unlawful (Davis and Freedland 1993).

At common law a strike is seen as a breach of the contract of employment, even if the action is against the unlawful conduct of an employer, who, him/herself, may be in breach of contract. Employers may obtain an injunction in tort against the union or its officials to stop inducing others to breach their employment contract. However, the immunity for acts done in contemplation or furtherance of a trade dispute, bestowed upon trade unions in 1906, had protected unions unless they were acting outside the limits set by their rule books. The scope of this immunity has been restricted since 1980. For example, all legal immunity for official disputes is conditional upon a majority vote in a secret ballot; national unions are legally liable for all unofficial action unless they repudiate it; all trade disputes must be confined to the employees’ place of work and secondary action, except peaceful picketing at or near the picket’s place of work, loses a trade union its immunity. (See appendix 1C.)

During the two world wars extensive statutory restrictions were placed upon industrial action and striking was made an offence. However, legislation seems to have little affect on preventing employees from withdrawing their labour; for example, referring to the non enforcement of the 1915 Munitions of War Act against 200,000 South Wales miners, Allen (1960) argued that it was “the first indication of the fact that if a

²⁴ A legal right to picket has never existed, but peaceful picketing, that is an assembly of workers with the intention of persuading others to support their action, was generally recognised and permitted.

²⁵ The absence of a legal right to strike in Britain is in stark contrast to many other European countries, where the freedom to strike enjoys a greater legal recognition and is regarded in some countries as a basic human right protected by the constitution.

²⁶ However, members of the armed forces and policemen have no right to strike and other workers may find that they are guilty of a criminal offence if they take strike action; for example, under the Post Office Act 1953 post office workers are guilty of a criminal offence if they “wilfully detain or delay” the mail.

large enough number of workers in a vital industry ignored anti-strike legislation there was nothing the government could do about it except behave as if no legislation existed” (p138).

The 1971 Industrial Relations Act dismantled the 1906 Trade Disputes Act²⁷ and made national unions legally responsible for the activities of local officials (the intention was to curb unofficial strikes) and required a “cooling off” period before strike action began. The Act was a reaction to what the Conservative government called “the strike problem” and was based on a new approach to industrial relations which aimed to curb strikes by restricting trade union immunities and by the use of legal penalties. Despite the Act workers continued to strike and many succeeded in gaining higher wages. The 1974 Trade Union and Labour Relations Act restored the legal immunities of trade unions.

The employer is entitled to dismiss striking employees without prior notice.²⁸ However, in practice most strikes do not end in dismissal. Before 1982, if an employer dismissed all those engaged in strike action he/she would have had complete immunity against a complaint of unfair dismissal; only if he/she selectively dismissed (or selectively re-engaged) any of the strikers could a complaint be made. The 1982 Employment Act introduced a measure allowing employers to dismiss striking employees without also dismissing those who had at any time prior to the date of dismissal participated in the action. This provision relieves the employer of the responsibility to notify employees that unless they return to work by a specified date they will be dismissed. The employer may also dismiss those striking at a particular “establishment” and not at other “establishments” owned by him/her, though the term “establishment” is not defined. It appears that employers can retain their immunity by the selective dismissal of strikers, that is, by dismissing only those on a particular site. This might be done to allow production to continue by replacing the strikers with new workers or to make an example of one group of strikers to encourage a return to work at other sites (Ewing 1991). The selective dismissal of unofficial strikers is also allowed and they are denied the right to complain of unfair dismissal even if other employees participating in the action are not dismissed. In addition trade unions have no immunity to take official action in support of those selectively dismissed for taking part in unofficial action. Employers are also allowed to selectively re-engage official strikers after a period of three months has passed since their dismissal. In fact, as Ewing put it, the employer could “offer lawfully to re-engage them on terms which are a material variation of the original contract and in fact the very subject of the dispute between the parties” (1991, p59). Therefore, employers are invested with a considerable power over their employees. In addition, strikers are also subject to

²⁷ The 1927 Trade Disputes and Trade Unions Act had previously withdrawn the 1906 Act’s immunities and had made it a criminal offence to organise strikes unless they were aimed at furthering trade disputes in the industry where the strikers were employed providing they were not intended to put pressure on the government or pose hardship in the community. This Act was repealed in 1946 following Labour’s election in 1945 and the policy of the 1906 Act was fully restored.

²⁸ Though rarely done, employers may seek damages for any loss suffered as a result of a strike from their individual workers.

penalties imposed by the state; they are disqualified from unemployment and welfare benefits.

4:14 *Curbs on industrial action and trade union power*

It has been suggested that the reduction in trade union immunities has curbed the abuse of trade union power (for example, Hanson 1991). Coates and Topham (1988) argued that:

“The reason is obvious: a few spectacular cases which produce devastating results for unions, strikers, their communities and individual workers are enough of a deterrent (reinforced by unemployment) to induce further docility amongst most other employees, so that the necessity for repetition of injunctions and suits does not arise.” (p324).

Coates and Topham (1988) contended that the decline in the rate of strikes provided all the evidence necessary. Indeed, in 1991 the government claimed that their legislation had been the major reason for the great improvement in industrial relations and the dramatic reduction in the number of strikes.²⁹ However, the strike rate also fell in other Western countries and therefore cannot be solely attributed to the legislation. Moreover, the reduction in the number of strikes does not necessarily mean a weakening of union power, in fact, it may mean the opposite; that trade union power has been enhanced by the balloting procedures and therefore the need to take strike action has been reduced. (See for example, Brown and Wadhvani 1990, Elgar and Simpson 1993a, TUC 1995a.)

Reforms affecting strike activities can have an enormous impact on the national unions concerned particularly financially, especially if the rules on picketing and secondary action are breached. However, it appears that members are still prepared to withdraw their labour when they feel it is necessary; the number of strike ballots which have produced votes in favour of action indicates this (see, for example, TUC 1995a). Nevertheless, unofficial strikes³⁰ tend to be more common than official ones, albeit they tend to be short lived and successful. Where the dispute needs an immediate response to initiate an impact, “the result may be unballoted and unofficial action, which could cause separate legal difficulties for the union, but might lead to speedy resolution of the dispute. In many cases this represents no change to established practice” (Elgar and Simpson 1992, p47). In this respect the reforms have not affected trade union power at all; however, when the action is unofficial the union taking the action is the workplace organisation; that is, it has not been endorsed by the national union.

The main change has been to make national unions liable for any unlawful action of their members (unless they repudiate that action). By the removal of almost all trade

²⁹ “Industrial Relations in the 1990s”.

³⁰ It may also be the case that other kinds of unofficial action, such as overtime bans, are quite common. However, if they remain informal and unrecorded this kind of action may never reach the public eye.

unions' immunities and particularly because of the restrictive definition of "trade dispute" (see appendix 1C), a trade union can be severely at risk financially if it does not act within the law. Indeed, some unions have been weakened financially (for example, the NUM and the NGA); however, "[t]hese initial shocks to trade unions are unlikely to be repeated.... It is clear that the risk of sequestration has been a major deterrent to unions in the conduct of disputes" (Brown and Wadhvani 1990, p10).

Political disputes have no immunity at all. However, it could be argued that it is sometimes difficult to distinguish between a political and an economic dispute, especially if the government intervenes in wage bargaining in the public sector. It has even been suggested that in principle every strike could be characterised as a political one:

"All industrial action is 'political' in the sense that it involves struggle, conflict and power relations. But there are different levels or types of workplace action and politics.... Even strikes over wages, production levels or job distribution can have a wider political impact. It depends both upon their objectives and the way they are perceived and reacted to." (Hain 1986, p20).

An employer only has to argue that a union is pursuing a political rather than an industrial dispute to try to obtain an injunction against the union. The crucial test in court will be whether the dispute fits the "relates wholly or mainly" test³¹; this may put a wide range of industrial action by workers in essential services at risk (Simpson 1993b).

The Social Security (No 2) Act 1980³² reflected the Conservatives' election pledge of ensuring that "unions bear their fair share of the cost of supporting those of their members who are on strike". It was considered that unions had no incentive to pay strike pay to strikers with dependents because of the deductions made by social security officers. Ewing (1991) may have hit the nail on the head when he stated that the benefit restrictions operated to deny the minimum level of subsistence to people in dispute and that they were designed to reduce the number and length of disputes by a policy of starvation. This may have been the principle behind the Act; however, the take-up of benefits by strikers' families is very low and is, therefore, unlikely to have a great effect on strike activity, with perhaps the exception of long drawn out disputes, such as the 1984/5 miners' dispute. As workers most probably do not expect a dispute to last too long, it is highly unlikely that the Act will be a major deterrent to workers considering strike action; however, it could be seen as a strike breaking device in long lasting disputes.

³¹ In *Mercury Communications Ltd. v Scott-Garner* [1984] ICR 74, a dispute arising out of the ending of the British Telecom telephone monopoly was held not a trade dispute because it failed the "relates wholly or mainly" test. The court held that the Post Office Engineering Union was waging a campaign against the political decision to privatise the industry as there was little evidence to support its claim that the dispute was due to fears over job losses.

³² The Social Security (No 2) Act 1980 ensured a total discounting of strike pay against any benefit that might be payable to a striker's family; an index linked sum, originally £12 per week, should be deducted from any benefit payable, whether strike pay is paid or not. Urgent needs payments for strikers and their families were virtually eliminated.

It could be argued that union members have always been at the mercy of the common law if the employer wished to take action against them. However, the employer is in a more powerful position than before 1979; for example, he/she can selectively dismiss workers in unofficial disputes without fear of any redress. The picketing laws have also made it easier for employers to remove any immunities still enjoyed by the union in dispute, by allowing them to transfer work done at the workplace in dispute to another establishment, even a newly developed one. The new workplace is not the strikers' place of work and, therefore, the national union has no immunity from action in tort if strikers picket the new workplace. If production continues the employer loses nothing and, therefore, the effectiveness of the action is undermined.³³ Nevertheless, as the majority of strikes tend to remain within the confines of individual workplaces, the law on secondary action will not have much effect on the bulk of disputes. Membership support tends to be much stronger where the dispute affects them personally.

Attempts to act within the law by national unions could also render ineffective any action or proposed action. In 1989, for example, the dock workers' employers tried to obtain an injunction to prevent the TGWU from inducing its members to take strike action. A national strike ballot had been held after the refusal of the dockers' employers to negotiate a new agreement to replace the National Dock Labour Scheme (NDLS). The High Court rejected the employers' claim that the action was against the government's decision to abolish the NDLS and was not covered by the immunity from actions in tort and ruled that the union was pursuing a legitimate trade dispute and was therefore protected. However, despite a majority vote supporting strike action the TGWU waited for the Court of Appeal decision before calling a national stoppage. The Court of Appeal granted the port employers an injunction. By the time the House of Lords overturned this decision, the union was required to hold a second ballot (see appendix 1C). A strike was eventually called but ended in defeat as the NDLS had already been abolished. In order to stay within the law the TGWU achieved nothing, purely because of the time taken to ensure that they were conducting the dispute lawfully. As Marsh (1992b) contended, the TGWU would have been able to use a greater variety of tactics to persuade the port employers to accept a new national deal if the 1980s legislation had not been passed; as it was they were forced to delay any action to such an extent that their bargaining power was severely weakened.³⁴ Therefore, it could be claimed that the legislation has curbed trade union power; however, this again relates to national trade unions rather than workplace organisations. If immediate, and therefore unofficial, action appears to benefit members more than official action which, because of the time it takes to organise, may

³³ The dispute between News International and the print unions (NGA and SOGAT 82) in 1986 illustrates this; in a nutshell, News International dismissed all the strikers and moved its newspaper production to Wapping; picketing Wapping was unlawful secondary action and the sacked employees could not claim unfair dismissal or redundancy payments.

³⁴ This might also be one of the effects of balloting before action is taken if the ballot takes a long time to arrange; members' passions may "cool off" or the employer may use the time to "buy them off" (Brown and Wadhvani 1990, p12).

be too late to be effective, members may not be concerned about whether they will put their national union at risk or not.

Employers have been further equipped to resist union demands where industrial action is concerned and union members have been given an easier route to challenge the actions of their unions. However, the creation of the Commissioner for Protection Against Unlawful Industrial Action suggests that the promotion of individualism among union members and the empowering of employers to resist union demands were not preventing unlawful industrial action and, therefore, further channels were seen as necessary, though it appears that this tactic was aimed at industrial action which affected essential services. Employers and dissident union members have both used the law against trade unions; however, this appears to be rare rather than the norm, the large majority of companies prefer not to take legal action (for example, Elgar and Simpson 1993a, 1993b, 1994b). Injunctions tend to be the major legal weapon used by employers, though there has been an increase in the use of the law of contract (Marsh 1992b). Injunctions were used mostly in the printing, public services and shipping sectors, particularly where the product was highly perishable and most of them were taken out to prevent secondary action (Evans 1987). The Commissioner received no applications for assistance between April 1994 and March 1995; she claimed that the availability of assistance to enforce the "citizen's right" has a deterrent effect on those contemplating organising unlawful industrial action.³⁵

National unions have to be very careful how they proceed with industrial action. Any attempt to extend it beyond the workplace, sometimes an essential part of strike action, is unlawful and could lead to financial penalties for the unions involved. In this respect it could be argued that the legislation has reduced the power of national trade unions; however, as the majority of industrial action occurs within the confines of a particular workplace, (very often unofficial), it could be argued that trade union power has been affected very little by the legislation depending upon the workplace organisation: the power of a workplace union lies with its lay representatives and its members within the workplace. Respect for the law by members is essential for the legislation to have any real affect upon unofficial disputes and it is possible that workplace organisations act with their own interests in mind before considering the law.

At first sight the "right to strike" may appear to have been severely restricted and where employers are determined to overcome any action it can be done, as illustrated by the Wapping dispute in 1986 (and the Grunwick dispute in the 1970s). In fact, it could be argued that these disputes suggest that there is no right to strike at all; to strike in effect loses the worker his/her job. However, the impact of the legislation on industrial action is largely dependent upon the extent to which employers are willing to use the courts, and as the majority appear to settle disputes through negotiation (for example, McConnell and Takla 1990, Elgar and Simpson 1993b, 1994b) without resort to any outside sources, it could be argued that the impact of the legislation has

³⁵ "Annual Report of the Commissioner for Protection Against Unlawful Industrial Action 1994/95."

been slight, at least on workplace union organisations. No amount of legislation can actually prevent workers from withdrawing their labour; however, the worker is at a disadvantage as far as the law is concerned. Nevertheless, whether an employer wishes to dismiss his/her workforce must depend upon many factors including how soon he/she needs the work to be done and how easy it is to replace his/her existing workforce.

It appears that, at least for workplace union organisations, trade union power remains more or less the same as it always has; it is contained within the workplace and where that organisation can act independently of outside sources, the national organisation appears unable to exert the necessary control to stop any unlawful action from taking place.

4:15 *Democratic unions - a reduction in union power?*

Trade unions appear to have adapted to the statutory requirements rather well; in particular the balloting procedures are generally considered an essential trade union strategy during collective bargaining. Nevertheless, national unions do tend to act with more procedural caution, especially in relation to industrial action; in particular strikes which affect public services, such as in the transport sector or the postal services, tend to be executed by a series of well planned one day stoppages rather than drawn out continuous strike action.

There is no doubt that trade unions can be seen to be democratically run. However, the acceptance of the principle of majority rule is generally considered a normal democratic principle; if this does not have to be followed for certain decisions, (notably those concerning industrial action), then the whole democratic process is undermined. If postal ballots result in lower turnouts than workplace ballots it could be argued that the result is not representative of all members. This is particularly true if those members who do not wish to take industrial action do not vote because they know that they need not follow an instruction to do so. If unions were still allowed to discipline those members who do not heed a majority vote, participation in the balloting procedures might be higher, possibly leading to a majority decision against industrial action. Nevertheless, no matter how many members vote in a ballot, whether for the election of an official or for industrial action, the result does legitimise union decisions. On the face of it, unions can be seen as representative of their members; leaders have been chosen by them and decisions ratified by them. However, if only a minority of members vote, the question of representativeness could be challenged.

There is always the possibility that those members who do not vote in election ballots are not really interested in who their leaders are as long as their needs are met. If it is true that the average union member is not particularly interested in the internal workings of his/her union, but is more concerned with any potential problems at his/her own workplace, those that affect him/her personally, the average member will

be more concerned about who his/her local representative(s) is/are and whether they can protect his/her interests in the workplace. Union benefits are probably seen as part of this local process and as long as the member gets what he/she is entitled to, the personalities and aspirations of their national leaders make no difference.

But were trade unions undemocratic before 1979? The slogan “giving the unions back to their members” implied that members were not in control of their unions before the legislation was passed. Certainly, dissatisfied members could enforce their contract of membership and ensure that their trade union abided by its own rules. Indeed, Hemingway (1978) argued that if members felt their interests were being ignored they were very likely to challenge their leaders, though not necessarily through the courts but through legitimate union channels, such as the annual conference. The overall aim behind the legislation was an attack on the “perceived power” of trade unions. Individualism was promoted to such an extent that if enough members rose to the bait the collective aspect of trade unions would be weakened. In some respects, as far as national union organisations are concerned, this might even be the case: they are beginning to provide services for their members as individuals; the collective aspect of trade unionism appears to belong to the shopfloor organisations.

It is even questionable as to whether the Conservatives really had the interests of individual members in mind when drafting the reforms. A trade union’s very purpose is to protect and advance the interests of its members, most of whom would find it very difficult to negotiate alone with their employers for the best possible deal; trade unions enhance the “power” of individual members. It could be argued that trade unions actually have individual members’ interests in mind when conducting their business. However, those interests are served by acting with a collective voice. The principle of majority rule must be observed in these situations otherwise the collective voice will be undermined. Therefore, if trade unions already looked after individual members’ interests, albeit largely through a collective stance, the promotion of individualism to such an extent that the collective organisation could be undermined appears to be against the long term interests of individual members.

The Conservatives, rather than being concerned about the individual, were more determined to reduce trade union power by attempting to undermine the effectiveness of democratically made decisions by using the individual as the weapon. A major government concern was the responsibility of union officials to their members, yet surely members also have a responsibility to their union; that is, their fellow members by their contract of association. The legislation in effect makes the issue of responsibility one sided: officials must abide by the rules but in some circumstances members can ignore them if they please.

The role of the Commissioner for the Rights of Trade Union Members is in stark contrast to the level of help given to employees in enforcing their rights against their employers, especially when the fact that legal aid is not available for legal representation before industrial tribunals is taken into account. The number of

applications to an industrial tribunal for unfair dismissal cases is far greater than those to the Commissioner and the consequences are more serious for those concerned than complaints of unlawful behaviour by trade unions. Legal representation is not necessary at a tribunal but it is in the applicant's best interests to have a lawyer present as they are twice as likely to win. Further, there is no substantial evidence of particular abuses of trade union "power" against individual members, who are probably more concerned about their rights vis-a-vis their employer than the activities of their union.

The "right to work" and not be unfairly dismissed take on a different meaning from the "right to work" and not be unjustifiably disciplined by a trade union. The "right to work" appears to be enforceable only against trade unions, and the right tends to ignore the inequality that exists between many employers and their workers. Since the start of the MORI series in 1975 there has been no significant change in the proportion of union members agreeing that "trade unions are necessary to protect workers' interests" and people are more likely to agree that "employees need strong trade unions to protect their interests" than to disagree (Rentoul 1989). Indeed, Rentoul found that many employees saw the workplace in terms of conflict and whilst some might have been initially reluctant to join a union they were eventually converted when they needed help and found that it was there for them. The point is that whilst the Conservatives may have wished to ignore the possible inequality that might exist between workers and employers, workers still believe that conflict situations are an inevitable part of the working process and that trade unions are necessary to protect their interests.

Support for some of the trade union reforms does not mean that people accept the "whole package of individualism" (Rentoul 1989). Rentoul found that among his interviewees there was widespread support for secret ballots, but as long as there was a democratic majority for a strike in a secret ballot, the right of the majority to at least discourage the minority from strike breaking was accepted. In a sense trade unions must comply with democratic standards which are slightly different from those normally considered just. The promotion of individualism is inherent throughout all the legislation; the aim was that individuals would see themselves as being in competition with each other ending the solidarity aspect of workers. Democracy in this respect represents individual interests rather than collective interests. However, as the data collected by Rentoul shows, the self interests of individual workers are fulfilled by trade unions, and because those self interests are common to the majority of workers they become "collective interests"; hence Rentoul's assertion that trade unions become "vehicles for collective selfishness" (p96). When voting individuals may vote for themselves with no consideration for the entire group, as was hoped, but if each voter has the same self interests then the vote will most probably be a vote for the "collective self interests" of the group. The Conservative's conception of individualism as the direct opposite to collectivism may have been wrong; evidence tends to portray individualism and collectivism as working together to promote and help one another. If this is the case it is easy to see why it is argued that the reforms

have not decollectivised trade unions.

If the long term transformation of trade unions through the reforms was envisaged, especially by changing the image of trade unionism into service organisations, members may have other perceptions of trade unions and the role that they should be playing, especially within the workplace. If the legislation makes it hard for trade unions to carry out that role, members may find it necessary to rebel against their national unions, though this might not be in the direction wanted by the Conservatives. As the legislation is aimed at trade unions as national organisations, it neglects the fact that independent workplace organisations exist, and where these are seen as effective they appear to be largely untouched by the legislative reforms; democracy still applies to workplace organisations, but the legislation largely overlooks the fact that national unions may not become involved in workplace disputes. Suggestions that the legislation reduces the power of workgroup union organisations to initiate industrial action (for example, Martin et al 1995) appear to be unfounded. Of course, official action would have to be endorsed by the national union, but as most industrial action tends to be unballoted and over sectional or workgroup issues (for example, Elgar and Simpson 1993b), the power of shopfloor organisations appears to be more or less the same as it always has been.

It is possible that the Conservatives misinterpreted the main source of union power; the basic unit of union organisation (and power) is the workplace rather than the national organisation and national leaders. The members themselves hold the key to whether trade unionism can survive the legislative attack upon it. Members are needed to uphold the financial standing of national trade unions, to uphold their very purposes and most of all to maintain whether a union even exists at all. Nevertheless, it seems to be the case that the workplace organisation is actually the key to whether workers will join a union (see for example, Hancke 1993). Therefore, providing members are satisfied with their shopfloor union, national union organisations should survive.

The next chapter summarises the conclusions reached in chapters 2 to 4 and identifies the main points which appear to explain why there are conflicting opinions about trade union power. The chapter also illustrates how the nature of the empirical research documented in part 2 of the thesis was influenced by these conclusions. The hypotheses that the study was addressing are also outlined.

This chapter summarises the conclusions from the previous chapters and identifies the main points which appear to explain why there are conflicting opinions about trade union power. Questions are raised which Part 2 of the thesis attempts to answer. The final part of the chapter shows how the nature of the empirical research, the results of which are documented in part 2 of the thesis, was influenced by these conclusions. A number of hypotheses which the study addressed are set out. Chapter 6 outlines the methods used to test these hypotheses.

5:1 *Introduction*

Trade union power was one of the central features of the Conservative Party's election campaign in 1979, and they introduced a succession of Employment and Trade Union Acts designed to reduce what they described as excessive union power. Overall no firm conclusions can be reached regarding trade union power; some authors argue that the reduction of trade union power was one of the main successes of Thatcherism and others suggest that very little has altered on the shopfloor. It is certainly clear that trade union power, whilst definitely existing, was probably not as "powerful" before 1979 as sometimes advocated. In general trade unions exercise a negative and defensive power. Research has also produced a mixed bag of conclusions as to whether the legislation designed to reduce that power has had any damaging effects upon trade unions. Indeed, in some instances it seems that the very legislation designed to reduce union power may actually have had positive effects for trade unions, for example the balloting procedures. Why is there such a difference of opinion about the power of the same organisations? The answer was largely revealed by the previous chapters which highlighted a few important and interconnected points. Each one is briefly summarised below.

5:2 *The definition of power*

The term "power" is hotly debated in the industrial relations arena (see chapter 1). Power relations can take many forms, making the measurement of "power" difficult unless the researcher spells out in precise detail exactly what he/she means by the term. Even then unless the same measurements of power have been used in other studies, comparisons between the two will mean very little. Many analyses of trade union power are inadequate because they are only partial in their coverage; for example, using only observable behaviour to study "power" very often equates "power" with the party that appears to have "won" an issue, yet both parties to a dispute may have gained advantages from the outcome, which makes the measurement of power for one side or the other very difficult. Using indices such as strike activity or union density to measure union power is not even feasible because they neglect the many dimensions of trade union power. As Edwards (1983) argued, the aspect of power most amenable

to empirical study - bargaining power and decision making - merely represents the tip of the iceberg as far as the total process of power is concerned.

Different definitions and different measurements of power can lead to different conclusions about the extent of that power. Edwards (1983) argued that the methodology employed to a large extent determines the “findings” of the research; therefore, the methods chosen to measure the extent of trade union power must try and incorporate as many dimensions of that power as possible.

For the purposes of this study **power is defined as the capacity or ability to produce effects; that is, the ability to bring about or accomplish something. Trade union power, then, is the union’s capacity or ability to achieve a desired goal.** As the basic purpose of a trade union is to act in defence of its members’ interests, particularly in their relationship with their employer, it could be argued that **a trade union’s power is its capacity or ability to defend and advance its members’ interests.**¹ This is a broad definition. The ability to produce effects has meaning which stems far beyond observable outcomes and what is usually termed “bargaining power”. It may include the capacity to shape decisions and, therefore, the final outcome; many issues of concern to members may be solved without a conflict situation arising or even to their satisfaction without necessarily “winning” the issue. More importantly it is wide enough to include potential power as well as exercises of power; that is, the capacity to produce a goal may be present but not necessarily put into practice.

A trade union’s capacity to defend and advance its members’ interests extends further than the workplace; the provision of services and benefits can be classed as a capacity to produce effects and can, therefore, be seen as an exercise of power. Very often this aspect of trade union activity is neglected in studies of union power, but it may be an important factor to members, especially if they feel that unions at workplace level do not adequately represent their interests (Guest and Dewe 1988). The seventh BSAS found that 71% of union members questioned thought that “to get members’ benefits” was an important reason to belong to a trade union (Millward 1990). Evidence does suggest that trade unions continue to play a vital role in dismissal procedures and that dismissal rates tend to be lower in unionised firms than those which are not unionised (Millward et al 1992). Indeed, surveys have found that one of the most common reasons for union membership is for future protection (Stevens et al 1989, Millward 1990, Hedges 1994); this could be either in the workplace or by the national organisation, for example, legal representation for an accident at work.²

¹ Members’ interests can be defined as anything that relates to their wellbeing or welfare, particularly in relation to their employment. Anything that benefits either an individual member or a group of members could be described as advancing members’ interests.

² Nearly 70% of compensation paid to workplace injury victims is won with trade union backing and individuals making claims without union support are increasingly unsuccessful. This is largely because of restrictions in eligibility for legal aid and claimants’ inability to afford legal representation.

However, whether members are aware of the services that are on offer to them is another question. According to AEEU journals some members do not take advantage of the services that are on offer and take up their own legal representation at considerable cost to themselves. Some members may consider the shopfloor to be the union and do not consider the added extras on offer; alternatively, members may be ill informed by their lay representatives and therefore do not know how to go about receiving any benefits or services that may be due them. This leads to the next point.

5:3 *There are two different strands of unionism - the workplace/shopfloor unit and the national organisation*

When discussing trade union power it is very likely that the debate centres on what the term “trade union” is referring to. For the sake of simplicity unionism can be divided into two entities: the national organisations and the shopfloor units (see chapter 3). In a nutshell, there is a vast difference between these two strands of unionism. While the national union may appear to be the flagship for the protection and advancement of workers’ interests, in many cases this may not be so; any bargaining power tends to be exerted on the shopfloor, and even if an external officer is called in to deal with a dispute, it is still the members who decide what action should be taken and whether to accept any negotiated deals.

Studies conducted before and after 1979 point to the fact that there is indeed a difference between these two entities and that the shopfloor unit is actually “the union” as far as most members are concerned. Members appear to be concerned with shopfloor issues and problems: those that affect them personally, rather than with the activities of their national union. In other words, members are not necessarily concerned with the politics of their national union but with the politics of the workplace. Any problems are taken to the shop steward and the vast majority of grievances are dealt with in the workplace without any outside help.

It is here where the two different aspects of unionism identified by Flanders (1961) comes under the spot light. Do members think of their unions as campaigners against inequality and injustice on a national scale or do they just look upon their union as a “wielder of economic muscle” in the workplace? In other words do members see “the union” as the shopfloor or a wider movement? In the light of previous research it seems highly likely that “the union” means the shopfloor, particularly when it is argued that employees are more interested in the fates of their own firms than the struggles of fellow workers elsewhere (Brown 1986). It cannot be denied that the national organisation may be essential for workers when issues must be taken out of the workplace; for example, in Scotland UNISON gained female workers equal pay with their male counterparts and backdated payments³. However, it could also be argued that in many cases if a strong workplace union existed there should be no need to pursue outside help because these matters would be solved in the workplace.

³ *Bargaining Report* no.147 February 1995.

The legislation and the economic climate since 1979 may have had more of an effect on national unions. The leaders of these organisations realise how important it is for the union as a whole to abide by the “law”, especially where industrial action is concerned, yet in the workplace, at least where a union organisation exists that can work independently of its FTOs, observance of the “law” may take a back seat especially when a grievance requires an immediate solution. The economic climate has also hit national trade unions harder than shopfloor units; declining membership is liable to have a greater effect upon the national organisation than an effective workplace organisation, especially in terms of finance; where the workplace union is seen to be effective membership tends to be constantly upheld (for example, Hancke 1993).

When people talk about trade union power it makes a great deal of difference which of these organisations they are referring to. The two strands of unionism reflect the different dimensions of trade union “power”; that is, the ability of the union to achieve a desired goal and produce effects. The workplace unit is the centre of union activity for most members and the place where “bargaining power” is usually exerted over workplace grievances without the “interference” of the national union. The national union wields the “power” to administer services and benefits to members when they are needed; for example, the provision of legal representation for accidents at work, which can be a very costly experience for a worker paying his/her own legal fees. Many workers may not realise the importance or even existence of this benefit until the unfortunate moment itself happens.

It is argued that since 1979 the role of the national union has diminished (see for example, Martin 1992), perhaps with the exception of small unions which could be equated with a shopfloor unit of a larger union. The original objectives of trade unionism have not changed but they tend to take place within the confines of individual workplaces rather than prominently on the national side. As Fairbrother (1990) argued, past practices and forms of organisation no longer automatically suffice as effective ways of representing and articulating workers’ interests. The role of the national union has become more like that of the employers’ associations: a source of expert advice, information and a provider of services (Martin 1992); they have even been described by union officials as “a cheap form of insurance”. Is this how members view their national organisations?

5:4 *Different opinions and ways of bargaining*

Research studies have found that different opinions about the purposes of unionism and different ways of bargaining exist between different unions and in different workplace organisations of the same union. An explanation for these differences, especially where the same union is involved, may lie with the personalities of those concerned, especially the representatives. Indeed, it has been argued that it is the local leader’s style which determines membership interest and participation in workplace unionism and, therefore, the level of success of the union when bargaining with

management (Fosh and Cohen 1990, Fosh 1993). It has been concluded that even when the workplace situation is not the most favourable for the development of unionism, a careful choice of leadership style can still produce successful results (Fosh 1993).

If different opinions and styles of bargaining do exist between and within workplaces it is very hard to generalise about the extent of trade union power let alone its decline. If lay representatives of the same union operate with differing degrees of success, especially within the same workplace, then, this indicates that the potential power of a trade union lies within the workplace itself. It is widely accepted that the lay representative, or shop steward, is the key “union” figure within the workplace and as most bargaining power, at least in the private sector, tends to be exercised there and grievances are usually resolved without national assistance, it might be presumed that the shop steward is the most important person as far as members are concerned. Indeed, many studies have highlighted the fact that to most members the shop steward is “the union” (for example, Goldthorpe et al 1968, Marchington 1980). It is most likely that to members the extent of their union’s power is measured by the level of success that they have in the workplace. If we accept that the lay representative’s style and personality are essential in determining membership participation and interest in workplace unionism and, therefore, the level of success that the shopfloor unit has when dealing with management, it can be argued that how well the representative performs⁴ will influence members’ perceptions of the “power” of their union; that is, its capacity or ability to defend and advance their interests (see above). Therefore, it could be argued that the personality and style of working of the lay representative are essential ingredients for successful unionism in the workplace. If this argument is accepted it might be expected that union members in different workshops may evaluate the same union organisation differently because of the working style of their lay representative; the representative in one workshop may behave differently from that of the representative in the adjoining workshop.⁵

The essence of Fosh’s (1993) argument was that members fluctuate between different attitudes towards their union and the key to encouraging greater participation is the style of the union representatives. This may be particularly significant in the light of studies which suggest that participation in union activities is related to positive perceptions of union performance (for example, Fiorito et al 1988). In addition it is suggested that it makes no difference whether a steward has an ideological or instrumental commitment to unionism, he/she can still perform his/her role adequately in the workplace providing he/she has the right working style (Fosh and Cohen 1990). In other words, stewards do not have to attend union meetings outside the workplace or be committed to a country wide union movement to be able to build up commitment among their members on the shopfloor. It may also be the case that membership

⁴ Indeed, Darlington (1994) found that shop stewards were judged by their ability to satisfactorily resolve issues.

⁵ Colling (1995) found that the vast differences that existed between different workforces “had serious consequences for the perception of the union locally” (p142).

participation encourages the steward to work more effectively; it has been suggested that leadership is only achieved through continual negotiation within the domestic organisation (Batstone et al 1977).

Previous research has highlighted the fact that some unions in the public sector tend to operate slightly differently from those in the private sector. This is an important point which influenced the research design of the study (see next chapter). In particular many public sector workplace organisations tend to rely on their FTO more than those in private sector firms. This may be due to the national union and management creating an atmosphere whereby independence for the shopfloor unit is difficult to maintain (Boraston et al 1975, Fairbrother 1990) or to the imposition of national level bargaining taking decisions away from the workplace (Brown et al 1978). However, it could also largely rest with the shop steward him/herself and his/her style of working. Members do tend to be interested in their shopfloor representatives rather than their national leaders, (after all these are the only union contact that many members will probably have), particularly where bargaining takes place locally, but even where all major agreements must be settled at national level, taking the main bargaining areas away from shop stewards, there is still plenty of scope for a strong workplace organisation to develop. Many grievances can occur during the working day which a shop steward could negotiate with management about, especially those which need immediate attention. Even if the main shop steward is not regularly available, that is, he/she travels around many different sites for example, there is no reason why an “unofficial” leader should not emerge from within the workgroup itself. As Fosh argued, “a careful choice of local leadership style can yield results even when members’ experiences and situations are not the most favourable for the development of unionism.” (1993, p589.) Even Terry (1982), who argued that with a dispersed workforce the senior steward was best suited to the role of individual grievance processor rather than a leader of a collective approach to problem solving, suggested that if steward organisation at lower levels became more developed the need for a “key” steward who travelled around the workforce might disappear. Making public sector bargaining local rather than national could result in some public sector workplace unions becoming more independent of their FTOs than they are at present.

It could be argued that differences in the way that shop stewards operate will lead to differing perceptions of union power in different workplaces. This may be particularly highlighted when a public sector union is compared with a private sector union, mainly because of the dispersed nature of some of the workforces within the public sector which could lead to their stewards adopting different approaches to those with a close knit workforce.

5:5 *The legislation and trade union power*

Since 1980 a succession of Employment and Trade Union Acts have been introduced each designed to reduce the “perceived” power of trade unions. The main aims were to empower employers to resist trade union demands and the promotion of

individualism. However, whether the legislation has had the desired effect is a contentious issue; for example, some studies show that the legislation relating to balloting procedures may have enhanced trade union power (Brown and Wadhvani 1990), whereas others suggest that balloting is just a waste of time and does not affect the outcome of collective bargaining at all (Manning 1992).

Indeed, it could be argued that even the Conservatives were aware that their aims were not being fulfilled, each piece of legislation was specifically designed to reduce trade union power and several times the Secretary of State for Employment announced that the need for further union legislation had passed. However, the fact that until 1993 each piece of legislation was followed up by another suggests that they were not succeeding with their aim; that is, reducing trade union power.⁶ Research highlights the fact that employers are aware of the legislation but the majority where possible prefer to keep disputes confined to the workplace and settle disagreements with union representatives.

In terms of “power” national unions may have been affected far more by the legislation than shopfloor units, the workers themselves. The risk of sequestration of union funds will most probably have an impact upon how union executives’ conduct their business, particularly in relation to industrial action, whereas at shop floor level union members may find the need to take instant action in support of a particular grievance which needs immediate attention. If action of this sort is taken it is probably without any thought about the national union or any likely consequences and even without official union backing members still tend to see themselves as acting in the name of their union (or even as the union - the shopfloor unit). Very often shopfloor grievances that produce an instant reaction from workers will be alleviated very quickly, (usually the action was created by some small problem, albeit an important one to those concerned, such as a door that will not close in winter), indicating to those involved the effectiveness of their action. In this kind of situation the two different strands of unionism can be clearly seen, one restrained by legislation the other acting on impulse creating the possibility of a potential conflict situation between the national union and the workplace unit. However, studies that have shown that “fear of the law” may restrain industrial action should be kept in mind. Nevertheless, the point is that there may be a discrepancy between how members perceive the “power” of their national union and that of their local unit. It may well be, as previous studies have indicated, that the ordinary trade union member is not at all interested in his/her national union and therefore just thinks of the “power” of his/her union in terms of the workplace unit.

However, differences, and in some cases very large differences, do exist between shopfloor units. It is a possibility that how the legislation has affected shopfloor units

⁶ Unless, of course, other factors influenced the Conservative governments’ motives for introducing further legislation; for example, “union bashing”, because of its previous success, may have been seen as a good vote winner before each election deflecting criticism away from other government policies that may not have been considered as successful.

may be a throwback from the national organisations; that is, those shopfloor units which are more reliant on the national organisation may have an increased awareness of the necessity to abide by “the law”, at least from the national union’s perspective. It is worth noting that in those areas where the legislation has not impinged on trade union power, for example, health and safety issues and some dismissals, unions, it appears, whether national or local, still have a substantial amount of power to bring about desired outcomes.⁷

5:6 *Individualism versus Collectivism*

We have already seen that the most common reasons for union membership were for protection from future problems and to get higher pay and better working conditions, which could be described as individualistic attitudes. However, it could be argued (and indeed is argued by some union members) that there is more to being a union member than receiving benefits and gaining higher pay rises. 6% of the employees in Stevens et al’s (1989) study thought that the most important reason for becoming a union member “shows solidarity with the people I work with”. This could be described as a collectivist attitude. Many more members used the “individualist” reasons as the most important for becoming a union member than the “collectivist” reasons. However when members were asked to say how important many different reasons were for belonging to a trade union, collectivist reasons were seen as fairly important, but again individualistic reasons were given the highest backing (Millward 1990). This issue brings us to another important point illustrated by the previous chapters.

Many of the case studies cited above suggest that the shop steward is seen by individual members as an individual grievance processor first and foremost, illustrating the argument that members are generally interested only in pursuing their own self interests. Could this be a result of the Conservative’s policies which aimed to promote individualism at the expense of collectivism as Metcalf (1993a), for example, suggested? This question is a tricky one. Goldthorpe et al concluded in 1968 that unionism was only seen as a means to an end, with the emphasis on self interest; they described unionism as “instrumental collectivism”. It may be realistic to assume that individualistic attitudes actually prevailed before 1979.

The individualistic model, envisaged particularly by the Thatcher governments, depicts the pursuit and maximisation of self-interest as the overriding goal of all individuals; it therefore follows that each individual is in competition with each other. The usual

⁷ For example, employers must disclose certain information relating to their undertakings when requested to representatives of recognised trade unions for the use of collective bargaining purposes. Recognised trade unions must also be consulted about any proposal to make redundant any employee covered by the recognition agreement. Regarding health and safety, UK law currently restricts the presence of statutory safety representatives and committees to workplaces where there is a recognised trade union; therefore, employees working in a non-union establishment may find that they have no health and safety representative. However, employers are allowed to discriminate against union members over pay and working conditions; they do not have to offer union members the same terms as non union members.

argument (it seems the one believed by the Conservatives) is that individualism is the antithesis to collectivism. Therefore, when individualism triumphs, collectivism will fall by the wayside. However, from the evidence available it could be argued that individualism and collectivism are actually two sides of the same coin. Far from being polar opposites the two models may fit very closely together; that is, by working collectively each individual's self interests may be fulfilled.

Trade unions are generally seen as the most immediate embodiment of collectivist principles, but it is also the case that trade unionism first appeared as a defence of individualism (Phelps Brown 1983). The goal of trade unions is the protection and advancement of their members' interests. Even if all members are self-interested first and foremost in general their self interests will merge together and become collective interests. That is, most individuals are interested in getting the best possible deal for themselves and in most instances at work this is done most efficiently collectively; an employer employing many workers would find it very difficult negotiating with each individually. In addition by negotiating collectively trade unions may to a great extent enhance the negotiating power of individual members; unless an employee possesses scarce skills or is strategically placed in the workforce he/she alone would probably find it very hard to get the best possible deal. In fact Kingdom (1992) argued that:

“When people are working together in harmony they are not sacrificing their individuality, they are expressing it. The individual can only achieve fulfilment in terms of a community.” (p99).

Therefore, collectivism may be seen as a prerequisite for individual freedom and self development. Moreover, support for individualist values can co-exist with deeply held collectivist principles. Ordinary people will use and support individual and collective services without necessarily seeing any ideological conflict between them (Rentoul 1989).

The argument that by promoting individualism collectivism will wither away, particularly with regards to trade unionism, appears particularly flawed when the past is examined more closely. Individualism is not a new phenomenon. According to Kingdom (1992) new English individualist thought reached its zenith by the mid nineteenth century. The essential object was the freedom of the individual to act without constraint, although no moral basis for determining the ends they might pursue was offered other than they should be chosen on the grounds of personal self interest.⁸ So there was already “a legacy of individualism deeply etched into the culture” (Kingdom 1992, p27). Kingdom argued that the culture of individualism was at its most virulent in industry, “the spiritual home of capitalism”. British trade unions and employers' associations were formed when market liberalism was at its most triumphant and all the participants were concerned only in promoting what they saw as

⁸ For a fuller account of the theories of individualism by thinkers such as Locke, Hobbes and Adam Smith, see for example, Kingdom (1992) who traced the roots of individualism and argued that Mrs. Thatcher's pronouncement “there is no such thing as society” is one of the sentiments of “a prince of individualism” - Jeremy Bentham. Marquand (1988) also traced the historical origins of (what he saw as) the deeply entrenched individualistic attitudes of British culture.

their self interests. Trade unions were expected to fight for the interests of their members (which could be described as the self interests of their individual members which when amalgamated becomes the self interest of the trade union). Olson (1982) argued that Britain's relatively long, smooth constitutional development resulted in the formation of an unusually large number of small, specialised groups, each with their own self interest which was unlikely to be congruent with the national interest.

Marquand (1988) also contended that possessive individualism helped to shape the whole of British culture in the late nineteenth century. According to his argument the British "crisis" is one of "maladaptation". Trade unions, private companies, government departments and the general public have all failed to adapt their inherited practices, institutions, expectations and assumptions to the changes that have taken place. Possessive individualism still prevails and sectional interests tend to take precedence over the common interest, and the problems of Britain's relative social and economic decline over the past century were caused by too little collectivism rather than too much.

MacInnes (1987) argued in a similar fashion:

"[T]he key to understanding the problem of the economy and industrial relations in Britain today lies in the contradiction between individual or sectional interests and the collective or national interest and that the problems of the 1970's perhaps stemmed from too little rather than too much collectivism in the British industrial order and its workplace industrial relations." (pp xiii-xiv).

MacInnes continued by arguing that in a sense the British working class has always been prone to middle class and individualist ways of thinking and acting and "far from conflicting with the tradition of adversarial industrial relations - a tradition which....is still very much intact - it is a basic part of that tradition." (pxv). Many of the features of the new industrial relations are actually rather old and "[a]t an ideological level, then, Thatcherism blended well with many long-established features of the British social order." (p162). To MacInnes this identity between Thatcherism and earlier British traditions helps to explain why the attempted change of the industrial social order had been so unsuccessful. Britain has always had a culture of enterprise, therefore it cannot be claimed that Thatcherism had generated one, and if Britain's economic and industrial problems began long before 1945 it is not clear why a return to the policies of the 1920s or 1870s should solve them now.

Kingdom (1992) argued that the sense of community (or collectivism) is in fact an end in itself, "an indispensable component of the good life which we all seek" (p86). The spirit of community is natural to the human condition and remains part of our primeval inheritance. In fact, Phelps Brown (1983) suggested that the fact that trade unions developed independently indicates that they sprang from drives that are basic to human nature. This brings us back to the idea of the self interested individual. If we all seek the good life and a part of that is to belong to a collective group, then, it must follow that it is in the individual's self interest to do so. Joining a trade union could be looked

upon as doing so in order to advance ones own self interests through collective means, which as already argued is hard to do alone. Olson (1965) argued that workers may feel they do not need to join a trade union because they can still enjoy the benefits gained, such as pay rises and improved working conditions, without being a union member. But this neglects the fact that many unions provide benefits which are not available to non-union members. Blanchflower et al (1990) captured the essence of this when they argued that in the present employment situation workers see the benefit of union membership not just for wage gain but to protect them from arbitrary dismissal. This can also be described as joining the union for a self interested reason - the need to stay in employment.

Whereas earlier research had found that young people were generally dismissive of trade unions saying that they meant nothing to them, research by Gould Mattison in July and August 1988 detected a shift in favour of the principle of trade unionism. Young people had begun to regard trade union membership as self-evidently a good thing and necessary for the protection of their interests at work. (Cited by Rentoul 1989). Rentoul also found that workers who had previously dismissed union membership gladly joined after they had realised that help was there for them when they needed it, which also suggests that unions (at least in the workplace) are prepared to help non-union members, probably in anticipation of their future membership.

This illustrates what could be described as the merger of individualism and collectivism. People are beginning to recognise that it is difficult to realise their goals alone and that individual ends can be achieved by collective means. (Indeed, this may always have been the case.) However, it could be that individuals do not actually think of the collective aspect of trade unionism as such, but see it purely in terms of their own self interest - that is, the protection of their own interests. In fact, Rentoul supports this view:

“What is often overlooked about people’s attitudes towards trade unions is their self-interested nature. For politically aware observers, trade unions may represent the practical application of collective principle, and the solidarity of unionised workers can be interpreted as idealistic and ideological when in fact, for the people we interviewed, trade unions were useful for what you could get out of them.” (1989, p92).

Therefore, it could be argued that many trade unionists do have individualist values, but this can hardly be attributed to the legislation since it appears that these attitudes have existed since the formation of trade unions in the nineteenth century. However, that does not mean to say that the legislation has not made individuals more aware of their own self interests. Indeed, it could even be argued that in today’s economic climate people are much more aware of looking after their self interests, especially when many people have mortgage and loan repayments to keep up and will very possibly fear the loss of their homes and businesses if these cannot be met.

It appears that individualism has been part of British culture for a very long time and yet at the same time support for trade unions continued and in workplaces where they

presently exist that support still seems to be continuing. It is therefore difficult to ascertain whether the aims of promoting individualism at the expense of collectivism have been fulfilled. Collectivism seems to embrace individualism and the two work together.

Nevertheless, permeating all the employment and trade union legislation of the 1980s and 1990s was the distinct promotion of individualism. Concerns about individual freedom of choice and individual members' rights were frequently voiced. However, it is argued that:

"The central image of conflict between the individual and the collective underpins the legal endorsement of individual rights; thus obscuring the conflict and inequality between individual workers and employers. Clearly, there is an important place for individual rights against majority rule; but the importance given to such individual rights within this legislative matrix is based on a denial of any possibility that the collective could enhance individual fulfilment or that industrial action could be in the interest of individual members." (Fredman 1992, p37).

The denial that the collective can enhance individual fulfilment is not borne out by the evidence. In particular it could be argued that if shop stewards are regarded by their members as individual problem solvers, then the trade union's role concerns more than just collective action, a fact that is becoming more evident with the provision of individual services. Also, as already argued, a trade union acts in the interests of its members - that is, the self interests of its individual members. The view that portrays trade unions and their collectivist pursuit of goals as impeding individualism is totally turned upside down.

Where national unions are concerned maybe the promotion of individualism has had some effect: unions are beginning to offer members services which are directed at them as individuals and are generally unconnected to work; perhaps this is another indication that the national organisations have been affected more by the legislation than the shopfloor units.

This is possibly the most important aspect of the legislation in relation to the research; individualism was seen as a means of undermining unionism. The Conservative government encouraged negotiation between individual employees and employers rather than negotiations which covered the workforce collectively (see for example, "Industrial Relations in the 1990s", p9). An example of this is where companies offer incentives and salary rises in return for individual contracts and the loss of collective bargaining; there would be no union negotiated rates of pay, only individual rates, a rate set by each individual's bargaining position. It is argued, maybe correctly, that few workers as individuals will be in a position to negotiate an improvement to their terms and conditions of employment and that the real meaning of individual contracts is "that they exploit every inequality between workers" ("Press For Union Rights", p6). But accordingly, it is the individual's right to choose and whether they choose to represent themselves or remain within the collective bargaining arena may reflect the perceived strength of their workplace union organisation. If members sign a personal

contract and give up their collective bargaining rights they can still be union members, particularly for the benefit side and as a safety net for such things as dismissals and accidents at work rather than for one of the main principles of unionism - collective strength and “voice” against the employer.⁹ However, where members perceive their union to be unsuccessful in terms of representing them on the shopfloor they may feel that they are no different in this situation anyway. This leads back to the point that national unions may only be seen by members as insurance agencies whereas the shopfloor is seen as “the union”. As Millward (1990) suggested, the relative strength of the workplace union organisation clearly has some bearing on members’ reasons for belonging to their union. If the shopfloor unit is seen as powerful maybe members will be deterred from signing personal contracts.

Did the Conservatives under-estimate the self interests of individuals in the workplace? Evidence tends to point to the fact that for the majority of union members trade unionism is a means of furthering their own self interests, albeit self interests which tend to apply to all union members. Whether members view their union as a vehicle for pursuing their interests collectively may largely rest with the shop steward, indeed, they may well be content to use their union as an individual problem solving agency but even if this is so it was also happening long before 1979. It has even been suggested that in some workplaces shop stewards themselves take an individualistic approach to union representation and this is created because the senior representatives have become bureaucratised and are seen as “experienced” and “expert” on factory-wide issues leaving the stewards responsible for day to day grievances on their own sections (Fairbrother 1990). However, while Fairbrother lays the blame for this largely at the door of the senior leadership who he described as failing to act in a supportive way of the stewards, he also described how the stewards seldom spoke to each other or developed common approaches to problems, operating as individuals referring to the senior stewards only when they felt unable to process an issue. Therefore, it could be argued that the stewards were partly to blame because they were not coordinating together as a collective. Nevertheless, this does not necessarily mean that they did not instil in their members a sense of union commitment; it may all hinge on how they dealt with each problem.

It seems very probable that trade unionism means different things to different people. The evidence tends to point to the fact that for the majority of union members trade unionism is only a means of furthering their own self interests, albeit self interests which tend to apply to all members. However, a minority of members are committed to the principles of collectivism which involve more than just self interested priorities. Whether members regard trade unionism in purely self interested terms or in more solidaristic terms may affect their perceptions of the “power” of their own trade union and of trade unions in general. An interesting point from the seventh BSAS was that Millward (1990) suggested that the solidarity aspect of trade unionism increased with age and yet, he also argued that favourable perceptions of trade unions were found to

⁹ Nevertheless, giving up collective bargaining rights does not necessarily mean that union members can/will not act collectively against their employer if they feel that they have a legitimate grievance.

decline with age. Perhaps those who associate trade unionism first and foremost with solidarity feel that the legislative changes of the 1980s and 1990s have diminished trade union power because of the emphasis on individual attitudes rather than collective principles. Alternatively, they may feel that trade union power is as it has always been, the strength of collective feeling on the shopfloor remaining almost unchanged, (whether seen as powerful or not), they may not perceive the national union organisation in a favourable light.

Members who view individualistic attitudes as the most important reasons for union membership may also perceive the power of their union differently. Those who have received help or benefits may evaluate their union's effectiveness (national or local) much differently from those who have needed no help and therefore may feel that they have paid their subscriptions for nothing. However, the point to remember is that there is a distinctive difference between whether a person uses the national or local union as the basis of union power.

5:7 *The economic and employment climate*

During the 1980s and 1990s there was a change in the pattern of employment in Britain which may have led to a change in the nature of union members. There has been a decline of employment in the traditional union strongholds of the manufacturing industries and a growth of employment in the service sectors where unions have traditionally found it difficult to organise (Roberts 1989). Part time workers, particularly female, temporary workers and self employed people, as well as small scale enterprises which employ only a few workers have all increased. Human resource management (HRM) has also become a popular model of management which "puts stress on the importance of the individual, on planning the most effective utilization of every individual employed in relation to their personal development and to the achievement of the targets of the enterprise" (Roberts 1989, p73).

A 1994 Labour Research Department survey of HRM found that most workplaces had seen some cut in employment and that those offering secure employment were outweighed by those which were introducing new methods of selecting people for redundancy. Those forms of employment that are often less secure, such as temporary and part time work, were sharply on the increase at the expense of full time employment. Employers were also found to be securing big changes in the way their employees worked, particularly through increasing individual responsibility, team working and work effort and creating a wider and more flexible range of skills. There was also a widespread expectation by managers that employees should show more commitment to the company and that employees' attitudes were increasingly being taken into account.¹⁰

If the legislative controls are looked at alongside the wider economic changes which have led to the change in the pattern of employment in Britain, it might be argued that

¹⁰ "Bargaining Report" no.147 February 1995, pp7 - 13.

not only is it more difficult for unions to fight for their members, but that members may have become more reluctant to make demands of their employers. The economic climate may have had an effect upon unionised (as well as non-unionised) workplaces, especially with the increased level of competition between manufacturers, and the high level of unemployment may give employees an increased sense of job insecurity (see for example, Hedges 1994) which may alter their relationship with their employer; that is, they may not push for a high increase in pay, for example, for fear of losing their jobs. Nevertheless, the current employment environment may actually have more of an effect upon the unemployed, particularly the unskilled; employers tend to prefer to keep their existing workforces where possible, viewing the unemployed as lacking the relevant skills and experience to carry out their production efficiently (without extensive training that is). (See for example, Bewlay 1993, MacInnes 1987, 1990, Martin 1992.)

The workplace may now be viewed differently from how it was two decades ago and unionism may take on a different perspective for members; members may find that to ensure the survival of their workplace and, therefore, their jobs, they prefer to work with their employers rather than against them (Brown 1986, Terry 1986). The role of trade unions within workplaces may have altered; however, this does not mean that their importance or power has declined. In many respects the present employment climate has reinforced the necessity of workplace unionism (see also Cohen and Fosh 1988). There are many issues other than job security that unions fight for their members over. WIRS3 highlighted the fact that there are far more advantages for workers in unionised workplaces than in non-unionised ones. However, union recognition might lead to a feeling of increased job security in some workplaces. The 1994 Labour Research Department survey concluded that unions were responding where they could to specific changes in employment and working practices, in some cases shaping the agenda, but in others being forced to accept the imposed changes. (Bargaining Report no.147 February 1995.) Nevertheless, accepting changes does not necessarily mean a weakening of union power, as the report acknowledged: at one workplace the GMB had said that it “agreed to the new way of working because it secures jobs and gives the union more power” (p11). The report concluded that the responses showed that at the workplaces covered by the survey, “most of which have experience of techniques like HRM, management cannot expect to have it all its own way when it comes to changes in working practices” (p13).

If researchers such as Metcalf (1993a) were correct when they argued that unionised workforces have a higher productivity rate than non-unionised workforces, it could perhaps be suggested that union membership may lead to higher productivity and, therefore, a feeling of increased job security. Workers who feel insecure in their jobs may be more liable to join a union than those who feel that their employment is safe (for example, Blanchflower et al 1990). As Allen (1960) pointed out, every employee, irrespective of income and status, is a potential trade unionist and as the instability of his/her position as an employee is exposed he/she is likely to wish to become a member.

If Green (1991) was correct that union density tends to be higher in larger rather than smaller workplaces, in the manufacturing rather than the service industries, for males than females, for full time employees than part time ones and for older rather than younger workers, then the changes in the pattern of employment may indicate a fall in union density. While union density is not an adequate measure of union power on its own, these changes could lead to a loss of union power within workplaces if only a minority of employees are members. However, Green argued that the above differences were partly explained by the availability of unions at particular workplaces. Therefore, it might be in the employees' and the unions' best interests to begin to look at the opportunities that are opening up for recruitment.

Where trade unions are present at workplaces it seems that they are now operating in different environments than they were previously, however, it does appear that they have learnt to adjust to the changes in the employment climate, particularly at the level of the workplace. It is here where workers encounter the stability or instability of the particular employment situation of their own companies. If they prefer to work with management to ensure the safety of their own jobs, they will be aided greatly if they are members of a workplace union organisation which is guided by representatives who are able to work for their members as well as convincing management that their demands will benefit the company as a whole.

5:8 *The focus of the study*

All the above points influenced the nature of the research. The overall focus of the study was on the workplace organisations of two different unions rather than the national organisations. The above points suggest that it is here where most union power, or at least potential power, lies; that is with the members. The legislation was specifically designed to reduce trade union power, yet while some of it may have been beneficial to unions, generally it may appear at first sight to have substantially reduced trade union power; however, this reduction may only be from the national organisation's viewpoint and not from that of the members.

The research, then, was based on the premise that "the union" for the vast majority of members was the shopfloor rather than the national organisation. It was presumed that there would be many union organisations each with differing degrees of success and levels of power within the main parent organisation, so that the power of a trade union cannot be solely attributed to the national union organisation itself; one workplace organisation might be looked upon as extremely powerful and another as not powerful at all. If lay representatives of the same union operate with differing degrees of success, especially within the same workplace, then, this indicates that the potential power of a trade union lies within the workplace itself.

Research studies conducted before 1979 tend to indicate that while differences in the perceived power of trade unions did exist between workplaces, in general trade unions

exercised only a defensive and negative power. As a rule management were portrayed as being the more powerful when it came down to the final decision making; that is not to say that unions may not have shaped those decisions to their own advantage, but that the final prerogative was usually left to management. In addition any leverage a union may have had was only enjoyed at certain times and usually only over a narrow range of issues. However, it was found by McCarthy (1966) that many informal arrangements between managers and unions were not admitted by managers when questioned about them, especially those concerning management prerogative. If this was correct, studies which insist that the final prerogative remained with management may be misleading.

If the union is perceived as powerful in the workplace it does not necessarily mean that management “do not manage”. If the personalities of the lay representatives do determine the strength of the shopfloor organisation it does not mean that a powerful organisation works against management in an arbitrary way. Indeed, a strong personality may work to management’s advantage; satisfied workers tend to work better and produce more, whereas a weak personality and a weak workplace organisation may lead to low morale among workers¹¹ and a low productivity rate, to management’s disadvantage.

The employment climate in Xtown, the locality of the workplaces covered by the study, was no exception to the general picture as highlighted above. The Chamber of Commerce and Industry’s annual salaries and benefits survey for the local area in 1995 found that 68% of the respondent companies employed part time workers. The survey also provided a useful snapshot of the average wages for a range of occupations in the area. It was found that there was a significant variation between the minimum and maximum hourly rate within specific occupations and noted that the minimum rates of pay for certain jobs were “clearly a cause for concern”. A report by Xtown’s Citizens Advice Bureau (CAB) (February 1996) highlighted that for many people in Xtown “paid work is blighted by low pay and exploitation, often causing considerable financial difficulties”. Nearly two thirds of the cases dealt with by the CAB’s debt counsellors involved employed people. Perhaps highlighting the need for unionism among some local employees was the statement by the CAB that “often for employees working in [Xtown], the level of their wage entitlement is based on an individual negotiation with their employer.”

The CAB report also noted that part time employment in Xtown had increased as a proportion of total employment. While part time employment for both men and women had increased, the number of women in part time employment had increased from 18% to 27% of total employment and the proportion of women in employment overall had increased from 39% to 48%. The 1994 Labour Research Department survey also noted that workplaces with a mainly female workforce were more likely to have seen an increase in part time and temporary workers, especially in the service sector.

¹¹ Some of Darlington’s (1994a) evidence, for example, showed how at one of the workplaces he studied union power and employee morale were connected.

Therefore, the employment climate may have an effect upon union membership. If more women than previously are making up the workforce, then, women are potential union recruits. However, if women are more likely than men to evaluate their union's performance negatively (Colling 1995), then, unions must respond to the needs of these potential members so as to attract and retain them. The need for effective workplace unionism appears to be extremely important, especially to address the disadvantages that many of these workers will face. It is, therefore, essential that unionism within these workplaces is responsive to potential members and especially to women workers.

If trade union power was not as great before 1979 as often suggested, then claims about drastic reductions in that power may be based on a false assessment. It could very well be the case that in workplaces where union membership has held up and where the organisation has always been seen as powerful the union is still seen as such. In other workplaces the union may never have been looked upon as powerful and therefore, there is no loss; the union can only gain in strength.

The points identified in this chapter led to the formation of a number of hypotheses that the research, the results of which are documented in part 2 of the thesis, tested.

5:9 *The hypotheses*

1 The shopfloor is “the union”.

2 It is most likely that to members the extent of their union's power is measured by the level of success that they have in the workplace in achieving their aims.

3 How well the lay representative performs will influence members' perceptions of the “power” of their union.

4 It is the local leader's style which is essential in determining membership participation and interest in workplace unionism and, therefore, the level of success that the shopfloor unit has when dealing with management.

5 The personality and style of working of the lay representative are essential ingredients for successful unionism in the workplace.

6 Individualism versus collectivism. The idea that through the agency of the individual member making individual decisions in his/her own interests, trade union power will be reduced is based on a flawed interpretation of individualism.

7 The legislation is likely to have had little influence on members' opinions about the power of their trade union.

8 The change in the economic and employment environment may have altered the attitudes of union members and the role of trade unions.

The next chapter outlines the research strategy used to test these hypotheses. A variety of research methods were used; each one is described along with the reasons for its use and its associated advantages and disadvantages. Two case studies made up the bulk of the research, each one relating to a different trade union.

6:1 *Introduction*

The main aim of the research was to ascertain what trade union members thought of the power of their trade unions. As it appeared that for the majority of union members “the union” was actually based in the workplace rather than nationally the major focus of the study was on the workplace organisations rather than the national unions themselves.

The research documented in part 2 of the thesis involved a case study approach, which consisted of mixed methodology producing qualitative and quantitative data. Data was obtained through observation, interviews, questionnaires and the analysis of documentary evidence. Using a variety of methods is a useful approach because the advantages of one method can often be used to combat the disadvantages of another. It is also valuable to compare the results obtained by different methods to see if similar conclusions are reached; conclusions supported by more than one method are stronger than those supported by just one or where different methods produce differing conclusions.

The bulk of the research material was obtained during 1993-95. A substantial amount of information about the two unions involved was obtained by observing a number of union meetings and through informal interviews with key local members of those unions. The questionnaires that were given out to members of the AEEU and UNISON provided an insight into members’ opinions about their union membership. The research was also supplemented by analysis of journals and other secondary material published by the unions concerned and unions not directly involved in the study. Material from the two workplaces involved, such as notebooks kept by the AEEU convenor and minutes from the trust staff council meetings, also provided a useful insight into how the unions performed in the workplaces and gave added weight to the conclusions reached via the other research methods.

6:2 *Case studies*

A case study approach allows a detailed concentration on a specific individual or group situation and makes it possible to identify, explore and understand the various interactive social processes which may be taking place. The “case study is concerned principally with the interaction of factors and events” (Bell 1987, p6). It may also facilitate a historical exploration of changes and continuities within the situation being studied. The researcher aims to identify the common and unique features of the group or organisation being studied and to show how they may influence the way that it functions. A successful study will provide the reader with a three-dimensional picture and should illustrate relationships, micro-political issues and patterns of influence in a

particular context (Bell 1987, p7).

The case study is a very diverse and flexible approach and the researcher is able to combine qualitative and quantitative research methods. No method is excluded from this approach and the use of multiple methods is common, however, observation and interviews are the most frequently used. Observations, usually with the researcher recording events as they happen, produce qualitative data, and often resemble participant observation in the degree of intimacy and rapport that is established between the researcher and those observed. Rose (1991) noted the following characteristics of the approach: the case study design may comprise single or multiple cases and these may consist of snapshot or longitudinal studies. Where the design consists of multiple cases, the choice of cases may be based on a logic of comparison, diversity or replication. The basic design can be adapted to meet various theoretical and practical requirements. (p200).

An advantage of the case study approach is that it provides an opportunity to identify and suggest possible relationships and it provides evidence to support further study. The quality of the information collected lies with the researcher and his/her ability to record what is happening in an objective and accurate manner. The major weaknesses of this approach concern the issues of representativeness and generalisability. However, as Rose (1991) argued “to advocates of the approach these methodological points can be answered and, moreover, turned into a positive virtue.” (p192). Rose suggested that with a quantitative method representativeness has come to mean typicality in the sense of a statistically reliable sample from a population, however, he also noted that survey samples are frequently taken from strategically selected localised populations rather than national populations, so that problems of generalisability exist even there. “[T]ypicality in the statistical sense is not a major concern for case study research. This is not to suggest, however, that representativeness ceases to be an issue. On the contrary, where more than one case is used the issues of selection criteria and qualitative representativeness can be of considerable importance.” (Rose 1991, p192).

6:3 *Research design*

The research involved two main case studies, the AEEU locally and UNISON locally, and two sub-studies, each involving a study of a particular workplace organisation within each union (in UNISON’s case two similar workplaces were involved). Each of the case studies comprised of the following research methods: observation, interviews and questionnaires. Each of these is discussed below.

The two unions, UNISON and the AEEU, were selected because of the contrast between the main workplaces in which they operate; the AEEU largely in the private sector and UNISON in the public sector. One workplace covered by the AEEU and two workplaces with UNISON members were chosen as case studies. The workplace covered by the AEEU was chosen largely because the main union representative there

was also a branch treasurer and, therefore, I was able to meet him at least every month while observing the meetings of that particular branch (see below). He had also expressed his willingness to allow me access to his firm's shop stewards' meetings and other information that he had concerning his workplace and the union. Two workplaces covered by UNISON were selected because at the original hospital, which was chosen because UNISON members there had already been observed at work over a two year period prior to the research taking place, I could not contact the shop steward. Therefore, a second hospital was also selected where the steward was willing to be interviewed and supply me with any relevant documents relating to the local hospital trust and UNISON.

Individual workplace organisations are (in theory if not in practice) linked to each other through the local organisation of their unions. Previous research has shown how union organisations within individual workplaces had varying levels of dependence upon their local full time representatives (see for example, Boraston et al 1975). Therefore, by studying the local organisations of UNISON and the AEEU it was considered that an insight into how each union operated at a local level could be gained and this might be linked to how the individual workplaces under their jurisdiction maintained their union organisations. It would also give an insight into any differences between the AEEU and UNISON at a local level. UNISON's local organisation consisted of one local branch (for the health section) for the area. The AEEU's local organisation was slightly more complex, with four branches, district shop stewards' meetings and a district committee.

Attendance at union meetings allowed me to meet representatives and members from a number of different local workplaces. To ensure that the main focus of the study remained on the issues involved rather than the actual workplaces under investigation it was decided that all persons, workplaces and the area involved in the study should remain anonymous. The area studied is called Xtown for the purposes of the research and the different workplaces are referred to in the text by a letter or a number, for example, firm A, firm B, hospital 1, hospital 2 and so on. Overall, twelve workplaces which had AEEU members are referred to in part 2 of the thesis and three main hospitals which were represented by UNISON. The AEEU workplace chosen as a case study is referred to as firm A and hospitals 1 and 2 made up the UNISON study.

No systematic procedure was used to select the unions, workplaces or union members who were informally interviewed or asked to complete questionnaires. The interviews with members and stewards (other than the stewards connected to the chosen workplaces) were conducted spontaneously, that is, when a person was attending a meeting for example, they were engaged in conversation (if they were willing), in fact many individuals approached me and were only too happy to be informally interviewed. The questionnaires were distributed to two workplaces, one from each sector; firm A and hospital 1 (see below). It could be argued that the workplaces chosen and the members who completed the questionnaires were not representative of the entire population of workplaces and union members within the area studied.

A table briefly setting out the structure of the AEEU in Xtown, the methods used to study it and the main reasons why this was done

<u>The AEEU in Xtown</u>	<u>Methods</u>	<u>Why</u>
District committee	None	The committee reported to the shop stewards' meetings. Two of the branch officers who were on the committee were happy to provide me with any information should I require it.
District shop stewards' meetings	Observation. Informal interviews.	Provided an insight into the local organisation of the AEEU. Information on the problems that were encountered at different workplaces and how those workplace organisations dealt with them was gained.
Four branches	Observation of a monthly branch over eighteen months. Informal interviews with branch officers (including officers from other branches) and members attending. Analysis of documents.	The branch is considered to be the basic unit of the union and the connection between members and the national organisation. Provided the background to the study.
Individual workplaces (Firms A, B, C, D, E, F, G, H, J, K, L, M)	Stewards/members from at least twelve different workplaces were observed and informally interviewed at union meetings. Firm A was chosen for the case study workplace.	To gain information about the union organisation at those workplaces and members' opinions about their union. Firm A was chosen, as it was a large engineering firm with a well established union organisation. The main lay representative was also the branch treasurer, so that I could meet him at least once a month.
Firm A	Observation of annual shop stewards' committee meetings. Informal interviews with some of the stewards. Formal/informal interviews with convenor. Questionnaires completed by stewards and members. Analysis of convenor's notebooks and other documents.	To gain an insight into union organisation at workplace level and to develop an understanding of the opinions and perceptions of union members. Overall, to attempt to assess the level of trade union power in the workplace.

A table briefly setting out the structure of UNISON in Xtown, the methods used to study it and the main reasons why this was done

<u>UNISON in Xtown</u>	<u>Methods</u>	<u>Why</u>
<p>One branch for the health sector</p> <p>Full time convenor for health for the area</p>	<p>Observation of one monthly branch.</p> <p>Questionnaire.</p>	<p>To gain an insight into the local organisation of UNISON.</p> <p>To gain information about UNISON organisation in Xtown and the convenor's opinions about the union and how it operated locally. Because of her workload she declined to be interviewed.</p>
<p>Individual workplaces (Hospitals 1, 2, 3, community health team)</p>	<p>Stewards and members from different workplaces were informally interviewed. Hospitals 1 and 2 chosen for case study. Analysis of documents.</p>	<p>To gain information about the union organisation at those workplaces and members' opinions about their union.</p> <p>Hospital 1 was chosen because UNISON members there had been observed at work prior to the study. Hospital 2 was chosen because the steward was willing to be interviewed and provide information.</p>
<p>Hospital 1</p>	<p>Informal interviews/conversations with UNISON members and former members. Questionnaires completed by members. Informal interview with the employer of those asked to complete questionnaires.</p>	<p>To gain an insight into union organisation at workplace level and to develop an understanding of the opinions and perceptions of union members.</p>
<p>Hospital 2</p>	<p>Formal and informal interviews with steward. Informal interviews/conversations with members. Analysis of documents.</p>	<p>To gain an insight into union organisation at workplace level and its connection to the local organisation. To attempt to assess the level of trade union power in the workplace.</p>

However, the use of different research methods, in particular the observation of meetings attended by stewards and members from many different workplaces, tended to confirm the conclusions reached from the case studies.

It should also be noted that the union members who completed questionnaires and who were interviewed were predominantly men in the private sector and women in the public sector. Any differences in the attitudes between men and women towards unionism might then be revealed; however, there was also the danger that this may have blurred any distinction between the two different unions.

6:4 *Observation*

Observation can be a valuable research tool. The researcher has the opportunity to directly observe parts of the social world that he/she is studying, gaining useful insights which may not have come to light by the use of interviews and questionnaires alone. Questionnaires and structured interviews contain a predetermined set of questions which the researcher has already decided are important whereas observation may reveal different issues; issues that those being observed consider important. Observation is often criticised because it lacks reliability. This is because observation relies on the interpretative skills of the researcher; one researcher may interpret the same situation differently to another. Nevertheless, it could be argued that observation is no less reliable than any other method as the reliability of each depends upon how it is carried out. It is also argued that it is not possible to generalise from the results of observation alone. However, researchers who rely on observation techniques argue that they do not wish to generalise from their findings but hope to gain an understanding from them and develop further questions. In addition it is argued that observation is rich in validity.

My observation work was largely confined to union meetings. However, this was invaluable to the research because it gave an overall “feel” for the situation and provided many interesting examples of local circumstances. In particular, the focus on AEEU branch meetings developed my general knowledge providing information on previously unknown areas and substantial information about local firms. The meetings also brought me into contact with shop stewards and members from a variety of local workplaces. My initial observations, particularly of AEEU meetings, strongly informed the nature of some the questions asked in the questionnaire and clarified the focus of the research.

I was allowed to observe four AEEU district shop stewards’ meetings which were held twice a year and were attended by shop stewards from around the region. Therefore, I was able to gain a valuable insight into the different opinions and problems of union organisations in different workplaces across the local area. I also attended regularly, for approximately eighteen months, a particular local branch meeting which met once a month. This was of tremendous benefit to my research and in many respects provided the background to the study. I also attended two of firm

A's shop stewards' committee meetings held once a year. Extremely useful information was gained from these meetings and from informal interviews with some of the shop stewards afterwards.

All the AEEU meetings I attended took place at the local Labour Club, the shop stewards' meetings being held in the largest room and taking a more formal outlook, whereas the branch meetings were held in one of the smaller rooms, and tended to have an informal air about them. The meetings relating to the AEEU's local organisation were held in the evening, the stewards' meetings on a Wednesday and the branch on a Monday. Firm A's stewards' meetings were held on a Saturday afternoon.

In comparison with the AEEU UNISON representatives were very difficult to contact and sometimes quite evasive. I was eventually invited to attend a UNISON monthly branch meeting, which was held at the local Labour club on a Tuesday evening. The meeting resembled an amalgamation of the AEEU's branch and shop stewards' meetings and was a formal affair. Even though the meeting was open to members it appeared that it was mainly attended by shop stewards from workplaces covering the local area. Despite only attending one meeting it gave me a tremendous amount of information about UNISON locally and the types of problems that the stewards were encountering.

Where possible I made written notes on the spot; however, in situations where this was not viable, such as an informal interview with a member, the information was recorded as soon as possible afterwards. All my notes were written up and the details elaborated upon as soon as possible after the event.

6:5 *The role of the researcher*

The role of the researcher is extremely important when using observation as a research method. With overt observation there is always the possibility that if the researcher makes his/her identity known those being observed may intentionally or unintentionally change their behaviour. To overcome this possibility and remain as objective as I could I tried to blend into the background and watch and listen; it is essential that the researcher does not become too involved and lose his/her detachment as an observer. This was possible at some union meetings, for example, UNISON's branch meeting and the AEEU's district shop stewards' meetings; however, because of the informal nature of the AEEU branch meetings, members only attending to see to their business rather than staying for the whole meeting, the situation was slightly different. Members tended to accept me without question, and as they became used to me being there they began to stay longer, sitting and talking to me. I tried not to let my actions and knowledge influence those that I was speaking with and refrained from passing judgment on any sensitive issues when they were being discussed even though at times my opinion was asked. It is appropriate to add that some of those attending the AEEU branch may not have been fully aware of what I was doing there,

and on a couple of occasions I was mistaken for a member of the branch committee. Nevertheless, the fact that they tended to see me regularly probably made them feel more at ease as they made a point of remaining at the branch longer than they would normally have done. I never made any pretence of what I was doing there and do not feel that I deceived anyone, always willing to explain my position if necessary. However, I feel that the information gained was sometimes better when the person was unaware of what I was doing because as soon as people tended to know they had specific opinions on unions in general rather than on their own personal reactions to the situation at their workplace.

I also became acquainted with three AEEU convenors from different workplaces and the main UNISON shop steward from hospital 2. Between them they provided me with a lot of useful information on their particular union organisations and their relationships with management and their members. I also found that of the few people who attended the AEEU branch regularly, mainly to pay their subscriptions, many were only too happy to sit and talk to me about their experiences and feelings. Again these men were from differing workplaces usually those which did not have a strong union presence and their comments and opinions were helpful in enabling me to understand their reasons for membership. The few retired members who called in at the branch on a number of occasions were perhaps the most willing to talk about “the union” in their working days, and this information makes a useful contrast to the views of current working members.

6:6 *Interviews*

The majority of the interviews conducted were unstructured interviews whereby the respondent was allowed to talk freely, sometimes even setting the topic of conversation. In this way the respondent was given greater flexibility to say what he/she wanted, indicating what he/she thought was important. If it was felt necessary the respondent may have been asked a few specific questions or have been guided onto a certain topic of conversation, but generally the most fruitful information was gathered by allowing respondents to direct the conversations themselves. In this way, that is, by allowing respondents to talk freely and asking questions only to clarify something said, I feel that any interaction problems associated with unstructured interviews were avoided. Semi-structured interviews, where a number of questions were specifically addressed but where the respondent was allowed to answer freely, were conducted with the main lay representatives of each workplace studied.

The AEEU convenor from firm A and the UNISON steward from hospital 2 were the main lay representatives and both were willing to talk with me on numerous occasions. Both provided me with invaluable information about their unions generally, locally and about their own work and both allowed me access to various documents relating to their unions and workplaces. The AEEU convenor also provided me with a set of notebooks/diaries which he had kept from 1986 to 1991 (see below). The semi-structured interviews and many informal interviews with firm A’s convenor took place

at the local Labour club. Hospital 2's steward welcomed me into her home on two occasions to interview her and I could contact her by telephone whenever I needed to.

Informal interviews were also held with a former NALGO¹ steward, with a UNISON steward from the community health group, AEEU stewards who attended the district shop stewards' meetings and with three of the AEEU stewards from firm A. The lead UNISON convenor for the local area (who was also the branch secretary) declined to be interviewed because of her heavy workload but completed a questionnaire. In addition, the domestic services manager, the employer of the UNISON members asked to fill in the questionnaires, granted me an interview about her own and her workers' relationships with UNISON. With the exception of the domestic services manager and the former NALGO steward, whose interviews took place at the workplace and at home respectively, all these interviews took place at the local Labour club after union meetings.

Conversations with union members also provided a great deal of useful information, particularly about their perceptions of their union and unions in general. With the exception of the representatives from the workplaces chosen as case studies, the members and stewards who were interviewed/spoken to were not chosen systematically, but because of their availability at a particular time and, in many cases, their willingness to speak to me. In some cases members engaged me in conversation. The majority of the AEEU members were spoken to at the local Labour club during the branch meetings and, with a few exceptions, UNISON members were informally interviewed either during their work breaks or while they were leaving work; at hospital 1 many UNISON members were willing to talk to me about their union, but none of them wanted to be formally interviewed mainly because of the time factor. Therefore, by sitting with these members during their break times and accompanying them when they left work, I found it useful to enter into informal conversations with them so as to elicit as much information as I could. They were happy to do this as it was not taking up any of their "spare" time.

6:7 *The Questionnaire*

It was decided that the best way of getting as many members' views as possible was by a self administered questionnaire.² Self administered questionnaires are an ideal way of reaching as many people as possible within a certain time limit; interviewing the same amount of people would take up an enormous amount of time. It was also considered that respondents might be more likely to comment on contentious issues if they remained anonymous than they might in an interview situation. However, it was recognised that questionnaires of this type do have disadvantages such as the fact that

¹ NALGO (The National Association of Government Officers) was a union in its own right until it amalgamated with NUPE and COHSE to form UNISON.

² Quantitative data from questionnaires with closed questions is also easier to analyse than data obtained through, for example, interviews where the respondents have been allowed to talk freely. The data was analysed using SPSS.

the return rate may be rather low, whereas with interviews each interviewee is questioned and his/her answers monitored. It was decided that to get the maximum return rate possible the majority of questions on the questionnaire should be closed questions so that the respondent would find it easier to answer the questions by ticking boxes rather than writing out his/her answers. Again it was recognised that this has its disadvantages such as the fact that some respondents may not find the reply they wish to give, or the fact that with closed questions respondents answers are not elaborated upon. However, it was considered the best way to ensure that as many questionnaires as possible were completed and respondents were given the opportunity to comment on any of their answers at the end of the questionnaire. It was found that those who wished to comment on their answers tended to do so beside the questions anyway.

Another disadvantage of self administered questionnaires is the fact that respondents cannot clarify the meanings of questions that they do not understand. Therefore, it was essential to try and phrase the questions in a way that would mean the same to everybody. However, there is always the risk that different people may interpret the meaning of the same question differently and this must be kept in mind when analysing the results. Many of the questions relate to the respondents' perceptions and expectations rather than to straightforward facts. Therefore, there is a danger that those attitudes may vary over time and may have little or no correlation with the respondent's actual behaviour. Previous studies have already found that members may shift between different dimensions of union commitment, which is connected to the impact of events and developments; the levels of participation and solidaristic attachment to the union tend to rise when issues of concern to members are being decided and widely discussed (Fosh 1993) and that feelings of solidarity are most common when conflict situations are arising (Batstone et al 1977). The observation work and informal interviews with members were therefore vital to compare with the questionnaire answers because what people say on a questionnaire may not reflect what they say in a social situation. They also clarified any incidents that may have had a bearing on the answers given. However, it must be noted that observation relies on the observer's understanding and interpretation of events and is not a foolproof method itself, but the three methods combined should give a fuller picture than using only one.

The question formation was particularly sensitive and had to be formed in such a way so as to get at what members thought of the "power" of their unions without actually using the word itself; the word "power" might mean different things to different people. The questions were phrased so as to try and get the same estimate of union power from all the respondents. It has been argued that employees do not consciously compare their power (to withhold labour, work poorly etc.) with the manager's power, but rather the authority to manage is so legitimised and taken for granted that issues of power and sanctions seldom become consciously considered (Pfeffer 1981). The questions were phrased in certain ways to try and address the different dimensions of trade union power, again because members might not think of trade union power in the same way as set out in the previous chapters. Some questions which may have

been relevant to a person's attitude towards their union were not included because they were considered personal and made the questionnaire too long; for example, the respondent's marital status and whether they had any dependants might affect their attitudes because they had a family to support, whereas single people may accept lower pay rates more readily or even be more prepared to go on strike because they only have themselves to account for. Other questions were omitted so as not to make the questionnaire too long as it was decided that they were not directly related to the issue of trade union power; for example, whether members vote in their union elections for president or general secretary. However, because the questionnaire is largely directed at the workplace, it makes it hard to tell exactly what members think of their national unions (if at all); while issues such as how many members vote in their national union's elections are not connected to union power as such, they may show membership attitudes towards their national union in terms of whether they care who their "leaders" are or about the policies they advocate.

The questionnaire was designed to ascertain members' opinions about a number of issues:

- Trade union membership in general; their reasons for joining and any differences that being in a trade union made to them;
- Their opinions about their workplace organisation; how they used their union at work, the union's relationship with management and whether they thought their union was effective in their workplace;
- The final section was related to the legislation to find out if members thought the legislation had had any affect on trade unions generally but particularly on their workplace organisation. One question related directly to trade union law and was designed to see if members were aware of the legislation, which was designed to "give the unions back to their members" and give them individual freedom and the right to choose. If members are not aware of the legislation it cannot necessarily be claimed a success.

Some of the questions were repeated in slightly different formats to test members' opinions; that is, they may answer positively to one question, for example, the most important reason for union membership may be for job protection but then they may answer negatively to "being in a trade union makes a difference in the case of job protection". Some questions were specific ones which asked directly what the respondents thought, such as whether they thought that their union was effective at their workplace. Other questions were general ones which were indirectly trying to establish whether the member's union could be described as effective and, therefore, as "powerful"; for example, if members thought that being in a union made a difference in a number of particular circumstances, it is an indication that their union was producing effects even if they had replied (to the specific question) that their union was not effective overall at their workplace.

One question was related to a description of the workplace representatives to see if members rated their union differently according to how they described their representatives. It is accepted that this is a crude measure but may indicate a relationship between the styles of the lay representatives and their perceived performance in the workplace. Questions were also included asking whether members had been represented by a union representative and whether they were satisfied with that representation and whether they had received any form of union benefit, as it was considered that members who had received some form of representation or benefit may rate their union differently to those who had not. It has been suggested that awareness that the union has done something for you engenders a healthy attitude toward the union and the workplace organisation (Higgs 1969). However, it should also be noted that there may be a difference in the number of members from different workplaces represented at tribunals due to the strength of the workplace organisation; a strong workplace union may not allow a member to be dismissed, whereas a member of another may be dismissed for a similar reason and subsequently be represented at a tribunal.

A slightly modified version of the questionnaire was designed for shop stewards, which related more to their relationship with management and their members. See appendix 2 for a copy of the questionnaire distributed to members and appendix 3 for the shop steward's questionnaire.

A pilot study was carried out at firm C with the cooperation of the convenor there. To test the suitability of the questionnaire twenty were given to AEEU members in one particular workshop by their convenor. Extra questions were added to these asking the respondents particular questions about the questionnaire itself. Ten were returned and on the basis of these answers the questionnaire was modified slightly for the main study.

At firm A the AEEU convenor distributed and collected in the questionnaires himself. Therefore, respondents were not selected systematically, though the convenor assured me that he was not selective in who he gave them to; he distributed them to all members working in five of the eight workshops over a two week period, so as to involve members who worked alternative shifts. In fact, according to the convenor, some AEEU members had actually approached him and asked if they could take one. The convenor from firm A and the shop steward from hospital 2 had both said that it would be better if they gave out the questionnaires so that their members did not think that they were from management. Because of reservations that members may have been reluctant to answer questions negatively in case their representative looked at the completed questionnaires they were distributed with envelopes so that respondents could seal them after completion. However, any reservations about how respondents may have answered were unfounded.

All UNISON members within the domestic services department at hospital 1 were

approached and asked to complete a questionnaire. However, many UNISON members were willing to talk to me about their union but they were reluctant to complete the questionnaires, many even refused to take one. Despite numerous visits to hospital 1 to encourage members to return their questionnaires the return rate was very low, under a third were completed (9 out of 30) which makes comparisons with AEEU members difficult (a 67% return rate, 119 questionnaires were returned out of 178). However, the information can still be used. The fact that UNISON members were willing to talk about their union yielded information that can be used in comparison with AEEU members' opinions. In addition, those members who refused to take questionnaires tended to talk negatively about their union, which may mean something in itself.³ At hospital 2 the steward had said that her members would be happy to complete the questionnaires. However, after inquiring further it appeared that because many of the staff at hospital 2 had just completed a number of other questionnaires they were rather reluctant to take another and, therefore, the distributing of questionnaires to UNISON members was abandoned.

The questionnaire designed for stewards was completed by ten of the twelve AEEU shop stewards at firm A (an 83% return rate) and the convenor also completed one. In addition UNISON's lead convenor for the local area completed a slightly different questionnaire (see appendix 4). A different questionnaire was designed for UNISON's convenor because her position was different to that of the AEEU stewards; she did not work in one individual workplace but was responsible for a number of workplaces under her jurisdiction.

6:8 *The use of documentary data*

A number of various documents were analysed and were a valuable resource complementing and backing up the evidence obtained from the other research methods. In particular the convenor from firm A allowed me unlimited access to a set of notebooks/diaries which he had kept from 1986 to 1991. These recorded all aspects of his work on a day to day basis; which included problems encountered, meetings with management, threatened dismissals, instances of threatened and actual industrial action and the outcomes of most problems. They also recorded how many stewards had attended different training courses in 1987 and 1988. These notebooks provided invaluable evidence, particularly of the period preceding the actual study and they showed the many types of problems that members take to their union representatives. In addition they clarified much of what the convenor himself had told me, which on its own may have been considered exaggerated. The UNISON steward provided me with several copies of the minutes from the NHS trust staff consultative council meetings. These were a valuable source of information on the impact that UNISON had upon the trust generally and in particular about members' concerns over how the trust was operated.

³ The members who refused to take questionnaires appeared to have a different attitude to those who took them.

Other documents analysed included:

Union correspondence sent to shop stewards from both UNISON and the AEEU.

Union journals (members and shop stewards).

AEEU weekend school packs.

Works committee papers.

Collective bargaining agreements.

Union rule books.

Union publications, leaflets and information pamphlets (many provided by the national unions).

6:9 *Reliability and generalisation*

As the bulk of the evidence collected was largely based on members' perceptions and opinions the reliability of these measures can be questioned. However, as the aim of the study was to ascertain what members thought of the power of their unions, it must be accepted that some of the conclusions may be based upon the respondents' views of the world which may change according to the different situations that they may find themselves in. Nevertheless, the questionnaire was designed to try and uncover any conflicting opinions that particular individuals may have held and the observation work and documentary analysis in many ways confirms some of the interview and questionnaire data so that some conclusions can be made with confidence. It is also recognised that the results may only be relevant to those workplaces studied so that generalisations about unions in general should be made with caution. However, because of the nature of some of the conclusions, backed up by the additional evidence from stewards at workplaces other than the main ones studied, an overall picture of why unions may be successful at some workplaces but not others can be built up and is worthy of further study.

Part 2 of the thesis documents the results of the empirical research. Chapters 7 to 10 concentrate upon the AEEU and chapter 11 focuses on UNISON. The final chapter analyses the evidence presented in part 2 of the thesis and relates the findings to the conclusions and hypotheses that were discussed in chapter 5. The conclusions from the research findings are set out and the implications that they may have about trade union power in general are discussed.

PART 2

Trade Union Power - The 1990s and Beyond

7:1 *Introduction*

Part 2 of the thesis documents the results of the empirical research. The information contained in this chapter concerns the AEEU generally and within the local area. The chapter is largely descriptive and the evidence is based mainly upon the perceptions and opinions of local workplace representatives and members, as well as the observations and interpretations of the researcher. However, the information provides a useful insight into the AEEU in Xtown and its surrounding areas and it illustrates how it is highly likely that union power is influenced by the personalities and styles of working of those concerned.¹ The data was obtained through the observation of four AEEU district shop stewards' meetings which were attended by stewards from a number of local engineering firms², and the observation of the monthly meetings of a particular AEEU branch over an eighteen month period. Informal interviews with some of the stewards who attended the shop stewards' meetings and all the branch officers and conversations with members who attended the branch also contributed significantly to the findings. The empirical work was supplemented by the analysis of a variety of documentary materials pertaining to the AEEU. The final part of the chapter summarises the evidence and relates it to the hypotheses set out at the end of chapter 5.

The following two chapters give details of a case study of the AEEU organisation within a particular local firm - firm A; chapter 8 concentrates on the views of the shop stewards and chapter 9 on the opinions of members. Chapter 10 combines all the findings relating to the AEEU within Xtown and its surrounding area and sets out the overall conclusions and implications about the "power" of the AEEU. Chapter 11 concentrates on UNISON. All the data gathered about UNISON is presented in one chapter; because of the low response rate of UNISON members to the questionnaire it was not considered viable to present these results as a separate study. However, the quality of the information obtained by other research methods, that is, the observation of a branch meeting and interviews with stewards and members is such that conclusions can still be reached regarding UNISON and useful comparisons with the AEEU can be made. Chapter 12 analyses the evidence presented in part 2 of the thesis and relates the findings to the conclusions and hypotheses that were discussed in

¹ The personality and the style of working of an individual are separate concepts. However, it will be argued that an individual's personality may have implications for the style of working that they adopt. The style of working adopted by union representatives appears to be the most important part of their role as this determines how members react to them and "the union". It does not necessarily follow that representatives have to have similar personalities to adopt a similar style of working. However, it is highly likely that particular personalities will be able to adapt to a leadership role much easier than others; for example, it is clear that a commitment to collectivism enables a steward to adopt a style of working that is more likely to encourage union participation among the membership than a steward who treats members and their problems individually.

² Each firm is identified only by a letter.

chapter 5. The final section presents the conclusions from the research findings and the implications that they may have about trade union power in general.

7:2 *The AEEU*

The AEEU was created in May 1992 by the amalgamation of the AEU and the EETPU and is the fourth largest union in the TUC with around 775,000 members in every kind of industry. The trend towards amalgamations was noted by Gavin Laird in 1993: "there will soon be fewer and stronger unions and the AEEU will be one of them."³ However, from a member's point of view this might not be the case: bigger unions are not necessarily what members want, and are not necessarily stronger. The bigger a union becomes the more the national organisation appears to lose touch with the realities of the individual workplaces under its jurisdiction (see chapter 3). However, the union "has always been proud of the fact that it is a membership rather than an activist based union", and its "democratic structure ensures that all important decisions are taken by members as a whole and not by small groups of committed activists."⁴ According to the national organisation, the branch is the basic unit of the union and is the place where any member can freely raise for discussion any matter affecting the union's business. Resolutions to change policy begin at the branch. But, as will be seen, members' interest in the branch is virtually non-existent; therefore, it could be argued that the national organisation of the AEEU was out of touch with its members.

An AEEU recruitment pack stated:

"Look what you get when you join us!

There's so much you can get when you join the AEEU. Not just a union that can win wages, shorter hours and greater job security, but one which offers a whole range of services that could save you and your family a lot of money."

The pack went on to tell the reader each benefit of union membership and the final sheet stated that the AEEU is a union where members matter most. However, whether members feel that their interests are being taken into account may differ from the opinions of the national organisation. Beynon (1973) found that lay representatives and their members tended to have a different view of things from their national officers. The national union was trying to attract new members and retain old ones by introducing more and more packages designed to benefit the member and his/her family as individuals; for example, financial services including car and house insurances, life assurance and a newly introduced wills service. Legal services had been extended and were also offered to members' families at no cost to the member. The AEEU was not alone in introducing benefits designed to attract members as individuals rather than aiming to get members to view themselves as a collective, most

³ Divisional Organisers' Weekend School Pack 1995 - "Future Structure of The New Amalgamated Union." p4.

⁴ Ibid p3.

other unions now provide similar benefits: however, it could be argued that they are following the path that the Conservative government wanted them to, by becoming insurance agencies rather than vehicles for collective voice and collective action. But is this what members want? Indeed, even one of the AEEU's solicitors admitted at a local shop stewards' meeting that not many members knew about some of the services on offer.

The union was, at the time of the research, altering its structure to reflect "the best aspects" of both the AEU and EETPU structures. Indeed, at the end of the research period, a ballot of members approved proposed changes to the rule book, as a result of this the district secretary has become a regional secretary covering a much larger geographical area and local branches are to be merged. The implications of these and other changes imposed by the "new" rule book are discussed in chapter 12. The Divisional Organisers' Weekend School Pack - "AEEU Affiliation To The TUC" said "The AEEU's strength in representing its members has already been enhanced by the merger between the engineering and electrical unions" (p2A), but the same optimism was not forthcoming from members in Xtown. Many local shop stewards resented the amalgamation of the EETPU with their own union. They argued that the electricians had wanted to join them for many years and "no one wanted them". The electricians' union was looked upon as embodying a totally different attitude from that of the engineers, or at least locally.⁵ The feeling was (and especially by the chairman of the district shop stewards' committee who was a delegate at the first conference of the "joint union") that the electricians wanted to take over the whole union with no regard for the concerns of the engineers. A particular concern focused upon the changing of the rule book to suit the electricians. It was argued that when the construction side of the union joined the engineers the rule book was not changed, so why should it be changed now?⁶ The most important point was that the report of the AEEU Policy Conference given by the local delegates to the shop stewards' meeting was in marked contrast to that reported in the union's journals. The national organisation were proud of the results of the conference and argued that "the Union has taken huge strides forward and all sections are closer together."⁷ However, as already noted, local delegates felt that many of the resolutions accepted were concessions to the electricians and most resolutions from the engineers were not accepted; this added to the general

⁵ The EETPU was generally a "right wing" union and left wingers "in the EETPU have a tough time of it" (Basset 1986, p77) especially as the union was dictated by an intense anti-communist approach ("a right-wing mirror-image of its old Communist days." Basset 1986, p77). According to Basset (1986) the union attracted controversy like a magnet. During the 1980s the EETPU attracted a lot of criticism from other unions by working with employers so as to entice the entire workforce of a factory into membership rather than beginning by recruiting a few members at a time. The EETPU's leaders actually described their members as "individualistic, skilled, flexible, argumentative, mobile, entrepreneurial, *different*." (Basset 1986, p71.)

⁶ However, contrary to local activists' opinions the rule book has been changed and not entirely in favour of members.

⁷ "Union Review" No. 13, August 1995, p1.

feeling of distaste for the electricians and the national organisation itself.⁸

7:3 “Head Office”

The national union, or “head office” as it was commonly referred to by branch officials, was seen as distinct from the local unit. In fact, the local unit could also be divided up into separate shopfloor units, each an entity with its own ways of operating. Therefore, it could be argued that rather than two strands of unionism there were actually three: the shopfloor unit, the local unit and the national organisation.⁹ The branch officials gave the impression that head office was not considered as part of the union as such, perhaps because it was so remote. Shop stewards do appear to see themselves (perhaps unconsciously and as a result of members’ reactions towards them) as “the union”, at least as far as their own workplace is concerned. The national union does not exist as such, but amounts only to “head office”.

Head office dealt with all correspondence such as membership applications and accident forms. These forms were sent to head office after being signed and stamped by the branch secretary. Very often head office became the object of complaint. It was not uncommon for members to have to submit a second claim because the first one had disappeared. Even the branch membership register was very often not up to date, creating a problem for those concerned. However, after the merger of the AEU and the EETPU, head office had changed its system to a computerised one and many of the problems were blamed on this. It could be argued that the problems may have been created at branch level; however, when a member submits two claims together through the branch, and one claim is acknowledged and the other has to be resubmitted, it indicates that the fault lies not with the branch but with the administration at head office.¹⁰ Indeed a paid collector rang head office himself after receiving an arrears letter; he discovered that they had two computers, on one he was in arrears and on the other he was fully paid up!

A number of members had received arrears notices when they paid their subscriptions through the check-off system. This created a lot of anxiety for some members, who

⁸ Interestingly, an ex-shop steward from the old plumbers’ union described the amalgamation of the plumbers with the electricians as “when the plumbers were taken over by the electricians - it was disastrous!” He described in great detail how the “very right wing” electricians took over all the lodges; plumbers who had run lodges for ten to fifteen years suddenly found themselves voted out by electricians who “appeared from nowhere in their throngs” for these meetings. The essence of his argument was that the electricians “took over!” Perhaps this was what local AEEU representatives feared and after reading union journals it appears that the AEEU’s Executive Council were willing to go along with this.

⁹ However, due to the rule book changes which were implemented after the research was conducted, the local unit of the AEEU may disappear. District shop stewards’ meetings were to be discontinued and branches amalgamated. Unless shop stewards are prepared to attend the newly constructed branch meetings (not put into place at the time of writing) the local side of the AEEU could vanish altogether.

¹⁰ Or possibly with the union’s solicitors. After a change of solicitors problems with claims forms were beginning to subside.

constantly asked their union representatives for advice. According to the district secretary, employers were to blame for the arrears notices because many of them sent union subscriptions paid via check-off facilities to the union in a lump sum without explaining if someone had been exempt from paying through sickness or retirement, for example, and therefore those members were considered to be in arrears. The branch officials were of the firm opinion that head office was unaware of the problems it was causing and that “a lot of people down at the bottom are running around trying to set things straight and sort out the problems created by things such as arrears notices”. In some instances members tended “to take it out on their shop stewards” which may be another indication that members see their steward as “the union”, blaming him/her for problems which are created higher up the union hierarchy. “There’s something wrong somewhere,” commented one convenor about head office; “we’ve got enough on at work, never mind having to sort these things out.”

The national union was trying to entice members to pay their subscriptions by direct debit. This might ensure that the union itself receives regular payments from its members and any problem with employers sending in payments would be eliminated, but some workplace representatives were not happy with the idea. They argued that it was moving away from “control” of members at local level; when all their members are on check-off they have access to a full list of members (providing the employer is cooperative) but, at least at local level, an individual could cancel his/her direct debit and still claim to be a member. This coupled with the fact that the register of members’ names and addresses was rarely up to date could cause enormous problems for the union if a ballot was to be held.¹¹

Another problem was created because many union members did not inform their branch of any change in their circumstances, which did not help when having to determine who should be paying subscriptions and who was exempt. This in turn may have had an adverse affect upon any benefits that a member may wish to claim.¹² This was not a problem faced by the AEEU alone; most other unions had the same difficulties with their members. The NUJ report for 1995 stated:

“One of the most intractable problems faced by our membership department is keeping track of members who move. At any one time we have the wrong address for about 1,000 members, mainly because they have moved without telling us.”¹³

Members may not realise that they should notify head office via their branch if they are off work ill, made redundant or retire so that they may remain members but are excused contributions until they begin work again; even unemployed members are entitled to some of the benefits on offer. If head office is not informed of these

¹¹ This actually happened at firm G, which only had four employees; the two union members at the firm were not sent their voting papers when the union held a vote of all its members.

¹² It appears that it was only when a member submitted a claim form that any discrepancies with the union register were discovered.

¹³ “Your Union at Work. National Union of Journalists Report 1995.” February 1995. London NUJ.

changes the member will eventually be expelled for arrears, which then creates problems for those concerned if the member wishes to be reinstated. The convenors from firms A¹⁴ and C always informed the branch of any change in their members' circumstances that they knew of, for example, redundancies, retirements or deaths.¹⁵ The branch secretary described this as "the sign of a good union man"; it also shows the dedication that these two union representatives felt towards their members. However, in this situation members may not be aware that they are still union members.¹⁶ This could cause problems if the member gets new employment. He/she may apply to become a member again, confusing the issue at head office or alternatively he/she could apply to become a member of another union while still on the books of the AEEU. This is another indication that most members associate the union with the workplace; when they leave their employment they do not think of the union. Indeed, one of the main findings of a research project investigating the unemployed and trade union membership was that unions are not perceived as having anything to do with the unemployed. They are organisations for people in work (Lewis 1989).

Head office was considered to be out of touch with the realities of the shop floor. The "power" of the union was seen as working upwards from the shopfloor towards those on the Executive Council. The shopfloor was considered to be "the backbone of the union"; the shop stewards do all the work and recruit new members, "head office don't". A point which came over strongly at firm A's joint shop stewards' committee meeting was that most "union work" is done at the workplace itself, where the members are together. When necessary the MS convenor at firm A spent time at work outside of his normal working hours to ensure that all members were consulted on a particular issue. Similarly the convenor at firm C would spend a lot of his free time ensuring that his members were getting the best out of their union as possible.

Indeed, members may not always agree with what their national leaders say publicly. A particular example of this goes back to the 1989/90 campaign for a shorter working week. Local members were under the impression that they were fighting for a 35 hour working week; however, Bill Jordan, the AEU president at the time, had spoken on television about the fight for a 37 hour week, which many members at a local firm were annoyed about and voiced their opinion to their convenor. At a London conference about the 35 hour week Mr. Jordan again spoke about a 37 hour week. The convenor from the local firm, who was attending the conference with a number of

¹⁴ The convenor from firm A referred to in this chapter was the convenor of the machine shops. Firm A had two AEEU workplace organisations, one in the foundry and one covering the machine shops. In the text these will be referred to as the MS convenor, for the machine shops, and the CS convenor for the foundry or casting shop.

¹⁵ In most of these circumstances these two convenors actually considered it their "duty" to get to know these things and inform the relevant branch secretary. In some respects it could be considered that they were actually taking the onus away from the member doing it him/herself. This was also put forward as another argument against the introduction of direct debit; the convenors may lose track of those members who have a change in their circumstances.

¹⁶ This had actually happened. Two members at firm A had two different union numbers (and were members of two branches) because they had rejoined the AEEU after being employed at firm A without realising that they were still members after leaving their previous employment.

local workplace representatives, questioned him about this. According to those present their “great leader” suddenly looked as though he had developed “St. Vitus’s dance”, uncomfortably squirming on the stage. When he finally answered the question he skirted around it in such a way that the representatives never received a satisfactory answer.¹⁷ The impression given by local lay representatives was that they did not have much respect for their previous leader and the presidential election was a welcome thing; the comments made over his new post in Brussels were very derogatory, relating to the fact that “he had feathered his own nest while the grass roots were still fighting on”. The common feeling that “head office” did not realise just what does happen on the shopfloor during the course of a normal working week was again prominent; shopfloor representatives actually see what is “going on” on a day to day basis, whereas head office does not. In contrast the AEEU’s new president impressed local representatives during the election campaign. According to them, he was “straight John Bull” and spoke his mind, his background was on the shopfloor and that was where his main concerns lay. Yet at the same time he was seen as honest by declaring that he could not say exactly what he would do if he won the election because what he would like to do and what he might be able to do may be two different things.

The difference between FTOs and lay representatives was plain to see. There was a vast difference in the mannerisms and the attitude of the district secretary when compared to those directly representing the shopfloor. The FTO was constantly defending head office and did not like to hear anything said against it. If we were to talk in terms of militancy then the district secretary for the area under observation was certainly less militant than those he was responsible for. This finding was different from the conclusions of Heery and Kelly (1990) who found that FTOs were not markedly less militant than stewards in their selection of objectives and methods. However, Heery and Kelly did suggest that where workplace organisations were well developed, stewards were less dependent upon their FTO and were more capable of reaching their own decisions. This appears to have been the case here.

The evidence does appear to confirm that the national union and the shopfloor units are separate entities. The local workplace representatives recognised their national union as such, but were more concerned with the everyday problems that they encountered at work and with which the national union was considered to be out of touch. The politics of the workplace rather than the national union were their main concerns. If this is how shop stewards see their role it could be argued that it is no wonder that members are likely to view the shopfloor as “the union”.

¹⁷ The introduction of a 37 hour week was the first phase of the campaign for a shorter working week. Phase 2 was to be the pursuit of a 35 hour norm across the engineering industry. The misunderstandings of the AEEU members in Xtown suggests that members were not fully informed about the campaign. Even Bill Jordan did not explain to their representatives at the conference the intentions of the campaign.

While union members may be aware of the existence of the branch, they appear to consider that their convenor or shop steward deals with **all** their problems (as the example with arrears letters above shows). Many problems, which should have been taken to a branch meeting to be dealt with, were taken instead to the member's work representative, whether at work or at the representative's home.¹⁸ Very often these grievances related to a minor thing such as whether a deafness claim had gone through, something which the member him/herself could have found out by contacting the union's solicitors. Whether this reflects the fact that union members see their representative as "the union" or whether they are just too lazy to take it to the branch or make the necessary phone call themselves is a point worth considering. In most cases it appears that the member actually thinks his/her workplace representative is the person who should deal with his/her problems. It may also indicate that to union members the workplace is the most important, or even the only, place of union activity; their steward is "the union". Indeed, Marchington (1980) concluded that for most members the shop steward is the union.¹⁹ The fact that workers' representatives are constantly sought after for advice indicates that he/she may be used as an individual grievance processor. This is not a new occurrence; other studies have highlighted this fact (for example, Schuller and Robertson 1983).

A common problem at all AEEU branch meetings was members' lack of interest. It was frequently voiced that at one time the branch was the hub of union activity; judging by the attendance rates now the hub of union activity must be either on the shopfloor or has disappeared altogether. The average attendance at a branch meeting was about five members and they usually attended to pay their subscriptions.²⁰ A member may have attended if he/she had a particular problem and had been referred to the meeting. As a rule those who visited the branch, whether to pay their dues, hand in a claim form or to ask for advice,²¹ were from workplaces where AEEU organisation was either not particularly strong, that is only a few employees were members, or from very small workplaces where fewer than twenty people were employed. These members used their branch as a source of information, unlike members at large well-organised firms where the shop steward was used by members to deal with problems. It was not only members who failed to attend the branch, shop

¹⁸ A representative might be disturbed at any time of the day or night by a member who has a grievance of some sort, especially if he/she has a telephone.

¹⁹ See also A.I. Marsh (1963), McCarthy and Parker (1968), Goodman and Whittingham (1969).

²⁰ The branch observed had around 900 members from the local area.

²¹ The advice asked for by members varied. Enquiries included those about money while off work looking after a sick spouse, death grants, whether convalescent homes still existed, about union membership for the wife of a member, and advice on how to deal with management when they impose rules which encroach on a person's civil rights.

stewards rarely did.²² Even the paid subscriptions collector from firm J never attended. He relied instead on the branch secretary to follow him up and collect the money despite being asked several times to bring it to the branch.²³

Check-off facilities were blamed for the drop in branch life; many members no longer have to attend to keep their subscriptions up to date. However, does it also indicate that members see their union as being on the shopfloor, dealing with grievances that affect them personally and as a group, or that members are not interested in the union except for when they need help as an individual, such as an accident claim? In 1954 it was contended that low branch attendance probably indicated nothing more than the fact that subscriptions were collected at work or that an effective steward system was in operation (Allen 1954). This suggests that when the union is effective in the workplace members need not think of the "external" union organisation because any problems they may face are taken care of within the workplace. In 1968, Goldthorpe et al concluded that the shop steward was the most important union representative to individual members. Members were more concerned with shopfloor issues than with the national union or the activities of their own branch (see also Sherman 1986); unionism had little significance other than in relation to "bread and butter" issues; it was seen as a means to an end, with the emphasis on self-interest. These conclusions still carry a lot of weight today.

A retired member was amazed that branch attendance was so low. When he was branch secretary, the branch used to be a constant source of information and all problems were taken there, special meetings were even arranged to explain things such as the tax system and health and safety. It appears that after this particular person had to give up his post as branch secretary problems began to develop.²⁴ His successor was not informing members of their entitlements and they were beginning to take their grievances to the previous secretary at his home; he was astounded to find that many things that he had considered a necessary service to members were no longer being carried out. The present secretary was even less organised than this; he was rather lackadaisical and very rarely wrote anything down. Now and again when a member followed up a query he had not done anything about it. A significant point is that neither of the two people to take the office after the retirement of the previous secretary particularly wanted the job; both were cajoled by the district secretary into taking it on. This may indicate that the personalities of those involved can influence the proceedings

²² Attendance at district committee meetings was also dropping; the district secretary had to telephone the majority of members the evening of the meeting to ensure that they would attend. The branch secretary described these meetings as "boring nowadays". However, it may also reflect the different personalities and their levels of commitment; the branch president, for example, enjoyed these meetings because "you can follow up the problems and outcomes of local firms."

²³ This reflected back on his members, who had been notified that they were in arrears (through no fault of their own). This particular instance was sorted out satisfactorily but future problems may affect any claims that those members want to make.

²⁴ As he was retiring from work the member was "forced" to give up the position of branch secretary even though he had asked if he could continue. He had enjoyed the job and it seems that he was particularly dedicated; it may well have been the case that he would have continued doing a "good job" especially due to the fact that he no longer had any work commitments.

and the participation of others in those proceedings; the retired secretary must have made the branch an interesting place to visit so that members participated in branch life, which in turn may have added to a sense of the union outside the workplace. This would probably not have been associated with the national organisation but with the local organisation. This appears to no longer exist, at least for the majority of rank and file members.

The branch had also changed since the district office had moved away from Xtown to new premises about twelve miles away. Originally this particular branch was held at the district office, where, according to the treasurer, union information, leaflets on workers' rights etc. and all the relevant union forms were readily available. These were rarely seen at a branch meeting (or at least at this particular branch) possibly due to the inefficiency of the branch secretary. The district secretary was surprised when questioned by the branch treasurer over the lack of information that was given to convenors, members and branch officials: apparently the branch secretary received this kind of information from head office and should have taken it to each branch for others to see. However, the district secretary must have been aware that this particular branch secretary did not always pull his weight. One night he was especially annoyed with him and he more or less accused him of creating the problems that the branch was having, implying that it was only this particular branch that had so many problems for him to sort out.²⁵ The branch treasurer was especially annoyed when he learned the result of the first round for the AEEU presidential election from a national newspaper rather than through the union itself. The district secretary had given him a date when the results would be available for members; the newspaper had printed the results before this date. Even then he never heard anything else about this result until new ballot papers arrived by post for the second round of the ballot, which local members had not been informed about. There was no information explaining the first result and why there was to be a second ballot included with these ballot papers; if the treasurer had not read the information in the newspaper he would not have been able to explain to those members who queried the second ballot. It again appeared that the branch secretary should have received the results and informed other people at the branch.

²⁵ While it may appear that the branch secretary could be to blame for the problems encountered by the branch, similar problems did occur at other branches. This was highlighted at a district shop stewards' meeting. Other branch secretaries had received abusive phone calls from members who had received arrears letters. Apparently, at a district committee meeting all the local branch secretaries had made an issue of the "shambles" that head office was becoming, and had complained about the correspondence that they were receiving (or not receiving). A retired member who had notified the branch and been recorded as such in the branch register had been expelled and even a couple of members who paid their subscriptions by direct debit had received arrears notices. All this indicates that the fault was not always at branch level. Therefore, the district secretary was being a little harsh that particular night. Also the fact that the treasurer had begun to post all the claims and proposition forms himself so that he knew that they had been sent to head office did not eliminate the discrepancies. A batch of hearing claims were posted together; everyone concerned heard about their claim within the procedural four weeks (the time limit that the AEEU say that claimants can expect to receive an acknowledgement from them) except one man; the branch secretary could not be blamed for this; therefore, head office must have been at fault somewhere. Numerous other examples where the branch secretary could not be held responsible could be cited.

Another difference highlighted by the retired branch secretary was the method of address: when called "Mr." by the branch secretary he immediately replied "Brother". Perhaps this is an indication that the togetherness of branch life is disintegrating in more ways than one. Certainly, comments such as "the union is not like it used to be - branches used to be real stormy!" coupled with the opinion of the branch president that the role of the union has altered so much that union representatives must also alter their ways to keep in line with it, suggest that in the opinions of some representatives the role of the union has changed enormously over the last decade or so.

The fact that many branches were being amalgamated (creating initial difficulties for all those concerned), coupled with a belief that head office were cutting costs, led branch officials to assume that "they" were moving towards "trying to run everything themselves from London, which they won't be able to do. They'll find that they have no members". "They haven't got a clue about the grass roots of the union." This could become even worse when the branch structures change again to meet the requirements of the new rule book. However, from the members' point of view this may make no difference; as long as a steward is present in their workplace who is capable of dealing with their problems and queries they may not even notice if the branch structures alter. At the time of the research AEEU members in Xtown belonged to one of four different branches, which were not necessarily connected to the workplace; therefore, when a member took a problem to his/her steward instead of the branch it sometimes created problems for that representative, especially when members did not know which branch they were in. In fact many members did not even know their own union number, let alone which branch they were in. Members on check-off should have had plastic union cards containing all their relevant details; however, many complained that they had never received one. The convenors from firms A, B and C found it convenient to enrol new members at their own branch; then they at least knew which branch their new members were in.

The amount of extra work which lay representatives found themselves doing at the request of the district secretary, in their eyes, was not right because the district secretary had the facilities to do these tasks more easily and quickly than they could, plus "it is his job, not ours". Many examples of this occurred during my attendance at the branch. Members often brought queries to the meeting after being referred by the district secretary; the feeling at the branch tended to be that he was just "passing the buck". Indeed, the retired branch secretary had contacted the district secretary inquiring about convalescent homes and was sent to the branch; after enquiries it was established that the convalescent home no longer existed and according to the branch officials the district secretary should have known this or at least could have found it out more quickly than they did. Investigations into one problem revealed that there were actually two members with the same name, one whose union number was known and the other, the one submitting the claim, whose number was not. This caused a lot

of confusion.²⁶ The branch officials were particularly annoyed by the fact that the district secretary did not appear to be doing anything to rectify the situation. The problem was eventually solved when the member's convenor spent the entire day with the district secretary; they spent at least half of the day on the phone to London trying to trace the member's union credentials and claim form, which, according to the branch officials, should have been done by the district secretary long before this. When the district office was situated locally, the local representatives found it a lot easier to sort out problems like this one; they could just walk into the office and query a problem or pick up any information they needed. With the office situated much further away appointments had to be made to ensure that the district secretary would be there. In addition when the office was situated locally a full time secretary was employed who "knew her job" and could give advice herself; the secretaries are now employed on a temporary basis and rarely know how to deal with representatives' queries. Further problems for lay representatives may be created now that the former district secretary has become a regional secretary and his office is situated even further away. However, the convenors were agreed that he did respond fairly rapidly to their requests to visit their workplaces if an urgent problem needed his attention. Nevertheless, if he now has more workplaces under his jurisdiction this situation could change.

Goodman and Whittingham (1969) concluded that the function of the branch was largely administrative due to the erosion of its original functions. Local branch officials believed that branches were now useless and that head office should allow individual convenors to deal with claims and proposition forms from their place of work. However, it could be argued that this would to a large extent depend upon the individual representatives and whether they are prepared to put themselves out even more than they may do now. Those that are dedicated probably would find this easier because it would save them a journey each month to the branch and they would know exactly whether forms had been sent off and when. Nevertheless, there are some representatives who do not seem to have a lot of time for their members, especially outside the workplace, and are not as dedicated to their role as others: these individuals may resent having to do more work, especially paper work.

Evidence from the branch suggests that for the majority of members the shopfloor is the union and their lay representative is the person who deals with all their problems and queries. The evidence also indicates that the personality and style of working of the branch secretary are essential in determining membership participation and interest in branch life. Therefore, if this is so, it is highly likely that the personality and style of working of the lay representative are essential ingredients for successful unionism within the workplace.

²⁶ Similar confusion was created over a member wrongly expelled for arrears. It eventually turned out that he had been mistaken for another man with the same name who had already left the union. It took about four years to get the member reinstated.

7:5 *Shop Stewards' Meetings*

Shop stewards' meetings were held every six months and should have been attended by at least one representative from all local firms covered by the AEEU. The meetings were very formal, unlike the branch, and were held according to an agenda, which included the district secretary's announcements, any correspondence, report from the district committee, branch reports and reports from the stewards present about the current situations in their workplaces. There was an opportunity for each representative to air his/her grievances or any problems that they were having with their members or management, and time was allowed for general discussion of these. Each meeting had a guest speaker who gave a short talk on a topic of interest to union members.²⁷

Attendance at the meeting was generally rather poor. At the first I attended ten local firms were represented; however, attendance at the following meetings was poor in comparison. This was despite the fact that all representatives attending were paid their travel expenses and convenors received £4.00 and stewards £3.00. The district secretary expressed his concern over the lack of attendance and blamed the weather on two separate occasions; however, it may also indicate a lack of enthusiasm on the part of the stewards themselves. Perhaps for them, as well as the members, the union is associated with the workplace and once outside the workplace they "forget" about the union, leaving only those who are fully dedicated to worry about any problems outside of worktime. As a rule the same six firms were represented at each meeting.

Elections for committee officials and those for officials of the district committee, (which were held at the shop stewards' meetings), were held by a show of hands; however, there was usually only one person nominated for each post and usually that person, if not standing for re-election, had had to be cajoled into standing for nomination.²⁸ The feeling among local representatives appeared to be that "I would like to do it but I've got enough on my plate at work!" This indicates that most union work, at least for shopfloor representatives, is in the workplace and that their time (worktime and sometimes leisure time) is taken up with their own workplace problems. Therefore, they were reluctant to take on further positions which would involve problems from other workplaces as well as their own. If this was the case for stewards, it follows that to the members who those stewards were representing the union is, indeed, in the workplace.

²⁷ The speakers on the occasions that I attended the meetings were: a solicitor from the union's law firm talking about the new benefits introduced by the union; the coordinator from the unemployed workers' centre explaining the possible effects of the changes to unemployment benefit and how it could affect working people as well as the unemployed; a former district secretary speaking about the AEEU generally; and a speaker on TUC training courses for shop stewards.

²⁸ In some cases representatives from individual branches were put forward by the district secretary without the knowledge of the branch officials, who were not always pleased to know that they had been left out of the process and in some cases they did not even know the person who had been nominated.

These meetings were the main way that local shop stewards gained information about their union in general, but perhaps the most important thing was that stewards from different workplaces could meet and help each other with their problems. At one meeting a steward from firm L was concerned because management at his workplace were considering introducing performance/profit related pay (PRP). After receiving little information from the committee's officials about PRP, two stewards from another firm where PRP had been operating for a number of years were able to give the worried steward a substantial amount of information about the different ways of running PRP and the pitfalls to avoid. The steward heeded their warnings and acted on their advice and showed his appreciation by leaving them a thank you message at the following meeting. This also suggests that "the union" is in the workplace; experience and knowledge being gained there and being shared with representatives from other workplaces, rather than the national union stepping forward with solutions to stewards' problems and queries. Union officials may be able to answer questions in theory, but when it comes down to putting things into practice, those who have first hand experience are the best qualified to do so.

First hand experience "on the job" might also be a reason for the poor attendance at trade union training courses. In Xtown a wide variety of TUC training courses were on offer to union representatives and, according to the district secretary, they were very highly rated when compared to courses elsewhere. It was feared that if the present trend continued whereby courses were running with short numbers they would be phased out, which had happened in other areas. Ideally new representatives should complete all four stages of the courses. The district secretary argued that it was essential that all stewards should attend as there is a fundamental advantage in knowing the skills of being a shop steward. "It is really worth going, what you learn is a lot more than what you can learn from just going to union meetings", explained the convenor from firm B. However, poor attendance may indicate that stewards prefer to "learn on the job" as such; where else but the workplace is practical experience gained? Shop stewards are entitled to release from work to attend the courses; so, it could be argued that they do not have to give up their spare time to do so. Perhaps the most important areas that stewards cannot always "learn on the job" are issues relating to the law, the legislation concerning trade unions themselves and health and safety. As the district secretary stressed to those present at a meeting, "it is advantageous to keep re-attending to upgrade yourself and see how much things have changed". However, most local stewards appeared to be too busy with problems at work to ask themselves whether they needed to update themselves on the law; they asked for advice on these matters if and when the need arose.

It appears that where the union organisation within a workplace was relatively independent²⁹ shop stewards ignored "the law" as such and worked in their own

²⁹ That is, the workplace organisation was able to act on its own and resolve the majority of its problems without recourse to the national union or its officers.

established ways. It was only if the "external" union became aware of a situation³⁰ that "the law" might become an issue. If shop stewards do not consider the legislation when they are negotiating with management, then, members are probably even less likely to do so.

The main issues affecting local firms tended to be redundancies,³¹ although according to the district secretary these had "slowed down a bit recently", changes to working practices, and competition - a problem which affects the whole company and not just the workforce. The biggest problem for the union organisation within a workplace appears to be when a firm is taken over by another company. Firm M was being divided and a third of the firm was being sold to a German company, which had split the union organisation in that workplace. The union at firm M was having a lot of problems with management and the district secretary had had to visit the company many times to deal with changes to contracts and changes in working practices, among other things. The management at firm M were uncooperative when it came down to the union. They were not even prepared to provide the union's solicitors with the results of their most recent noise surveys to assist with members' deafness claims.

Many companies were altering the working practices within their workplaces. In particular human resource management (HRM), introducing PRP and changing from piece work to cell working were options considered by local companies. In the majority of firms these changes were implemented after discussions with the union and in general the workplace union organisations coped rather well with the introduction of PRP, with stewards managing to negotiate a higher percentage of the profits that management had proposed to give them. The feeling of the shop stewards' committee was that the Conservative government had been encouraging the use of PRP because it had hoped that it would take away unions' negotiating rights; in fact, in many of the local firms where it had been introduced the unions involved had kept their negotiating rights and in most cases had found that the introduction of PRP actually benefited their members.

It was only in companies like firm M where problems remained unresolved. Whether this was because of a stubborn management or a poor union organisation is a question to be asked. However, it is recognised by the TUC that good employers do sit down with the unions involved and discuss issues affecting their members.³² Therefore, the management might be blamed; however, if the lay representatives had adopted a different style of working the union might have received a different response. The fact that the FTO had attended this workplace regularly suggests that the union organisation

³⁰ Very often, where an independent workplace union organisation existed issues of concern to members never actually reached the attention of the national union. If they did it was usually at a shop stewards' meeting where the representatives would give a report on the progress of the union at their workplaces.

³¹ This was not just a local trend; the AEEU's Manufacturing Industry's Employment Trends Survey for 1994 found that a high number of the companies surveyed were still reporting redundancies.

³² Radio 5 Live, 12.3.95, 11.30 am.

was not able to negotiate with management itself. Stewards from other workplaces believed that the union organisation at firm M was rather poor and had allowed management to “walk all over” its members for years. Certainly, former AEU members who had been made redundant from firm M some years ago were not happy with the way that “the union” had handled the situation, especially because they had not been informed of particular decisions made to help them until they had already accepted management’s offer after advice from their steward. These former union members also had a very low opinion of unions in general and related them to their time at firm M. This suggests that their experience of unionism at firm M actually influenced their perceptions, not only of the power of the union at firm M, but also of the power of trade unions generally. It could be argued that how well the lay representative performs does influence members’ perceptions of their union and of unions in general.

The change in the economic and employment climate may have induced local firms to introduce new working practices. Many of the local companies that had introduced HRM did appear to be following the trend identified by the Labour Research Department (1994) by attempting to secure changes in the way that their employees worked. It also appears that some managers did expect their employees to show more commitment to their company. For example, at firm C, according to the convenor, there had been a big change in management’s attitude over the last few years, and they had begun to “lean on workers more now over really silly things.” This point, according to the workers’ representatives, was relevant to many companies. Whether it is a sign of a change in employers’ attitudes in general, an effect perhaps of the economic climate and increased competition, or whether knowledge of the current legislation makes management more confident to deal with their workers as they wish, is another question. The fact that union representatives must step in in these situations and stand up for their members was a shared feeling of all the stewards observed.

At firm C the convenor had 76 members in the four units that he covered; in all the years that he had been there he said that there had been problems, but they had not been “massive ones”. However, over the last few years more individuals seemed to be experiencing work related problems, possibly due to the fact that management had brought in a team of advisors to help them save money.³³ One particular week he saw sixteen individuals with management related problems, the majority of them relating to changes to their contracts of employment. The convenor admitted that there was not much that he could do about changes to employees’ contracts except to negotiate to ensure that his members got a reasonable deal “rather than let management have their own way totally at the expense of the workforce”. However, the convenor felt that in a way management were “winning”, because “they seem to be bullying workers mentally” and even though the union was backing them, individual workers

³³ This may also account for the fact that management at firm C kept withdrawing certain unwritten privileges that the workers had enjoyed over the years; for example shop stewards were paid £2.00 a day for meals when attending TUC courses; this had been stopped and management actually denied having paid it in the past. Also the free provision of special footwear for workers had been stopped.

were beginning to feel that they should look for another job and were talking of redundancy if it came up.³⁴ Therefore, once these workers leave the firm management could employ new workers under new contracts and those employees would know no difference, except that they may eventually find themselves “run off their feet”, especially if their contracts stipulate a 24 hour commitment to the company.³⁵

In the majority of local firms, the AEEU workplace organisations had coped rather well with any changes. The change in the economic and employment climate may have altered the attitudes of trade unions, whereby they are more willing to accept change than previously; however, they have not lost the will to fight management and ensure that changes are implemented to the advantage of their members rather than allowing management a free rein to introduce change as they wish. As the Labour Research Department survey (1994) concluded “management cannot expect to have it all its own way when it comes to changes in working practices” (p13).³⁶ Nevertheless, the personalities of those involved may be a significant factor contributing to the success or failure of the union when negotiating new terms with management.

The evidence presented in this section suggests that the national union and its workplace organisations are two entities and as far as the shop stewards were concerned their own workplace organisation was the most important one. Certainly the workplace appears to be the place where most union work is encountered and first hand experience enables stewards to advise each other on how to deal with problems better than the advice offered by FTOs. The legislation may be a predominant concern for the national union; however, it does not appear to have made a great impact upon the local stewards or their shopfloor organisations.

7:6 *The legislation*

The national union and its officers were well aware of the legislation relating to trade unions and tried to instil into their shopfloor representatives the necessity of its

³⁴ At firm C, like firm A, all redundancies had been voluntary and the union had had no problems with forced redundancies.

³⁵ One individual electrician was expected to do the work of two others who had left as well as his own. He offered to do sixteen hours overtime a week but management did not think this was enough, arguing that the employee was not committed enough to the firm. The convenor himself backed by his members thought that 4¹/₂ hours overtime was a reasonable amount and anything over that that members were expected to do against their will was unreasonable. After the electrician was threatened with dismissal, the convenor sought advice from the district secretary and after quoting the ACAS Code of Practice to management they “backed down”. The member concerned does have a new contract but it does not mention anything about doing extra overtime which management originally wanted to add. The convenor argued that “they don’t want to admit defeat”.

³⁶ Bargaining Report no.147, February 1995.

observance.³⁷ The check-off legislation was a good example; every union journal for at least the eight months before the legislation actually took effect was reminding members of the benefits of remaining a union member, and every time the district secretary met a shop steward the word “check-off” never failed to be aired. At least locally this appears to have paid off. The AEEU lost very few members as a result of the mass signing of the check-off forms, in fact, locally and nationally some workplaces found that they actually gained members because workers who had never been approached about becoming a member were discovered and many willingly joined the union. This was contrary to the fears of some of the stewards who had been “getting a lot of flak” about the increase in union subscriptions; some even thought that “more and more members are looking to get out of it.” The fact that the union actually gained members was viewed by many as “one in the eye” for the Conservatives; popular opinion tended to be that the check-off arrangements were designed specifically to dissuade workers from being in a union as well as to cause a lot of administration problems at workplaces and head office. The legislation does put the onus on the employer to ensure that the appropriate check-off forms are signed every three years by all those concerned; however, to make sure that all employers kept their check-off arrangements, the AEEU officials prepared the forms for members to sign and enlisted (or cajoled) the help of their shopfloor representatives to ensure that every member and any potential members signed the sheet before the due date.

The balloting procedures were constantly being updated to stay within the legal boundaries. Each time there had been publicity about industrial action ballots the AEEU revised its procedures and sent out new copies to their FTOs to distribute to all shop stewards in their area. These were all rather lengthy documents covering the whole of the balloting procedure. For example, in May 1993 guidelines were issued that supplemented those already in circulation and referred to proposed overtime bans and the fact that an overtime ban, whether it be voluntary or compulsory, must be treated as industrial action. Because of the confusion about whether this action constituted strike action or action short of a strike the new guidelines set out in precise detail the wording of the ballot papers if an overtime ban was to be included in the ballot; when different types of action including an overtime ban are being considered, so as to impose an overtime ban members must vote yes to two questions - that they are prepared to take action short of a strike and strike action. In August 1993, following the introduction of TURERA, new guidelines complying with the statutory requirements replaced the previous ones and a new Industrial Action Ballots department responsible for all ballots involving AEEU members was set up. And in February 1994, following the Court of Appeal’s decision in *Blackpool and the Fylde College v. NATFHE*, the procedures were again revised to replace the guidelines issued in 1993. The ruling by the court was that when giving notice of industrial action unions must give the employers sufficient information to enable them to easily

³⁷ In addition to the legislation relating to unions, shop stewards were also kept up to date on other issues, such as part time employees’ pension rights, the law relating to race and sex discrimination and even what Britain’s opt out of the social chapter denied the average worker, through union journals and shop stewards’ meetings.

identify the individual employees who will be called upon to take action. The AEEU interpreted this to mean that in order to comply they must attach a list of the names of all members covered by the ballot to the notice of ballot and the notice of proposed industrial action.

The national body realised how important it is for **them** to remain within “the law” when a workforce decides to take some form of industrial action.

“It is essential,....., that these guidelines are studied and followed in every respect. It is only by maintaining discipline that the union will be able to continue to protect and advance our members’ interests despite the best efforts of the Tory government. In particular:

- No one should call for industrial action until it has been authorised by the Executive Council.

- Members must be advised to await the outcome of the ballot.”

(p2 AEEU Secret Ballots Before Industrial Action, 1994).

However, on the shopfloor this may be seen differently. At least at firm A if union members had what they considered to be a legitimate grievance,³⁸ they were prepared to walk out over it without the “properly conducted” ballot.³⁹ This tactic, or more appropriately the threat that “the lads will be out”, had worked several times even though management were aware, and informed the union representatives, that the grievance procedure should be followed and that things should be conducted according to “the law”. The shop steward’s manual says that to allow for peaceful resolution no action should be taken before the stages of the procedure are exhausted. The national union will give no support to members acting in breach of their obligations. However, on the shopfloor it appears that some members will act in the name of their union whether they have the support of “head office” or not. More appropriately, perhaps, they see themselves as “the union”, and, therefore, head office is not given a thought.

The AEEU’s guidelines stressed that all union lay officers must advise members against taking unauthorised action, and if any action should be taken unofficially officials must notify head office immediately that they become aware of it so that it can be repudiated, as “[t]he union will not be able to organise a ballot of our members and call for industrial action if unlawful industrial action has not been repudiated at the earliest opportunity.” (p4). In many respects most unofficial action never reaches the attention of any union official as the dispute itself is usually resolved quickly so that production is maintained. But if a strike is repudiated by the National Executive it is highly likely that the members concerned would still continue with their dispute; if they believed in their cause enough to take action immediately in the first place, there is no

³⁸ Legitimate grievance, here, is used to identify a problem other than a wage claim. When pay negotiations were the subject of dispute at firm A the correct procedure was followed and if necessary the “external” union was brought in. However, the convenor preferred where possible to conduct the negotiations himself.

³⁹ At firm A the shopfloor did conduct workplace ballots when issues, including wage claims, were being decided on. The stewards found that a show of hands did not work in these situations and preferred to allow the workforce to vote in a secret ballot.

reason to suppose that they should wish to stop that action so that head office can put their house in order; after all, officials at head office were considered to be remote by those lay officials who had contact with them let alone the members themselves.⁴⁰ Members probably realise that if this is done, their employers have a substantial amount of time to devise ways to offset the effects of an official strike, whereas when a strike⁴¹ takes them by surprise the effect on employers can be devastating with the workers hoping for a quick solution. Nevertheless, this may depend upon what the problem is. The Executive Council Reports in the "Union Review" show that when a strike ballot has been held and a strike sanctioned, it often results in an amicable arrangement with management, usually involving substantial improvements in wages and conditions, sometimes after a one day stoppage and sometimes without any action taking place at all. This confirms the conclusions of other studies that ballots may strengthen the union's hand when bargaining and do not necessarily lead to any action taking place (see, for example, TUC 1995a, Elgar and Simpson 1993a, Brown and Wadhvani 1990). The AEEU acknowledged that the legislation was "clearly designed to make it increasingly difficult to organise industrial action and in particular to ensure that there are substantial delays before any action can be taken." (Secret Ballots Before Industrial Action 1994, p1.)⁴² Nevertheless, the balloting procedures were looked upon by the local FTO as one of the positive aspects of the legislation.

A shared opinion of all the shop stewards observed was that the national organisation was "scared of sequestration". This may indeed be the case. All the guidelines on secret ballots stress compliance, and while members stand to lose their jobs with no claim for unfair dismissal if they strike unofficially, the union may lose substantial sums of money if it supports the strike, which may be the reason why the Executive Council wish to repudiate unofficial strikes as soon as possible, rather than just a concern for their members.⁴³

Whether workers are prepared to take immediate action or at least give a threat of it appears to depend upon the personalities at the workplace, because, according to their convenor, workers at firm B, for example, would "moan and groan about something but are not prepared to do anything about it". Indeed, a strike ballot was held at firm B in the late summer of 1994 in support of a pay claim; the employees had had no pay

⁴⁰ An example of a national organisation being ignored by its members was during the Scottish postal workers' strike in November 1995; members voted (unofficially) to continue striking despite pleas from the Communication Workers' Union officials to return to work so as to allow them to conduct a ballot on official industrial action.

⁴¹ The term strike is used loosely here. Members may not even consider that their decision to stop working is strike action; that is, they remain at the workplace but refuse to work until their grievance has been rectified.

⁴² At some local firms, but particularly at firm A, it was considered best to impose an overtime ban voluntarily rather than officially; that is, all members were not available to work overtime because of other commitments if asked by management. The district secretary did not condone this action but turned a blind eye to it.

⁴³ The district secretary, when reminding stewards to ensure that all their members re-signed for check-off, commented that "to carry out an efficient business it takes money; therefore, it is important that check-off takes off."

rise for a couple of years. A lot of time was taken up by official duties, such as distributing and collecting in signed papers from every member involved in the ballot to confirm their names and addresses, union officials found that members were not returning these forms on time and at least three weeks were taken up on this task alone. The ballot resulted in a vote for an overtime ban; however, when it was due to start management announced that there was to be no more overtime. According to the convenor, the situation did not last long, even though in his opinion the ban “was hurting management, they were pretending that it wasn’t”, and the employees began “moaning” that they needed the extra money. When the convenor returned from his holidays his members were working overtime again (minus a pay rise) as though nothing had happened. It might be understandable that the convenor had “lost faith in the shopfloor”; however, perhaps “the shopfloor” had no faith in him.⁴⁴ It is possible that his personality and style of working were not of the type needed to induce membership participation in union affairs and the level of success that the union had at that workplace reflected this. Unofficial overtime bans had been observed at firm A and won the union its goals which indicates that membership participation in workplace unionism can lead to successful outcomes and the key to that success appears to be the workplace leader.

Welch (1993) argued that his findings indicated that trade unionists were more likely to favour compliance with the law, which might explain the members’ attitudes at firm B. Yet at the same time Welch contended that many lay representatives generally favoured what they considered to be the relevant action, irrespective of whether they thought it was contrary to the law. This would explain the actions of the representatives at firm A. However, their members were also prepared to back them; therefore, the shop stewards must have stimulated an interest in membership participation (Fosh 1993, Fosh and Cohen 1990). In some situations at firm A, the MS convenor had confronted management over particular issues which the other shop stewards had shied away from believing that the convenor would not get his way. However, when the outcome had been achieved, the stewards and members alike were generally happy with the result. This could be another reason why members were prepared to follow their representatives at firm A; they saw their “loyalty” rewarded by getting their grievances resolved. How well the lay representative performed influenced his members’ perceptions about the “power” of their union.

It appears that employers were aware of the legislation and would let their union representatives know this when a problem was being negotiated. Elgar and Simpson (1993b) found that whilst managers did have an increased awareness of the law, where possible they preferred to resolve their disputes with the union negotiators. This was certainly the case at firm A. Yet at firm B management seemed to threaten the workers with “the law” each time they complained. Whether they would carry out

⁴⁴ The district secretary commented a few times that he could not see anything coming from this ballot and that he wished the workforce at firm B would settle their problems themselves, which implied that the union situation at firm B was not the same as at those firms who preferred to settle problems themselves and succeeded in doing so.

the threat is another matter; generally the workforce carried on working normally so that the threat was never put to the test. Elgar and Simpson (1993b) concluded that if industrial action became a more central management concern, the law would undoubtedly play a significant role in the strategies of both employers and unions. According to the convenor from firm B, someone had told his management (before the strike ballot was held) that the workforce had already voted to take industrial action. They told him that “you had better make sure that you’ve got every detail correct with the balloting procedures, otherwise...” Maybe they would have carried out their threat.

Interestingly, while representatives may not always choose to observe “the law” when negotiating, they did remain loyal to the principles which governed the union movement as a whole. For example, the “Bridlington principles”, which are now rendered ineffective because of the individual’s right to join the union of his/her choice, were still in the minds of shop stewards when recruiting new members. They did not like to think that they were “poaching” from another union. However, this may sometimes be done without their knowledge; those union members who do notify changes in their situation and are therefore excused contributions may, on starting a new job, not realise that they are still on the register of their previous union, in which case they may unwittingly be members of two different unions. At least from the point of view of local stewards, suggestions of deliberate poaching from other unions were unfounded.

It does appear that the legislation had had a great effect upon the national organisation of the AEEU. The district secretary commented “there’s now a lot of cross-over between legal action and industrial action, so we must be very careful.” However, if union members in some workplaces have been prepared to take action irrespective of “the law”, it suggests that the legislation is likely to have had little influence on their opinions about the power of their union. Nevertheless, this may reflect upon the lay representatives, if at workplaces, such as firm B, members are threatened with the law by management and they experience little success in achieving their goals, they may not only blame their representative but also the legislation for their union’s apparent failure.

7:7 *Workplace & union*

It appears that how dedicated the shop steward is, in particular the senior shop steward or convenor, and how he/she conducts him/herself when addressing a workplace problem may be the key to successful unionism at the workplace. One of the strongest convictions put across by most of the local lay representatives was their dedication

towards their members.⁴⁵ However, how this dedication is applied may vary from steward to steward, creating differences in different firms in the ways of dealing with management and also between different workshops within the same factory. The convenor from firm C admitted that when it came down to dealing with management his shop stewards were not “too bothered” and preferred to let him get on with it. But, he, like many other convenors, thought that stewards should accompany him when confronting management so that they could gain experience (which only comes with practice) as one day some one will have to take over the senior position. A complaint of most senior stewards was that when they returned to work after a long period of absence⁴⁶ the situation between the shopfloor and management tended to have “gone to pieces”, which indicates that they were the driving force behind “the union” in their workplaces. The way that they worked secured the union’s relationship with management, when they were away for a long period a different style of working led to a different type of management/workforce relationship.

Management-union relationships do differ at workplaces represented by the same union (see for example, Edwards 1978, Edwards and Heery 1989b). This could be an indication that it is the differing personalities and styles of negotiating at the workplace which influence the outcomes of bargaining (Fosh and Cohen 1990, Fosh 1993). The senior representatives from firm A and firm C both appeared to have a relatively good, albeit not over-friendly, relationship with management; mutual respect was the key here. The representatives had no hesitation in contacting management as soon as a problem needing attention occurred, and it appeared that a common tactic when dealing with management was to “call their bluff”. Certainly, in the machine shops of firm A the solution always seemed to be forthcoming, perhaps because the convenor was fairly confident that he had the backing of the shopfloor. Management must also have been aware of this because in general a threat of taking a predicament to the shopfloor brought about a speedy solution. At firm A industrial action was very rare; instead the union and management preferred to “get round the table” and discuss any problem. In fact, only one dispute (a pay deal) had been taken outside the factory to the “external” union in the nine years that the convenor had held his position.⁴⁷ This was eventually settled to everyone’s satisfaction; moreover, it was the convenor rather than the district secretary who put forward the final settlement. At firm C, which had been divided into different sections owned by different companies under the umbrella of “firm C”, the AEEU convenor was generally accepted by the managers of the different workshops even though in some the AEEU had no negotiating rights because they were not the predominant union there. He argued that because he had spent time visiting these workshops he had built up a relationship with the managers, who had

⁴⁵ It should be noted that with a few exceptions these observations are from those stewards who attended either the branch or the district shop stewards’ meetings; therefore, it is possible that they were more dedicated than those stewards who failed to attend.

⁴⁶ Two of the convenors from different firms had in the period covered by the study been off work after accidents for at least six weeks.

⁴⁷ Similarly at firm C, in the eight years that the convenor had held his post a FTO had only been called in twice.

begun to acknowledge him and listen to his opinions; therefore, if a problem should occur it would be easier for him to help his members. Yet at firm B the convenor may have taken up particular issues with management but nothing much was done about them. Certainly, from his comments it seemed that the workforce whilst complaining about particular issues were not prepared to do anything about them. "They are scared." The convenor gave the legislation and "the miners' strike" as the reasons for this; however, there is a possibility it could have been his methods of communicating with his members and management. Moreover, if he felt that his members would not back him, then any "bargaining power" he may have had would be lost. On the other hand, his members may have perceived him as having no bargaining power and therefore did not wish to act upon their grievances. Alternatively, management may not have been prepared to give an inch at that particular firm.⁴⁸ The convenor did say that when employees complained to management, the reply was "well you can always get out there and march up and down with your banners. I'll sack you and then get another workforce and pay them £50 or £60 less." However, it is possible that management were calling "the bluff" of their workforce, unless they were prepared to employ a whole new workforce who may have had little knowledge of their production systems (see MacInnes 1987, Martin 1992).

Indeed, management at firm B imposed a new pay structure and productivity deal which involved regrading all the workers; unfortunately some had been downgraded. The shopfloor blamed their convenor for the downgrading as well as the fact that they had had no pay rise since rejecting a £10 deal over two years ago. The convenor argued that there were only five or six members who "kicked up a fuss" and that the rest were not bothered. However, it could well be that it was him that was not bothered; he always appeared pessimistic rather than fighting a cause with conviction. Maybe the shopfloor had lost faith in him and perceived him as having no bargaining power whatsoever. This would explain why the convenor of firm B said that he had never known "the men to be so fed up with the union". It may be the case that they were just fed up with him (the union representative being perceived as "the union"). This is also an indication that the morale of union members may be connected to the perceived power of the union in their workplace. There used to be seven shop stewards at firm B but there were only two at the time of the study and one of those had threatened to resign unless someone else was nominated: an indication perhaps of the lack of leadership and guidance at this workplace. The convenor had no faith in his members, even before the industrial action ballot had taken place he was saying that he did not think they would vote for it. In fact, the convenors from three other firms were discussing this situation and one of them commented that "they've got no leadership down there." A change of leadership style and possibly a different

⁴⁸ Firm B had been sold to another company during the research period; however, the convenor's comments remained the same after the changeover of management. Marsh (1992b) may have been correct when he suggested that it was the history and current state of relations between an employer and his/her workforce which had the most effect on the outcomes of industrial relations in that company. However, it could still be argued that the personalities of those concerned will largely determine the type of relationship that a workforce has with management, the main union representative initiating the type of relationship.

personality might alter the situation for the better.⁴⁹ Relating this to Fosh's (1993) conclusions, the style of leadership at firm A, for example, determined membership participation in those affairs that involved the union and the high level of participation secured them their goal, whereas at firm B the style of leadership was not effective at determining membership participation and, therefore, the union's dealings with management was much different from that at firm A.

The different situations at firms A and B indicates a vast difference in the "bargaining power" that the union carried in each workplace. Whether this was to do with the union representatives, members' attitudes or management's approach is another matter. But whichever it was, it was still a case of the different personalities in the workplace. The AEEU representative at firm D had begun to have his "union mail" delivered to his home; his employers were opening it before passing it on to him. This fact astounded representatives from other firms, but it does indicate the different approaches taken by different employers. At firm C the workforce in a workshop owned separately to the rest of the firm wanted to become AEEU members. During the process there was "some sort of a cock up" with the direct debit forms and no payments had been deducted. After learning of this management spoke to the entire workforce telling them "why be union members when we'll look after you?" "They fell for it", and the employees began to be paid different wages for the same work. "Management are looking after some and not others. I told them that we would have ensured that they were all getting the same pay. But management have pitched worker against worker and it has got to a stage where they daren't tell each other what wage rise they have got!" A retired member's reply to this was "it's sad that they fell for the con. It's management propaganda against the unions". Another retired member commented wisely, "we still need unions but people don't realise it until something happens".

This is a good example of individualism overriding collectivism. The pursuit and maximisation of self interest had become each individual's goal and each worker was working in competition with each other rather than together. However, it could not be argued that trade union power was reduced in this situation as a union organisation had never existed in this particular workshop and the workers had no history of working together to achieve their aims. The competitive nature of the employees (stimulated by management) had created a hostile atmosphere in the workshop which may prevent solidarity among the workers. Nevertheless, if Fosh (1993) was correct that no matter what the circumstances at a particular workplace if a leader with the right style of working should emerge positive reactions to unionism may follow, it is possible that the situation in this workshop could be reversed and workers and management may find that workplace relations become a lot easier. It has been argued elsewhere that the

⁴⁹ A new steward has since been sworn in at firm B; his style of leadership may reverse the apathy of the members there. The convenor did once comment that "it used to be a good union down there at one time but it's all changed now." Indeed, the new steward reported at the last stewards' meeting observed that "we're quite happy as things are going at the moment. We're getting there with our negotiations." This remark suggests that the situation between the union and management may have been changing after a new person had begun bargaining with them.

promotion of collective organisation was the best way to secure increased productivity (Brown 1994) and that there was no evidence to suggest that a union presence damages a company's long term performance (Machin 1995). It may be, as Martin (1992) contended, that to maintain their market position firms require labour co-operation which is secured much easier with a good relationship with the workplace union. Indeed, some local employers recognised that having a more or less fully unionised workforce was an advantage, especially if the union organisation was well established, as many workforce problems, particularly with individual employees, could be sorted out much quicker by union representatives than by members of management (see also Beynon 1973). The fact that with union co-operation the running of a business is made much easier has been documented before (see for example, Edwards and Heery 1989b).

The fact that union representatives must step in and stand up for their members was a shared feeling of all the stewards observed. However, whether they always did this depended on the individual representative. An incident at firm B divided some of the local stewards. According to the convenor, two members had been dismissed for "blatant fraud"; they had been claiming overtime at weekends for work that they had completed in the week. Their convenor refused to go to their tribunal because he did not want to lie, whereas the convenors from firms A and C argued that management should have noticed this discrepancy before it got totally out of hand; therefore, the action should have been fought on a case of bad management. They both saw the situation as one of "letting your members down"; they would have supported them as far as they and their workplace organisation could. Again this shows the difference in the personalities and styles of working of those involved. A second retired member who attended the branch commented that at one time the shop steward knew if you were not working and chastised you. "You knew if management dragged you in that they couldn't defend you. The shop steward was as good as a gaffer in those days", and you did "a fair day's work for a fair day's pay". "But it's all changed since Mrs. Thatcher". It appears that some members expect to be defended by their stewards when they've done something they know that they should not have done and become very annoyed when the representative tells them the truth. However, some representatives are prepared to stick their necks out and defend their members as far as they can regardless of their actions. In some cases this has paid off (usually in those firms where an independent union organisation exists and where management cooperate with the union representatives to a certain degree) and the member was grateful and tended to refrain from repeating the offending actions, for example, being drunk at work.⁵⁰ The convenor from firm A argued that he always did what he could for any member who came to him with a problem but he admitted that "half of them aren't worth fighting for". Whether this referred to the members themselves or the problems that they have is not clear, although I suspect it might refer to both!

The fact that some stewards were prepared to try to defend their members regardless of

⁵⁰ "Bullet makers" is a name that has been used to describe members who continuously and blatantly make trouble for themselves and then expect their steward to defend them.

their actions also highlights another difference between the national and shopfloor unions. At a shop stewards' meeting the local FTO, when talking about the benefits of membership, declared that when grievances are taken out of the workplace there "is always the backing of the union on issues that can be pursued." Therefore, some members may be better served within the workplace than outside it; some dismissable offences would not be pursued by the "external" union whereas the shopfloor unit might be prepared to back a dismissed member and get him/her reinstated.

All the shop stewards observed felt that "we are in the union to support each other". Whether members feel the same, though, may depend upon a number of factors and especially the amount of bargaining power that they perceive their representative as having. Schuller and Robertson (1983) concluded that well organised shop stewards, who were visibly effective, tended to promote better relations. In fact, the MS convenor at firm A was constantly reminded by his members that he had "power over management". This might be seen as an indication that the workers under his jurisdiction did perceive their "leader" as being able to negotiate terms for them, which workers at firm B, for example, may not have felt that their representative could do. However, the convenor did not see himself as having "power". To him it was more a case of standing your ground and being confident even if you have to "call management's bluff". All he cared about was "those on the shopfloor and that they get the best possible deal." The convenor from firm C had a similar attitude: "I never ask management, I just tell them." Being seen as confident and perceived as "knowing what you're talking about (even if you don't)" when dealing with management appears to be a key element in negotiations which allowed these representatives to "win" many issues. This may be where the convenor at firm B lost out - he was not confident enough to fight out issues with management.

Edwards (1978) argued that constraints on union representatives' negotiations with management were felt to come from the membership rather than from the "union hierarchy". In both firms A and B the shopfloor representatives acted upon the wishes of their membership; however, in one firm the members tended to want to take the problem further, whilst in the other they preferred to let the matter stand. The point above, where the convenor put forward the final settlement in the disputed pay claim, illustrates this. The district secretary had been called in and negotiations were taken "out of the hands" of the convenor. The FTO had negotiated a deal that was satisfactory in all respects but one: the initial payments were not to begin until October. The secretary was satisfied with this whereas the members wanted the payments to be backdated to April and were not prepared to accept the deal. The FTO was not willing to put this to management; however, when the convenor was allowed to explain the situation, management agreed. The convenor was loyal to his members and their wishes rather than those of the district secretary. Similarly, at firm C the district secretary did not get a very good reception from members after he had been called in over a dispute about their pay claim. It is the stewards and their members who determine the final outcome, not necessarily the union officials.

This largely confirms the conclusion of Heery and Kelly (1990) that lay representatives retain most control over the setting of union objectives. However, their assertion that the FTO then refines those objects and guides negotiations towards a settlement is only partially true in the above example. Certainly the district secretary guided the negotiations but not totally to the satisfaction of the shopfloor. It was the lay representative who put forward the proposal that ended the deadlock, something the FTO was not prepared to do. It might also be the case that in some situations, usually involving money, rank and file members on the shop floor do not agree with what their stewards are arranging with management. Two similar incidents at two different firms indicate that in some cases shopfloor members believe that management can afford to give them a higher pay rise than the one that they are offering; in both cases the stewards had fought bitterly with management to gain the workforce a deal worth around £10 a week. At one firm the shopfloor had been told by "some hotheads" that management had a lot more to give and after a ballot of members the offer was rejected. That particular firm had not had a pay rise since then. At the other workplace, the shopfloor rejected the proposed deal at the same time as one of the firm's main orders collapsed. This collapse led to the original offer being withdrawn and the shopfloor ended up with an extra £5 a week instead of the proposed £10. This shows that in some instances the shopfloor can, by rejecting a deal worked out by their representatives and management, actually do themselves more harm than good. In both these cases the stewards had negotiated with management to get the best deal that they could and this had been rejected by the shopfloor whose wishes they followed. "We know that that is the best that we can get for them; they don't realise how much we go through to achieve what we do," complained one of the convenors involved. This indicates that in some cases the workplace representatives, or at least the senior representatives, appreciate that management do have certain restraints that prevent them from offering higher deals whereas the shopfloor do not always take into consideration problems that management may have to face, whether financial or from competitors.

The economic environment may have altered the attitudes of trade unions within the workplace so that those negotiating appreciate the problems that management may face. However, the attitudes of some union members may not have changed; that is, they presume that management can and should give them more than they are offering. In this type of situation the personality of the lay representative is important so that he/she can convince his/her members of the most advantageous thing that they should do and of the likely consequences should they decide to reject a negotiated offer. Yet, as past studies also concluded that stewards largely worked on management's terms and that while trade unions did have a certain amount of bargaining power in the workplace, decision making remained the prerogative of management (for example, Beynon 1973, Boraston et al 1975, Marchington 1980, Wilson et al 1982), it could be argued that workplace relations have not changed a great deal. However, it may sometimes appear that union representatives have "backed down to management" when in reality they may have shaped and altered management's original offer in such a way that it may not be fully what their members would have liked but it may be substantially better than management's own proposal.

In firms A and B the AEEU was the predominant union on site. In workplaces where only a few employees are AEEU members their amount of “bargaining power” may be slight, unless the workers are essential to the workforce or other unions on site are prepared to back them on an issue. At firm F the workforce was represented by four unions. In the summer of 1995 the new management decided without any consultation with the workforce to make the company a “single status” one, with all workers, whether blue or white collar, being treated the same. The AEEU representatives demanded to be involved and had a meeting with management which was “not very productive” but the company did admit that they should have consulted the workers’ representatives earlier; however, the representatives were told that the other unions on site had accepted the proposals and signed the relevant document, which undermined the stance of the AEEU representatives who reluctantly accepted the situation. A senior steward from firm A was adamant that the problem at firm F would not have happened at his firm: “we would not have let it happen”. However, when it was pointed out that firm F was a multi union firm which firm A was not, he agreed that it can make a big difference. As previous studies have pointed out (for example, Beynon 1973), in these situations a joint shop stewards’ committee (JSSC) is a valuable thing, where stewards from all the unions on site come together and form a strategy covering everyone. It appears that in Xtown this did not always happen. Nevertheless, at firm F, the problems encountered by the AEEU representatives had a positive side; after a restructuring of management the firm decided to recognise only one of the unions on site, which brought together (perhaps for the first time) all the unions to talk. The GMB, which represented the majority of workers on site, became the recognised union. However, even though the deal did not include the AEEU, the AEEU convenor felt that the issue had brought the four unions together and that they would start working together rather than as separate entities.

Firm C was another example of a multi-union firm. According to the AEEU convenor the other five unions on site “delight in signing agreements” and very often the AEEU was not consulted at all during negotiations, perhaps because the AEEU convenor felt that the other unions allowed too many “silly changes” to go through (without consulting their members first) that he would not have entertained.⁵¹ The AEEU was the dominant union in one workshop at firm C and, according to the convenor, members of other unions had asked about joining the AEEU because of the representation that they saw its members getting. A member from firm K astounded branch officials when he asked their advice on the legitimacy of a new clause that had been added to his contract of employment stating that a personal search could be taken of all employees. Apparently, there were only four AEEU members at firm K and the GMB had negotiating rights for the factory. The latter had agreed with management about the new clause without consulting even their own members. In these particular

⁵¹ For example, the convenor was asked by one of his members if he would go into a meeting “to speak for him” even though he had no negotiating rights as such, (the worker was the only AEEU member in this particular workshop). The convenor could not believe what the GMB was prepared to agree to for its members and especially without consulting them first.

examples it appears that the predominant union on site preferred not to consult with their members before agreeing to deals with management. Where the AEEU was on site, such as at firms F and C, it may have been the case that management realised that the AEEU representatives took a harder stance than the other union representatives and they therefore found it beneficial to approach the other unions first, knowing that they would agree to their proposals, which would then leave the AEEU out in the cold.

In some respects it could be argued that to have a single union on site would benefit the workers as well as management; that is, where all the workers are represented by the same union, if they are not satisfied they can stick together as one force rather than one set of workers being pitched against another because their different unions do not agree to the same things. Nevertheless, at firm F, the problems encountered by the AEEU representatives had a positive side, bringing all the unions together. But at firm C where a single union deal had been implemented in one of the workshops, the AEEU was finding that it was losing members to the recognised union. According to the convenor they did not realise that they could remain AEEU members even though they had no negotiating rights within that workshop.

Even with multi-union firms it can still be argued that the personalities in the workplace are the driving force behind any kind of relationship that each union may have with management and with each other. The evidence does support Fosh and Cohen's (1990) and Fosh's (1993) conclusions that it is the local leader's style which is essential in determining membership participation and interest in workplace unionism. They argued that local leaders who are committed to collectivism and have a participatory style are more effective than other local leaders. It was also found that a high level of participation was effective in winning advances and concessions from management during collective bargaining.

As we shall see, the union members at firm A did seem to be prepared to act together to alleviate their grievances, which members at firm B were not prepared to do. Other factors may also have been at play, but overall, it appears that the differences between and within firms are connected to the distinct personalities and styles of action of the lay union representatives and in particular the main representative on site.

7:8 *Union benefits*

There was a difference in what might be called the main attractions of unionism as put forward by the national union and the local unit. Whilst stressing the need for solidarity on the part of members and the need to address inequalities etc. the most striking thing that hits the reader of union journals is the fact that the national union is

constantly providing incentives in the form of benefits.⁵² The new benefits (extended legal assistance to AEEU members' relatives injured in a road traffic accident, initial free legal advice to AEEU members and a free wills service) were probably introduced in an attempt to attract more members as well as to encourage existing members to continue re-signing their check-off forms.⁵³ This coincides with the argument that the role of the national union has diminished and become a source of expert advice and a provider of services (Martin 1992). A few members at firm E had been reluctant to re-sign the check-off forms arguing "well, what has the union done for me?". Their shop steward was pleased with the new benefits and thought that they might persuade the doubting members to re-sign. He was right; the wills service enticed his members to re-sign. However, the steward was particularly annoyed at the following shop stewards' meeting because he had sent in 6 wills forms but his members had heard nothing about them since. His argument was that he was selling the service as a benefit of union membership and his members were not receiving the service. He stated very clearly that he was becoming "disillusioned" with head office and that he had "got enough on at work without falling out with those outside work". The point is that many representatives were going out of their way to sell these "extra" union benefits to members (despite their already overburdened workload) and their members did not appear to be getting the benefits on offer: rather than complaining to head office they blamed their stewards, thereby adding to their problems.⁵⁴

However, while benefits can play a large part in members' lives, especially where accidents are concerned, the initial attraction of unionism as espoused by those who represented the shopfloor was the satisfactory resolution of workplace problems with the emphasis on protection and "strength" against employers. Indeed, previous surveys of union membership found that protection from future problems was one of the most common reasons for membership (for example, Stevens et al 1989, Millward 1990). Keeping a check on the health and safety aspects of the workplace was also considered a significant union activity.⁵⁵ Job retention and protection may be significant reasons for union membership. Certainly at firms A and C the union representatives could recall situations where members' jobs had been saved and times where management had withdrawn warnings given to members. At firm A when

52 A union lawyer actually described the provision of legal services as one of the main advantages of unionism and argued that the AEEU probably operated the best legal advice and assistance scheme in the union movement.

53 "We must make ourselves more attractive to potential members. The services we offer must meet the needs of the people we seek to represent." (Divisional Organisers' Weekend School Pack 1995 - "Future Structure of the New Amalgamated Union." p4.)

54 At the following shop stewards' meeting the district secretary's final word was that the wills service had been extremely popular creating a backlog of people wanting to use the service. However, a few of those present at the meeting expressed the view that he had only said that to placate those stewards who had complained at the previous meeting.

55 A comment by the district secretary indicated that some employers may not be so hot when it comes down to health and safety matters: "I wish companies would take health and safety matters with as much zeal as they do 'no smoking' matters. There is plenty of interest in making premises all no smoking areas but when it comes down to things like welding fumes there is no zeal on the part of employers to provide extraction fans."

some members had been reallocated to different jobs, the union negotiated terms which allowed those members to keep the various benefits that had been attached to their original jobs but were not linked to their new job descriptions. The convenors from firms B and C had both ensured that after working for longer than three months “temporary” employees were given permanent status; “management just like paying for temps if they can get away with it.”

Attitudes at the workplace may to a large extent depend upon the personalities there. There was a vast difference in the ways that stewards conducted their business at work and also in how they talked about their members and their attitudes towards the union. The majority of the members who attended the branch (that is, those from small workplaces where either only a minority of the workforce were AEEU members or where the workforce was very small) tended to see the protection side of unionism as the major benefit, especially in terms of representation and accident benefit. However, at firm G, where only four workers were employed two of whom were AEEU members, the union did negotiate their pay and conditions and the other two employees also benefited from this, but as one of the members stressed “if they have an accident at work they will be stuck”. This was an attitude taken by most shopfloor representatives; that non-union members did not realise what they might miss out on. All the branch officials gave examples of workers who had dropped out of the union and then had an accident. Each of these ex-members still tended to go to a steward for advice, but, “it’s too late then, the consultation fee with a solicitor alone could be about £250”. At a shop stewards’ meeting it was claimed that an accident at work could cost the individual at least £2,000 and “that’s before any court costs!” In fact, union officials claimed that “it is good economics to be in a union for the insurance policy alone. Union subscriptions are a very cheap form of insurance”, especially when legal aid is looked upon as being more or less only for the unemployed. However, it appears that members do not look at it like this, (see chapter 9); they may not even be aware of the different benefits on offer as one of the union’s solicitors claimed.⁵⁶

The shop stewards argued that the major benefits of unionism were first, protection, especially job protection, and second, legal aid. This contention is perhaps significant due to the high level of unemployment. By 1993 job security was regarded as a more important goal for unions to work towards than improving pay (Hedges 1994). Therefore, being a union member may increase a worker’s sense of job security. Indeed, at firm A, where union membership was constantly upheld, new workers voluntarily joined the union. Even junior members of management had begun to make enquiries about joining the AEEU rather than the MSF. This may reflect the fact that those workers saw the AEEU rather than the MSF as being effective at firm

⁵⁶ A point worth noting is that a substantial number of claims forms had been for industrial deafness. This can be seen in both the above categories: it is a benefit that members are entitled to in terms of legal aid and representation against the employer and it could also be termed protection against the employer who should now provide adequate ear protection for all employees.

A. According to the convenor, new workers were joining for protection. Perhaps some members of management had begun to realise that their jobs were not as safe as they had once thought. In today's economic climate workers may have realised that job protection is a necessity. If this is true it would affirm the argument put forward by Blanchflower et al (1990) that if unions offer "insurance" against victimisation and arbitrary dismissal, risk-averse workers would willingly join a union even though there may be no wage gain from doing so.⁵⁷

7:9 *Perceptions of members*

Perceptions of individual members by the local stewards can be described as mixed. It was recognised "that people have it easier than they used to do. They've forgotten what it used to be like - they've got houses, cars, children - they are more opulent". Yet at the same time it was argued that the Conservatives had created an atmosphere where people no longer felt secure in their jobs, homes or financially, "at one time you felt relatively safe - but not now, you're on your own". And members have so many different interests; the union is only one of them. The convenor from firm C was convinced that the majority of his members were only in the union for "accident security and pay rises" because "when the pay rounds come around everyone's interested, but otherwise they're not". This may portray the self-interested nature of members, also shown in the comment made by firm B's convenor that his members would not stand up for themselves because they were scared of losing their pay. However, as chapter 5 concluded, the majority of union members have always been self interested (see pp135 - 141). In fact, self interest has always been a significant reason for union membership, but some workers recognise that their self interests are best achieved by collective means; individual self interests become collective interests because each individual's interests tend to be the same, for example, higher pay.

The above quote from firm C portrays members as only being interested in monetary gain. However, the main issues brought up at the district shop stewards' meetings were redundancies, changes in contracts of employment and changes in working practices, and it also emerged that many workers in the local area had not had a pay rise for at least a year.⁵⁸ Therefore, the issue of pay, while a significant concern for members, cannot be the only reason that they join/remain with the union. Firms A and C had had many new members in the period covered by the study and firm B had had a few, which indicates that workers were still willing to join a union. However, their reasons for doing so may vary according to the workplace organisation. Job retention may be a significant reason for membership; at firms A and C members' jobs had

⁵⁷ A point brought up at the first conference of the joint union was that some self employed workers, especially electricians, were wanting to join the AEEU.

⁵⁸ During 1994 the district secretary had made many visits to local firms regarding redundancies and wages; "many companies are clamming up more than usual", though he did add that where workers had had a pay increase they had been "reasonable ones".

been saved. Even if workers do not receive a pay rise they have a self interest in retaining their employment and all the benefits that go along with it. Some members may be content to use their union as an individual problem solving agency, particularly if they perceive the union at their workplace to be ineffective when bargaining with management. Yet the evidence does suggest that in some workplaces members are prepared to stick together to achieve their aims. The key to this appears to be the lay representative's style of working and the amount of bargaining power that he/she is perceived as possessing. Indeed, this could have repercussions far beyond achieving collective goals, for some members will stick together over issues which may initially only concern one individual. For example, members at firm A had stuck together over issues which initially affected only one particular member (see following chapters). This indicates that individualism has not yet taken over from collectivism. However, it could still reflect the self-interested nature of individual members. Anything to do with the protection of work related benefits, changing working practices and threatened dismissal has implications for the whole workforce. So, sticking together over an issue which may only initially affect one worker can be looked upon as the workers acting in their own self-interests albeit "collective self interests". Therefore, the Conservatives may have underestimated the self-interests of individuals in the workplace, at least where a leader exists who can convince his/her members that it is in their long term interests to work together.

Nevertheless, workers may join the union for job protection and at places such as firm A and firm C they may be fully satisfied with the return that they get. Yet at workplaces such as firm B, where the convenor had never known members so "fed up with the union", members may feel that their expectations are not fulfilled. The different styles of working and the different personalities of the convenors are the key to understanding the differing attitudes of members towards their union. An example relates to how the convenors dealt with their members' problems with head office; at firm B the convenor was getting "fed up" because there was "a lot of disquiet on the shopfloor about head office" over various expulsions and arrears when the members were paying by check-off. The convenors from firms A and C reacted differently; they did get problems on the shopfloor over correspondence from head office, but because they and their stewards sorted these problems out their members tended to be satisfied. One thing that all the convenors agreed about was that "you're running around left, right and centre [for members], then you hear nothing. They've settled their problem, but they never come back and tell you." There are a minority of members who do thank their representatives for helping them and show their appreciation and "this makes the job worthwhile in a sense."

One of the concerns of the senior shop stewards was that no one appeared prepared to take over their role when they retired. Shop stewards did not want to "learn" how to conduct negotiations with management by accompanying senior stewards into meetings. The convenors recognised that shop stewards do "come in for the most stick" from members and management alike; companies, it seems, are putting shop

stewards under increasing pressure (or “they try”). It appears that not many young people were interested in standing as a representative, despite the fact that there were always a number of members who constantly “moaned” about the way that their steward was doing his/her job, no one wanted to take it on.⁵⁹ One “moaning” member at firm A did become a steward and found that his opinions began to alter as a result. This suggests that once members do become more involved in the decision making process higher up the hierarchy, they do begin to appreciate that there are certain limits when bargaining with management. (See also Fiorito et al 1988).

The reluctance to become a lay representative could be part of a general trend: the third Workplace Industrial Relations Survey (WIRS3) found that there had been a drop in the number of workplaces which had lay union representatives (Millward et al 1992). Union members it appears are more reluctant today to take on the role of “leader”, which might eventually reflect upon the perceived “power” of the workplace organisation. WIRS3 also found that those workplaces without lay union representatives were much more likely to be represented by paid union officials than in the past. This could be another factor creating a difference in unionism between different workplaces. Paid union officials will not be familiar with the particular issues at a specific workplace and, at least locally, appear to be less “militant” than lay representatives when negotiating with management. After all, they do not have to work regularly in the workplace where they are bargaining. On the other hand, it might be argued that having a paid union official to represent the shopfloor is better than no representation at all. In some circumstances it may also be the case that the FTO is seen by the shopfloor as doing a better job than their representative. Of course, in this situation members may have no confidence in their lay representative, but this could be the reason why Heery and Kelly (1990) reached the conclusions that they did. If the shop steward is seen as ineffective it may make the FTO appear to be more effective.⁶⁰

The fact that members were reluctant to become lay representatives may also indicate the self interested nature of individual members. They are willing to join the union for their own protection and benefits, even, in some cases, to act in solidarity to rectify a grievance, but they are not prepared to take on the job of representing the whole collective. Arguably, there is a lot more to it than that, especially the extra responsibilities which can be time consuming as well as mentally tiring. The dedication that is needed to fulfil the role of representative must contribute to the effectiveness of unionism in the workplace and if no one is prepared to take on that role and show that dedication, then, that effectiveness could be diminished. The foundry at firm A was a good example of this (see following chapters). Many of the

⁵⁹ “When the pay negotiations come around and you are stood on the rostrum, there are 350 shop stewards. But when the notice goes up asking for shop steward nominations, there are none” commented one of the convenors.

⁶⁰ The district secretary had represented many members at industrial tribunals. As a rule he was always happy with the settlements made; however, it appears that sometimes the member was not satisfied, “because they have preconceived ideas about how their settlement should turn out”, commented the district secretary.

local stewards who regularly attended the shop stewards' meetings had thought about giving up the role of steward but they had not done so because they "had the union to think about". By this they were referring to their own members on the shopfloor. This indicates the dedication and responsibility that some representatives do feel towards their members.

Members are viewed by their representatives as largely self-interested. However, some members are prepared to work collectively to achieve those interests and this appears to relate to how well their lay representative performs in the workplace. Reasons for membership may vary according to the perceived power of the workplace union.

7:10 DISCUSSION - *The AEEU in Xtown*

The evidence confirms that there are two different strands to unionism, the shopfloor unit and the national organisation.⁶¹ The fact that different shopfloor units experienced similar situations at different times with varying outcomes is an indication that separate union organisations with different ways of working did exist at each workplace. The local unit, which was made up of the shopfloor units brought together at branches, shop stewards' meetings and district committee meetings, it seems, was nothing more than a go-between for the national and shopfloor organisations. However, the local unit in Xtown was often opposed to proposals from the Executive Committee and local activists were able to express their feelings and impart information to workplace representatives about the national union that may not have been communicated to them otherwise. Therefore, the local unit was a valuable route of communication between the national and shopfloor organisations, though the information conveyed may not always have been in the direction that the national organisation would have liked. It could be argued that by dismantling the shop stewards' meetings and district committee meetings the national organisation of the AEEU may be trying to curb the influence that the local unit could exert over workplace representatives in Xtown.

The two components of unionism reveal the different dimensions of trade union "power"; that is, the ability of the union to achieve a desired goal and produce effects. The national union provides services and benefits to members, which can be seen as an exercise of power, especially when members are contesting a decision made by an employer such as an unfair dismissal case. The shopfloor unit displays the bargaining power that it may possess. It is clear that different ways of bargaining existed within the shopfloor units, and each may have had varying success rates. This variation could to a large extent reflect the different personalities at the workplace and in

⁶¹ The national organisation is taken here to include all officials who are paid solely by the union, even though the divisional and regional organisers and district secretaries may sometimes represent a different outlook to the Executive Council.

particular that of the main union lay representative.⁶² The fact that two shopfloor units within the same workplace have totally different relationships with the same management appears to confirm this assumption. (See following chapters).

The two different strands of unionism can also be distinguished by the effects of the legislation upon them. One is restrained by the various legal restrictions and the other may be prepared to act on impulse without any regard for "the law". On the whole it can be argued that the shopfloor unit is more concerned with the pressing, and often immediate, realities of the workplace than the legal boundaries within which they should work. This is also suggested by the lack of interest in attending TUC courses designed to inform workplace representatives of the legislation. Nevertheless, there are differences between shopfloor units. The legislation may have an inhibiting effect upon some workforces, or at least at first sight this may seem to be the case. Firm B was an example here; however, factors other than the legislation, in particular the style of "leadership", may have had something to do with the attitudes of the membership. It could be argued that the national union is being saved a lot of money by those union organisations which generally solve their problems themselves without recourse to the "external" union or the law. Where the full balloting procedure is followed and nothing comes from it, the national organisation has spent a lot of unnecessary money.⁶³ Therefore, in many respects a workplace union organisation which can and does work largely independently of its FTOs is beneficial to its national body. In turn the independence of the shopfloor organisation may largely depend upon the personalities involved.

The general feeling was that the shopfloor is the "backbone" of the union. It could be argued that the "power" of a trade union does lie at the bottom of the union hierarchy, with the members. The members are the essential components making up the shopfloor units. Despite the differences between shopfloor units, it appears that it is here that any "bargaining power", especially in terms of job protection or perhaps more appropriately "employee protection", is exercised. When required the "external" union might be called in; however, where the shop stewards of a shopfloor unit are well organised and more importantly are seen to be effective by their members, this is

⁶² This argument is largely confirmed by the fact that after the initial observations had taken place, the convenor of firm B referred to in the report gave up his position. The new convenor had begun new pay negotiations with management and was quite happy with how things appeared to be progressing. This contrasts sharply with the opinions and actions of the previous convenor. Perhaps the change in leadership at this firm might also change the fortunes of the union and indeed the opinions of the members there too.

⁶³ It could be argued that at firm B the management actually counteracted the members' intentions by undermining the overtime ban by announcing that there would be no overtime anyway. Yet at the same time it all revolves around the personalities of those involved and in particular the leadership of the members. If the members had been assured that the ban was having an effect they may have continued the action and eventually gained a wage rise. As it was there was little or no contact between the members and their convenor at the time, let alone with the outside union.

rarely necessary.⁶⁴ In addition, the FTO may not be seen as efficient or as effective as the lay representatives. The fact that the district secretary stressed that when a grievance is taken outside the workplace there is always the backing of the union “on issues that can be pursued” suggests that in some cases members’ grievances might be left unresolved if referred to the FTO. Therefore, members may get a better deal when a problem is solved within the workplace. A similar argument could be put forward regarding members attending tribunals for unfair dismissal, for example. Dismissed employees who belong to a workplace union with dedicated leaders may find that they are reinstated rather than having to attend a tribunal. Examples of this can be cited from firms A and C, but a dismissed worker from another workplace may find that he/she has to enlist the help of the national union at a tribunal, which very often does not lead to reinstatement even if the dismissal was classed as unfair; while figures vary each year, under 3% of successful applicants are reinstated. It can be argued that independent workplace organisations do not always use the resources available to them, saving the national union time and money, and yet at the same time their members may receive a better service than when the outside union becomes involved. This is recognised by the national organisation; the district secretary did urge stewards to try and solve problems themselves, because the further into the procedure they get the harder they become to settle.

Head office was considered to be out of touch with the realities of the workplace and if that is where members’ first priorities lie it could be argued that while the national union does try to do what it thinks is best for its members, as indicated in all its leaflets, magazines and correspondence, it is perhaps too remote from the roots of the union. This can be illustrated in many ways: the national union described the branch as the basic unit of the union where any member can raise for discussion any matter affecting the union. Judging by branch attendance this was no longer the case; the basic unit of the union must be the shopfloor, with the possible exception of those workplaces where only a few employees are members. Members, at least in Xtown, appeared uninterested in the national union’s business unless it affected them personally; that is when claiming some sort of benefit. Evidence from the shop stewards’ meetings also suggests that lay representatives had little interest in the national body. During the chairman’s talk on the five day conference concerning the future of the union, many of those present showed no interest in what was being said. “This is boring. I wish he’d hurry up and finish” was whispered by a couple of those present.

The national organisation needs the local units, made up of the separate shopfloor units, to be able to operate; through the branch and the district secretary it supposedly keeps informed of the membership and any problems encountered. It was argued by a district committee official that “the commitment is there at head office, but they are just

⁶⁴ It appears that the well organised shopfloor units tend to have a small hierarchy within their steward structure. Where this exists problems are passed up the hierarchy until they are solved. A dedicated senior steward or convenor also tends to take a lot of the burden of work from the stewards, such as taking claim forms to the appropriate branch meeting.

not getting the right information and when they do they can't always act immediately on it." However, evidence tends to point to the fact that this is not always the case; lost claims forms and missing details from the union register suggest the system at head office was not as efficient as it should have been.

Benefits offered by the union, especially those which are unconnected to the workplace, tend to be directed at members as individuals and yet it appears that not all members are aware of their existence.⁶⁵ Legal representation and benefits are provided solely by the national union but these are seen by the union lay representatives as secondary to job protection and protection from the arbitrary practices of employers when considering the prime benefits of unionism. The fact that lay representatives referred to the national union as "head office" gave it a remote feel and the impression of administration and paper work rather than as a "powerful organisation". Even in terms of providing legal aid in pursuit of damages, it might be argued that the national union exerts no power at all. During a talk by one of the union's local solicitors at a shop stewards' meeting it became apparent that perhaps rather than "union power" it is the solicitor's expertise that gains union members their awards against employers; the object was to try and obtain maximum compensation in the least time possible. The union may pay the legal costs but it also receives 5% of any compensation that a member gains. It is possible, then, that benefits in the form of legal aid should not be classed as union power as such. However, without the union initiating the proceedings, there would be no outcome at all and no exercise of power, whether by the union or their solicitors, so perhaps this issue is best left to each individual's interpretation.

The evidence so far indicates that shop stewards and their members consider "the union" to be their shopfloor/workplace unit and the main lay representative as the most important person in "the union". It may even be the case, as other researchers have suggested, that for most members the shop steward is "the union". To a certain extent, this may depend upon the representatives, but even if they are considered to be ineffective members may still consider them as "the union". This would then be reflected in those members' perceptions of their union and could also make a difference to their reasons for continued membership. Workplace problems and getting the best they can out of their employers are the primary concerns of members, or at least their representatives, when at work; outside the workplace most members have other interests. The benefit side of unionism is important to members, but benefits can be largely connected to the workplace and the problems encountered there, workplace accidents and industrial disease for example.⁶⁶ However, the forms of legal assistance have been extended to activities outside of the workplace. This may be an attempt by the national union, not only to attract new members, but also to encourage existing members to think of "the union" in terms other than the workplace. The national union argued that it is "good economics" to be in the union for the

⁶⁵ *Union Review* no.3 May 1994, p11 and no.5 July 1994, p8.

⁶⁶ It is a priority of the union to prevent accidents occurring in the first place by ensuring efficient health and safety rather than relying solely on accident benefits.

insurance alone; subscriptions are a cheap form of insurance. It could be argued that the national union is now little more than an insurance agency (see also Martin 1992) and that the original objectives of trade unionism remain in the workplace where they originated. A comment by the chairman of the shop stewards' committee that "somewhere in the midst of all this we are losing where we came from", appears to apply to the national organisation rather than the majority of shopfloor units.

How the union operates in a workplace may have an effect upon members' reasons for remaining in the union. Members in workplaces where the union is seen to be effective may give different reasons for membership than those who feel their union is doing nothing for them. The convenor at firm B felt that since the 1984/5 miners' strike, unions were not as strong as they used to be. If this attitude was passed to his members, then, they may have seen benefits as the only reason for their continued membership. If members at firm B had been employed at firm A, for example, their perceptions of unionism may have been different. Indeed, they may alter now that they have a different leader, who appears to have a different style of working to his predecessor. Particularly relevant at this point is the conclusion reached by Fosh (1993) after her research in five workplaces. Her argument is so apt it is worth repeating in full:

"The participation surges observed in the workplace centred on issues that brought to the surface the members' underlying beliefs in the unity of members as a countervailing power against that of management. The study suggests that local leaders, by their ability to lead in a way that encourages members to become involved and to see the collective implications of the issues that arise, can build upon surges of participation and interest, thus increasing the strength of workplace unionism. Of course, different local leaders have dissimilar material with which to work: members have different initial commitments to unionism, experiences of union membership and work and community backgrounds; further, relations between management and unions in a workplace can differ sharply. Some local leaders will have an easier job encouraging members to take part in workplace activities and to become more solidaristic in their approach to the union. However, the study suggests that a careful choice of local leadership style can yield results even when members' experiences and situations are not the most favourable for the development of unionism." (p589).

Therefore, if Fosh's argument is correct, a new style of leadership at firm B might encourage members to act collectively, in a way that achieves them their goals.

What about trade union "power"? The Conservative government wanted to reduce trade union "power" and introduced legislation designed to do just that. The main aims of the legislation were to empower employers to resist trade union demands and the promotion of individualism; that is, the idea that each individual would pursue his/her own self interests in such a way that they would in effect be in competition with each other, rather than working collectively to pursue their goals. Or, as it was described at a shop stewards' meeting, "the Tories are trying to demoralise union members and make them think 'well, what's the point of being in a union?'"

Employers are aware of the legislation but the majority, where possible, prefer to settle

any disagreement with the union representatives (see for example, Elgar and Simpson 1993b) and with the exception of possibly firm B, although the change of union leadership there may alter that situation, and firm M, this appeared to be the case locally. As far as the district secretary was concerned there were positive aspects to the trade union legislation, in particular the balloting arrangements, (which Elgar and Simpson 1993a found union officials had taken on board as part of their negotiating tools), and the check-off arrangements, which in some instances had actually gained the union members. As far as the legislation on members' rights vis a vis their union goes, it is possible that many members do not know of them, let alone care. The fact that many subscription paying members tend to be non-existent as far as the union register was concerned is an indication that no one checks the register until a claim form is submitted; even then it was the branch officials who sorted out any discrepancies rather than the member exercising his/her right to check his/her register details.

The promotion of individualism may have failed, at least among union members. The pursuance of self interests, at least in relation to work matters, appears to be done more effectively collectively rather than alone. The example of the non union members at firm C indicates this; worker becomes pitched against worker. Conservative claims that they had created an "enterprise culture" out of a collectivist one may be true where trade unions do not operate in a workshop, but where they do, it appears that this claim could be refuted. If suggestions that a union presence secures increased productivity (Metcalf 1993a, Brown 1994) are true, then, workplaces that actively encourage competitiveness among their employees could lose out. As Burkitt (1981) said, employers rely not upon the employment of an individual to keep up production, but on the work force as a whole working in harmony. Individualism seems to be a predominant disposition amongst trade union members. However, it seems that many members realise that the most effective way of realising their goals and self interests is by acting collectively, at least in cases of everyday workplace grievances. It can be concluded that individualism and collectivism work together to achieve the same goals, rather than being two separate entities as envisaged by the previous Conservative government. "Instrumental collectivism" (Goldthorpe et al 1968) ideally describes the situation. Therefore, conclusions, such as Metcalf's (1993a), that legislative changes had undermined collectivism do not appear to be convincing, at least in the area studied. Nevertheless, this may depend upon one crucial factor - the lay representative. The differences between workplaces (and within them) may be due to his/her style of working and personality and in particular on how much bargaining power the membership perceive him/her as having. The important thing, at least where a tight union organisation exists, must be that members are together in the workplace and at workplaces where members work in teams the benefits of acting collectively rather than alone probably become more apparent to employees.

The employment climate appeared to be in the minds of most members, with job protection being an essential component of unionism. Even in those firms with a strong union organisation job protection was still a major concern for employees. As

the convenor from firm C commented “many members are running rather scared. Most people seem to want to look after their jobs and are very complacent.” Wage increases may be important to members and at those firms with an independent union organisation they usually got a satisfactory one, albeit the fortunes of those firms were usually promising; at firms which were struggling to keep afloat, members appeared to accept what they could so as to keep their jobs. About job retention the district secretary insisted that “we must see that the members are well represented... but it is difficult operating under market conditions such as where European competition enters into it.” It appeared that competition was a particular concern of local employers who had to keep updating their machinery and managing their costs to ensure that they remained within the market. It seems that this applies in most places today; however, a few local firms had begun to beat the recession and had expanded their operations. The union organisations within these firms seem to have ridden out the storm and appeared unscathed, determined to fight for their members’ rights.

However, past experiences do tend to shape the way that representatives negotiate with management, perhaps bringing the union and management closer together. Working to ensure the survival of the firm (see also Brown 1986, Terry 1986) does not necessarily mean a change in the structure or role of unionism as Brown (1986) suggested. The union’s role appears to remain the same - the protection of its members’ interests, which in many local firms the AEEU appeared to be doing quite adequately. Management concerns about the future of their companies are taken on board; however, rather than seeing this as a reshaping of the structure of unionism towards the needs of management (Brown 1986) it could be argued that it is actually protecting members’ interests - their employment.

The essential thing when talking about “power” is how each individual interprets the concept. Union power, the ability or capacity to achieve effects, can be looked on in more than one sense. The type of union power most commonly thought about is the union’s bargaining power with the employer, carried out at shopfloor level, with varying degrees of success between workplaces. But the benefit and legal services side might also be considered to be an exercise of power, particularly against the employer (whether it is an exercise of power by the union or the legal expert). An individual alone would find it a costly exercise to take on an employer, though it appears that some union members do do this (perhaps they are not informed of their entitlements). However, the thought of power may not even be considered. As a former district secretary stated rather clearly: “The legislation is not new. It was thought necessary because we were strong. But we were not powerful. If we were powerful we could get what we wanted and wouldn’t have had to strike. We’ve never had power.” However, members may perceive their representatives as having power and it could be argued that because workers at some workplaces do not have to strike to get what they want they could be seen as being powerful.

Whether they see their union as powerful or not, workers are remaining members and new members are not a thing of the past. It could even be argued that at firms such as

firm A, the vast influx of new members indicates an upturn in the fortune of the firms and, therefore, the union organisations within them; that is, the company is doing so well that it has to set on new employees to cope with extra production and in turn these workers become union members which adds to the strength of the shopfloor union organisation. Trade unions still operate in every plant in the local area where they did before 1979, and as it is the members who make that existence possible, workers must see some advantage in joining/remaining with the union. Self interest may prevail but that self interest leads workers to see that it is best served by being in a union, even if for the benefit side alone. Where the union does display a vast amount of bargaining power, that “power” is on the shopfloor rather than with the national organisation. Nevertheless, whether the hub of trade union activity and therefore its power is on the shopfloor is dependent on the place of work and the personalities there. Studies which base union power on the national organisation alone are therefore misplaced. The shopfloor is “the union” and how well the lay representative performs will influence his/her members opinions as to the “power” of “their union”. Whether members perceive the provision of benefits as a “power” is another matter. It is highly likely that while seeing them as an advantage of unionism, they will not count this as an exercise of power.

7:11 *Conclusions*

It can be concluded that there are two different strands to unionism and that the shopfloor unit is the most important one at least as far as members are concerned. Each shopfloor organisation may have their own ways of working which to a large extent may reflect the personalities of those involved, in particular that of the main lay representative. This is of the utmost importance when considering the power of each union organisation. For example, the comment “it used to be a good union at firm X, but it’s all changed now”, can be applied to at least two local firms and when analysed further it appears that the change of fortune of the union began with a new convenor.

Statements by lay representatives such as “I’ve got enough on at work, without all the problems created by head office”, implies that “union work” is in the workplace. The fact that the AEEU is now the fourth largest union probably has no interest for them or their members. Their immediate concerns lie in the workplace with the everyday realities that they encounter. **At least locally, it can be accepted that the shopfloor is considered to be the union by the lay representatives observed, and the evidence does indicate that it is the shopfloor leader’s style which is essential in determining membership participation and interest in workplace unionism and, therefore, the level of success that the shopfloor unit has when dealing with management. It follows that the personality and style of working of the lay representative are essential ingredients for successful unionism in the workplace.**

It is hard to say at this point whether changes in the economic climate have changed the role of the union organisation within workplaces; **unions may be more willing to accept change than previously, yet the role of the union appears to remain the same, negotiating for the best deal it can for its members even though it may be working within a limited bargaining arena.** However, this may depend upon the personality and style of working of the lay representative bargaining within each firm. It certainly appears to be the case that managements are introducing new working practices and contracts for their employees, but where the union is perceived as effective the workforce do not seem to be adversely affected by any changes. One of the major changes appears to be the introduction of PRP, which, it was argued by officials of the shop stewards' committee, had been encouraged by the Conservatives because they were hoping that it would eventually take away the union's negotiating rights. However, it is recognised locally that the scheme can be profitable to employees if it is worked out and implemented correctly. In those firms where it has been implemented the union tends to have negotiated a good deal for its members, on top of their basic wage, and everyone appears to be happy with the results. In addition the union's involved had retained their negotiating rights.

Workplace union organisations may be working with employers so as to ensure the survival of their companies and, therefore, the jobs of their members; however, where the union appears to be effective members' attitudes do not seem to have altered much; they still appear to presume that their employers can give them more than they are offering. The employment environment during the 1990s may have given workers a feeling of job insecurity (Hedges 1994), but **becoming a union member may give employees an increased sense of job security.** This may again depend upon the perceived "power" of the union organisation within the workplace; where employees' jobs have been saved, such as at firms A and C, workers appear to voluntarily join the union. **Job protection appears to be one of the major benefits of unionism in today's economic climate. Therefore, if unions offer "insurance" against dismissal, especially in areas of high unemployment, it appears that workers will willingly join a union** (see also Blanchflower et al 1990).

It also seems that, at least locally, **the legislation has had little influence on the lay representatives' opinions and ways of bargaining within their workplaces; however, in those workplaces where the representative is not seen to have much, if any, bargaining power with management the legislation tends to play a larger part because the outside union is called in.**

The following two chapters outline a case study of the union organisation within a particular local firm. The bulk of the study is made up from observations of the firm's shop stewards' committee meetings, interviews with some of the stewards, analysis of a number of the convenor's notebooks and questionnaires which were completed by

shop stewards and members. The study is particularly concerned with the members' attitudes towards their union and compares them with the opinions of their shop stewards. The next chapter concentrates on the views of the shop stewards and chapter 9 analyses members' opinions about the union organisation within their workplace.

8:1 *Introduction*

The information presented in this chapter was gained by extensive formal and informal interviews with the convenor of the machine shop union organisation at firm A, informal conversations with some of the stewards, questionnaires that were completed by some of the machine shop stewards,¹ observations from two of the annual shop stewards' committee meetings and from the analysis of three of the convenor's original notebooks.² Various works documents such as the "Industrial Relations - General Agreement Within The [Areas'] Works" and the "Health and Safety Policy statement" were also looked at.

8:2 *Firm A - a brief history*

Firm A was established in the nineteenth century and was predominantly a coal industry. An iron works was built as a major part of the company's business producing high quality iron used, amongst other things, for naval vessels. Throughout the nineteenth century iron production was subsidiary to the coal industry and the engineering capacity of the firm tended to be used to maintain the colliery machinery. Around 1900 the iron section of the plant was modernised leading to the production of exceptional quality pig iron ensuring the company a large share of the railway wheel and castings market. The company had built up a reputation for the reliability of its products from its engineering shops, for example pipes for the municipalities, and around 1920 a new company was formed in joint ownership with a firm which had developed castings of cylinders for the rapidly expanding car and aircraft industries. The reputation of the firm became recognised worldwide and it became the principal supplier to British aero-engine manufacturers.

With the prospect of nationalisation looming the iron and steel elements were separated and a retainable engineering business was built up and in 1948 a parent company was formed which acquired the three engineering companies in the group. In 1979 the company changed ownership and by the late 1980s major changes to working

¹ The twelve stewards from the machine shops were asked to fill in a questionnaire and ten were returned; an 83% return rate. Out of those returned the three senior stewards had answered the questionnaire.

² The convenor of the machine shops took up the position in 1987 after being a steward since 1979. He took his "job" very seriously, and for the first four years he carried with him a notebook jotting down any queries from members, problems occurring and generally everything that happened on a day to day basis. These were not diaries as such but notes to remind himself of things that must be done. Entries in the books included members' individual problems, accidents, who was off sick, retired or died, who had been moved to another workshop, changes to working practices, breakdown of machines, shopfloor meetings and stewards' meetings, overtime, issues involving payments, management changes and general information on the firm itself.

practices began to take place; for example, the workshops were reorganised into manufacturing cells, each serving different customers.

Anti-unionism was never a feature of the company's policy, though until the late 1880s neither side of the industry was formally organised. In 1873 the miners' unions and their representatives were accepted and it was during World War two that the trade union movement strengthened within the industry.

8:3 *Firm A in the 1990s*

Firm A was part of a multi national engineering company, consisting of a foundry (casting shop) and machine shops, with about 750 employees (including managerial staff). One of the firm's major products was liners for the automobile and ship building industries. The firm had been struggling since about 1980 and around 1993 ran into major difficulties and encountered a short period of problems with their order books which resulted in short time working; however, the majority of the workforce was kept on with only those employees who volunteered for redundancy being let go. The order books picked up substantially and in 1995 around 150 new employees were set on. In fact a new factory was built to accommodate a new product for the automobile industry and management were constantly looking at new technology, particularly abroad, to update their production and keep ahead of any competition.

The firm was more or less 100% unionised, at least on the shopfloor side, with all union members belonging to the AEEU. On the staff side some were members of the MSF and others had joined or were considering joining the AEEU. However, not all the staff were unionised as management tended to discourage them from doing so, whereas new employees on the shopfloor were advised by management that there was a union on site. There were two workplace organisations of the AEEU, one in the casting shop (foundry) and the other covering the eight machine shops³; each negotiated separately with management.

The machine shop organisation consisted of a convenor and twelve stewards, three who were senior stewards and the foundry had three stewards and a convenor;⁴ none worked as full time union representatives. Management provided them with a room, aptly called "the union room", notice boards and secretarial help if it was required. The shop stewards (from the foundry and the machine shops) had their own shop stewards' committee with their own funds raised by fund raising activities.

"Organisation for Improvement Meetings" took place at different workshops and staff working places on the site and monthly information meetings were attended by the convenors and sometimes the senior stewards. At these meetings general information about the firm was discussed, such as how well they were doing, how the order books

³ This was the organisation that the study largely concentrated upon.

⁴ So as to avoid confusion, when necessary the machine shop convenor will be referred to as the MS convenor and the foundry convenor as the CS convenor.

were shaping up and how each workshop on site was performing, as well as any proposed changes. The union did see company information and management generally provided all the information that was asked for. The firm was governed by the national agreement between the EEF and the CSEU, but they did have their own written domestic procedure agreed between management and the shop stewards. The national agreement was only relied upon when no internal agreement could be reached. Employees' pay was determined locally between the stewards and management (the "external" union was only brought in if "a failure to agree" was registered).⁵

8:4 *The shopfloor organisation*

The union organisation at firm A was a fairly tight-knit organisation with its own joint shop stewards' committee, which raised its own funds through various means including a weekly numbers draw. In 1993 they sold their shares in firm A, originally bought to ensure access to company information, and were considering investing the money elsewhere. The committee used its funds to help members; for example, they paid the back subscriptions of a member who had left the firm but whose accident claim form had gone missing at head office. The member had been excused contributions but because he had not been signing on as unemployed there had been a problem as to whether head office would pursue the claim unless his subscriptions were up to date. The shop stewards' committee paid these on the understanding that if his claim was successful he would reimburse them. They also distributed sick, retirement and Christmas grants and every year a number of retired firm A members were taken on holiday at a substantially reduced rate. The stewards' committee also paid for things such as the development of photographs after a member had an accident so that the photographic evidence could be used in any future claim. They also donated money to other workers' causes or to local organisations. Management did support the shop stewards' committee, donating a sum of money each year and they also participated by deducting money from those members' wages who wished to participate in the numbers draw.

However, support from shop stewards was not always forthcoming; the committee only held a meeting once a year because attendance at their quarterly meetings had become almost non-existent. These meetings were held at the local Labour club on Saturday afternoons. A point brought up at one of the shop stewards' committee meetings was that the majority of union work was done in the workplace where all the stewards and members were together. The secretary of the committee, a senior steward, and the chairman, the MS convenor, admitted that if meetings were held at work and in work time attendance would probably be 100% every time; many stewards had complained that they never had meetings any more but when they were arranged outside the workplace some did not attend. "Most stewards are good at work but they forget about the job when they leave the work gates", commented one senior

⁵ This had only happened once during the nine years that the MS convenor had held his position.

steward. The stewards only met at work “whenever anything serious” took place⁶, for the wage negotiations and at their yearly AGM outside the workplace.

Union membership among the shopfloor workers was virtually 100%. During 1995 approximately 150 new workers were set on and all of them joined the AEEU; “they know that they get protection” commented one of the senior stewards. Management did advise new employees that there was a union on site but it was up to the worker to seek out the union representative or vice versa. At a shop stewards’ meeting the auditor asked if new workers joined the union; a steward replied “we coerce them into it”. While this comment was said in jest and workers were not forced physically to join the union, (in fact many approached the stewards themselves), it could well be the case that non-union members were sometimes cajoled mentally to become members because of peer pressure. For example, a non-union worker was moved from one workshop to another; when members in the new workshop discovered that he was not a union member they refused to work with him, resulting in him being swiftly moved back to his original workshop⁷. According to the convenor the man eventually joined the union “because of the pressures put on him” when working with union members, and he remained a member. This also portrays the solidarity of the union members within firm A, and according to a steward “the lads always know if someone’s dropped out of the union” and the comments that they made about these workers are not worth repeating.

Even junior members of management had enquired about joining the AEEU rather than the MSF. This may reflect the fact that these workers perceived the AEEU rather than the MSF as effective at firm A; members of management were beginning to realise that their jobs were not as safe as they once thought. The AEEU had helped a young female member to retain her job on the management side and some of the newer management recruits had joined because “they know that their boss is on their backs” and they wanted “protection”. In today’s economic climate workers appear to realise that job protection is a necessity and becoming a AEEU member at firm A gave these workers a sense of job security.

The union itself could be described as an independent workplace organisation. Stewards were elected every two years and it was rare that a steward was opposed by another member. The convenors had access to all three levels of management⁸; the shop stewards were only allowed access to their own shop managers, except the senior stewards who sometimes accompanied the convenor, or if he was away stood in for him. According to procedure the convenor should have begun with the lower managers and worked his way up the hierarchy until he reached a settlement. He

⁶ “Serious” issues were those that the convenor felt needed the opinions of all the stewards and maybe even those of the members involved. As the convenor put it, “we”, (meaning the senior stewards), “only have [the stewards] together if we want their backing, which usually involves a big problem.”

⁷ Convenor’s notebook, 1988.

⁸ Lower management - shop managers and personnel, middle and higher management- managing directors.

tended to approach the member of management that he felt was best suited to the problem, regardless of which level of management that person was. Over the years he had found that instead of wasting his time “going up the line” certain people provided answers to different problems. He had never encountered any difficulties approaching the level of management that he felt he should be talking to, though sometimes this caused a little animosity on the part of those lower levels who had been excluded from the procedure. An example involved an agreement made between the union and a managing director, who then told the convenor to inform a particular lower manager about it. According to the convenor this person would not accept the decision until he received confirmation from his superiors; he, perhaps understandably, did not like his authority being overridden. Very often the foreman was ignored as well as the relevant shop manager if they were considered to be wrong.

It appears that management did not place any restrictions upon their stewards. Only one of the stewards who answered the questionnaire said that management placed restrictions in his way which hampered him in carrying out his duties as a steward but he did not stipulate what they were. This steward also stated that management/union relations were not very good. It might have been the case that this particular steward did not get along with management and that they did place restrictions in his way; indeed, it might possibly have been his particular shop manager (whom he would have had to deal with) that hindered his work as a steward, the other stewards dealing with different shop managers. However, when asked “are you satisfied with the opportunities to contact members at your workplace?”, all the stewards replied that they were; four were very satisfied and six fairly satisfied. Therefore, the restrictions placed in the way of the one steward did not prevent him contacting his members.

Stewards were allowed to leave their job to contact their members or other stewards with permission from their shop manager, which was never withheld.⁹ The convenors were allowed to leave their jobs and contact any members or stewards whenever they needed to. They effectively had the freedom of the factory: an argument between the MS convenor and a shop manager in the foundry illustrates this; the manager was of the opinion that the MS convenor had no right to be in the foundry, the MS convenor refused to leave until he had finished what he had gone there for. When this dispute was brought to the attention of higher management, they backed the MS convenor, agreeing that he had the right to walk in any workshop whenever he wished, much to the annoyance of the shop manager.

The shopfloor organisation at firm A was an independent, tight knit organisation which was largely supported by management as well as the majority of employees. The change in the economic and employment climate may have altered the attitudes of some members of lower management, wherefore they become union members in the interests of protecting their own jobs. As Hedges (1994) found, members’

⁹ After listening to the stewards I believe it is highly likely that they probably did not even ask permission before they moved from their job to see a member or each other.

attitudes may be changing so that job security has become a more important goal for unions to work towards.

8:5 *The machine shop stewards* ¹⁰

All the stewards were male, worked over 30 hours a week and paid their union subscriptions by check-off. Of those who returned the questionnaire six were aged between 31-40, three were aged between 41-50 and one was over 50, with a senior steward belonging to each age group. All the stewards had been union members for over ten years with five of them having been a member for over twenty years; two of those for over thirty years. The senior stewards had been union members for eighteen, twenty five and thirty years. The length of tenure of their stewardship ranged from under a year to twenty years.

Table 1. Table showing how long each respondent had been a steward

<u>Respondent</u>	<u>Number of years as a steward</u>
1	*15
2	9
3	3
4	*10
5	5
6	0
7	9
8	* 20
9	3
10	3
11	**16

* denotes a senior steward
 ** denotes the convenor

As can be seen from table 1 the senior stewards had been in their position considerably longer than the majority of the other stewards; this perhaps reflects their experience within the firm, especially when dealing with management. With the exception of the newest steward the length of time that the respondents had been representatives indicates that if they were elected every two years they were either unopposed or beat any opponent; it is highly likely that they were unopposed. When asked “are stewards opposed very often?” the convenor replied “not often”. This may indicate that members were satisfied with their representation and that stewards were only opposed at election time if they were considered to be ineffective (depending on whether another person was willing to stand for the post); two of the answers to the question, “why did you decide to stand as a shop steward?” suggest that this may be the case:

¹⁰ The information, unless otherwise stated, refers to the machine shop union organisation.

“Because people were unhappy about the previous shop steward, so I was asked to put my name forward. I did and was elected.”

“I didn’t think I was being represented properly.”

Another of the answers to the same question suggests that not many members were interested in becoming a steward themselves:

“One of our stewards was retiring, nobody else was interested so I decided to give it a go.”

Five of the other reasons given for becoming a steward related to helping the respondent’s fellow workmates, such as:

“I felt that I could help my fellow workers by voicing my views to management.”

“Because I thought I could do a good job for the men I work with.”

One of the senior stewards became a steward so that he could “have a say in how management run the company”, and another steward because he “realised that he could not do anything about working conditions stood in the background”. These reasons suggest that for the majority of stewards their major concern was for their fellow workers, in particular having a workers’ voice in the workplace and ensuring that working conditions were the best that they could get. Indeed, of the eight stewards who answered the question “as a shop steward what kind of issues are you most concerned with?” five of the answers related to the pay and working conditions of the stewards’ fellow workers. Of these five answers, job security, job satisfaction and health and safety on the shopfloor, were additional concerns. The three answers which did not include pay or working conditions were :

“Fair treatment of all workers and all concerned are consulted before action is taken. The workplace should be a pleasant place to work.”

“Management’s inability to manage fairly.”

“Solidarity among the workforce.”

While not mentioning pay and conditions, these stewards appear to have their members’ interests as their chief concern: that is by trying to ensure that everyone was treated the same and had a say in any action that may affect them.

When asked to rate a list of possible reasons for joining a trade union in terms of how important they were (see table 2) the majority of the stewards endorsed every given reason with the exception of “it’s a family tradition”.¹¹ However, there were differences over whether some of the reasons were “very” or “fairly” important. It is perhaps significant that more stewards thought that the “self interested” reasons, that is, those that benefit the individual, were “very important” compared to the “collectivist” reasons, that is, those that involve working together. This confirms the

¹¹ Two of those who thought that this was an important reason were senior stewards. Maybe family tradition was more important for the older members.

findings of previous surveys of union membership, for example, Stevens et al (1989) and Millward (1990). The steward who thought that protection from future problems was not a very important reason for union membership had stated that his main concern as a shop steward was health and safety on the shopfloor, which could be interpreted as protection from future problems. This same respondent also thought that “to use as a workers’ voice against management” was “not at all important” as a reason for union membership, which appears odd when the steward is considered to be the spokesperson for his/her members. However, the other nine stewards felt that this was an important reason for membership, which corresponds with the suggestion above that the majority of the stewards felt that they could help their fellow workers by voicing their opinions to management.

Another odd answer when considering the role of the shop steward as the representative of his/her members was that one steward felt that “to show solidarity with those I work with” was “not at all important” as a reason for union membership. This might say something about the style of working of this steward; it could be that he was looking after himself as an individual first rather than working as the leader of a group of members. He was the only steward whose reply to the question “what issues concern you most as a shop steward?” did not directly mention the members; he replied “management’s inability to manage fairly”. He also stood as a steward because he did not think that HE was being represented properly. It might be the case that this particular steward would like to gain promotion within the firm; a comment made by the convenor that sometimes stewards were not interested in their members but only in “getting a white coat”, that is, a supervisor’s job, suggests that this could possibly have been the case. However, this was a contentious issue among the stewards and not much was ever said about it. Nevertheless, it appears that the majority of stewards were concerned about their members first and foremost and resented anyone who looked at the position as a means of bettering themselves within the firm.

Eight of the sample felt that “most of my workmates are members” was an important reason for membership. However, as will be seen in the next chapter, this reason for membership may have been interpreted differently by different respondents. It was intended to mean that because a person’s workmates were union members they felt that they should join; however, from some of the comments on the members’ questionnaires it became apparent that some respondents took this statement to mean that “it is very important that all workmates are members”, that is, a closed shop situation; “all workmates should be members” stated one response. This also corresponds with the occasions when workers had refused to work with people who were not union members. The solidarity of the workforce appears to be essential to the majority of union members as well as their representatives.

When asked “which single reason for belonging to a trade union is the most important to you” the results were evenly divided among “higher pay and better working conditions”, “to use as a workers’ voice against management” and protection.

Table 2. The importance to individual shop stewards of a list of possible reasons for joining a trade union

Possible Reasons	very important	fairly important	not very important	not at all important
To get higher pay & better working conditions	8	2	0	0
To protect me if problems come up in the future	9	0	1	0
To get members' benefits such as financial or health schemes	9	1	0	0
To help safeguard my job	9	1	0	0
To use as a workers' voice against management	6	3	0	1
I believe in them in principle	6	4	0	0
To campaign against inequality & injustice	7	3	0	0
To show solidarity with those I work with	4	5	0	1
Most of my workmates are members	4	4	0	2
It's a family tradition	1	3	0	6

However, as can be seen from table 3, two stewards actually stated the particular problem they felt it was most important to be protected from. One steward did not answer this question, possibly because he felt that there was more than one important reason to be a union member. Nevertheless, while the stewards may have had different priorities, these three reasons appear to be the major ones. The fact that two of the senior stewards thought that "to use as a workers' voice" was the most important reason for membership may reflect their position. The convenor thought that "protection against management intimidation" was the most important reason for membership. These results correspond with those from previous surveys; the two most common reasons for union membership appeared to be for future protection and higher pay and better working conditions (Stevens et al 1989, Millward 1990). However, when taken as a whole the results suggest that the majority of stewards were concerned with protecting their members' interests as well as their own; therefore, rather than working solely in their own self interests they were working for the self interests of all their fellow workers.

Table 3.

The most important reason for joining a trade union

Reason	number of stewards
Higher pay & better working conditions	3
To protect me if problems come up in the future	1
To use as a workers' voice against management	3
Protection from unfair dismissal	1
Protection against an accident at work	1

* The figures only add up to 90% because one respondent failed to answer this question. It is possible that he felt that there was more than one reason for union membership.

† It is possible that all these three reasons could be combined together because even though the last two reasons state the particular incident that the respondent wanted protection against, both cases also come under the umbrella of "protection from future problems".

The stewards endorsed the "two faces of power" identified by Flanders (1961). The "sword of justice" aspect of unionism can be identified with campaigning against inequality and injustice and the "vested interest" aspect can be linked to using the union as a workers' voice against management. However, even though all the stewards felt that to campaign against inequality and injustice was an important reason for membership none thought that it was the single most important reason, whereas three thought that to use as a workers' voice against management was. Therefore, it could be argued that the vested interest aspect of unionism appears to be the most important "face" of unionism as far as the stewards were concerned. Indeed, it could be argued that rather than using unions to campaign against injustice on a national scale, the stewards also linked this to the workplace and their own members. Taken as a whole the results suggest that while the stewards may see individual advantages in membership, that is, protection, higher pay and financial benefits, they were also largely collectivist in their outlook: using the union as a collective voice, campaigning against injustice, showing solidarity with their workmates and overall believing in them in principle. Not surprisingly, all the stewards thought that workers achieved their goals by sticking together rather than by working hard on their own. This suggests that collectivism is still a major feature of unionism, rather than unions being seen solely as insurance agencies for individuals as envisaged by the Conservative government. It may be a necessary part of an individual's personality that they have a collectivist outlook in order to wish to become a steward and successfully carry out the role (see also Fosh 1993).

Table 4. Whether stewards thought that being in a union made a difference to a number of probable circumstances

Circumstance	Number of stewards replying		
	yes	no	don't know
Higher wages	7	3	0
Being unfairly dismissed	10	0	0
Being accused of something by your employer	9	0	1
Having your conditions of work changed	8	2	0
Efficient health & safety	6	4	0
Having an accident at work	10	0	0
Preventing harassment & discrimination	8	1	1
Job protection	9	1	0

In comparison, when asked do you think that being in a union makes a difference to a number of particular things, the answers were not all positive. Table 4 shows that while the majority of stewards had replied “yes” in each case, there were some stewards who thought differently. The fact that all the stewards felt that being in a union made a difference to unfair dismissal suggests that the union at firm A did protect their members in this way (see below). This may also be why the majority of stewards thought that union membership helped job protection. All the stewards also said that union membership made a difference if an accident happened at work. However, even though all the stewards thought that “to get higher pay and better working conditions” was an important reason for membership, three said that being in a union did not make a difference to higher wages. Due to the fact that every workshop was covered by the same pay deal, no explanation can be offered for this discrepancy, except perhaps the different perceptions of respondents about what constitutes “higher wages”. However, the differences in opinion for the other circumstances could be due to the different workshops and different stewards (and members) working in them; that is, some stewards may have been able to negotiate themselves if, for example, working conditions were changed in their workshop, whereas others may not have succeeded with their shop managers especially if they had no backing from their members, and if their members were not prepared to back them then they may not have felt it necessary to call in the convenor. The two stewards who felt that being in a union did not make a difference when having your conditions of work changed were also the two whose main concerns as stewards were with improving working conditions; maybe they felt that as stewards they could make a difference. Of the four who did not think that membership made a difference to

efficient health and safety, one who had been a steward for under a year had said that his main concern was health and safety on the shopfloor; perhaps he will be able to make a difference in his own workshop. It is perhaps significant that some health and safety problems were only solved after an accident had happened and the member's claim had succeeded. Very often these problems had been reported to management long before the accident occurred, but it appears that in some cases it took an accident to rectify the problem.

The shop stewards were concerned about their members' welfare; for example, they insisted that a particular member was taken off a certain machine "for his own safety", which management did.¹² Members always received adequate information on how to make claims for accidents, deafness and anything else that may have affected them and the convenor took the majority of claims forms to the relevant branch taking the onus from the members. It was not uncommon for members to contact the convenor at home, usually over problems related to sick and accident pay, problems that related to individual issues which were dealt with by head office rather than workplace issues.

While the stewards did display a self-interested nature towards unionism their overriding concern for their fellow members indicates that their own self interests were overshadowed by a collectivist attitude. As Fosh (1993) said "[a] collectivist outlook is one where issues are seen by local leaders as relating to a shared situation of employment" (p581). Therefore, at least at firm A, collectivism had not given way to individualism, whereby each individual made decisions in his/her own interests. The interests of the collective were the most important goals of the stewards. As the majority of stewards felt that being in a union made a difference in all the given circumstances (see table 4) it suggests that the union at firm A was largely effective and especially in unfair dismissal cases, when accused of something by the employer and for job protection; indeed, union membership at firm A may have given workers a sense of job security.

8:6 *Members' grievances*

Eight of the stewards replied to the question "what kind of issues do members bring to you?" The majority of the answers referred to working conditions, pay and shift working patterns, but two of the answers described more specific issues including individual problems. All the answers are set out below:

"Most of them are pay related."

"Money. Want overtime."

"Shift working problems. Cell system profit."

¹² Convenor's 1987 notebook.

“Putting new times on jobs. Bonus points in cell working. Sometimes overtime.”

“Change of work patterns with no notice. Not working hard enough. Health and safety. Victimization, (pick on the quiet ones).”

“Having no money to buy new parts or replace broken tools. Men being messed around ie. changing shift patterns and altering shift starting times.”

“Pay. Hours worked. Health and safety. Management making bad decisions on production levels. Marital problems. Funeral benefit. Hospital attendance. Pension problems. Income tax enquiries.”

“General departmental issues on working conditions instead of making a site issue of it.”

While the majority of answers referred to pay and working conditions,¹³ one senior steward made a list of problems that were brought to him which also included personal problems, suggesting that the stewards (or at least some of them) were seen not only as workplace representatives but also as individual problem solvers (see also Schuller and Robertson 1983, Terry 1982, Goodman and Whittingham 1969).

Sometimes members' grievances may be considered trivial by the stewards involved. The convenor was asked “do you ever refuse to raise an issue with management on behalf of any of your members?” he replied: “If it's trivial. A lot of individual member's complaints are trivia.” The convenor always did what he could for his members, he listened to everyone who brought a problem to him, but told them if he could not help them. The stewards' questionnaire asked “are your members' demands reasonable ones that you can do something about?” Half of the respondents replied “usually”, and four said about half of them were, none of the stewards replied that they “always” were. These responses suggest that some grievances taken to stewards were complaints which had no real substance and were probably passed over. The other steward was more specific in his answer: “I can do nothing about any of [the members' demands] because when management refuse to do anything [the members] say alright and will do nothing to help themselves.” This may have been because members in a particular workshop were not prepared to back up their grievances or it may suggest that they did not have enough confidence in their shop steward to sort the problem out to their satisfaction; the steward who made this comment had also said that he was not satisfied with the outcome of his discussions with management. Some members did take grievances to the convenor which should have been taken to their steward or foreman suggesting that they perhaps saw him as the person to get the

¹³ A door that would not close in Winter, cell working rates, bank holiday working rates, wages being paid straight into the bank and management's expectation that productivity would remain the same when workers had been moved into other workshops were just a few of the problems the convenor encountered during the period of study. Between 1987 and 1991 many individual member's problems also related to pay and working conditions. The convenor had recorded some of the queries and problems that members had taken to him, which included; queries about redundancy and sick pay, bonus payment problems, “not getting a chance to work his day off”, members on four days complained about their foreman working five days and “taking up their tools of the trade”, labourers queried the fact that contractors were cleaning the machines, changes of working patterns and in particular coming back to work after being off and finding that they had been moved to different workshops or had had their shifts altered and a few members had received verbal warnings. (Convenor's notebooks 1987 - 1991.)

problem solved. The convenor did say that stewards did not have the same influence as himself (as convenor) with management and when asked “do you think your stewards treat problems as individual ones only or do they try and involve the whole workforce in solving a problem collectively?” he replied that they treated problems as individual ones, whereas he treated some as individual ones and involved the workforce in solving others depending on the problem.

Nevertheless, the majority of the stewards thought that their members did see them as leaders of a collective approach to problem solving which may have a direct bearing upon why the union at firm A tended to “get its own way” on many issues; the collective approach encouraged membership participation in union and workplace affairs which in turn helped them to secure their goals (Fosh and Cohen 1990, Fosh 1993). However, one thought that he was used only as an individual problem solver and three did not know. Nevertheless, members, it appears, at least according to their stewards, could be divided into those who took the steward’s work for granted and those that appreciated what was done for them; one steward went further and commented “some appreciate it, others laugh at you”. Only two of the stewards thought differently; one, who also thought members viewed him solely as a leader of a collective approach to problem solving, said that most of his members appreciated what he did for them, and another that most took his work as a steward for granted. Certainly, where the convenor was concerned, some members had shown their appreciation after he had helped them, by presenting him with a small gift.

Meetings of union members took place only when there was an issue to discuss. They took place during worktime with management permission, which was never withheld. The convenor felt that he could get members and stewards to see things his way and do what he believed was right when a dispute arose. However, the stewards were divided as to their influence upon their members. They were asked “do you feel that you can get members to see things your way when a particular dispute arises and get them to do what you believe is right?” Only one respondent replied “yes”, and, perhaps significantly, he also thought that his members viewed him as a leader of a collective approach to problem solving. Four felt that they could “sometimes” get members to see things their way, but five said “no, everyone has their own opinion”.

The majority of members’ grievances could be considered self interested ones, that is, ones that affected them personally, and many members tended to take their steward’s work for granted and used him as an individual problem solver. However, the majority of stewards felt that their members did see them as leaders of a collective approach to problem solving, and if Fosh (1993) was correct, a leader who stresses the importance of involving all members in the decision making process can encourage members to participate more in the union affairs that involve them and, therefore, increase their chances of success. Steward training and experience may enhance the abilities of stewards to be able to do this.

8:7 *Steward Training*

Only five of the stewards, including the senior stewards, had taken part in some kind of training or instruction for their role as a shop steward. Four had attended more than one course. All had attended at least one union representative's course, two had attended health and safety courses and one a pensions course.

The convenor had recorded in his notebooks that in 1987 out of fourteen stewards, including himself, nine had attended a shop stewards' course and three a health and safety course and in 1989 a new steward had attended both courses. Therefore, it appears that those respondents who had become stewards after 1989 were probably the ones who had had no specialist training. In fact four of the respondents who had had no training had only been stewards for five years or less. The other had been a steward for nine years and therefore could not have been included in the convenor's figures.

Whereas the convenor originally informed each steward about forthcoming courses he admitted that over the last couple of years he had only put up notices and left the stewards to ask about courses. The reason for this was that over the last five years there had been such a lack of interest from the stewards (also indicated by the fact that half of those who answered the questionnaire had not attended any courses) and in the past he had gone through the whole process of getting particular stewards the time off work to attend courses and then they did not go because they preferred to work overtime and earn extra money. However, one steward who had held his post for three years did comment that although he had taken no courses he had wanted to. Perhaps he did not read the notice boards.

When asked if the courses had helped them in their role as a steward, the answers were varied. One senior steward replied that they had helped him a lot, two thought that they had helped a little but the last two said that they had not helped at all. It could be argued that for most stewards they learn more about their role as a steward through experience. While the convenor found the shop stewards' courses and weekend schools that he had attended useful he also agreed that "you learn more through experience on the job itself". One steward at a shop stewards' committee meeting was worried that he was not doing the right things. The others present assured him that he was; "You're just becoming experienced and you'll become more knowledgeable as you go along." Therefore, the stewards tended to learn from each other's experiences as well as their own and within the firm they supported and helped each other.

Indeed, the convenor was, in his words, as "green as grass" when he took up the position and regularly kept in touch with his predecessor (who had retired) for information and guidance on how to conduct his business. This guidance, along with the experience of dealing with management himself, led him to develop his own ways of working, which appear to have worked well. The senior stewards were also "learning" from their convenor. In fact, one particular senior steward could have been

called the convenor's "right hand man"; he always attended stewards' meetings outside the workplace and he was the one who tended to step in for the convenor if he was not available. However, this was not the steward who was most likely to replace the convenor on his retirement; he admitted that though he could see a problem from the perspective of both the shopfloor and management he tended to agree with management more readily than the convenor would. Many situations had occurred where the convenor had refused to agree with management. This steward admitted that he would not have done the same and that he was amazed when the convenor "won" these particular cases. Nevertheless, the steward had learnt a lot from accompanying the convenor and was beginning to copy his tactics, which he found did work. However, he preferred to remain a senior steward and another senior steward had been chosen to follow in the convenor's footsteps. By accompanying the convenor during his negotiations with management the senior stewards were learning more about bargaining tactics than they might at a training course.

The stewards at firm A appeared to be upholding the local trend of poor attendance at trade union training courses, identified in the last chapter. Not one of the respondents had indicated that they had completed all four stages of the union representative's course: stage 2 appears to be the highest stage completed. It appears that stewards did not take up the training courses because they preferred to earn extra money; however, it might also be the case that once they had attended one course they felt that they were learning nothing new or nothing relevant to their own workplace situation. However, knowledge gained at courses may not become immediately apparent; after attending the two weekend schools the convenor acknowledged that he had felt as though he had not learnt anything new, but he realised at a later date that he had in fact stored a certain amount of useful information. **Therefore, stewards may not be taking up the training on offer for a number of combined reasons: in their own self interests they may wish to earn more money if the opportunity arises; and where an independent workplace organisation exists it appears that stewards prefer to learn "on the job" and from each other which suggests that the steward's role is related to the workplace rather than to "learning" or "education". There appears to be a perceived difference between what can be learnt in theory and what actually happens in practice.**

Nevertheless, it could be argued that steward training courses might build up the confidence of those attending and in turn build up their style of working so that they develop the right one for determining membership participation in unionism. However, while this may be true in a broad sense, the "best style of working" may differ from workplace to workplace; it is only through experience and practice that individuals learn the best means of bargaining with their own managements. Certainly a commitment to collectivism (Fosh 1993) appears to be a necessary component of determining membership participation; however, it could be argued that that commitment is

already there within those that make the best stewards; stewards without that commitment may find that their members' support is not forthcoming. The personalities of those involved cannot be altered by training courses, and it may be that different personalities approach the role in different ways. It does appear that the personality and style of working of the convenor are the key to the success of the union at firm A and if the stewards beneath him learn from his experience and develop a similar style of working there should be no reason why the union cannot continue to be successful even after his retirement.

8:8 *The management - union relationship*

One of the most striking things about the union at firm A (or at least in the machine shops) was that it appeared to run the firm almost as much as management did. Almost everything conceivable was bargained about: terms and conditions of employment, wages, bonuses, working conditions, engagement / non-engagement / termination / suspension of workers, allocation of work, matters of discipline, health and safety and anything else that may have affected a worker within the factory. Nothing was seen as management's prerogative. Examples from the convenor's notebooks were numerous; in one instance the stewards had a meeting to vote on whether they should allow management to use a stopwatch on the machines to get a norm to use for the bonus scheme. Whenever a change was proposed by management which affected members, those members were balloted and their vote was used to negotiate with management.

The union monitored all new jobs and any new ideas or proposals that management put forward and everything was discussed with management before any documents were signed. When asked the question "when dealing with management do you accept their views readily, compromise or argue?", the convenor replied "yes and no. We argue the case until it is won or we compromise in certain cases." One entry in the convenor's notebook stated: "Fitters required to work P/O shop days and nights, management tried to do it without consultation. Ongoing."¹⁴ When contractors were brought in while the workforce were on a four day week, the convenor had written "view it as a provocative act" - the union "won" and the contractors left the factory. These examples indicate how the union did not like "enforced" changes within "its" factory without prior consultation and its acceptance.

This is not to say that the union always "won" its case outright, but it certainly tended to end up with an amicable agreement and members never ended up worse off than they had been. For example, a dispute flared up in a particular workshop that had been part of the machine shops but which was being merged with the foundry. The foundry workers already worked Sunday nights, which those in the workshop being moved were refusing to do. Because this workshop eventually became part of the foundry the workers had no choice and had to work Sunday nights: however,

¹⁴ P/O shop referred to a particular workshop at firm A known as "the parting off shop".

problems began because these workers were not receiving the same bonus and cover as those already in the foundry. A meeting with management settled this problem and full bonus was paid to all the workers in that workshop. Therefore, the union did not prevent those workers from having to work Sunday nights but it did manage to get them the same bonus rates as the workers who were already working a similar shift. The union did not “win” as such but neither did its members end up worse off than they might have done without a union to fight for them. Therefore, the union at firm A could be considered as powerful. It had the capacity to produce effects by defending and advancing its members’ interests. Even when members did not achieve their overall goal the union managed to shape and alter management’s decisions in such a way so that its members’ interests were protected. This “power” was also used in a way that helped management as well as members. For example, if the union had demanded that its members should not work Sunday nights a conflict situation may have erupted to everyone’s disadvantage.

“Working overtime over 24 hours in 4 weeks - request from management. Okayed reluctantly by stewards until Xmas then to be reviewed.” Or “Staggered holiday no.1 shop (co-operation with management)” are two examples from the convenor’s notebooks which indicate steward co-operation with management. They also show that management did request things of the workforce through the union rather than demanding that it must be done; this is also reflected in the notebook entry, “wishing to check floor to floor times with our co-operation”. Management sometimes assessed the stewards’ reactions before they put forward a proposal; “[manager’s name] sounding me out on voluntary redundancies. Coming back. No way.” According to the convenor management did seek advice from the union over proposed changes or new ideas, and unofficial chats with members of management, rather than only speaking to them when the procedure was followed, were not uncommon. Very often issues were settled between the convenor, senior stewards and management without even reaching the shopfloor or the other stewards, which may explain some of the answers from members and shop stewards, which appear to contradict the impression given of the union’s authority in this section; members may not have been aware that certain problems had even arisen let alone been solved. (See next chapter.)

All agreements and concessions made between the union and management were written down either as a separate agreement or as an appendix to an existing agreement.¹⁵ These written agreements were not legally binding, but the workforce and management did abide by them. It was not unknown for a particular written agreement to be made between a steward and his shop manager that did not pass through personnel so that higher management were not aware of it. Higher management did abide by these agreements, even if they had to ask for a copy of a particular one when a dispute that involved it had flared up. The convenor found these written agreements very useful, not only to remind management if the need arose but also to “keep the workforce in check”; “if an argument begins you can always say

¹⁵ The original works agreement was known as the “works bible”; it was still referred to, but had been amended several times.

'look we agreed this, it's written down here.'

The convenor said that he got on well with management¹⁶ and that the union and management had an amicable relationship; rather than seeing that relationship as one of conflict he saw it as one of conciliation. "We vie. We talk our way out of trouble, that's why there's no strikes. We benefit and they benefit" was how he described the relationship. Management at firm A accepted the work of the convenor willingly, one manager admitting "that in actual fact you are part of management, even though you're on the men's side". According to the convenor there was nothing that he could not discuss with management and there was nothing that they regarded as their own right to decide without first consulting the union. This is not to say that the convenor was hand in hand with management; he certainly had no qualms about marching straight into a manager's office if he felt that he needed to. One of the senior stewards delighted in telling how during a heated dispute with management the convenor once banged the table so hard with his fist that the other end sprang up and nearly hit one of the managers under the chin. Members of middle management might have felt intimidated by the convenor; a senior steward after being left with a manager by the convenor recalled how the the manager told him "I don't mind telling you that when I saw [convenor] my heart sank into my shoes. I've had enough of him in the last few days." The explanation for this was that in the days previous to this meeting that particular manager had not been able to "get his own way" with the convenor, which indicates that the convenor very often did "get his own way". The manager probably thought that he would be able to "get his own way" with the steward but he had begun to use the same tactics as the convenor having learnt that they appeared to work to the union's advantage. It appears that management were sometimes afraid that the convenor "could swing it with the shopfloor", despite being assured that members were only told the truth about disputed issues. However, issues rarely went as far as the shopfloor because "we swing it with management without getting to the shopfloor", indicating that the solution was usually forthcoming, possibly because of management's beliefs about the "power" of the union.

Only six of the stewards who answered the questionnaire agreed with the convenor. In reply to the question "in general how would you describe relations between management and your union at your workplace?", one said "very good" and five "quite good". Of the other four, two stewards thought that management/union relations were "not very good" and two "not at all good". This could reflect the fact that it was the convenor and sometimes the senior stewards (and if a dispute was affecting a particular workshop the steward involved) who dealt with the higher levels of management. The majority of stewards only dealt with their own shop manager and they, or at least four of them, may have viewed their own relationship with the member(s) of management they negotiated with as a poor one and, therefore, perceived the union's relationship as a whole with management as not a good one. Two of the senior stewards thought that the relationship was "quite good", which

¹⁶ The question asked also had "very well" as a choice of answer but the convenor replied that he got on "well" with management.

corresponds with the convenor's answer that he got on "well" rather than "very well" with management. Surprisingly, the third senior steward replied that the management/union relationship was "not very good". It is possible that he did not attend meetings with higher management as often as the other two senior stewards or his perception of how the convenor negotiated with management may have given him the impression that management/union relations were not very good.

All the stewards discussed and settled problems with management themselves; three replied "yes" to the question and seven "sometimes".¹⁷ Three of the respondents were satisfied with the outcome of these discussions and four were sometimes satisfied. However, two stewards said that they were not generally satisfied with the outcome of their discussions with management. These two stewards had also replied that management/union relations were not at all good, possibly because of their own relationship with their shop managers. This would suggest that stewards' perceptions about the union within their workplace are influenced by the level of success that they have themselves within their own workshops. If this is the case it follows that members' perceptions about the power of their union may be influenced by how well their own steward performs. Nevertheless, a change of manager could change the relationship of the union (or the steward) with management from one of potential conflict to one of conciliation. For example, a new shop manager in one workshop had a totally different attitude from his predecessor; his first priority was to have a faulty workshop door repaired, whereas the previous manager had allowed it to remain causing immense friction between himself and the workers. It follows that a change of manager might also change the relationship of the union from one of conciliation to one of conflict.

When asked "how many times over the last twelve months have you met management to discuss grievances and issues?" the convenor replied "a lot!" Problems occurred on a daily basis and ranged from the small individual grievance, such as not getting any overtime, to larger problems such as an entire workshop refusing to work a particular machine.¹⁸ Analysis of the 1987 notebook indicates that that particular year was dominated by problems related to pay¹⁹ closely followed by changes in working practices and patterns (resembling the problems that the stewards had said were brought to them). Depending on the problem, the convenor may have sorted it out himself, but for serious issues the stewards were brought together; examples ranged from whether to keep summer students on longer to whether to allow the firm to employ contractors when the workforce was working a four day week.²⁰ In each case the stewards voted in favour of their members. Issues that directly affected a group of members, for example a whole workshop, would have been discussed with those concerned and if necessary a vote taken on the issue.

¹⁷ One steward who had replied "sometimes" had also written "convenor deals with management", which confirms that the convenor did confront management on behalf of his stewards.

¹⁸ Convenor's notebooks 1987 - 1991.

¹⁹ For example, lieu rates, bonus payments, top up pay, overtime pay and redundancy money.

²⁰ Convenor's 1987 notebook.

According to the convenor members were always consulted on deals and proposals that affected them before they were accepted or rejected and eight of the stewards who answered the questionnaire agreed with him.²¹ The actual question asked of the stewards was: “when an issue that affects your members is being negotiated at your workplace, are all your members involved in the decision making process, that is are they consulted on any proposals or deals offered by management?” Four stewards replied a definite “yes” and four that it “depends on the issue”, which coincided with the convenor’s answer to the question “do you keep your members informed of everything that is happening at work?”. “Only on serious problems, not day to day issues” was his response, which suggests that not all members or even stewards would know of everything that was negotiated about between the convenor and management. Therefore, the stewards may not always have known if the convenor had threatened to take an issue to the shopfloor and if management conceded to the threat, the members would also have been none the wiser.

The union had an amicable relationship with management and used its “power” effectively in the interests of its members. However, that “power” was also used in a way that helped management, who, to a certain degree, saw an advantage with a unionised workforce: “the union controls the shopfloor to the advantage of management; if anything goes wrong or a member is out of line the management will say he’s your responsibility you deal with it!” This relates to the comment made by a retired member that “the shop steward used to be as good as a gaffer” (see previous chapter). At firm A perhaps this was still the case; peer pressure may have more of an influence on an unruly member than management themselves. Management at firm A actually said that they preferred to have a union on site because it made their job easier. In fact, management had begun to take many of their own problems straight to the convenor. This is not a new aspect of unionism. Beynon (1973) suggested that controlling the membership was part of the steward’s role and management may see no point in destabilising an arrangement that offers a degree of order in the workplace (Marchington and Parker 1990). Nevertheless, the stewards tended to side with their members though management’s opinions were taken into account by the senior stewards and put across to the members if necessary.²² Using Edwards’ (1978) methods of decision making, rather than both sides being opposed so that a conflict situation arose which was resolved at the expense of one side or the

²¹ For example, one management proposal “still includes a 10 minute unpaid teabreak. Put it to the lads.” Convenor’s 1987 notebook.

²² As the convenor put it: “we can see management’s viewpoint but it’s the members that count.” For example, a member received a four month prison sentence and management wanted to dismiss him. While understanding management’s viewpoint the stewards insisted that his job must be kept open for him. (Convenor’s notebook 1987).

other, either the union and management tended to modify their objectives in anticipation of each other's response or the union used persuasive methods (perhaps by the use of threats) to bring the objectives into line. However, the union's "power" overall within the workplace appears to rest with the style of working of the main union representative - the MS convenor. Individual stewards did negotiate within their own workshops, but their perceptions of the management/union relationship appeared to be influenced by their own level of success.

8:9 *The lay representative is one of the essential ingredients for successful unionism in the workplace*

The union's relationship with management hinged on the personality and style of working of the MS convenor. The machine shops' union organisation, in the words of one of the shop stewards, still retained "power" over the factory, whereas in the foundry, which used to be the "bastion of power", management had "taken over". At one of firm A's joint shop stewards' committee meetings this predicament was discussed. It appears that after a particular convenor had left the foundry, the hold that the union did have over management had disappeared. Whether this was the fault of the new convenor, a lack of interest on the part of the union members in that particular workshop or a new management attitude is debatable. However, whilst management could very well have seen an opportunity to assert its authority, it seems highly unlikely that this was the reason for the change in the union-management relationship in the foundry. If the machine shops' union could "still handle management" generally by "getting all the shop stewards together if something happens" and consulting their members, then it is hard to believe that management alone created the new atmosphere in the foundry and not also in the machine shops. Indeed, the shop stewards were divided as to the reasons for the fall of the foundry union, it was argued that there were some "good union lads in there", but this was not accepted because "they don't stand together".

The relationship between the same management and the two different workplace unions within the same factory must have had something to do with the union representatives' personalities and styles of working; otherwise the two workshops would not have been experiencing completely different managerial attitudes. Relating this to Fosh's (1993) conclusions, the style of the MS convenor determined membership participation in those workplace affairs that involved the union (which it could be argued was all workplace affairs). The high level of participation usually secured them their goal, whereas the style of "leadership" in the foundry was not as effective in producing membership participation and interest and, therefore, their dealings with management were much different. Apparently, the previous CS convenor would "never just accept" management's word; he would demand that they "got around the table and discussed the matter", and "management always did", very often leading to management doing things that they had previously said they would not

do. Hence the quote that the foundry used to be “the bastion of power”.

A change of convenor had changed the union’s relationship with management and with its members. It appears that members in the foundry either took matters into their own hands (contradicting the comment that they did not stand together) or they took their problems to the MS convenor rather than their own representative. Two examples illustrate this, the first in the words of the MS convenor:

“[The CS convenor] got the lads out who were clocking on at 7am because the showers were flooded and the water was running over into their eating area, but he didn’t get the lads out who were already working. He was trying to sort it out with management and negotiate pay for the lads while they couldn’t work. [A member of management] told me to go and sort it out, which isn’t my job so I left it a little while so that [CS convenor] could get on with it. A while later I walked into the foundry and was amazed to find that [CS convenor] had gone back to his job satisfied with his deal with management. The lads weren’t having that. They were all sat up on a wall above the showers refusing to work until they got what they wanted. [A member of management] walked in and told the lads that they’d got what they wanted and someone was coming in to sort the showers out.

Later on I was talking to [CS convenor] about bonus rates. They had negotiated a lower rate in the foundry to our rates, I told him he should put a higher claim in to bring it in line with ours, but he was satisfied with what he’d got, so he’s not bothered.”

This example illustrates how the CS convenor followed problems through to his own satisfaction rather than that of his members; two examples in the above quote indicate this. It could be argued that this particular union representative worked as an individual rather than as part of a collective or more appropriately “the leader” of the collective.²³ Relating this to Fosh’s (1993) argument, this could be the reason why the foundry had “lost its hold over the factory”; the previous convenor worked for his members, encouraging participation and securing the workers their goals, whereas the present CS convenor worked as an individual which isolated him from his members. The example about bonus payments clearly illustrates this; the MS convenor thought that everyone’s rates should be on par and would have negotiated with management to ensure that this was the case if his members had been affected.²⁴ Not wanting to go over the head of the CS convenor, he suggested to him what should be done, but because that convenor was satisfied he left things as they were rather than consulting his members, who eventually took their grievance about disparity in bonus rates to the MS convenor. The second example also illustrates this; a foundry member who only had eighteen months before his retirement had been dismissed pending appeal. His own convenor had “washed his hands of him” and the MS convenor was asked by the member to take up his case. The member was sent to see the local community mental health team, after which he was able to claim statutory sick pay, but management

²³ This may not have been a conscious strategy. The CS convenor was a dedicated “union man” and did try to work for the union where he could. For example, he would sell raffle tickets to raise funds and always passed on any union information to his members. Like the branch secretary (see previous chapter) he had had the position “forced” onto him through the retirement of the previous convenor.

²⁴ The union would only allow students to do the same work as the rest of the workforce providing they were paid the same rates. They did not see it as fair that people should be taken advantage of and used as a cheap form of labour, especially at the expense of the usual workforce.

refused to backdate any sick payments from the firm though they did offer him his job back. Because the member was not fit to do the job, the MS convenor managed to talk management around to paying the member ten weeks sick pay and giving him early retirement on the grounds of ill health. If it had been left to the member's own convenor he would have been dismissed with no sick pay and no early retirement.

It had even been suggested (by members and management) that the MS convenor cover the foundry as well, but he did not want to go over the CS convenor's head. However, management tended to recognise him as negotiating for the whole factory, the point in the above quote where a member of management told him to go and sort the problem out suggests that this was so, and when a foundry member took a grievance to him he usually sorted it out. Even the factory health and safety inspectorate acknowledged to management that they recognised the MS convenor as the senior representative for the whole factory.²⁵ Perhaps management also recognised the difference in the two representatives' personalities and ways of working. It might also be argued that management may have preferred to keep the situation as it was, so as to retain some "control" over part of the firm. An entry from the convenor's notebook stated "[member of management]. Package deal. Benefits we have more costly than foundry." The evidence suggests that the machine shops' union negotiated better deals for their members than the union organisation in the foundry.

The approach used by the MS convenor was that you must be realistic and recognise that each member has got his/her own personal responsibilities which must be weighed against each other before asking members to make any decisions. He also recognised that "management can only give what they have got". For example, in relation to pay rises, he said that "you must be reasonable in what you ask for depending on the company's profits. This year they made a million more than last year so we'll ask for a substantial amount. However, even if they were not making a profit I'd always ask for a small rise." Management's points of view and problems must be treated with respect even if "you don't agree with them". The key when dealing with management, according to the MS convenor, was to be firm, confident and to "stick to your guns"; "sometimes you have to bluff your way through. But as long as you are confident and management can see that....". When negotiations were taking place things may not have looked friendly, but at the end of the day the convenor's aim was to come out "amicable or on top". From his point of view management were quite happy and they respected him and his methods; "they know where they stand" and appreciate that "we are only going for the best".

²⁵ The CS convenor may have felt overshadowed by the MS convenor or knew that the MS convenor would always step in if necessary taking the onus away from himself. At a district stewards' meeting the MS convenor told him that he must "get up there on the shopfloor and be a leader". He replied "I can't. You're the leader there". The MS convenor may have taken the responsibility away from the CS convenor by letting him know that if he could not settle a problem he could tell management that "[MS convenor] will be in to sort it out!". Very often the CS convenor thanked the MS convenor after a foundry problem had been solved telling him that it would not have been done without his intervention.

It can be concluded that it is the lay representative's style, and in particular that of the main lay representative, that is essential in determining membership participation in workplace unionism and therefore the level of success that the shopfloor has when dealing with management. Therefore, the personality and the style of working of the lay representative are two of the main ingredients for successful unionism within the workplace.

8:10 *Industrial action*

If a problem could not be resolved between the stewards and management the convenor had no doubts about informing his employers that he would "take it to the shopfloor and if they don't like it we'll be out" or "the lads will put the buttons in!".²⁶ The union representatives ignored management's claims that that was "undemocratic" and usually an amicable solution was agreed upon. This is a perfect indication that the machine shop union members at firm A were prepared to act together to alleviate their grievances and, perhaps more importantly, that management believed the threat or were not prepared to take the chance.²⁷ As Martin et al (1991) put it:

"In collective bargaining the best means of exerting bargaining power is through being perceived by management to possess bargaining power, not in actually using it." (p202).

When asked "at your place of work would you say a threat to walk off the shopfloor is usually sufficient to make management concede to your demands?" the convenor replied "yes, to fair and rightful demands" and "you've got to give threats otherwise management walk all over you". Yet results from the stewards questionnaire revealed a different picture. Only three of the respondents answered "yes" to the same question and one did not know. However, as it was the convenor who issued most of the threats against management, the stewards may not have done so taking any unresolved problems to the convenor.²⁸ These answers may also indicate that it was the convenor who had the "power" to negotiate settlements with management rather than individual stewards, who tended to deal only with their shop managers. The convenor did admit that the stewards did not have the same influence he had. It was not unknown for a steward to tell the convenor to "go and use your power" when dealing

²⁶ "Putting the buttons in" means that the workers would stop working.

²⁷ An example of a threat to take an issue to the shopfloor involved a management initiative to lay off the long term sick beginning with those who had been off for longer than two years. However, the first worker on the list had only been off for nine weeks. After arguing with management for most of the day the senior stewards told them "we'll take it to the shopfloor and the lads will be out!" and, according to a steward, when the members heard of the situation "they were up and ready to walk out". The threat solved the problem.

²⁸ Only one senior steward had replied "yes" to this question; however, after the questionnaires had been completed the convenor was off work for a number of months, and the senior stewards conducted negotiations with management themselves. In some instances they found that by resorting to the same tactics that the convenor had used (which two of the senior stewards had been wary about previously) they were beginning to get their own way. Therefore, it is possible that the two senior stewards who had replied "no" to the question may now think differently.

with an issue with management. The personality and style of working of the convenor must have contributed to the success of the union; his confidence that the shopfloor would back him was enough to make management concede to the union's demands.

Nevertheless, whether threats worked at firm A or not, the question remains, would "the lads" have been prepared to carry out that threat? The convenor and one of the senior stewards thought that they would; management must also have believed it and evidence suggests that the shopfloor was usually willing to support a fellow member, at least in a dismissal case. The convenor when asked "do you think your members would be prepared to take immediate action without a ballot?" replied "possibly". When asked "under what circumstances?", he said, "for instance, if any member or shop steward was wrongfully dismissed." The shop stewards' questionnaire asked the same question but had a list of possible circumstances which the respondents were asked to tick if they thought their members would be prepared to take immediate action over. However, the question also had a category "can't really say" which the respondents ticked as an overall response to the question; therefore, it is possible that those stewards who ticked a particular category might also have felt that they could not really say for others. The answers, then, are rather vague, particularly because if the steward had not responded by saying "I can't really say", the categories which were not indicated could mean that the respondent meant "no his members would not take action" or that he could not really say. Table 5 sets out the number of stewards who replied "yes" or "can't really say" to each category, but as mentioned above care must be taken when interpreting the results. Nevertheless, they still give an idea of how strong the feeling of the membership may have been at firm A. In addition one respondent did not respond at all to the question; whether this was because he thought his members would not take action or whether he just did not answer the question is not known.

At least half the stewards responded to each category indicating that they at least thought that their members might take action. As each steward was responsible for a different group of members it is possible that some members would take action over a particular issue whereas others would not. One shop steward thought that his members would take immediate action in all the given circumstances; maybe his members were more inclined to take action than some of the other work groups.²⁹ One of the respondents who could not say whether his members would take action or not, did add "forced redundancies" to the following section, "if there are any other situations that you consider important enough to warrant immediate action please specify". Therefore, he must have considered that depending on the circumstances involved his members might be concerned enough to take some kind of action.

The one category where all the stewards who answered either thought that their members would take action or they could not really say was for the dismissal of a

²⁹ Incidentally, this respondent was the only steward who had replied that "to show solidarity with those I work" was "not at all important" as a reason for union membership; yet if his answers were true, his members were prepared to stick together to solve their problems.

Table 5. The number of stewards who thought that their members would take immediate action under certain circumstances

<u>Circumstances</u>	<u>Yes</u>	<u>Can't Really Say</u>
A Health and Safety Problem	2	4
The dismissal of a workmate	5	4
A pay dispute	1	4
Changed working conditions	1	4
To ensure that all workers doing the same job get equal treatment	2	4

workmate; five replied a definite “yes” and four that they “could not really say”. This could be seen as backing the convenor’s views and is a positive sign in terms of the solidarity of the different workgroups within the factory: members would back their fellow members. A couple of examples illustrate the strength of feeling of the shopfloor: an entry in the convenor’s 1989 notebook after a member was dismissed read, “lads in P/O shop put buttons in. Management withdrawn notice.” Apparently this was done by the members themselves with no instruction from the senior stewards; the members stopped work in support of a fellow member and on the same day the member was reinstated. A later incident also led to the reinstatement of a section 1 member³⁰ who had been told by management that he was going to be dismissed after just four weeks, rather than the thirteen weeks’ probation period. The reason was because his work was not up to standard, and yet, in some instances, he had produced more liners than workers who had been there for years. The convenor argued that he had only been there for four weeks, had not been shown his job properly and had not been given any training. As the convenor put it at the time, “word has already got round the shopfloor and the lads are prepared to back the man all the way.” The man kept his job. It appears that management at that time were wanting to lose some of their most recent recruits, but as the convenor said, “they set them on, not us” and he had no qualms about telling management that “you’ve set them on, they’re staying!” The strength of feeling on the shopfloor had some effect at firm A; the examples show that the shopfloor was prepared to stop work (without a ballot) over the dismissal of a workmate and in the foundry because of a health and safety problem (see above).

³⁰ A section 1 member is a craftsman, although the convenor insisted that it does not mean much nowadays.

However, not all members may have had the same level of commitment as others. Relevant here are the views of an ex-shop steward speaking about the members in his previous workshop:

“In number [X] shop they’re useless. You’re fighting a losing battle. They moan and groan and then when you go into the office to sort things out the majority of them disappear. They don’t back you. There’s no solidarity. How can you carry on like that? They’re a generation of I’m all right Jacks. Many of them would live at work if they could, although they’re the first to moan about always being at work! Management keep putting men from no [X] shop into our shop and because we’re on cell working; many of the men aren’t happy about it, especially because those from no [X] shop aren’t always competent with the work that they’ve been put on to. To make matters worse, when we have no work in our shop we’re sent home, they don’t send us to no [X] shop.

Even in our shop some men will complain, for example, about having to work two machines, but they continue to do so rather than fight it, even though they know they have the backing of the stewards and the rest of the workers in the shop....”³¹

This statement indicates how in one workshop members were not prepared to stick together even when their steward was prepared to act for them and in another workshop some workers would carry on regardless of the implications of what they were being asked to do. This corresponds with the comment from the steward cited above; members will complain but when it comes down to confronting management they do not wish to follow it through. Nonetheless, it is possible that even though the particular stewards were prepared to back their members they lacked the necessary working style to determine membership participation, which affected the success that they had with management, so that their members preferred to carry on rather than fight what they may have perceived as a losing battle.

In comparison, when asked “if any serious problem should occur in the near future do you think your members would be prepared to take industrial action short of a strike?” which did not mention whether there would be a ballot or stipulate the kind of problem, six of the stewards said that their members would be prepared to take action and two did not know. Only one respondent, a senior steward, thought that his members would be prepared to take strike action, another did not know and three did not answer, but five said that their members would not be prepared to take strike action. There is a possibility that the term strike action means different things to different people (see Batstone et al 1978). Examples of “the lads” refusing to work until a problem had been solved were not uncommon occurrences at firm A, but may not be interpreted as strike action because even though the workers were refusing to work they were still at work and usually began production again as soon as the problem was rectified. Even the convenor did not interpret these short stoppages of work as strikes. He interpreted a strike as a stoppage of work where the workers did not enter the factory. The senior steward who had replied that threats to stop work were sufficient to make management concede their demands, also thought that his members would not be prepared to take any industrial action and yet he could not really say whether his members would be prepared to take immediate action without a

³¹ It was in no X shop that many members refused to take/respond to the questionnaires.

ballot in any of the given circumstances; perhaps he too interpreted industrial action differently from sudden short stoppages of work.

The answers to the question “what forms of pressure, if any, have been used in disputes with management at your place of work, since you have been working there?” indicates that members at firm A had taken various forms of action and might also suggest that different work groups take different kinds of action; none of the stewards replied that no forms of pressure had been used. A senior steward, said that workers had used a “go-slow” as a form of pressure against management, six respondents said that a “work to rule” had been used, nine said that overtime bans had been in operation, seven that threats to stop work had been issued and six replied that strike action had been implemented. This strike action probably referred to an all out-strike that occurred at firm A some time during the early 1980s over a pay dispute.

As no ballots³² had been organised by the national organisation of the AEEU at firm A any industrial action which had taken place since 1984 should be described as unlawful. Issues recorded in the convenor’s notebooks show that various forms of action had taken place since 1987; therefore, the law on balloting and industrial action appears to have had little effect on the union or management at firm A.

8:11 *The Legislation*

Eight of the respondents (including the senior stewards) felt that the changes in the law had had an effect upon the forms of industrial action used at their workplace and one steward did not answer the question. The one steward who thought that the law had had no effect on the forms of industrial action taken was also the steward who claimed that his members would take immediate action without a ballot under all the given circumstances. However, the questionnaire did not ask what kind of effect the stewards thought that the law had had on the forms of action taken, and in the light of the above answers it is possible that it is only strike action that the stewards felt their members would not take. Yet examples from firm A, and the fact that nine of the respondents felt that their members might possibly take action in the event of the dismissal of a workmate, and immediate action usually consisted of a short stoppage of work, suggest that the legislation cannot have had an overwhelming effect upon industrial action at firm A.

Similarly eight of the respondents thought that the changes in the law had had an effect on the way that negotiations were conducted between their workplace union and management. However, two of those who thought the law had had an effect upon industrial action did not feel that it had had an effect on the way negotiations were conducted with management; one was a senior steward. The convenor felt that the changes in the law had had no effect on how negotiations with management were conducted and as it was him and sometimes his senior stewards who negotiated with

³² Secret workplace ballots were held at firm A organised by the workplace union.

the higher levels of management, the other stewards may not have been aware of how these negotiations were conducted. It is possible that their own shop managers quoted the law to them when they were trying to negotiate. It could also be argued that as the convenor had only been bargaining with higher management since 1987; some of the legislation was already in force and, therefore, his negotiations would not be greatly affected by the changes made after that date. However, he insisted that the legislation did not enter into his or "our", as he would have said, dealings with management.

Not all the stewards were aware of all the trade union legislation, which might indicate that despite their replies to whether it had had an effect at their workplace it had actually had little effect upon firm A's union organisation and its relationship with management. When asked to indicate whether they thought a list of statements were true or false, there was only one statement which all the stewards (including the convenor) identified correctly as false: "A person can be rightfully dismissed because of his/her union membership". For most of the other statements the majority of the stewards, including the convenor, knew the correct answer, (see table 6); however, there were three statements which only a minority of the respondents knew the answer to. It is significant that not all the stewards were aware of the law and how it may affect them and their members. If stewards are not aware of certain facts, especially where industrial action is concerned, it suggests that their members may be even less informed. This was not confined to the stewards at firm A. Welch (1993) also found that misunderstandings of the law were common, especially in relation to the legal liability of the balloting procedures and picketing; he found that lay representatives believed that a breach of the criminal law was involved. This, it appears, was still true. The union journals, especially the one for union representatives, were informative on legislative matters which may affect workers and union members; the results suggest that stewards do not pay a lot of attention to these. The convenor at least could be seen as up to date in his knowledge of the law: he knew all the answers except one which he was unsure of - the employer's right to dismiss employees for taking industrial action based on working to contract.

The most surprising result was the fact that three of the stewards replied that it was false that "an employer must get an employee's written permission every three years before deducting union subscriptions from his/her wages". After many union journals advertising this and the fact that all the stewards paid their subscriptions by this method (and all union members except one had re-signed at firm A) makes one wonder if some of the stewards paid any attention to what was happening in their workplace let alone in the union as a whole! Nevertheless, it is perhaps significant that all except one respondent knew that members of the union's executive committee can no longer retain the post as long as they wish; this may indicate that the stewards do vote in their union's elections.

It is a good sign that a common misconception that postal ballots protect strikers from dismissal was not believed and the majority of stewards knew that their national union was protected from legal liability by the organisation of a postal strike ballot. Yet there

Table 6. Shop stewards' awareness of the legislation

<u>Statements</u>	<u>The number of stewards replying</u>		
	<u>True</u>	<u>False</u>	<u>Don't Know</u>
It is a criminal offence for industrial action to be organised without first holding a secret ballot.	8	3 *	0
Postal ballots protect strikers from dismissal.	0	10 *	1
The organisation of a postal ballot protects the national union from legal liability if a strike is called in support of a pay claim.	9 *	0	2
The employer has no right to dismiss employees for taking industrial action based on "working to contract", such as an overtime ban.	5	4 *	2
Even with a majority vote in favour, striking in support of workers at another workplace is unlawful.	7 *	0	4
Organising industrial action short of a strike without a postal ballot could involve your national union incurring legal liability.	8 *	2	1
A trade union member can obtain a court order to stop a union from taking industrial action without a properly conducted ballot.	7 *	1	3
It is only lawful for a person to peacefully picket at or near his/her own place of work.	9 *	2	0
Each member of a trade union's executive committee can retain the post as long as they wish.	0	10*	1
An employer must get an employee's written permission every three years before deducting union subscriptions from his/her wages.	8 *	3	0
A person can be rightfully dismissed because of his/her union membership.	0	11 *	0
When an employer makes a single union deal with a particular union, all union members in that workplace must be members of that union.	5	5 *	1

Stewards were asked to indicate whether they thought a list of statements were true or false. The answers are set out above; the convenor's answers are included. An asterix against the result indicates the correct answer

were mixed feelings about whether a trade union should comply with a court order to call off a strike; four thought it should, four that it should not, one was not sure and one did not answer the question. These answers suggest that there may have been a difference of opinion among the stewards as to whether the law should be observed. It could also be argued that the answers may depend upon whether the respondents were thinking of their workplace union or the national union as a whole when answering the question; there may be a difference in a court telling the national union to call off a strike and the workplace union actually doing so.

Balloting at firm A took the form of a workshop secret ballot so that there was no intimidation of members.³³ However, one steward said that voting was carried out by a show of hands and a workplace secret ballot; therefore, it is possible that some individual workshop issues, where the convenor was not involved, may have been voted on by a show of hands or by other means; one steward replied that a vote was usually carried out by “other” means to those indicated but he did not say how. Nevertheless, it can be assumed that all “serious” issues were voted on by a workplace secret ballot; eight of the respondents said that voting was usually carried out by this method. Judging by the results of ballots (recorded in the convenor’s notebooks) the secret ballots did prevent intimidation; the majority of the recorded results had been fairly close with the odd exception; for example, there was an overwhelming vote in favour of a week of choice for their annual holidays.

The firm had never held a postal ballot organised by the national union, even though a number of overtime bans had been implemented during the last ten years. Rather than balloting³⁴ their members on whether to impose an overtime ban, the union representatives imposed a “voluntary ban”, whereby members refused any offer of overtime due to other commitments.³⁵ The district secretary did not agree with this method and preferred to “turn a blind eye” to it. However, this method of taking action appeared to work. One example can be quoted from the convenor’s notebook:

Monday 6.7.87.

Had stewards together regarding 25p drop in bonus....

Ban on overtime immediate.

Had a meeting of shopfloor nights on above.

Tuesday 7.7.87.

Meeting shopfloor. Bonus overtime.

Plant overtime ban until bonus system on overtime is sorted out with [member of management].

Wednesday 8.7.87.

Meeting with [two members of management] 10.30 am regarding drop in bonus in relation

³³ According to the convenor there had only been one vote using a show of hands since 1987 and “it was such a farce”, that every vote taken at firm A, whether for steward elections, a pay claim or some other issue, was made by a secret workplace ballot.

³⁴ This is not strictly true. A workplace secret ballot may have taken place to determine whether members wished to impose an overtime ban; however, the correct procedure relating to industrial action, that is a postal ballot, carried out to the specifications stipulated by statute, was not followed.

³⁵ Even though the national agreement stipulated that members must be willing to work overtime if called upon to do so.

to machines working above 39hrs. Gone back to status quo everything back to normal.
Back pay to personnel who should have received full bonus will be paid.
Shopfloor meeting 12.45 pm.
Shopfloor meeting 9.00pm....
Plant management conceded on all points. Ban on overtime off Thursday 9.7.87. 7.30 am.”
(Convenor’s notebook 1987.)

This overtime ban, which was implemented immediately, with no delay due to having to organise a postal ballot, lasted three days and succeeded in its aim. The workers backed the stewards and they were rewarded for it; however, if the correct procedures on industrial action had been followed it is highly likely that the time limit between the problem occurring and the ban taking place may have led to a different situation.

Two of the stewards said that they would be prepared to go against a majority vote in a ballot and two were not sure. If a shopfloor representative is prepared to go against a majority decision made by his/her members, it could be argued that it is not a very good example of leadership or democracy. However, as the question did not ask anything about the type of situation or vote; it might be possible that the steward would back his members if they voted overwhelmingly opposite to the rest of the workforce in a factory wide ballot rather than just an individual workshop ballot.

The check-off regulations are perhaps the only other aspect of the legislation which may have had some effect at firm A. The check-off forms were all signed by August 1994 as required by the legislation; however, it was the union who did the work not the employers, whom the legislation puts the onus on to ensure that everything is done correctly. In addition it was the full time officer (FTO) who was pushing the lay representatives to get the check-off sheets, which had been prepared by the national union, signed by every check-off paying member. Whether they will be re-signed in each three year period is a good question; it is most likely that the FTO will make sure that everything is signed and up to date before the next due date. The management at firm A certainly did not appear to be concerned about whether members gave their written consent every three years or not; according to the convenor, the managers in the cash office had said “well who’s going to come round and check up?”. The convenor argued that it was a lot of unnecessary work taking up valuable time. In addition members at firm A were not notified in their wage packets of the increase in their subscriptions deducted from their pay, which employers are required to do.

The ten shop stewards felt that the changes in the law had had a negative affect upon trade unions in general. However, the convenor replied that it had had a positive effect. When questioned further on this it emerged that the convenor believed that the legislation had had a positive effect on trade unions from the point of view of the Conservatives³⁶: “the legislation has shackled us up”, he commented; “all the union leaders now say is ‘you’ve got to tow the line’”. He was of the opinion that his national body was constantly trying to keep workplace organisations in check, which

³⁶ The convenor also believed that during the 1970s trade unions nationally did act recklessly, especially by holding the country to ransom. They, therefore, only had themselves to blame for the anti-union stance taken by the Conservative governments.

was not a good thing for workplace organisations. However, he believed that the balloting arrangements were the one good thing to stem from the legislation even though they were not strictly followed at firm A.

Despite the stewards' replies, it does appear that the legislation had had little effect upon the union organisation at firm A, at least in terms of its "power" and the willingness of members to take action in support of a grievance. With the exception of short, unofficial stoppages of work, unofficial overtime bans appeared to be the normal route taken. The fact that the stewards were not aware of some aspects of the legislation suggests that, either, the national union was not getting its information across or that because the union at firm A was independent and acted in its own way regardless of the law and the "external" union, shop stewards felt no need to ensure that they were aware of "the law". Indeed, it was rare that the "external" union was notified of any problems encountered.

8:12 *The national union*

The FTO responsible for the firm was not considered to be a prominent or even necessary figure within the workplace. The convenor thought that a better deal was gained by himself and the leading stewards through workshop bargaining than by FTOs and an example from the 1994 pay negotiations confirms his argument. This was the only dispute to be taken outside the factory to the "external" union while the convenor had held his position; it was eventually settled to everyone's satisfaction, but it was the convenor rather than the district secretary who put forward the final settlement. After the district secretary had been called in negotiations were taken out of the convenor's hands. The FTO had negotiated a deal that was satisfactory in all respects but one; the initial payments were not to begin until October. The secretary was satisfied with this whereas the members wanted the payments to be backdated to April, (which they had previously enjoyed), and were not prepared to accept the deal. The district secretary would not put this to management; however, when the convenor was finally allowed to explain the situation, management agreed.

At firm A the shopfloor representatives did act upon the wishes of their membership; the point above where the convenor put forward the final settlement in the disputed pay claim illustrates this. This supports Edwards' (1978) argument that constraints on union representatives' negotiations with management were felt to come from the membership rather than from the "union hierarchy" and largely confirms the conclusion of Heery and Kelly (1990) that lay representatives retained most control over the setting of union objectives. However, their assertion that the FTO then refines those objects and guides negotiations towards a settlement is only partially true in this example. Certainly the district secretary guided the negotiations but not totally to the satisfaction of the shopfloor. It was the lay representative who put forward the

final proposal that ended the deadlock, something the FTO was not prepared to do.³⁷

The FTO did not play an important role in firm A's negotiations and the convenor would not have liked to see him play one.³⁸ All the senior stewards agreed with him; however, two of the stewards who completed the questionnaire replied that the FTO did play an important role in negotiations at their workplace. The explanation for this may lie with the fact that if the FTO was called into a firm it was the convenor who he dealt with. Therefore shop stewards, other than the senior stewards, may not be aware of what did happen. Indeed, one of these respondents said that he never met a FTO and the other only when the "need arises" (see below). The fact that the district secretary was called in in 1994 may have influenced their answers. These explanations are also suggested by the fact that another two stewards replied that they were not sure whether the FTO played an important part in their workplace negotiations.

When asked "how often do you meet a FTO on union business?" seven stewards replied "never", one replied "every 3 months", one "every 6 months" and the last one replied "whenever the need arises". The two stewards who met their FTO every 3 and 6 months were both senior stewards who attended the branch "whenever possible"; therefore it is possible that it was here where they met their FTO. Indeed, the respondent who met his FTO every three months was also the only steward to reply that it was "necessary to meet a FTO often", oddly enough with the exception of the fact that he did not see the workplace union as different from the national union, none of his other answers indicated any dissatisfaction with his workplace union and therefore give any reason as to why he felt it necessary to see his FTO often. The senior steward who replied that he met a FTO every 6 months on union business also stated that he felt it was not necessary to meet a FTO often; it is highly likely that this steward attended the six monthly shop stewards' meetings where he was certain to meet the district secretary.

The respondent who met his FTO "whenever the need arose" also attended the branch "sometimes". It may be the case that he thought of the branch officials as FTOs; he thought of his workplace union as different from the national union and therefore the branch may have been seen as part of the national union especially as it was not part of the workplace. Regarding the workplace itself all his answers were positive and he had said it was not necessary to meet a FTO often; perhaps he did not meet the FTO at

³⁷ At firm A, management, the convenor, the senior stewards and a shop steward bargained about pay around the table. The negotiated proposals were always put to the members who voted on whether to accept them or not in a secret workplace ballot. The votes were counted by members watched over by a steward.

³⁸ The convenor did not see the FTO often. He contacted him only if he had a problem that he could not sort out himself, such as some of his members not having the correct union numbers according to the branch register. These kinds of problems were those which were not directly related to the workplace but which caused immense problems when a member wished to make a claim. Alternatively, the district secretary at times contacted the convenor; this was usually when he wanted something doing, such as the signing of the check-off forms, or if he had any special information for him, such as to "tell all your members to vote 'yes' to the proposed rule book changes".

all because the “need never arose”. However, he did reply that the FTO played an important part in negotiations at the workplace. This could be due to the reasons mentioned above.

It was evident when talking to the convenor and senior stewards that they had grave reservations about the district secretary and their national union’s policies. In particular there was a feeling that the Executive Council were trying to impose their wishes upon the membership rather than the reverse. For example, the proposed rule book changes of 1996 stirred up a lot of unrest locally as well as at firm A. A letter was sent to all members with a ballot paper, recommending that members vote “yes” to the proposed new rule book. Concerned unionists thought that the letter actually told members to vote “yes” rather than asking their opinion. The letter set out the proposed changes in such a way that it created the impression of improvement for members and yet, as the local district committee³⁹ illustrated clearly, the proposed changes actually abolished many of the existing benefits; these were not set out in the letter from the Executive Council. Many members at firm A were upset when they learned of this because they had already sent their ballot form back to the union, which shows how even a union which prides itself on being “membership led” can deceive its members into doing things that are not in their best interests. This according to the stewards at firm A was undemocratic; members should have been told all the facts so that they could make their own decision. “We’ve been misled again” commented the convenor.

The district secretary was looked upon as working for the national union and “looking after his own job” rather than his first concerns being with the members. The shop stewards saw themselves as working for their members rather than for the national union. The example above about the pay negotiations when the district secretary was brought in indicates to the senior stewards where their different priorities lie; the district secretary could not understand why the members would not settle for his negotiated deal with management; the stewards knew the reason as they worked alongside those members. A similar argument was put forward by the convenor as to why full time stewards are not to be recommended: full time stewards are not as in touch with the shopfloor as lay stewards and they might be looked upon as part of management. If anything happened in the plant that affects the workers it also affects lay stewards, whereas full time stewards would not be affected, for example, by bonus rates or overtime rates. In addition a full time steward may be, like a FTO, more affiliated to the national union than his/her members and as the national union abided by the law, for example governing industrial action, members may not get the best deal possible by being able to act on a grievance immediately.

Again it could be a case of the different personalities of those involved. The MS convenor contended that the previous district secretary was very different from the present one and “was much better”. The convenor’s notebooks referred to the previous secretary now and again; however, it appears that he used him more for

³⁹ The district secretary, who was a member of the district committee would not, publicly at least, endorse the criticisms made by the district committee.

information than to use his services in the workplace, for example, one notebook entry said: "Check [name FTO] payment of wages into bank for new starters (is it legal?)". It could also be the case that in the years covered by the notebooks the convenor needed more guidance as he had just taken up the position; "I used to be led when I first started; then I realised what was happening. It's a matter of experience."

The MS convenor was interested in national and local union policy as well as his own workplace union and he attended most union meetings arranged outside the workplace; however, there was a distinct dissatisfaction with the Executive Council and a feeling that the higher up the union hierarchy a person moved the more he/she lost his/her affiliation to the realities of the workplace and members' problems.⁴⁰ It may be the case that a person becomes affiliated with those that he/she works for; the stewards viewed themselves as working for their members, whereas even though FTOs are responsible for the members under their jurisdiction, because they work for the national union, they tend to follow its instructions, which may be contrary to members' wishes. Of course, it is important that the national union remains within the law so as to protect its members. It may be the case that where an independent workplace organisation exists which might solve members' grievances by taking immediate, albeit unofficial action, members may view their national union as inefficient due to the length of time that it would take to organise official action, especially because of the time limit between the grievance, for example the dismissal of a member, and the go ahead for any action to take place. The convenor had thought of putting himself forward for the district committee, but had second thoughts because "I've got enough on at work". If this was the case for many dedicated shop stewards then local union organisations outside the workplace may eventually become isolated from the realities of the workplace because those with the best knowledge of their members' needs and problems may remain within their own workplaces.⁴¹ A comment from one of the stewards aptly sums this up:

"I have no confidence in the officials running the union no better than our management. Most of the union work is now done at works level. May as well have our own local union. In my opinion most top union officials, same as politics, see it as a job with no real feeling for principles. Nobody wants to fight anymore."

It appears that, other than union journals, communication between the national union and the shopfloor was virtually non-existent (with the exception of the critical stance of the local unit). The lack of information on the presidential election illustrates this. Any information about the AEEU generally that the convenor was informed about he passed onto his members; however, they were only informed by word of mouth and

⁴⁰ When asked about the previous district secretary the convenor said that since he had moved further up the union hierarchy he had changed again. (Beynon, 1973, found similar changes among the stewards who became officials in his study of Ford.)

⁴¹ Indeed, now that the district committee and district shop stewards' meetings have been disbanded, local organisation may disintegrate altogether, unless a suggestion by a prominent figure within the local movement is taken up: that is, that local stewards who wish to meet as before should do so unofficially, to ensure that knowledge of local issues is shared between workplaces and that stewards can help each other to overcome their problems.

information pasted onto the notice boards; regular meetings were not arranged at the workplace. However, the information passed onto the convenor was usually about the AEEU locally rather than nationally and this tended to be when local activists were opposing a particular national decision. Nevertheless, the convenor insisted that the majority of members at firm A were interested in general union information as well as their workplace organisation and the example about the proposed rule book changes indicates that members did pay attention to the information that they were given. It also shows how local activists gave members more information than their national union; the rule book changes have led to every disadvantage highlighted by the local district committee, including its disbandment.⁴² The only way that the central union got its message over to members on the shopfloor was by sending them mail individually and this, it seems, was only when the national union wanted membership support.

The majority of the stewards considered their national union to be a different entity to their workplace organisation and they were more concerned with the politics of the workplace. When the convenor was asked “in your opinion, when members think of the union, would you say they think of their shop steward or yourself as opposed to the national union?” he replied **“the members are the union, along with the stewards and the convenor”**. Six of the stewards said that they thought of their workplace union as different from the national union. Of the three stewards who did not see the workplace union as different from the national union, two gave relatively favourable answers about the union in the workplace and saw the union as effective. However, one felt it necessary to meet a FTO often, which may explain his answer; if he met a FTO every three months as he stated, his conception of the union may merge the two organisations; that is the workplace and the national organisations remain as one. The other steward also thought that the FTO played an important part in workplace negotiations which may explain why the two organisations were seen as the same to him. However, the third steward’s questionnaire answers painted a rather negative view of the workplace union and overall he felt that the union was not effective at the workplace.

The union was in the workplace where “most union work is done, where the lads are together”⁴³ and the workplace organisation was considered to be more effective than the FTO, who did not play an important role within the firm. Indeed, the stewards worked for their members rather than the national union. This is not to say that the national union was unimportant, but it was considered to be totally out of touch with members’ first priorities. Martin’s (1992) assertion that the national union is a provider of information and services appears to be upheld. Even the national union’s assertion that membership is a

⁴² It is possible that the national union wanted to dispose of local organisations, such as the district committees, because of their opposition to national policies and the way that they could influence local opinions.

⁴³ Comment made at one of firm A’s shop stewards’ committee meetings .

cheap form of insurance was only agreed to by four of the stewards. However, all the stewards thought that “to get members’ benefits” was an important reason for membership but they saw the insurance aspect of unionism as secondary to the realities of the workplace. This would confirm the opinions of stewards locally (see previous chapter).

8:13 *The importance of the leadership role*

The convenor contended that members were united at firm A and that when he was dealing with management he was confident that if necessary he would get their backing. Examples did tend to confirm that members at firm A were prepared to stick together over an issue, even if that issue may have only initially affected one particular member, which may indicate that individualism has not yet taken over from collectivism. However, it could still reflect the self-interested nature of individual members. Anything to do with the protection of work related benefits, changing working practices and threatened dismissal has implications for the whole workforce. Sticking together over an issue which may only initially affect one worker could be looked upon as the workers acting in their own self-interests albeit “collective self-interests” or “instrumental collectivism” as Goldthorpe et al (1968) termed it.

The cohesiveness of the workforce most likely revolves around the personalities of its representatives and in particular the main representative or “leader” - the convenor, who with his own methods of negotiating with management managed to involve the workforce in all major decisions affecting them and usually secured a deal that was satisfactory to all concerned. The convenor was dedicated to his job and felt an overwhelming sense of responsibility towards his members; “I do the job from the heart not from the pocket or anything else”. He had thought about giving up the position but he had “got the lads and lasses to think about” and he would put himself out to ensure that “the lads and lasses are OK”. He even attended work out of his normal hours to make sure that members were informed of various things that were happening, and even when he had broken his fingers he still attended work regularly to ensure that things were running smoothly. This ties in with his answer to the question “what kinds of issues are you most concerned with?” “To look after the rights of all union members (men and women) under my control” was his reply.

Not all members may agree with the stewards. On at least one occasion a shopfloor meeting was effectively sabotaged by an unknown person who altered the time of the meeting on the notice that had been put up, so that many members arrived after the meeting had been adjourned after being disrupted by one member who did not agree with the proposals that had been put forward. The situation was eventually resolved to the satisfaction of the majority of the workforce. The member who disrupted the meeting also became a steward at the following elections and, according to the convenor, had begun to see things in a slightly different light. Stewards were also aware that some members “will say we should do this and that but whether they are prepared to do it is a different matter”. They tended to blame the fact that “many

people have been pushed into a corner by the [Conservative] government". It might have been a good thing that threats issued to management by the convenor were usually sufficient to secure a deal. Even some of the stewards at times acted on their own and then backed down; as the convenor put it: "Some stewards override you and then back down later. As a steward they can say what they like and then hide behind the wall. As convenor it's me who has to go into management and face the music."

This indicates the importance of the leadership role of the convenor. The fact that he rarely said "I" when talking about the union and its dealings with management, he always said "we" or "us", signified that rather than working for himself he was working for the union. He had a commitment to collectivism that was passed down to his members. Even though the convenor and the senior stewards admitted to an awareness of the problems faced by management and that the union/management relationship appeared to be quite good there was still a distinct impression of an "us and them" approach, the workers versus management; "it's a battle" was one comment. In fact stewards at firm A did perceive the MS convenor as having bargaining "power over management" and he was often reminded of this. However, while the convenor saw the "union" as having a certain amount of bargaining power, he did not see himself as being "powerful"; to him it was not a case of having "power", it was more a case of standing your ground and being confident even if you have to "call management's bluff". The convenor was seen as the person with the "power over management"; yet, without the backing of the members that "power" would most likely not have existed at all.

8:14 *Trade Union Power*

When asked "do you feel that overall your union is effective at your workplace?" seven of the stewards who answered the questionnaire replied "yes" and the convenor agreed with them. However, one steward was "not sure" and two thought that the union was not effective in the workplace. These two stewards may have had particular reasons for believing this. It may have been the case that they had bad relationships with their shop managers and that in their particular workshops their members were not prepared to back them on any issues. Both these stewards thought that management/union relations were "not at all good", and neither was satisfied with the outcomes of their discussions with management. As it appears that it is actually the lay representative who influences members' perceptions about their union, it is possible that neither of these stewards had developed the style of working necessary to determine membership participation in the affairs that involved them and as membership participation appears to be related to the level of success that the shopfloor unit has when negotiating with management, they had less success than their peers in adjoining workshops. One of them had only been a steward for less than a year; so it is possible that he may develop his negotiating skills with experience. However, he

must have felt that the union had some effect at firm A, even if not overall, because he had replied that being in a union did make a difference in the case of being unfairly dismissed, being accused of something by your employer, having your conditions of work changed, having an accident at work and in preventing harassment and discrimination. Similarly, the other steward who did not think that the union was effective only replied that being in a union did not make a difference to two of the given circumstances: efficient health and safety and having your conditions of work changed; so he, too, must have thought that the union at firm A had had an effect on some issues. It might be significant that these two stewards were also the only two not to mention pay and working conditions as their major concerns as shop stewards; they may have had other ideas about what the union should have been doing at firm A.

The evidence suggests that the union at firm A did have the capacity or ability to produce effects, and if trade union power is defined as the union's capacity to defend and advance its members' interests, by achieving desired goals, the union at firm A could be described as "powerful". Members' interests were protected; for example, union pressure had retained the jobs of people dismissed for legitimate offences under the work's "Industrial Relations Agreement"; workers moved to less skilled jobs had retained their skilled bonus and brothers and sisters in law were allowed paid days off for "funeral leave" negotiated as part of the pay talks. Yet only two of the respondents (one a senior steward) and the convenor felt that their workplace union had "about the right amount of power", seven thought that it had "too little" and one "far too little". Perhaps they expected more from their union. It may be the case that once members become accustomed to the benefits that a workplace organisation provides they take it for granted that those benefits are a normal part of the working day and think that their union should do more. Two members at firm A, who had previously left the firm, admitted that it was only when they obtained employment elsewhere that they realised just how effective the union was at firm A when protecting members' interests.

When asked if they thought that in the country as a whole, trade unions have too much or too little power, the answers were very similar; two stewards and the convenor thought that they had "about the right amount" and eight felt that they had "too little power". Only one of the stewards who thought that the workplace union had the "right amount of power" thought that unions in the country as whole did; therefore, one steward felt that whereas unions in the country as a whole had "too little power" his workplace union had "the right amount", suggesting that he did perceive the union at firm A as "powerful".

Management did back the workplace union but not necessarily the national union⁴⁴; the check-off arrangements are an example here. It is possible that a change of management may change the nature of the management/union relationship. A point

⁴⁴ Management did not like to have to resort to their superiors outside the factory, which they saw as an admission of not being able to manage efficiently. If the national union should have been called in then they would have had to call in their outside sources.

brought up at a shop stewards' committee meeting was that managers from a firm supplied components by firm A apparently did not agree with the type of relationship that the union had with management. In particular, the fact that union representatives were not frightened to talk to their employers and were generally given all the information that they asked for astounded them and they were amazed at the freedom the shop stewards had to move around the factory to see their members. This indicates that unions at the customer firm did not have the same kind of relationship with their employers, either because of the employer's attitude or maybe because of the communication styles of their union representatives.

The MS convenor was perceived as being "powerful" by some of the stewards and the union's effectiveness appears to revolve around how he worked with management and members. He felt that the union had a lot of influence upon what actually happened within the workplace and thought that it was actually helping management to run the firm and solve their problems more efficiently than they would have done alone. This confirms Brown's (1994) suggestion that without a union presence companies merely manage labour badly; the union benefits its members, management and the firm overall. The personality and style of working of the main lay representative do appear to be essential ingredients for successful unionism within the workplace. However, a change of leadership style could be disastrous and lead to a different management/union relationship as happened in the foundry; nevertheless, the senior stewards were beginning to learn from the convenor and build on his experience when negotiating with management themselves. If they continued in the same way there is no reason why the union organisation at firm A should not continue as it has done for many years to come, even after the present convenor retires, providing that they use the right style of working and ensure membership participation in the workplace. Following Fosh (1993), there is no reason why a change of leadership in the foundry should not alter the fortunes of the union in that workshop.

8:15 *Conclusions*

The evidence suggests that for the majority of stewards the workplace union was seen as a different entity from the national union and the national union was not considered necessary to the efficient running of their "union" or their firm. **It can be concluded that the shopfloor is "the union" as far as the majority of stewards are concerned.**

It appears that the stewards did base their perceptions of how successful the union was at the workplace on the success that they had with their own workplace managers; those who were not satisfied with the outcomes of their own negotiations tended to feel that the union was not effective overall. **Therefore, it is most likely that to**

members the extent of their union's power will be measured by the level of success that they have in the workplace in achieving their aims. However, the majority of the stewards did feel that overall the union was effective and the evidence suggests that a "powerful" union did operate within the workplace.

It appears that the union's overall relationship with management and the success that it had related to the personality and style of working of the main lay representative - the convenor. However, without the backing of the members his level of success might have been much less. **It can be argued that it is the local leader's style which is essential in determining membership participation and interest in workplace unionism and therefore the level of success that the union has when dealing with management. The main lay representative, then, at least at firm A, appears to be one of the essential ingredients for successful unionism in the workplace.**

The legislation appears to have had little effect on the convenor's ways of bargaining with management, though it may have affected some of the individual stewards. However, as the stewards were not aware of all the legislation it is most likely that overall the legislation had had little effect at firm A; certainly members appeared to be prepared to stop work immediately if they felt that an issue worth fighting for had arisen, particularly in relation to the dismissal of a workmate, and overtime bans had been successfully implemented without the properly conducted ballot. **It can be concluded that the legislation is likely to have had little influence on members' opinions about the power of their trade union.**

While members, and even stewards, may be self interested they appear to realise their goals collectively. All the stewards portrayed a sense of solidarity and realised that workers achieved their goals by sticking together rather than by working hard on their own; **at least from the stewards' viewpoint collectivism is not yet dead. The conception that by promoting individualism trade union power will be reduced does appear to be based on a flawed interpretation of individualism; that is, members are self interested but many realise their self interests by collective means.** Individualist attitudes may prevail but they have not necessarily led to the demise of collective organisations. However, this may depend upon the lay representative and the way that he/she approaches members' problems; if the representative can portray to members a sense where grievances are seen as relating to a shared situation of employment rather than as individual problems, they develop a conception of the union that "encompasses group action" (Fosh 1993, p581).

Changes in the economic climate had not altered the role of the union at firm A. In fact, during the firm's short troubled periods the union appears to have worked even harder to defend and advance its members' interests; and it succeeded. Even when a union works to management's advantage as well as its members', it cannot be argued that the role of

the union has altered. Most established workplace union organisations, it appears, were acknowledged by managers as helping their companies to run more smoothly than they might otherwise have done, even before 1979. The union at firm A appears to be no different to the workplace union organisations of years ago and closely resembles those organisations identified by researchers in the 1960s and 1970s (for example, A.I. Marsh 1963, McCarthy 1966, McCarthy and Parker 1968, Goodman and Whittingham 1968, Batstone et al 1977). **However, the economic and employment climate may have altered the attitudes of some employees towards trade unions: job protection now appears to be one of the major benefits of unionism; workers who once may not have considered joining a union appear to be willing to do so if they feel that the union is effective at protecting their jobs.**

The following chapter sets out the results from the questionnaires which were completed by union members at firm A and compares them to those of their shop stewards outlined above. If members measure the extent of their union's power by the level of success that they have in the workplace, different members may perceive this differently depending on the level of success that their own steward has with his shop manager rather than the success that the union has overall in the workplace.

9:1 *Introduction*

The information presented in this chapter was obtained from questionnaires which were completed by a sample of members from firm A. 178 questionnaires were distributed to members in five of the eight machine shops. 119 were returned; a 67% return rate. The answers may reflect upon the workshop that the respondents worked in; however, as members were not asked to indicate which workshop they were from, it is not known exactly how many were returned from each individual shop, though it is known that some members in one workshop were reluctant to answer the questionnaires.¹

The majority of respondents were male (116), two were female and one did not answer the question. They all worked over 30 hours a week. 43% (51) were aged between 31-40, 24% (28) were over 50, 19% (23) were aged between 41-50 and 14% (17) were 21-30. When the replies to how long they had been union members are compared with the respondents’ age groups many of them had been union members for all or most of their working life; some members had written “life” against the question, and others had noted that they had been a member for “x” number of years but not always with the same union. Only two respondents, both aged over 40, had been a member for only one year.

Three quarters of the respondents said that they paid their union subscriptions by the check-off method, 20% said that they paid by direct debit and 4% did not answer. However, it is possible that some members did not know that having their subscriptions stopped out of their wages is known as “check-off”; some members had replied “other” to the question “how do you pay your union subscriptions?” and added “deducted out of wages”.² All members at firm A were on check-off, so it is possible that those members who replied that they paid by direct debit were confusing the methods of payment. It also suggests that at least a quarter of members were not familiar with some of the terms used by trade unions which might indicate that they were not interested in unionism other than for personal gain.

9:2 *Reasons for membership - individualism or collectivism?*

When asked to rate a list of possible reasons for joining a trade union in terms of how important they were, (see table 1), all respondents thought that “protection from future problems” and “to get higher pay and better working conditions” were important reasons for membership. However, even though four respondents did not think “to safeguard my job” was important, this was the reason which the highest percentage of

¹ This was also the workshop referred to by the ex-shop steward in the previous chapter.

² This was recorded as “check-off” for the purposes of the study.

members thought was a “very important” motive for joining a union closely followed by protection from future problems. When the average score for each reason (omitting those who “did not know”) is taken into account, “to safeguard my job” became the reason which was considered the most important (see table 2). This substantiates Hedges’ (1994) suggestion that job security may have become a more dominant concern for workers than improving pay.

Table 1. The importance to individual members of a list of possible reasons for belonging to a trade union

Possible Reasons	very important	fairly important	not very important	not at all important	don't know
To get higher pay & better working conditions	91 (76.5%)	26 (21.8%)	0	0	0
To protect me if problems come up in the future	96 (80.7%)	23 (19.3%)	0	0	0
To get members' benefits such as financial or health schemes	70 (58.8%)	31 (26.1%)	15 (12.6%)	1 (0.8%)	0
To help safeguard my job	99 (83.2%)	16 (13.4%)	3 (2.5%)	0	1 (0.8%)
To use as a workers' voice against management	70 (58.8%)	35 (29.4%)	10 (8.4%)	3 (2.5%)	0
I believe in them in principle	50 (42%)	47 (39.5%)	13 (10.9%)	5 (4.2%)	3 (2.5%)
To campaign against inequality & injustice	81 (68.1%)	26 (21.8%)	7 (5.9%)	3 (2.5%)	1 (0.8%)
To show solidarity with those I work with	62 (52.1%)	36 (30.3%)	15 (12.6%)	5 (4.2%)	0
Most of my workmates are members	49 (41.2%)	24 (20.2%)	17 (14.3%)	24 (20.2%)	3 (2.5%)
It's a family tradition	20 (16.8%)	11 (9.2%)	20 (16.8%)	64 (53.8%)	2 (1.7%)

On their own each of the first four reasons for membership could be considered as individualistic reasons; it is in the person's own interests to get higher pay, better working conditions, protection from future problems, safeguard his/her job and to get members' benefits. However, when the other given reasons for membership are taken into account, individualism, at least for the majority of the sample, was merged with collectivist attitudes which supports the argument that individual goals, such as higher

pay, become collective goals. Despite the fact that 85% of respondents thought “to get members’ benefits” was an important reason for membership, benefits ranked sixth, behind workers’ voice and to campaign against inequality, when the average ratings for each reason were taken into account (see table 2). Over 80% of respondents considered that “to show solidarity with those I work” and “to use as a workers’ voice against management” were important reasons for membership, with over half replying that they were “very important” ones, which suggests that collectivism is not yet a thing of the past. As trade unions tend to be viewed as embodying collectivist principles, the fact that over 80% of respondents believed in them in principle also endorsed this.³

“Most of my workmates are members” was considered an important reason for union membership by 61% of the respondents. However, this reason for membership may have been interpreted differently by different individuals. Rather than taking it to mean that because “my workmates are members I should join”, some members interpreted the statement as “it is important that all workmates are members”, that is, a closed shop situation. One member had written “all workmates should be members” underneath the question. If this was how those members who said this reason was an important one interpreted the statement, it confirms the view that collectivism is not yet dead and suggests that if the Conservatives wished to replace the collectivist outlook of union members with a purely individualistic one, they had failed, at least at firm A. This argument was also substantiated by the fact that the majority of respondents (88%) thought that workers achieved their goals by sticking together rather than by working hard on their own.⁴

However, individualism may prevail for a small minority of trade union members. At least eight respondents thought all the collectivist reasons for membership were not important. Yet, all these members thought the individualistic reasons were important suggesting that they had only a personal interest in union membership. One of these respondents also thought that “most of my workmates are members” was an important reason for membership, suggesting that, perhaps, he was coerced into membership because his fellow workers were members. Nevertheless, it would be expected that these respondents would have considered that workers achieved their goals by working hard on their own, but this was not the case. Therefore, even though the collectivist reasons were not considered important enough to warrant union membership, it was still acknowledged that the best way of achieving goals, even if those goals were individual ones, was by working as a collective rather than as an

³ The only given reason for membership not rated important by the majority of respondents was “it’s a family tradition”. However, except for one, those who considered family tradition to be important also said that all the other reasons were; family tradition may instil in workers a deeper commitment to unionism.

⁴ One member had commented that workers achieved their goals by sticking together “especially in a large firm. In a small firm by working hard on their own.” Suggesting that individualism alone may prevail in smaller firms where only a few employees work; hard work may gain the worker personal concessions, especially if the employer can see who is doing what. This environment would become very competitive. Therefore, the work situation itself may foster collective strategies.

individual. Therefore, even if workers are solely individualistic, individualism has not yet removed the need for collectivism in the workplace. Authors (for example, Roberts 1987, Metcalf 1993a) who claimed that collectivism had been undermined by the promotion of individualism appear to have been wrong.

Those members who did not rate the collectivist reasons as important and those who thought that workers achieved their goals by working hard on their own, belonged to either the 31-40 age group or the over 50s. The replies from all the youngest respondents, the 21-30 age group, indicate that support for trade unionism and its collective principles is not waning in those workers who had only been employed since Mrs Thatcher came to office in 1979. This is slightly different to the results of the 7th British Social Attitudes Survey (BSAS7): Millward (1990) concluded that solidaristic reasons for membership were more relevant for the older age groups. Millward also found that family tradition was more often cited as a reason for union membership by older men and this was borne out.⁵ This suggests that reasons other than family ties are driving young people to become union members. The changes in employment conditions during the 1980s and 1990s may have enhanced the need for workers' protection, particularly for younger workers. They tend to be more vulnerable to employers' new contracts of employment, which stipulate, for example, a certain commitment to the company, and lower rates of pay than the more established older workers. Therefore, when there is a union on site younger employees may feel that they are better protected by becoming a union member than by being left to the mercy of their employer.

Table 2. Reasons for membership ranked according to the average ratings of each

Reason	Average rating
Safeguard job	1.174
Protection from future problems	1.202
Higher pay / better working conds	1.211
Campaign against inequality	1.404
Workers' voice against management	1.523
Members' benefits	1.550
To show solidarity	1.670
Believe in them in principle	1.752
Workmates are members	2.165
Family tradition	3.101

Rating scale - very important = 1, fairly important = 2,
not very important = 3, not at all important = 4.
The average ratings do not include the "don't know" responses.

Eighteen members had added other reasons which they considered important ones for

⁵ Only 6% of the 21-30 age group said that family tradition was an important reason for membership, whereas a quarter of members in each of the 31-40 and 41-50 age groups thought so and 39% of those who were over 50 said that this was an important reason.

membership. Seven of these referred to having an accident at work. One member elaborated further on this: “in 1995 I feel the only reason for being in a trade union is if I have an accident my union lawyers will protect and fight for me.” Yet, despite this rather negative opinion this member had rated all the other reasons for membership positively. Five referred directly to the use of the union’s lawyers: “professional advice if problems occur at work”. “Compensation claims”. “For legal claims”. “To cover any legal costs if incurred” and “use of union’s lawyers so as to be treated fairly”. All these reasons could also be classed under the heading “to protect me if problems come up in the future”; however, the members concerned must have considered that protection against accidents and legal costs were singularly important. The other reasons related either to management: “To keep management from getting too greedy. To prevent victimisation.” “To fight against injustice by management” and “health and safety”. Or to the union’s campaigning role: “The insurance it provides for a worker’s legal rights” and “retirement for all at 60 years of age with state pension”. These reasons could be classed as “to use as a workers’ voice against management” or “to campaign against inequality and injustice” but the individual members obviously felt that they merited being mentioned separately. Another had added “to help improve working conditions”, which suggests that some members may consider “improving working conditions” to be more important than “to get higher pay”. As the two were classed together on the questionnaire this is not known, perhaps they should have been classed as two separate reasons for membership.

Table 3. The most important single reason for belonging to a trade union

Reason	number of members
Higher pay & better working conditions	15 (12.6%)
To protect me if problems come up in the future	17 (14.3%)
To get members’ benefits	1 (0.8%)
To help safeguard my job	24 (20.2%)
To use as a workers’ voice against management	3 (2.5%)
I believe in them in principle	1 (0.8%)
To campaign against inequality and injustice	4 (3.4%)
To show solidarity with those I work with	4 (3.4%)
Other	33 (27.7%)
No answer	17 (14.3%)

When asked “which single reason for belonging to a trade union is the most important to you?”, unlike the stewards whose answers were divided between higher pay and better working conditions, protection and to use as a workers’ voice, the members’ replies covered a wider range of reasons. (See table 3). The highest number of respondents gave a reason other than those cited; most of those who had said that the collectivist reasons for membership were not important also fell into this category. A third of these reasons referred to accidents at work and a similar amount referred to the legal help side if required. This implies that these workers may be union members purely for the individual benefits if needed, especially when combined with the fact that they did not rate the collectivist reasons for membership as important. Yet, only four of these respondents agreed that trade unions were a cheap form of insurance. Seven members listed a number of reasons for membership, which included health and safety, wages, accidents and working conditions, but perhaps more significantly, every one of these replies included job protection. These answers along with some of those which were coded into the “to help safeguard my job” category, actually referred to the protection of all jobs rather than just their own; “to help safeguard all jobs” was a typical answer. This suggests that to some members it is important that the union looks after everyone’s jobs rather than just their own, indicating a collectivist outlook rather than an individualistic one.

Other answers tended to relate to the union’s role in general:

“So as to be treated fairly.”

“Security.”

“Security and backing for any problem with management.”

“If we didn’t have a union the management would just be able to tread all over us.”

“To secure the best possible deal for its members.”

“For all members to stick together and fight for better or improving relations with each other or the management.”

“For the strength and back up of any problems which may arise.”

“To protect and safeguard your rights.”

Two answers elaborated further:

“As I was brought up you have nothing if you are not in a union.”

“Without unions and with this type of government in power, the 1930s would return to the workplace, profit at all costs, and wages and safety would go to the wall.”

When taken as a whole “to help safeguard my job”, or as some answers stipulated, “to safeguard all jobs” was considered the most important single reason by the respondents. 20% said that this was the most important single reason and a further 6% thought that this was an important reason along with other reasons, compared to 13% who said that “higher pay and better working conditions” was the most important reason and 2% who thought it was important along with other reasons. This upholds Hedges’ (1994) conclusion that employees regarded job security as the most important objective for unions to fight for. Protection was the second most important single reason and it could be argued that if the “other” reasons, such as “protection against exploitation by organisations”, are taken into account, this was the most important

reason for membership for the majority of respondents. Protection from future problems might also include compensation for accidents and job protection.

These results correspond with those set out in table 2: job protection, protection generally and higher pay and better working conditions tend to be the top three reasons for membership. Personal or self interested reasons tend to top the bill for the majority of respondents. However, when all the answers are taken as a whole they suggest that for the majority of the sample collectivism was still a significant part of unionism. Those members who thought that “to campaign against inequality and injustice” was the most important single reason for membership also felt strongly about this type of role:

“Working together to protect and generate a better standard of living, a better welfare state, to fight political injustice, no matter which way you vote.”

“To assist in stamping out inequality both sexual and racial.”

However, these members were in the minority when considering the most important single reason for membership. The “vested interest” aspect of unionism (Flanders 1961) appears to be the most important “face” of unionism for the vast majority of members. “Instrumental collectivism” (Goldthorpe et al 1968) is probably still an apt description as far as many members are concerned.

The results set out above are similar to those found by the seventh BSAS (Millward 1990). Millward (1990) found that improving pay and working conditions along with job protection were the most frequently mentioned objectives that members thought their unions should be trying to achieve. So members at firm A were no different to the norm. However, in Millward’s survey “to get members’ benefits” was rated fourth in terms of the number of respondents who said it was important for union membership, just below “to help other people I work with”, whereas the present data has “to get members’ benefits” rated above “to show solidarity with those I work with” though only by 3% (see tables 1 and 2). This may be due to the different wording used; respondents may have interpreted “to help other people I work with” slightly different “to show solidarity with those I work with”. However, it could “reflect the increased emphasis” put on benefits by the AEEU in recent years, which was the likely explanation given by Millward (1990). Since 1990 the AEEU has introduced many new benefits which could have increased members’ perceptions as to the importance of this reason for membership. Indeed, the AEEU have used survey evidence to conclude that:

“[T]he significance of instrumentalism as a prompt for union membership is not just in the importance of unions delivering advantages to members. It lies crucially in the type of benefit identified: individual assistance and individual support on the issues of advice and representation on disciplinary matters, on grievances and accidents at work - all of them individual concerns rather than collective problems. Straight collectivism, in terms of collective bargaining, only comes in at fourth place in this survey - and that in a union still largely buttressed by employer support, and extensive, if to some extent devolved, collective bargaining. If this is an indication that individualism now outweighs collectivism in what union members want, and if individualism is the clear

direction being pursued by employers in their relations with their employees, trade unions need to examine their supply side, to reassess what they do, in order to rebalance their traditional mix of the individual and the collective, and to meet the new individual demand." [Divisional Organisers Weekend School Pack 1995, "Future Structure of the new Amalgamated Union". AEEU.]

The survey used by the AEEU identified advice on discipline, legal assistance and advice on grievances as the top three reasons for joining a union (Basset and Cave 1993). Respondents at firm A did identify legal assistance and advice as important reasons for belonging to a union but only a minority thought that these were the single most important reasons. This could be a reflection of the different workplaces and the union organisations within them (NUPE in Basset and Cave's survey). However, it could also be a matter of interpretation; all these reasons for membership may come under the heading "to protect me if problems come up in the future", which, as argued above, was the most common reason when all the information was taken into account, and was also found to be the most important reason for membership by Stevens et al (1989).

Union members at firm A were self-interested in their outlook towards unionism. However, despite the views of the AEEU nationally, the majority also portrayed a collectivist view, suggesting that, at least at firm A, collectivism was seen as the best way of achieving goals, even if they were essentially individualistic ones. The view that by promoting individualistic attitudes collectivism will wither away does not appear to be bearing fruit, especially as those workers who have only been in employment since 1979 appear to endorse collectivist principles. Compared to past studies the attitudes of individual members do not appear to have changed significantly (for example, Goldthorpe et al 1968, Stevens et al 1989, Millward 1990). Nevertheless, one important change has surfaced: job protection appears to be one of the most important things that union members want from their union. The economic and employment climate may have increased the emphasis that workers put upon safeguarding their employment (see also Hedges 1994).

9:3 *Members' grievances*

A slightly different picture emerges when respondents' answers to "what kind of issues are raised by members with the shop stewards at your workplace?" are looked at. 60.5% of the sample replied to this question, some gave a list of grievances others just cited one or two. As table 4 shows, the most commonly mentioned grievance was wages/pay, and when the other grievances which involved money (bonus payments, overtime, shift allowances) are taken into account, money appears to have been the major priority for many of the respondents. Job security was only mentioned twice; however, this could be because at that particular moment in time firm A were expanding their workforce rather than laying people off, therefore, job

Table 4. Issues raised by members with their shop stewards

Issues raised by members with their union representatives	Number of respondents who cited each reason
Wages / Pay	32
Working conditions	22
Health and safety related problems	14
Shift patterns (particularly alterations to)	9
Bonus payments	7
Working practices	7
Accidents (enquiries about injuries)	6
Workplace problems	5
State of workload / increased workload /extra jobs	5
Overtime	4
Personal grievances	4
Management / workforce relationship	4
Anything / too many to list	4
Mismanagement / bad management	3
Inequality	3
Holidays (type of/ choice of)	3
Being moved to other jobs	3
Don't know	3
Job security	2
Short time working	1
Management / foreman expecting too much work	1
Threats by management	1
35 hour working week	1
Too many non-production staff	1
Redundancies	1
Victimisation	1
Incentives	1
Accusations of not doing work correctly	1
Treatment by managers	1
Shift allowances	1
None	1

security may not have been a significant concern at the time of the study. Working conditions, which might also include grievances such as health and safety issues and workplace problems, were also commonly raised with the stewards. Therefore, pay and working conditions did appear to be the major concerns of those within the workplace. It could be argued that this is because these are concerns which relate to the members' everyday working environment, whereas issues such as job protection and campaigning against inequality are not things which are encountered everyday.

Twelve answers directly cited management in their grievances; for example, "problems that management create" or "the way management expects us to work", which suggests that some members may have resented management's right to manage.

Three respondents did not know what grievances were taken to the stewards which indicates that they either had no problems or did not take them to their steward; more

importantly, they may not have involved themselves with other members who did complain. Another member said “no” grievances were taken to the steward. Yet, in comparison, four members said that “anything” could be raised with the steward; “almost all issues that tend to turn up” or “everything from bad lighting in shop to wage negotiations and job security”. This suggests that in comparison to those who did not know, these members involved themselves in workplace issues and “the union”. These conflicting answers may reflect upon the different workshops that members worked in. Members in one workshop may not have used their steward in the same way as members in another. If this was the case, it could also be argued that it may have been a reflection of the steward and whether members perceived him as being an effective problem solver.

The grievances cited agreed with those that the stewards said were brought to them and the majority could be considered self-interested ones, that is, ones that affected members personally. However, whether members at firm A were largely collectivist or individualist in their outlook, the vast majority of respondents (87%) agreed that workers needed trade unions to protect their interests, particularly at work.⁶ Therefore, even members who might be individualistic in their outlook considered that unions were necessary to protect their interests, even if they were solely self interests. This confirms the conclusion of Rentoul (1989) that “[i]f attitudes towards trade unions have changed, there has certainly been no ‘transformation’ in the attitudes of trade union members themselves to the basic principles of trade unionism.” (p88).⁷

9:4 *Union effectiveness*

When asked do you think being in a union makes a difference in a number of particular circumstances, the majority of respondents thought that it did in all the given settings. However, when the circumstances are listed according to how many respondents replied “yes”, job protection (one of the most important things members appeared to want from their union), while endorsed by nearly three quarters of the sample, falls towards the bottom of the list, with only “preventing harassment and discrimination” falling below it (see table 5). Yet, when the members who did not know are excluded a slightly different picture emerges. Table 6 lists the circumstances according to the mean rating of each (“yes” in each case). As can be seen, while the first three circumstances remain the same in both tables, “preventing harassment and discrimination” moves up into fourth place and “higher wages” and “changed working

⁶ Of those who disagreed with the statement, the majority of whom were in the 31-40 age range, only two thought the collectivist reasons were not important reasons for membership.

⁷ Rentoul backed his argument with the results of the MORI polls, which had seen no significant change in the proportion of union members agreeing that “trade unions are essential to protect workers’ interests”. 88% agreed in 1979 and in 1987; at firm A, 87% of the sample agreed. Again, members at firm A appeared to be no different to the norm.

Table 5.

Whether members thought that being in a union made a difference in a number of probable circumstances

CIRCUMSTANCE	YES	NO	DON'T KNOW
Being Unfairly Dismissed	114 (95.8%)	1 (0.8%)	4 (3.4%)
Having An Accident At Work	108 (90.8%)	6 (5%)	5 (4.2%)
Being Accused Of Something By Your Employer	97 (81.5%)	8 (6.7%)	14 (11.8%)
Efficient Health And Safety	92 (77.3%)	19 (16%)	8 (6.7%)
Having Your Conditions Of Work Changed	92 (77.3%)	21 (17.6%)	6 (5%)
Higher Wages	91 (76.5%)	21 (17.6%)	7 (5.9%)
Job Protection †	88 (73.9%)	18 (15.1%)	11 (9.2%)
Preventing Harassment And Discrimination	80 (67.2%)	18 (15.1%)	21 (17.6%)

† The figures for job protection do not add up to 100% because one respondent did not answer this question and another replied "yes and no".

Table 6.

The circumstances that union membership makes a difference to ranked according to the average rating of each

Circumstance	Average rating
Unfair dismissal	1.013
Accident at work	1.063
Accusation by employer	1.063
Preventing discrimination	1.127
Efficient health & safety	1.139
Job protection	1.152
Changed working conditions	1.165
Higher wages	1.177

The rating scale - 1 = yes, 2 = no.

The average ratings do not include the "don't know" responses.

conditions” both fall to the end of the list. This may be no coincidence. Money and working conditions were the most frequently mentioned grievances brought up by members with their stewards suggesting that some members were not satisfied with certain aspects of their pay and working conditions. Nevertheless, according to those members with a firm opinion, it could be argued that on the whole the union at firm was considered to be effective for each of the given circumstances.⁸

Being unfairly dismissed was top of both tables, which may reflect the number of times that members had been reinstated at firm A through union pressure (see previous chapter) and could be seen as an indication that the workplace union did protect the jobs of its members, despite job protection being endorsed by slightly fewer respondents. The one respondent who said that union membership did not make a difference in the case of unfair dismissal had replied “no” to each circumstance and had a negative attitude towards the union in general. He had been represented at work by a union representative and was not satisfied with that representation. It is not known whether this representation took place at firm A, but as the representation took place one to two years ago it is likely that it was. It can be assumed that if it was at firm A it was most likely not for dismissal; if the respondent said being in a union made no difference in the case of dismissal he would not have been working at the firm. It has been argued (in the USA) that workers with negative attitudes towards unions tend to be less satisfied with their performance than other workers (Fiorito et al 1988).

Members who had been represented at work by a union representative might be expected to rate their union’s performance according to how they perceived their representation; for example, members who were not satisfied with their representation might be expected to rate their union’s performance negatively. However, the results revealed mixed feelings. Just over half (53%) of respondents had been represented by a union representative, 65% of them were satisfied with that representation, 13% were not sure and 21% were not satisfied. The majority of these respondents had been represented at work, which, if this was at firm A, would have been by one of the lay representatives, most usually the MS convenor, and as all those who indicated how long ago this was said it was fifteen or fewer years ago, it would have been the present convenor who had represented them.⁹ Two members had been represented at a

⁸ It is possible that some members may have based their answers upon unions nationally rather than on their workplace organisation, as the question only asked if being in a union made a difference to particular circumstances. However, the evidence presented in the previous chapter shows that at firm A the workplace union actually dealt with all the above situations, with the exception of “having an accident at work”, without any outside assistance (except in exceptional circumstances). So it is most likely that the respondents did base their answers upon their perceptions of the workplace union. In the case of having an accident at work, while the member was advised and helped to make a claim by the workplace organisation, the national union was the body that secured the member any compensation.

⁹ Respondents were not asked to indicate at which workplace their representation took place; therefore, some of the answers may not refer to firm A. It is possible that those who were not satisfied were actually represented elsewhere. One respondent had indicated where his representation took place and this was not at firm A, he was not satisfied with the representation that he received. However, it is possible that this experience could lead to a negative view of unions generally.

tribunal and both were satisfied with the outcome and another respondent had been represented both at work and at a tribunal; he was also satisfied. (See appendix 5 for tables.) It appears that satisfaction with representation does not necessarily influence the member's perception of his/her union's performance; some members who were not satisfied with their representation replied positively to questions and other members who were satisfied replied negatively. However, though the numbers were very small, the ones who were not satisfied were more likely to reply negatively, whereas those who were satisfied, if they did not respond positively, were more likely to say that they did not know.¹⁰ One respondent had been represented on "a regular basis" at work and he was not sure if he was satisfied with that representation; nevertheless, he thought that being in a union did make a difference to all the given circumstances with the exception of health and safety and job protection; therefore, his union membership probably had made a difference to him while at work.

Overall, the answers indicate that the respondents did consider their union to be effective at firm A. For the vast majority being in a union did make a difference in each given circumstance. However, in comparison, when asked "do you feel that overall your union is effective at your workplace?" only 41% of the respondents replied that they did, 34% said that it was not and 24% were not sure.¹¹ This may have some bearing on whether the respondent was basing his/her answer on the workplace union itself or on the national union as a whole. The results were similar to those obtained to the question "do you think of your workplace union as different from the national union?" (see below). However, when examined closely only half of those who did not think their union was effective either did not view their workplace union differently from the national union or did not know if they did. In addition, 20% of those who did not view the two organisations differently were not sure whether their union was effective in the workplace. It could be argued that at least 17% of the sample may have based their assessment of how successful their union was in the workplace on the national union rather than their own organisation within the workplace, and this was a poor assessment. However, just over a third of those who thought that their union was effective also did not view their workplace union differently from the national union; therefore, if they also based their assessment on the national union they felt that it was effective. There was also no connection

¹⁰ Receipt of benefit may influence members' opinions. Fifty respondents had received some form of union benefit and four were having their claims processed. The majority of the claims were for a work related illness and judging by the comments on the questionnaires these were mainly for industrial deafness. Accident at work benefit was the second most commonly received. Seven respondents had received more than one type of benefit. (See appendix 6.) All those who had received accident benefit said that union membership made a difference if an accident should occur at work.

¹¹ The differences in the answers, probably reflect more about the respondents' perceptions than how effective the union actually was. There is a distinction between general questions such as "does being in a union make a difference in the case of ... ?" and specific questions which ask directly whether members feel that their union is effective. The specific question referred directly to the union's effectiveness (in the opinion of the respondent) while the more general questions were indirectly trying to establish whether the union at firm A could be described as effective, and therefore, as "powerful"; if members felt that being in a union did make a difference in the given circumstances it is an indication that their union was producing effects, even if they replied that their union was not effective overall in the workplace.

between those who had been represented by a union representative and how they rated their union in terms of overall effectiveness. A third of those who had been represented thought that their union was not effective overall in their workplace and just over a fifth were not sure. Almost half (49%) of those who were satisfied with their representation said that their union was effective in the workplace, a fifth were not sure, but over a quarter (29%) said that it was not. It could be that these respondents had been represented at another workplace; however, the most likely explanation for the difference of opinion is that members base their perceptions of how effective the union is upon the success that their own steward has with their workshop manager.

Despite just over a third of respondents saying that the union was not effective overall, the fact that the majority of respondents thought that union membership made a difference in all the given circumstances indicates that the union at firm A did have the ability to produce effects. If trade union power is defined as the union's capacity to defend and advance its members' interests by producing effects, that is, desired outcomes, the union could be described as "powerful"; members' interests were protected. In particular, the union helped members to retain their jobs. Being unfairly dismissed was endorsed by over 95% of respondents and when taken with the evidence that members were prepared "to put the buttons in" when a fellow member was dismissed (see previous chapter) suggests that the union at firm A was successful at keeping workers their jobs even if they had been "rightfully" dismissed by management.¹² Therefore, the union could also be seen as protecting the jobs of its members.¹³

It appears that satisfaction with individual union representation does not necessarily influence a member's perception of his/her union's effectiveness. However, union representation at work is usually in front of higher management and it is likely that members base their perceptions of how successful the union is upon the performance of their own stewards within their particular workshops. Nevertheless, it is probable that Fiorito et al (1988) were correct, that workers with negative attitudes towards unions tend to be less satisfied with their performance than other workers.

¹² One member had commented that he had been "represented at work for threat of sacking over time off"; he was satisfied with his representation.

¹³ However, job protection in this sense, that is, preventing a worker from losing his/her employment, may be looked upon differently by employees. They may consider that the job protection aspect of unionism refers to jobs as a whole; that is, saving those jobs that managers wish to axe altogether by making employees redundant and not replacing them with other workers. As Firm A was employing more employees at the time of the study, job protection in this sense was not a big issue.

9:5 *The management-union relationship*

The majority of respondents (62%) when asked “in general how would you describe relations between management and your union at your workplace?” replied that they were “quite good” and 2% said that they were “very good”. 21% of the sample thought that management/union relations were “not very good”, 7.5% that they were “not at all good” and 7.5% did not know. These results correspond with the stewards’ answers; 60% of the stewards who answered the questionnaire said that management/union relations were good and 40% that they were not. The similarity between the two sets of results may reflect the different relationships between the individual stewards and their shop managers, which would suggest that members see their steward as “the union” and base their perceptions of how well the union gets on with management on his communications with his shop manager rather than on the relationship of the union organisation within the workplace as a whole with management. This would indicate that how well their lay representative performed actually influenced their perceptions of management/ union relations.

One respondent who thought that the union/management relationship was “not at all good” added “too friendly”, which might suggest that to some members the relationship should be one of conflict rather than conciliation. It might also indicate that some members, as suggested by union representatives, do not appreciate the process that stewards have to go through to get them the best deal that they can. Indeed, it has been suggested that it is only the more active members who tend to appreciate the constraints on union influence and the significance of union achievements (Fiorito et al 1988); therefore, those members who do not involve themselves in union affairs would not understand the type of relationship that “the union” did have with management. A minority of members may have considered that their union representatives were actually “too close” to management; “too friendly” might suggest this and two other comments implied that this may have been the case:

“It is known that some union officials have received ‘perks’ from the company.”

“How can a union rep who has recently purchased a ex company car at a knock down price really represent the men on the shopfloor honestly.”

The company were selling many of their used cars, telephones and other accessories after they had upgraded their offices. These items were available to anyone to purchase and one of the senior stewards bought a car. In some respects, it could be argued that rather than judging their representatives on their union activities and effectiveness, these members judged them by things which had nothing to do with the union. However, while only a minority of members felt this way, this type of opinion could undermine a shopfloor representative; members who have firm ideas may influence other members and turn them against the steward’s suggestions. These types of members were termed “opinion leaders” by Batstone et al (1977) who also identified “grievers”; those members who frequently complained about union behaviour or sought to use the union for individualistic complaints. Firm A’s

members, then, were no exception to the rule with their different attitudes.

Over three quarters of respondents thought that their union/shop steward usually did a good job when negotiating with management over wage related issues.¹⁴ 82% of the sample said that their shop steward/convenor negotiated with management about work related problems and 15% did not know. 62% of those who had said that their representative negotiated with management were “satisfied in some ways but not in others” with the way that work related problems were dealt with, 20% were satisfied and 18% were dissatisfied. These results indicate that the majority of respondents were satisfied with their union representation, at least some of the time. Stewards, the main negotiators with management, (in many cases this may apply only to the convenor and the senior stewards), are better placed to judge how far they can take an issue, whereas members may expect that it should be taken all the way without any compromise. The less active members may not recognise any restrictions that negotiators have to work around and, therefore, do not appreciate the significance of union achievements (Fiorito et al 1988).

It might also be the case, as the MS convenor commented, that some issues brought by members are “trivial” and cannot be followed up in the way that they expect, which would leave disgruntled members dissatisfied at the way their problems had been treated. One member when asked “what kind of issues are raised by members with shop stewards at your workplace?” actually replied:

“Trivial problems regarding pay and work methods, but they are never ‘so trivial’ to the members.”

While this member had a valid point it could also be argued that if the stewards concentrated their time on issues that they considered trivial (and possibly personal, relating only to the individual member, such as not getting enough overtime) and knew that they could do nothing about, the more important issues would be left in pursuit of insignificant personal grievances. It might be the case that this member had at some time had his problem dismissed; he was also dissatisfied with the way that work related problems were sorted out. Many members may not even know when some problems occur, let alone if they have been sorted out, unless they affect them personally. The answers may reflect upon whether the respondents had based them upon their shop steward or the convenor as the question did not stipulate which one. However, it is likely that respondents based their replies upon their steward who was the person that they should have taken their problems to; some members had commented on the questionnaires, such as crossing out the term convenor and one added “the convenor leaves our department to sort itself out”. This again might indicate that members’ perceptions are influenced by their own shop steward’s performance in their own workshop, irrespective of whether the issue has to be taken

¹⁴ Just over half (55.5%) thought that they did a good job “sometimes” and just under a quarter (23.5%) had replied “yes”. Only 19% of the sample said that they did not think that the union did a good job negotiating about wage related issues. The two respondents who did not know had not been at the firm long enough to answer the question; as one commented, “haven’t been here long enough to see them at work”.

higher up the union hierarchy to the convenor.

The results indicate that the majority of the sample were generally satisfied with the representation that they received, if not all the time.¹⁵ Satisfaction with representation may depend upon the member's steward. Members may have been satisfied with how major issues were dealt with, for example, by the senior stewards, but not with how their own steward dealt with problems (possibly individual problems) in their workshop, which would explain why half the sample were only satisfied "sometimes" with their union representation. This is indicated by a respondent's comment: he had answered "no" and "sometimes" to the question and added at the side "three reps available"; which suggests that he might be satisfied, at least sometimes, with the representation by one or two of his stewards but not the other. Some stewards may be seen as successful and others may not be, which may reflect upon the individual steward's personality and style of working and leads to the argument that these are the essential ingredients for successful unionism in the workplace. If members were not satisfied with their union representation they were more likely to evaluate the union's success overall more negatively than those who were satisfied. It also appears that members base their perceptions of union/management relations upon their perceptions of their own stewards and a minority of members may judge their representatives, not on their union performance, but on their personal activities.

9:6 *Members' perceptions of their union representatives*

Respondents were given a list of various descriptions and asked "which of the following describes your workplace union representatives? Tick all which apply." There were separate answer boxes for the steward and the convenor. The results are shown in table 7.¹⁶

The results show that over half of those who answered the question regarded both their steward and convenor as "easy to approach" and "willing to help". The fact that more described their steward as such may reflect the fact that members should have contacted their steward with any problems. Just over a third of respondents described

¹⁵ Only 11% of respondents were not satisfied with the union representation at their workplace and 2.5% were not sure. Half of the sample were "sometimes" satisfied and 35% said that they were satisfied with their union representation.

¹⁶ Some respondents had answered for either the steward or the convenor rather than both, which might indicate that they only had contact with one of them, usually this would be the steward. However, it may mean that they did not think very highly of the one that they had not responded to. The answers that only referred to the convenor suggest that the respondent did not think highly of the steward, who was the person who should have been approached by members. In addition some respondents had only indicated one description for each representative, which could be the only way that they would describe them, but they may also have misunderstood the question and chosen only one description rather than all those that applied. Three respondents failed to answer the question.

their steward and convenor as “readily available”. This may be understandable in the case of the convenor who may have worked in a different shop to the respondent but there was a steward available in each workshop and it was always arranged so that workers on different shifts had access to a steward if necessary. If the steward is not readily available, cases where a grievance might cause immediate problems could result in members taking the situation into their own hands before any potential union “power” is undermined.¹⁷

More respondents described the convenor as “knowledgeable” and “dedicated” than their steward, which may reflect upon the convenor’s position. As the main union representative or “leader” in the factory it might be expected that the convenor would be more knowledgeable than the stewards; this was also found from the results of the stewards’ questionnaires. Only a minority of respondents described either their steward or convenor as “an individual problem solver” or as “a leader of a collective approach to problems”. The answers, while in a minority, reflect the findings from the stewards themselves; more respondents described the convenor as “a leader of a collective approach to problems” than their steward, which reflected the convenor’s own views. However, this could be because “big issues” which might have involved a whole workshop, or even the whole factory, were passed to the convenor, who, if necessary, involved all those affected in the decision making process. Only one in ten respondents thought their representatives gave out advice and sorted out problems unrelated to work. This may also reflect upon the steward; only one out of the ten stewards who returned the questionnaire mentioned problems that were unrelated to work as grievances which his members brought to him.

The results may reflect upon the extent of members’ contact with their representatives; some members may never contact their steward, even if they have a problem. When asked “if you have a work related problem of any kind who are you most likely to go to?” a small minority (9%) said that they would go to a workmate, no one, someone other than those in the given list or they did not know. The majority of the sample (52%) would have gone to their supervisor/foreman, which was the correct procedure, 4% would have seen management, 15% would have gone to their convenor and 19% to their shop steward. If those who would have gone to either their supervisor or management got a satisfactory result then there would have been no need to follow the grievance further by taking it to the steward. However, because over half the sample described their representatives as “easy to approach” and “willing to help” this explanation is weak as half the respondents must have had some contact with their representatives to describe them as such. Nevertheless, it appears that members who had been represented by a union representative were more likely to describe them in more than one way, maybe because they had had first hand experience of their representative(s) at work; use of the services on offer enables the user to evaluate their worth more fully than if the services had not been used. It might not be until a major

¹⁷ For example, by other members operating a machine that had been condemned by one group. If another member was prepared to work the machine, then, any potential “power” to have the situation put right would be lost.

Table 7.

Members' descriptions of workplace representatives

DESCRIPTION	Shop Steward	Convenor
Easy to approach	67%	58%
Readily available	39%	38%
Willing to help	60%	54%
Knowledgeable	28%	38%
Dedicated	18%	32%
An individual problem solver	11%	12%
Gives advice and sorts out problems unrelated to work	11%	9.5%
A leader of a collective approach to problems	10%	17%

problem affects an individual member, for example, threatened dismissal, that they actually realise the beneficial effect that their representatives can have upon their position.

When the results are examined closely just over half the respondents who viewed the convenor in a particular way had been represented by a union representative.¹⁸ The answers concerning the stewards were similar, though only in the case of "knowledgeable" and "willing to help" had half of those who described the steward as such been represented, for the other descriptions those who had been represented made up just under half of those who viewed their steward in that way. Once a member has had first hand experience of union representation they may evaluate their representative differently to those who have not had to resort to the union for help. This may reflect upon the person who actually represented them, if it was in front of higher management it would have been the convenor possibly accompanied by the relevant steward and the senior stewards. Those who had been represented by a union representative did not necessarily describe both the convenor and their steward in the same way; for example, only one of the eight who had described the convenor as "an individual problem solver" described the steward as one, whereas another five who had been represented described their steward as such and not the convenor. This suggests that these members took their individual problems to their steward.

¹⁸ For example, out of the 63 respondents who described the convenor as "willing to help", 34 had been represented; of the 14 who described him as "an individual problem solver", 8 had been represented; of the 37 who said he was dedicated, 20 had been represented; 25 of the 44 who said he was knowledgeable had been represented; and out of the 11 who described him as giving advice unrelated to work, 7 had been represented.

However, the fact that 15% of respondents said that if they had a problem they would go to the convenor might indicate that these members found the convenor to be more effective than their own steward. Indeed, 61% of those who had said that they would go to the convenor had been represented at work, suggesting that they might have been represented by the convenor and preferred to take any other problems they might have to him.

If the union representatives are not seen as leaders of a collective approach to problem solving it could undermine the union's position within the firm. If the theory that a collective approach to problem solving, that is, involving all those concerned in the decision making process, encourages participation in the union at workplace level and, therefore, gains the union more concessions (Fosh and Cohen 1990, Fosh 1993) is correct, then, members' perceptions of their representatives would lead one to believe that the union at firm A was not as effective as it could be. However, the fact that only a minority of respondents described their representatives as individual problem solvers might also suggest that if they did not solve individual problems they may have solved collective ones. It may be a matter of interpretation of the meanings. Members may not consciously view their representatives as either individual problem solvers or as leaders of a collective approach to problem solving, especially if they take the stewards' work for granted (see previous chapter): some members may only think of "the union" when a problem arises.

A collective approach to problem solving means involving all those concerned in the decision making process. When asked "does your union representative generally decide him/herself what action should be taken over any complaint, grievance or problem or is this decided by the majority of members?" only a fifth of the sample said that the union representative decided. 41% said that it depended on the problem and 29% said that the majority of members decided. This result coincides with the answers from the stewards; members were only kept informed of the issues that affected them personally and were consulted on all deals with management before they were accepted or rejected. However, they were not necessarily informed about issues which did not affect them, that is issues which may have affected one workshop but not another, only those concerned were consulted. While each workshop may have operated differently, depending on the steward, the answers indicate that depending on the problem the members did decide what action was to be taken; 70% of the sample endorsed this. Therefore, it could be argued that despite the union representatives not being described as leaders of a collective approach to problem solving, a collective approach was taken at firm A by the union; that is, all those concerned were involved in the decision making process, and it could be argued that it was this collective approach which usually secured them their goal.

Those members who said that the union representative decided upon the action to be taken might have belonged to a workshop where the steward did not consult his members. Alternatively, the steward may have tried to make his members see things

from his point of view and they interpreted this as him making the decisions.¹⁹ Indeed, one respondent commented “what he’s decided then go to the vote”. While the respondent interpreted this as the representative deciding upon the appropriate action, he had also indicated that members actually voted on whether to take it or not, which suggests that members were involved in the decision making process even if it was only the final decision. Two members who had replied that “it depends on the problem” made further comments; “but the rep generally directs you into what direction he would like you to go”, and, “union rep advises a lot”. These are fair comments and imply that the union representatives tried to direct the workforce into their way of thinking. A union representative’s job is to advise and represent the workforce, at the same time realising how far they can take an issue with management; therefore, the representative puts forward the options that he sees as reasonable for the workforce to vote on. If a vote is taken, the members have their chance to show either their support or their objections to the steward’s proposals; therefore, the system cannot be described as unfair. One respondent described the situation as such:

“At a local level, decisions seem to be made by shop stewards / convenor then put to the shopfloor. I think the shopfloor should be approached before decisions are made as a greater pool of opinion and thinking could only help the debate or direction of the union.”

This suggests that this worker felt that the opinions of the shopfloor were not taken into account by the representatives and, yet, the stewards are elected by the members to represent their opinions. Another respondent had commented that the only reason he was dissatisfied with the union representation at firm A was because the convenor “seems to assume what workers require rather than ask”, suggesting that he too would have liked members to have been consulted before decisions were made and taken to the vote. However, if this was the only reason why he was dissatisfied, it indicates that he may actually have been satisfied with the outcomes of certain negotiations with management. Other comments made by members about their representatives suggest that it was a case of the individual stewards and their ways of working:

“When my work area does have a shop steward he usually struggles with talking to management, basically because he has a total background on the shopfloor.”

This indicates two things; that the steward had not yet developed his style of approach towards management and that the member saw his steward as part of the shopfloor rather than as part of management. All the stewards at firm A had a background on the shopfloor and all worked alongside their members. Another member had commented, “senior union reps lack understanding of the work many employees they represent are involved in”. It could be the case that some members, albeit a minority, associate their senior representatives with management rather than the shopfloor and, therefore, they feel that they are not represented properly. Nevertheless, as the previous chapter highlighted, once in a senior steward’s position a person begins to recognise problems not only from the workers’ point of view but also from management’s. How they put this across to their members is crucial, because if they give the impression that they are

¹⁹ Half the stewards felt that they could not get their members to do what they believed was right as each member had his/her own opinions.

taking management's side members will not appreciate that their stewards are working for them but are restrained by certain managerial problems.²⁰ It has been argued that those in a position to appreciate how far an issue can be taken with management tend to evaluate union success more positively than those who are not (Fiorito et al 1988) and this does appear to be the case.

Other comments included:

"The shop steward uses his position to benefit himself."

"Only interested in problems related to themselves."

"Doesn't really want to know."

"Hard to find."

"The shop steward is unknowledgeable and a complete idiot and not fit to represent himself never mind anyone else."

Another member had written "no comment" against the list of descriptions for the shop steward. These comments were only from a minority of members who perhaps expected something more from their stewards. However, it may have been the case that all these respondents were referring to the same steward, which would reflect badly on him as a representative. Indeed, the convenor had commented that some stewards used their position as a way of gaining promotion. Another respondent had written at the side of "dedicated" for his steward, "to the union no!", which suggests that he saw his steward as being dedicated to something else, perhaps promotion. If members base their perceptions of how successful their union is on their own experiences with their steward, judging by the above comments a rather negative view would be expected from a small minority of members.

However, some members may not have given their backing to their representatives. One questionnaire stated:

"Union members' reps when approached will mostly say my hands are *tied* it is up to you."

This was probably meant as a criticism of the union representatives. However, after speaking to some of the stewards it became evident that this type of statement often meant "I can't do anything alone, it's up to you on the shopfloor to stand together and make your feelings known." So, "it's up to you", meant not that "you are on your own", but that if members stuck together they would have more chance of getting their own way. The comment from the ex-steward in the previous chapter, about members moaning about an issue but then not being prepared to back the steward as he went to see management confirms that some members would not follow up their grievances or expected the steward to be able to do it alone. Stewards can only be effective if they have (or are perceived as having) the full backing of their members. Some of the respondents' general comments actually pointed to the members themselves rather than

²⁰ Indeed, one member had said that his steward was willing to help but with a "don't rock the boat" attitude.

the stewards as the source of dissatisfaction among the workforce. A comment from a former shop steward sums this up in one:

“The convenor could be better, but this is only because he knows that he would not get the backing of $\frac{3}{4}$ of the members. The convenor can only, or any union body can only, be as good as the shopfloor. Having been a former shop steward I found this out myself.

Example:

You can get some members, if some one else is earning a £1.00 more than any one else, they will complain to management, not to get an extra £1.00 but to get their £1.00 deducted!

The trouble with a lot of people is ‘I’m OK Jack sod anyone else’. So how can a union steward etc. represent anyone like that?”

Stewards can only work on what the shopfloor give them to work with; support is essential. This member having been a shop steward was in an ideal position to be able to evaluate the steward’s and member’s role and in many respects he echoed what stewards from different workplaces had said; that their members were generally not interested until something affected them personally, and even then, some were not prepared to fight the case. Some members may consider that the steward is “the union”, that is, on his/her own, and that he/she should be “powerful” without their support. Nevertheless, it could be argued that if the steward had a style of working that determined membership interest and participation in workplace unionism, he should be able to instil in those members a sense of themselves as “the union” and ensure that he received their support when necessary.

The statement that a lot of people just think “I’m OK Jack sod anyone else” is also suggested by the fact that just over a quarter of the respondents (26%) said that they would be prepared to go against a majority vote in a ballot. As voting was usually carried out at firm A by a workplace secret ballot to prevent intimidation, the voting system could be considered to be democratic and, therefore, democratically minded members should abide by the result. If a quarter of respondents were prepared to undermine that vote, then, any union pressure could also be undermined. However, in the light of evidence that shows that members at firm A had been prepared to stick together, especially against working with non union members, it is likely that because the majority of respondents (58%) would not go against a majority vote, those who said they were prepared to, may not do so due to peer pressure. Nevertheless, it is possible that members in one workshop may vote differently to other workshops in a factory wide ballot and, therefore, the whole workshop may decide to go against the majority vote and stick together over an issue.

Despite not seeing their representatives as leaders of a collective approach to problem solving, it appears that when problems did occur the affected members were involved in the decision making process; that is by a vote on the proposals put forward by the stewards. Therefore, it could be argued that a collective approach to problem

solving was taken at firm A. Nevertheless, this may have depended upon the individual representatives and their ways of working: a fifth of members said that their steward decided upon any action to be taken. However, some members' perceptions may have distorted this, as it appears that even though members did vote on the options that they might take, they resented the fact that their representatives put forward the proposals without prior consultation.

Some members may take the work of their representatives for granted and expect that the steward should be "powerful" without their backing. Therefore, rather than seeing the shopfloor as "the union" some members actually think their representative is "the union" and omit themselves from the picture. However, with a style of working that determines membership participation in workplace unionism, a steward should be able to alter members' perceptions so that they see themselves as part of "the union".

9:7 *The union - shopfloor unit or national organisation?*

Fewer members (in terms of percentages) viewed their workplace union as a separate entity from the national union than the stewards. 42% of respondents thought of their workplace union as different from the national union and 23% did not know. This could be because the stewards were the ones who were actually carrying out duties on behalf of their members as "the union". Members take their grievances to their steward but do not necessarily have to take further action. The stewards were also invited to attend more meetings arranged by the national side than members and had more opportunity to meet their FTO, which would give them a different view of the "external" union to that that members may have had. While the majority of respondents did think of their workplace union differently from their national union, because over half either did not or did not know, no firm conclusion can be made on this issue from the results of this question alone.

However, when asked "for you personally, where would you say most union activity takes place?" 60.5% of the sample said the workplace. This suggests that for the majority of members "the union" was in the workplace. In fact, one member had written against the question, "the union is the men/women not the officials", so for him "the union" was the shopfloor and not the national organisation. Another appeared to condemn his national leaders:

"I have been a trade union member all my working life and in no way do I wish to condemn any union, but I think the top members of the union are out of touch with how the shopfloor people are being treated, in both conditions and threats such as 'do it or we can get someone who can'."

This comment corresponds with the conclusions from the previous two chapters that the national organisation is out of touch with the realities of the shopfloor. Only 9%

said that most union activity for them took place at national level and 10% said the branch. Just under a fifth of respondents did not know where most union activity for them took place, which suggests that they were not involved with their union whether at work or outside the workplace.

Nevertheless, two thirds of the sample felt that being in a union was a necessary part of their working life, which was slightly less than those who said that workers needed trade unions to protect their interests (87%). This may indicate that for a fifth of the sample union membership was for self interested reasons; they did not consider the union to be an essential part of their working life but used it to protect their own personal interests. Rentoul (1989) also found that according to his interviewees "trade unions were useful for what you could get out of them." Only 15% said that the union was not an essential part of their working life and 16% were not sure. As a proportion of their age groups, slightly more respondents from the 21-30 age group were not sure whether the union was an essential part of their working life than the other age groups. This might be expected as this group would have been members for a shorter period of time than their older counterparts. However, many more respondents from the 31-40 and over 50 age groups said that the union was not an essential part of their working life. Therefore, it could be argued that unionism has not diminished as an integral part of the workplace for those workers who had only been employed since the Conservative reforms were introduced to try and overcome collectivism. Where unionism was not seen as essential to the working environment it was mainly by those who had been members before any reforms were introduced.

It appears that the majority of members do not participate in union activities outside the workplace. The majority of respondents (91%) never attended a branch meeting. However, it could be argued that the convenor took the onus off members by taking all their claims forms into the relevant branch himself. Nevertheless, it was rare that a member had a claim form to deliver to his/her branch; therefore, their attendance would not necessarily have increased if they had had to do this themselves. The fact that the majority of respondents did not attend their branch may also indicate that the union body at firm A actually fulfilled the role of the branch by answering member's queries and sorting out any problems which should have been taken there. One respondent did reply "when I was shop steward I used to attend regularly, but have not attended since", he may have found it useful to attend as a steward, possibly for information on behalf of his members, but as a rank and file member did not feel the need to attend. Therefore, it could be argued that most members must have been satisfied with how their queries were answered if they did not find it necessary to attend their branch. However, some members may not have known where their branch was, let alone when it was held; two respondents had commented that they received no notification of when they occurred, although whether they would attend if they knew is another question. All members were notified of which branch they were in and when they were held as soon as they were accepted as a member; therefore, it is possible that these members had been informed of their branch but through nonattendance had forgotten when they took place, which was a set day each month. A member who had

said that for him most union activity took place at the branch had commented “where ever union activities take place we on the shopfloor are the last to know.” He echoed the feelings of the MS convenor that members tend to be the last to know about many things that were happening within their own union nationally.

Only 5% of the sample said they attended a branch meeting “whenever possible” and 4% sometimes attended. However, only one of these respondents had replied that the branch was the place where most union activity took place; therefore, the other members who had said that the branch was the unit of most union activity did not even attend. The only explanation must be that some members do not participate at all in their union whether at work or not and these members must presume that the hive of union activity is at the branch (which it used to be according to retired and older union members) or with the national union. This may also account for the fact that nearly a quarter (23.5%) of the sample did not know whether they thought of their workplace union differently from their national union or not. These members may not particularly think about the union at all other than when they need to make a claim, for example, for an accident at work, and even then, some members have to be told that they should do so.

The claim by the AEEU that trade union membership is a cheap form of insurance, even for accident benefit alone, was only endorsed by 28% of the sample, 20% did not know and half disagreed. As insurance is taken out as a protection against problems it might have been thought that members would agree with this claim especially as many of them thought that protection was an important reason for membership. Half of those who agreed that unions were a cheap form of insurance had received some form of union benefit themselves; however, only a third of those who had received some form of benefit described unions this way. Members may not think of their union as an insurance agency, and especially if they associate “the union” with the workplace; examples from union journals of members who had used their own solicitors at tremendous cost to themselves indicates that some members may not realise all the benefits that are on offer and if they do not read union information they will be none the wiser unless told by their representatives. Alternatively, members may consider membership as a form of insurance, but not as a cheap one; “we pay £1.65 per week and I think we are not getting value for money, as our wages, as with the standard of living, are not all going up at all in line with inflation. The top union leaders are not getting us any wage rises as they were 20 years ago”. This statement was from a disgruntled member, obviously complaining about wage rises, but his comment suggests that the amount members pay per week was not considered cheap.²¹

With branch attendance so low, members seeking information would have had to contact their representative or read the union notice boards as regular union meetings were not held at firm A. They were only held when there was an issue to discuss and

²¹ This comment also indicates that the respondent viewed his national union leaders as the ones who influenced wage increases rather than the workplace representatives. Judging from his statement he thought that trade union power had been reduced over the last twenty years.

90% of the sample attended these “whenever possible” and 7% “sometimes” attended. Those who sometimes attended were probably interested in personal gain rather than working as a collective; all their replies to when this was to do with the annual wage negotiations. But, as the vast majority of respondents said that they attended meetings whenever they could; it might be argued that union members at firm A were interested in what their union was trying to do for them and in having their say in the decision making process.

When the results presented in this section are taken as a whole, it could be argued that for at least 60% of the sample “the union” was considered to be the workplace organisation, even though a third of respondents did not think of it differently from their national organisation. As most of the sample never attended a branch meeting, it could be argued that their only contact with “the union” was with their workplace representatives and possibly through reading the union journals. Even when members received voting papers, for their general secretary, for example, many took them to work and asked the advice of their representatives before filling them in. This indicates two things; that postal ballots do not necessarily lead to members voting without being influenced by other members and that the nearest many members will get to unionism is in the workplace. It can be concluded that “the union” is in the workplace rather than at national headquarters, at least for the majority of members. Even those who may be a member solely for personal gain still use their lay representatives as their major source of information, for example, on how to make a claim.

9:8 *Industrial action*

The majority of respondents (70%) felt that the recent changes in the law had had an effect upon the forms of industrial action taken at firm A. 14% said that the law had had no effect on the forms of industrial action taken and 15% did not know. One respondent had gone even further and added: “prior to the last fifteen years any questions could be answered with a tick”, and another, who had ticked all the forms of pressure taken, had added “before 1982”, indicating that they felt the legislation had had a devastating affect upon union action.²² This could reflect upon the workers in different workshops; those in one workshop may have been prepared to act against a problem whereas those in another may not. The answers to “what forms of pressure, if any, have been used in disputes with management at your place of work, since you have been working there?” indicates that some workers had taken certain forms of action. A fifth of the sample had said that no forms of action had been taken since they had been working there. It is possible that some of these members had not been

²² It is possible that media attention on industrial disputes where employers had resorted to the law had shaped some members’ opinions about trade unions and the law generally rather than members basing their opinions on their own experiences within the workplace.

working for the firm for very long; at least one respondent had commented that he had “not worked for the company long enough to have seen such action”. The highest majority of respondents (67%) said that an overtime ban had taken place, which corresponds with the evidence from the stewards; a “voluntary” overtime ban was the most frequently used form of pressure at firm A. 33% said that strike action had taken place, 29% that a “work to rule” had been in operation, 11% that a go slow had been used and 28% said that threats to stop work had been issued. These varied numbers indicate that members may have taken action in their own workshops, which did not affect the rest of the factory, with the exception of the overtime ban, which was generally used as a factory wide form of pressure.

It is possible that workers do not always associate their actions as industrial action as such; for example, overtime bans, a work to rule and even a go slow campaign, may not be considered as doing anything contrary to “the law”; the workers are still working even if it is not as efficiently as they normally would. They just see themselves as protesting against a perceived injustice. Industrial action tends to be associated with “all out strikes”, even short stoppages of work were not perceived as strike action (see below). Therefore, the fact that the majority of respondents thought that the law had had an effect on the forms of industrial action taken may not have included their usual ways of objecting to something.

Compared to the 28% who had said that threats to stop work had been issued, only 18% of the sample thought that “a threat to walk off the shopfloor was **usually** sufficient to make management concede to their demands”. 23% did not know if threats were sufficient, but the majority of respondents (51%) said that they were not, which corresponds with the stewards’ answers. This may also reflect upon the different workshops, the different stewards and their relationships with their shop managers. A threat issued in an individual workshop may not have carried as much weight with the shop manager as a threat issued by the convenor to higher management who may not have wished to risk having production interrupted. If a steward knew he would get no satisfaction from his shop manager he may have taken the issue straight to the convenor, who some of the stewards regarded as “having power over management”. In this respect some of the stewards were similar to their members; that is, they regarded the convenor himself as “powerful” rather than seeing the source of his “power” as being “the union”, that is, the cohesion of all the members on the shopfloor.

The styles of working of the stewards may also have determined whether a threat to stop work was sufficient to make management concede to their demands. The convenor had become experienced in his role and confidently told management that “the lads will be out” arguing the point until a compromise had been reached. An element of bluff may have been involved in the convenor’s threats but his confidence

ensured that management believed that his members were prepared to back him.²³ An individual steward may not have been so confident with his shop manager, who may have dismissed any threat. It could also be argued that shop managers were in a better position than higher management to be able to determine the strength of feeling of the workforce within their own workshops. Nonetheless, if the convenor had been involved members' problems may have been solved but they may not have realised that a threat had been issued to higher management in order to secure them their goal, especially if previous threats to their shop manager had failed. One respondent had echoed the convenor's views that threats were sufficient to make management concede to workers' demands "as long as the demands were reasonable". This may be another difference between the convenor's and the stewards' styles of working; the convenor recognised that management would only concede to reasonable demands and would work on them until a compromise was reached which was suitable to his members as well as management, whereas some stewards may have expected management to concede to members' demands without any prior adjustments.

The use of different actions by different workshops might also be connected to the shop steward within those workshops. One respondent stated that "none of these actions are used because the union rep usually 'suggests' that it would not be good for the 'workers' to threaten the management with action". As the convenor had no qualms about telling management that "the lads will be out!", it can be assumed that the union rep in this statement referred to the member's shop steward. Therefore, according to the member the shop steward prevented any action (or threat of any action) taking place, which suggests that the members in this particular workshop might have been prepared to take action but their steward persuaded them not to. The fact that 71% of respondents said that if a serious problem should occur in the near future they would be prepared to take industrial action short of a strike confirms this suggestion. Only 2.5% said that they would not be prepared to take industrial action short of a strike. 45% said that they would be prepared to take strike action and 17% did not know, only 10% said they would not be prepared to take strike action.²⁴ But, it must be remembered that the term strike action may mean different things to different

²³ A former convenor from the milk marketing board was convinced that the element of bluff was the key to his success within his workplace. "The union" ran his workplace more than management, but he knew that it was only his confidence in assuring management that if they did not do something no lorries would be taken out that achieved the union its goals; he knew that while the majority of his members would back him there were a few workers who would have been prepared to do as they had been told by management, which would have undermined any threat that work would not be done. Fortunately management believed that the workforce were behind the convenor and always conceded to his demands.

²⁴ However, the answers to this question, while showing that the majority of respondents would be prepared to take some form of industrial action if necessary, may also be marred; 19% of the sample did not answer the industrial action short of a strike section and 29% did not answer the strike section. This may be due to the fact that both sections were incorporated into the same question (see appendix 2 question 26) and these respondents had replied to either one or the other of the sections rather than both. Therefore, it could be the case that the 29% who had not replied to the strike section would be prepared to take industrial action short of a strike as they had indicated but not strike action, which would make the figure for those not prepared to take strike action 39% rather than 10% as indicated by the responses.

people. As the evidence presented in the previous chapter demonstrated that some members at firm A had stopped working until particular problems were corrected, there may be a difference in the way members perceived industrial action, especially strike action (see Batstone et al 1978). A short stoppage of work, for example, until a workmate has been reinstated, appears not be identified as strike or any other action by those involved; it is perhaps considered to be a normal part of the working day. One respondent had added to the question on forms of pressure: “stopped work when workplace cold. No heating in winter.” He had not indicated that strike action had been taken, suggesting that he did not classify this stoppage of work as a strike. “Striking is pointless as proved by the NUM, in my opinion”, stated another questionnaire. This indicates that this member associated a strike with an all out situation rather than just refusing to work until a problem had been solved.²⁵

Nevertheless, the answers reflect the strength of feeling among the sample of members from firm A. However, the question did not stipulate whether the correct balloting procedure would be taken before any action was taken. A similar question asked “would you be prepared to take immediate action without a ballot under any of the following circumstances?” and then gave a list of particular situations. However, the answers must be treated with caution; they do show how many respondents would have been prepared to take immediate action, but, not necessarily how many would not; the question had a category “can’t really say” which respondents ticked as an overall response to the question. Therefore, it is not clear whether those who ticked a particular category meant that they would not be prepared to take action for those that they did not indicate or whether they could not say that they would take action in those circumstances.

Just over a quarter (27%) of respondents said that they “could not really say” indicating that they might possibly be prepared to take some form of action. The number of respondents who said that they would be prepared to take action in particular circumstances is set out in table 8. Just over half the sample said that they would be prepared to take immediate action without a ballot over a health and safety problem and if those who could not really say, indicating that they might take action, are taken into account over three quarters of the respondents might have taken immediate action over a health and safety problem, which is backed up by the examples of various stoppages of work at firm A over complaints such as no heating in winter, doors that would not close properly and flooding in an eating area. 43% of the sample said that they would be prepared to take immediate action over the dismissal of a workmate and depending “on what he had done to bring about his dismissal”, a

²⁵ These results could have implications if a correctly organised ballot was to be conducted at firm A. Overtime bans had been supported by members and secured them their goals. However, the AEEU balloting rules stipulate that if an overtime ban is to be implemented members must vote yes to two questions - that they are prepared to take action short of a strike and strike action.

Table 8.

The number of respondents who said that they would be prepared to take immediate action under certain circumstances

<u>Circumstances</u>	<u>Yes</u>
A Health and Safety Problem	53%
The dismissal of a workmate	43%
A pay dispute	35%
Changed working conditions	34.5%
To ensure that all workers doing the same job get equal treatment	36%

few other members might also support a dismissed fellow worker;²⁶ this reason might also apply to those who could not really say if they would take action or not. Therefore, at least three quarters of the sample might have been prepared to take immediate action over the dismissal of a workmate. Coupled with the 27% who might take action, at least half of the respondents might have been prepared to take immediate action without a ballot in the other given circumstances. Other reasons over which some members may have taken immediate action included changing shift patterns without prior notice, workers using machines without proper training, bad management and victimisation.

It could be argued that for at least half the sample of members at firm A, and in some circumstances as many as three quarters, the legislation would not deter them from taking some form of industrial action, despite the feelings of almost three quarters of them that the law had had an effect on the forms of industrial action taken at their workplace. They may have felt that because their shop steward argued against taking action the legislation had had an effect. However, in cases where immediate action was the only solution, refusal to work normally until the problem was rectified may have happened without a thought for the law or that their actions could be classed as industrial action. The depth of feeling may have been so strong that the affected workers may not even have voted on whether to take action.

When asked "if a vote is taken at your workplace how is that vote **usually** carried out?" 79% of the sample agreed with the stewards that a workplace secret ballot was conducted. However, the rest of the respondents were divided, perhaps reflecting the different practices used by members in different workshops: 2% said that a show of hands was usually used; 4.2% said that a show of hands and a workplace ballot was

²⁶ These comments were made in the "other" section of the question. The respondents had not ticked "the dismissal of a workmate" box but had added that "depending on the circumstances" they would support him/her. Another respondent had added "unfair dismissal" to the other section.

used; 1% said a show of hands and a postal ballot was used; 1% said a workplace ballot and a postal ballot was used; and 2.5% did not know. These results indicate that some workshops may have voted on various issues more often than others. Those who said a postal ballot was used as well as another method were probably also thinking about their national union's voting system. However, interestingly, 9% of the sample said that a vote at their workplace was usually carried out by a postal ballot. Members at firm A had never voted by postal ballot on workplace issues; however, members had voted by this method for issues which involved the national union, such as voting for the new general secretary or for the changes to the rule book. Therefore, these members may have confused how they voted at work with voting for issues involving the national union (unless they were conscious of the legislation on balloting and answered the question accordingly).

Industrial action of one kind or another had been taken at firm A since 1987 and only workplace ballots had been held as opposed to postal ballots organised by the "external" union. Therefore, the legislation cannot have had such a large effect upon industrial action there. Maybe members are less likely to consider taking strike action (as indicated by the results) if it meant all out strike action rather than the short stoppages of work which do not appear to be defined by the workers at firm A as strikes.

9:9 *The legislation*

The majority of respondents (71%) thought that the recent changes in the law had had an effect on the way that negotiations were conducted between their workplace union and management. The remainder of the sample were divided between those who did not know and those who thought that the law had had no effect on management/union negotiations. As the members did not negotiate themselves with management, (unless they took a problem to their supervisor/foreman or management), and as the majority of stewards also thought that the law had altered the way that management/union negotiations were conducted, it is possible that different shop managers reacted differently to the workforce and their steward's requests. Therefore, it is possible that the law had had an effect upon negotiations between individual stewards and shop managers, whereas the senior negotiators found that the law had had no effect upon their negotiations with higher management. This would suggest that members base their perceptions of "the union" on their own shop steward rather than on the outcomes of negotiations between higher management and the senior stewards.

At least one of the respondents was conscious of the legislation even though he had made the common mistake of confusing the civil with the criminal law; referring to the forms of pressure indicated in question 24 (see appendix 2) he commented "I think all the above are now illegal until registered a 'failure to agree'!"²⁷ and after question 27 "again I think any of the above actions would be illegal nowadays." This is a common

²⁷ Even this could be interpreted as a distorted view of the law.

misconception. When asked to indicate whether they thought a list of statements were true or false, the majority of respondents thought that it was a criminal offence for industrial action to be organised without first holding a secret ballot. (See table 9.) Welch (1993) had found that a significant number of lay officers also believed this and he commented that “[t]his belief was and is even more likely to be held by the passive union members who will be aware that there are laws requiring strike ballots but not understand the ways in which the relevant rules operate.” (p239). It could be argued that firm A members realised that a secret ballot should be held before industrial action was taken; however, they may have viewed their workplace secret ballots as sufficient to cover these rules. Only 49% knew that the organisation of a postal ballot protects the national union from legal liability if a strike is called in support of a pay claim, though slightly more knew that organising industrial action short of a strike without a postal ballot could involve their national union incurring legal liability. However, if members do not associate their methods of protesting, such as overtime bans and short stoppages of work, as industrial action they would not consider this when taking such action. As with the stewards, it is perhaps a good sign that at least over half of the members knew that postal ballots do not protect strikers from dismissal.

It could be disastrous for members taking action such as a “work to rule”, which 28% said that they had taken at firm A, because the majority of members wrongly thought that their employer had no right to dismiss them for taking industrial action based on “working to contract”. Only a fifth of the sample knew that this was false and as fewer than half the stewards also knew this, members at firm A could find that they are walking on thin ice, if the management there wanted to exercise its rights (see also Welch 1993). But, it appears that at firm A this type of action had secured the workers their goals, perhaps because management were aware of the competitive nature of their industry and did not want to jeopardise their order books. This could be taken as an indication that the legislation aimed at giving employers more incentive to stand up to trade unions had not had any real effect at firm A.

Half the sample were aware that a trade union member can obtain a court order to stop a union from taking industrial action without a properly conducted ballot. As one of the aims of the legislation was to try and weaken trade union “power” from within its own organisations by empowering union members to challenge their own union’s decisions, this result could be considered a poor one. If only half of union members know their rights against their union, the legislation could be said to have failed in its aim to encourage members to keep their own unions in check. However, it could be argued that those members who do know their rights could be the ones who would challenge their union if they felt that they were doing something “undemocratic”. On the other hand, those members who are most likely to keep themselves informed of everything relevant to their union are usually the ones who are most active within the union and, therefore, are the ones most likely to stick by their union rather than condemn it.²⁸

²⁸ These activists are also more likely to condemn their national organisation rather than the shopfloor organisation.

Table 9. Members' awareness of the legislation

<u>Statements</u>	<u>True</u>	<u>False</u>	<u>Don't Know</u>
It is a criminal offence for industrial action to be organised without first holding a secret ballot.	87 (73.7%)	16 * (13.6%)	15 (12.7%)
Postal ballots protect strikers from dismissal.	20 (16.9%)	68 * (57.6%)	30 (25.4%)
The organisation of a postal ballot protects the national union from legal liability if a strike is called in support of a pay claim.	58 * (49.2%)	13 (11%)	47 (39.8%)
The employer has no right to dismiss employees for taking industrial action based on "working to contract", such as an overtime ban.	71 (60.2%)	24 * (20.3%)	23 (19.5%)
Even with a majority vote in favour, striking in support of workers at another workplace is unlawful.	57 * (48.3%)	27 (22.9%)	34 (28.8%)
Organising industrial action short of a strike without a postal ballot could involve your national union incurring legal liability.	62 * (53.4%)	15 (12.9%)	39 (33.6%)
A trade union member can obtain a court order to stop a union from taking industrial action without a properly conducted ballot.	59 * (50%)	11 (9.3%)	48 (40.7%)
It is only lawful for a person to peacefully picket at or near his/her own place of work.	78 * (66.1%)	18 (15.3%)	22 (18.6%)
Each member of a trade union's executive committee can retain the post as long as they wish.	10 (8.5%)	69 * (58%)	39 (33.1%)
An employer must get an employee's written permission every three years before deducting union subscriptions from his/her wages.	46 * (39%)	40 (33.9%)	32 (27.1%)
A person can be rightfully dismissed because of his/her union membership.	8 (6.8%)	86 * (72.9%)	24 (20.3%)
When an employer makes a single union deal with a particular union, all union members in that workplace must be members of that union.	34 (28.8%)	52 * (44.1%)	32 (27.1%)

Members were asked to indicate whether they thought a list of statements were true or false. The answers are set out above. An asterisk against the result indicates the correct answer.

With regards to the legislation not related to industrial action, the highest majority of respondents correctly replied that a person cannot be dismissed because of his/her union membership and over half knew that members of a union's executive committee cannot retain the post as long as they wish. However, it might be disappointing for unions that members may not be aware of the legislation which may affect them directly in the workplace. Only 39% of the respondents knew that an employer must get an employee's written permission every three years before deducting union subscriptions from his/her wages. This result may indicate that some members do not pay any attention to things that they are signing; three quarters of the sample had said that they paid their subscriptions by check-off, and according to the convenor (who also insisted that all AEEU members at firm A were "on check-off") every member except one re-signed the check-off forms; therefore, almost half of the check-off paying members could not have realised what they were signing. In addition, members cannot read their union journals very closely, if at all. In the months leading up to the final date for the check-off forms to be signed, every union journal was constantly reminding its members about the need to re-sign and the benefits of union membership. Less than half the sample knew that if an employer makes a single union deal with a particular union, that union members do not necessarily have to be members of that union. This in itself could have disastrous results for those unions who have members in a workplace but are not party to any deal. If members feel that they have to join the recognised union the other unions will lose out. Members could lose out too, especially if they leave a union which offers them better "insurance", benefits and even workplace representation than the one which they may decide to join.²⁹ Indeed, non-recognised unions may still play an important part in resolving disputes at some workplaces (for example, Millward et al 1992).

It appears that the law as far as trade unions are concerned is not a universally known thing among those it may affect; i.e. union members. At least a quarter of members did not know the correct answers to two thirds of the questions and as many as a third of the respondents did not know a third. These figures could be even higher; it is possible that some respondents guessed at the correct answer rather than claiming that they did not know. Not one respondent knew all the correct answers and only four knew them all but two; three of these were confused by the criminal and civil law. This confusion could inhibit members taking action because of fear of the law. However, when asked "do you believe a trade union should comply with a court order to call off a strike?", only 31% said it should and 30% did not know, but a narrow majority (39%) said that it should not. This result indicates a difference of opinion among the respondents as to whether the law should be observed whether they understood it or not. Welch (1993) argued that his findings permitted "speculation that there may be circumstances where industrial action, not sanctioned by a secret ballot, will take place and continue, notwithstanding attempts to repudiate by the relevant union." (p239.) Evidence from firm A confirms this,

²⁹ Firm C was an example. AEEU members were joining the union which became party to a single union deal in one workshop, yet they had enjoyed better representation by the AEEU steward than the representative of the recognised union even though he had no negotiating rights within that workshop.

however, the action at this workplace tended to be short lived, usually gaining the union its goal, and had never reached the attention of the national organisation.

Nevertheless, the majority of the sample (73%) felt that the changes in the law had had an affect upon trade unions in general, only 9% said that they had not and 18% did not know. The fact that 18% of the sample did not have an opinion indicates that just under a fifth of union members may have no real interest in trade unions generally, perhaps with the exception of what they can get out of them (Rentoul 1989). Of those who thought the law had had an effect, 63% thought that it had had a negative effect and 32% a positive effect. However, as the convenor's answer to this question showed, respondents may have answered the question with a different focus in mind; one respondent who had said that the legislation had had a positive effect had also commented "for management" and another who had said that it had had a negative effect had commented "mainly". Another respondent thought that the law had had a negative effect on trade unions in general, but had added at the end of the questionnaire: "the secret ballot system is better than a show of hands as some people are intimidated by militant workmates if a show of hands is asked for at a shopfloor meeting." This member may have been referring to the workplace secret ballots held at firm A, but it is also an indication that the balloting procedures have been accepted as democratic by some union members.

9:10 *Trade union power*

Despite the fact that only two fifths of the sample positively viewed their union as effective at firm A when other answers are taken into consideration, such as whether being in a union made a difference in a number of probable circumstances, it appears that for the majority of respondents the union did have the capacity to produce effects. If trade union power is defined as the union's capacity to defend and advance its members' interests, the union at firm A could be described as powerful. It was certainly the workplace organisation which had the ability to achieve desired goals in the workplace; the outside union had only been called in once since 1987 and even then it was the main workplace representative rather than the FTO who secured the desired outcome. Therefore, the workplace organisation could be described as "powerful".

Nevertheless, when asked "do you think your union at your workplace has too much or too little power?" only 23.5% said that it had "about the right amount" and one respondent thought it had "far too much" power. Like the stewards, the majority of respondents thought that their workplace union did not have enough power; 57% said it had "too little" and 17% thought it had "far too little". The evidence portrays the union at firm A as fairly confident about getting its own way "as long as its demands are reasonable" and compared to other workplaces the union organisation there could have been described as having a certain amount of "power". Therefore, the results suggest that members may expect more from their union. Members may take for granted the work of their representatives and the concessions that they gain; it is

accepted that “the union” can and does do certain things and therefore, members expect it to do more. In addition, some members may expect problems to be sorted out without their backing, which would undermine any potential union power and leave the representative isolated; members may make the mistake of presuming that the steward is in a “powerful” position without their support. A steward can only be as “powerful” as his/her members allow him/her to be; that is, if he/she does not have the support of his/her members any potential capacity to achieve a desired outcome could be lost. This is confirmed by some of the comments from former stewards who argued that some members complained but disappeared as soon as their support was needed. A member’s comment also suggests this could be the case:

“I am very disappointed with the way the union power has been cut by the government. It is very apparent when you approach a shop steward nowadays how powerless they seem to be and this, at times, can be very disheartening. The management seem almost blasé when the union approach them sometimes.”

This member displayed a fairly positive attitude towards “the union” at firm A and would have been prepared to take industrial action if the need arose. However, he was not sure if the union was effective in the workplace and described it as having “too little” power and judging by the above comment he blamed the Conservatives for this. Nevertheless, he spoke as though the steward himself should be “powerful”, rather than the steward being the leader of a workgroup, which, by its solidarity, might become a powerful group. This is also an indication that some members may see the steward as “the union”, rather than including themselves in that description. Members at firm A were not an exception to the rule. Other studies had found that members invariably acted this way. Batstone and his colleagues (1977) concluded that the “extent to which stewards can act as leaders is influenced by their members” (p99) and he/she has no power unless he/she has membership support (see also Nichols and Armstrong 1976). However, past studies also add weight to the argument that if the steward has the correct leadership style, he/she will have more influence over his/her members in determining their participation and, therefore, the effectiveness of the union (see for example, McCarthy and Parker 1968, Beynon 1973, Batstone et al 1977, Fosh 1993).

The above comment also shows how some members may presume that the Conservative legislation had affected management/union relationships when the main negotiator, the MS convenor, felt that it had not. They based their perceptions on how well their own shop steward negotiated with their workshop manager, indicating that members do base their perceptions of the “power” of their union on how well their lay representative performs. Members’ perceptions may also have been shaped by the media, particularly tabloid accounts of the legislation and its effects upon trade unions, rather than by its actual effect in their workplace. Hutton (1996), in particular, noted how the focus of newspapers had narrowed to a “right-wing populism that pays scant attention to accuracy” (p9) and Rentoul (1989) illustrated “the effectiveness of the government’s propaganda” by the way that people hostile to the Conservatives actually used their slogans to claim that the unions had been “given back to their members”

(p89).

When asked about trade unions in the country as a whole, 2.5% of the sample thought they had “too much” power, and one of these respondents thought that unions had “far too much” power, 23% said that they had “the right amount”, 56% that they had “too little” and 11% thought that trade unions in the country as a whole had “far too little” power.³⁰ However, only half of those who thought that the union in their workplace had the “right amount” of power said that unions in the country as a whole did; 7% said that they had “too much”, 25% that they had “too little” and the rest did not know. This analysis indicates that for a minority of respondents their workplace union was seen as powerful when compared to trade unions in the country as a whole. However, 14.5% of those who said that their workplace union had “too little” power thought that unions in the country as a whole had the “right amount” or “far too much”, which suggests that another small group of respondents thought that compared to trade unions in general their workplace union was not powerful. One respondent, who thought that the recent changes in the law had had no effect on management/union relations or on the forms of industrial action taken at firm A, said that the workplace union had “far too little” power, yet for unions in general “some have too much [power and] others not enough”. Some respondents blamed the Conservatives for what they saw as loss of union power; “I think with the government of today there will eventually be no power in the unions. So let’s get out the Tories or suffer being put on even more” was a typical response. However, this type of comment suggests that the respondent’s perceptions of union power were based on a general picture of trade unions rather than on the workplace itself.

The essential thing when talking about “power” is how each individual interprets the concept. Even though, when asked specifically about union power, the majority of respondents did not perceive their union as powerful, when all the answers are taken into consideration the union organisation at firm A could be described as “powerful” according to the definition of power employed by the study. The fact that the majority of respondents thought that being in a union made a difference if an accident should occur at work indicates that the national union also had the capacity to produce effects and achieve the desired goal: compensation against the employer at no extra financial cost to the member.

However, members’ perceptions of the power of their union within the workplace appear to be influenced by the way that their own steward performed rather than on the outcomes of issues that had been taken higher up the union hierarchy to the convenor. Therefore, rather than

³⁰ Compared to previous surveys, (Stevens et al 1989, Millward 1990), many more respondents from firm A felt that unions had “too little power”. This could be an indication that trade union power is perceived as having been reduced even more over a five year period. However, the previous surveys also included non-union members who may have perceived trade unions differently to members.

members measuring the extent of their union's power by the level of success that they have in the workplace as a whole, the benchmark that they use tends to be the level of success that their steward has in their own workshop. The style of working of the lay representative then, is one of the main ingredients for successful unionism within each workshop; the leader's style determines the level of success that the separate shopfloor units have when dealing with their shop managers. However, while the personality and style of working of the lay representative are important in determining membership participation and interest in workplace unionism, the members themselves may to a certain degree determine how much "power" that representative displays; that is, by the level of support that they are prepared to give him/her. Following Fosh (1993), it could be argued that if a steward whose members were not prepared to support him/her altered his/her style of working he/she may be able to determine greater membership participation and, therefore, enhance his/her own level of success within the workshop.

9:11 *Conclusions*

It can be argued that for the majority of members "the union" is in the workplace rather than at national level. However, it appears that for some members when they speak of the union they refer to it as a whole rather than their workplace organisation, merging the two different strands of unionism together. Judging by a minority of comments, such as "the top union leaders are not getting us any wage rises as they were 20 years ago", the members who viewed the union as the national organisation considered it to be less "powerful" than it was some years ago. These members also seemed to be the ones who held definite views about trade union power in the country as a whole, and rather than basing their perceptions upon the workplace they tended to reflect their overall opinions onto the workplace organisation. In this respect the aims of the Conservative's could be seen as having had an effect upon some trade union members, albeit a minority, in that they accept that union power has been reduced rather than measuring it by the overall outcomes of situations at their own workplace. This could become a self-fulfilling prophecy, whereby members believe that union power has been reduced and therefore, they act accordingly and do nothing to help themselves. Indeed, a few members who viewed their union as the national organisation disagreed that workers needed unions to protect their interests and yet they thought that workers achieved their goals by sticking together. This suggests that they may not have had much respect for their national organisation (which they considered to be "the union") but felt that workers needed to stick together in the workplace to achieve their aims indicating that a workplace based organisation rather than a nationally based organisation was what they wanted.

It appears that the morale of union members may be connected to the perceived power of the union in the workplace. Those with negative views about unions in general

tended to rate the union at firm A in a similar fashion. And, while in a minority, these respondents also appeared to be unhappy in their general outlook towards their work situation:

“In my view this workforce has been broken into small easily managed groups (cells) which [management] can easily overpower on every issue. The union offers little resistance to this bullying leaving the members totally demoralised and wishing they worked somewhere else.”

It should be stressed that only a very small minority of respondents (about 7%) held negative views of the union and this may reflect more upon themselves than the union itself. For example, other studies have concluded that those members who hold negative views of unions in general tend to evaluate their own union in the same light (for example, Fiorito et al 1988). Workers employed at firm A who had also worked elsewhere commented that their present union did get them a better deal than the union organisations in other workplaces where they had been employed. Therefore, members may not realise how effective their own union is unless they are able to compare their own workplace with another. It has also been argued that participation in union affairs enhances satisfaction with the union (for example, Kuruvilla et al 1993, Fiorito et al 1988) and those members with negative views of unions in general are likely to be the ones that have very little contact with their representatives. Indeed, these also tended to be the members who only attended union meetings at the workplace when it was for the annual pay negotiations. This attitude suggests that these members are essentially individualistic in their outlook.

Virtually all the respondents could be described as individualistic when their reasons for membership are looked at. However, the vast majority of respondents also thought that the collectivist reasons for membership were important. Therefore, even though individualism may be a predominant trait for trade union members collectivism is also an essential part of that membership. This is not a new phenomenon; individualism has existed in British culture for possibly centuries (Kingdom 1992, Marquand 1988) and trade unionism first appeared as a defence of individualism (Phelps Brown 1983). Collectivism and individualism still seem to be working together in pursuit of the same goals; in the case of trade unions - the advancement and protection of all members' interests. Therefore, the national organisation of the AEEU may be moving in the wrong direction if it believes that “individualism now outweighs collectivism in what union members want”.³¹ This may be another indication that the national organisation is out of touch with the realities of the workplace. It can be argued that the aim to reduce trade union power by the promotion of individualism has failed. Largely because it was believed that individualism would lead to individual members being in competition with each other, the Conservatives misinterpreted the fact that collectivism appears to be the only way that some workers can achieve their aims, even if those aims are individualistic in nature. Rentoul's (1989) description of trade unions as “vehicles for collective selfishness” (p96) is an

³¹ Divisional Organisers Weekend School Pack 1995, “Future of the new Amalgamated Union.” AEEU.

apt way of putting it.

More importantly, those individuals who had only been employed since 1979 believed that the collective aspects of trade unionism were important, which suggests that the promotion of individualism had not reached those workers who were not union members before the Conservatives began their assault on trade unions. This may also have an important bearing upon the economic climate. The changes in employment conditions, in particular the large numbers of people who have been made redundant and the decline of the manufacturing industries, seem to have made workers more conscious of the need to safeguard their own jobs. It could be argued that the changes in the economic and employment climate in Britain has actually made workers more aware of the need for trade unions to protect their interests. Changing patterns of work, such as splitting the workforce into smaller units (or cells), rather than allowing management to “easily overpower” the workgroup, as suggested by one member, could permit the union to become stronger; cell working involves employees working together to achieve their “cell rates” rather than individuals working for “piece rates”. Therefore, competition between individuals should be at a minimum and members of a united cell, with a leader who has the right personality and style of working, might find that they are able to achieve their aims.

It can be argued that the style of working of the lay representative is one of the main ingredients for successful unionism in the workplace. How well each individual steward performs within his/her own workshop appears to influence members’ perceptions about the “power” of their union. It is the leader’s style of working that is essential in determining membership participation and interest in workplace unionism and, therefore, the level of success that they have when dealing with management. However, it appears that, at least at firm A, the style of working of the main union representative, that is, the MS convenor, was actually the most vital component ensuring the success of the union. The achievements of the union relied upon the support of the members, which at times was 100% among those who were affected, however, the style of the convenor was such that the union had the ability to achieve its desired goals purely because management believed that membership support would be forthcoming.

Despite the fact that the majority of members at firm A believed that the legislation had had an effect upon management/union relations and the forms of industrial action taken, the evidence points to the fact that the legislation had actually had little effect upon the union and the forms of action taken at firm A. Members were still prepared to take industrial action without a ballot over certain issues and it appears that many members, including stewards, did not necessarily define short immediate stoppages of work as strike action. Therefore, as far as the union organisation at firm A was concerned attempts to curb trade union power appear to have failed. However, even though the union at firm A could be described as “powerful”, the legislation, despite not being fully understood, may have influenced members’ opinions about the power of trade unions, at least when they were asked directly what they thought about trade

union power. The concept “power” appears to be interpreted as something more than the capacity to achieve effects. As Kirkbride (1985) suggested, it appears to be “a taken for granted” term in the industrial relations arena; those who use it rarely question its meaning. Though it does appear that the concept tends to be associated by some members with unions at a national level rather than as a capacity (to achieve effects) that members through their solidarity might possess.

The following chapter combines the findings presented in the last three chapters and presents the overall conclusions and implications about AEEU “power”.

"The union is the men/women not the officials" - union member

"I have no confidence in the officials running the union... Most of the union work is now done at works level. May as well have our own local union. In my opinion, most top union officials... see it as a job, with no real feeling for principles." - shop steward

10:1 *Introduction*

Using the evidence documented in the last three chapters this chapter presents the conclusions about the AEEU in Xtown and generally and relates them to the general issue of trade union power and the hypotheses presented at the end of chapter 5. Evidence from the case study (chapters 8 and 9) reinforced the conclusions made about the AEEU locally (chapter 7). The shopfloor organisation is the most important to the majority of members and the key to successful unionism within the workplace appears to be the main lay representative. The role of the national union may have changed, but where independent workplace organisations exist nothing much appears to have altered on the shopfloor.

10:2 *The shopfloor is "the union"*

There were three strands of unionism within the AEEU: the national organisation, the local unit and the shopfloor units. With the exception of the branch, the local unit has more or less disappeared after the rule book changes. However, even though it may only have acted as a go between for the shopfloor units and head office, its important function was the dissemination of information to shop stewards and sometimes this information might have been in addition to that that the national union was issuing to members. For example, the national union were asking members to vote "yes" for the proposals for the new rule book and informed them of the new benefits that the changes would yield. The local unit were advising members to vote "no" and telling them of the things that the proposed changes would abolish: these had not been mentioned by the national union.

Nevertheless, even though the local unit was an important information provider via shop stewards, the rank and file members had little or no direct contact with it. The union organisation within the workplace was the most important to the majority of members and for many it was the only union contact that they had. The politics of the workplace rather than the national union, or even the branch, was the main concern for most members and for the local stewards, who did recognise the national organisation as such, but considered that it was totally out of touch with members' concerns and the everyday realities that they encountered. Indeed, local stewards argued that the major benefit of unionism was protection; protection in the workplace and especially job protection. The shopfloor was the place where any bargaining power against the employer was displayed and at firm A that "power" had worked to the members' advantage. The national union only appeared useful to members at firm A for

compensation claims, such as for an accident at work or industrial deafness, though most members thought that benefits such as financial or health schemes were an important reason to join a union. It can still be said that “the officials are not part of these workers’ world” (Nichols and Armstrong, 1976, pp30-31).

Where a shopfloor organisation is well developed and works independently of its national body, fewer problems tend to escalate into major disputes, which is advantageous to everyone concerned. At workplaces where the shopfloor union was reliant upon its FTO to solve its problems, members appeared to be less united and their morale was much lower than members in workplaces with independent organisations. Firms M and B were examples. This suggests that the morale of union members is connected to the level of success that they perceive their union as having at their workplace. Former union members from firm M held very negative attitudes about unions in general and they related this to their experience of unionism at firm M; therefore, previous union experience can shape an individual’s perception of unions in general.

It was argued in chapter 7 that each shopfloor organisation has its own way of working. The findings from firm A suggest that this even extends to the different workshops within one organisation. It appears that the success each workshop has to a large extent reflects upon the personalities and styles of working of the lay representatives in charge. As Fosh (1993) argued, if the lay representative adopts a careful choice of leadership style he/she could encourage his/her members to become involved in workplace unionism and increase its potential to produce effects. Without a “leader” who can encourage this type of participation and support for workplace unionism, it appears that conceptions of unionism by members may become distorted; they view their steward as “the union” and make the mistake of assuming that he/she is “powerful”, that is, has the capacity to produce effects, without their support. This is not just characteristic of the 1990s. Researchers in the 1960s and 1970s reached similar conclusions (see for example, Nichols and Armstrong 1976). Members must be made to understand that any potential “union power” rests with them (as the union) and not the steward alone. A successful steward should have the ability to reinforce this message.

10:3 *The style of working of the main lay representative is one of the main ingredients for successful unionism in the workplace*

The findings do portray the union organisation as a whole at firm A as “powerful”, and it was the main lay representative - the MS convenor - who, by his style of working, had built up a reputation with management that tended to secure the union its goals. However, without the backing of the members (or the perceived backing of the members) many issues might not have been solved in the union’s favour; the management team believed that the shopfloor was behind their “leader” and did not want to take the risk of interrupted production. Very often agreements were reached before the shopfloor even got to know of the problem. As Martin et al (1991) said, the

best way of exerting bargaining power is through being perceived by management to possess that power rather than actually using it. This would also explain why members did not necessarily know that threats were issued to management, let alone if they worked; the style adopted by the convenor ensured that the union achieved the best possible deal for its members, usually without any action being taken.

However, when problems involved particular groups of members, they were consulted and kept informed of the proceedings and their agreement was sought before anything was settled with management. This indicates that, when necessary, a collective approach to problem solving was taken by the convenor and this may also have given management the impression that the shopfloor would back him. It has been argued that feelings of solidarity among members tend to be most common when issues that concern them are being discussed (Fosh 1993, Batstone et al 1977); therefore, when members are involved in the decision making process their unity may become apparent.

It could be argued that the management at firm A took a softer approach towards the union than managements at other workplaces.¹ However, the fact that the management had taken a firmer stance in the foundry after a change of convenor suggests that this was not so. The management could very well have seen an opportunity to assert its authority but it seems highly unlikely that this was the reason for the change in the relationship between the union and management in the foundry. The relationship between the same management and the two different union organisations within the same factory must have had something to do with the union representatives' personalities and styles of working; otherwise the two union organisations would not have been experiencing different attitudes from management. Even the foundry convenor recognised that in some instances if the machine shop convenor had not intervened on his behalf many issues would not have been solved to the satisfaction of the members.

It might be suggested that the foundry members were to blame by not showing their support for their "leader". However, as the examples in chapter 8 show, these workers had taken a united stance against management when they had a grievance, so they were prepared to take action. It was the CS convenor who did not want to pursue issues any further with management than he, himself, felt was necessary, and these issues were usually ones which he was under pressure from his members to sort out. It could be argued that he did not have enough confidence to raise an issue with management that he thought might involve a conflict situation. The example of the dismissed member who the MS convenor finally secured a settlement for (see pp 206-207) is a good illustration: the CS convenor did not wish to fight the member's case, whereas the conviction of the MS convenor that the union must stand up for all its members, regardless of the situation, led him to contest management's decision to

¹ Though it could be argued that the management at firm A recognised that it was to their advantage to have a union on site that was able to "control" its members and ensure that the workplace ran efficiently.

dismiss the member and eventually a satisfactory settlement was reached. The CS convenor lacked the confident manner which the MS convenor used when approaching management (even if he was calling their bluff); the representative must be perceived as “knowing what he/she is talking about” even if he/she does not. Management must have been aware of this, especially as they asked the MS convenor to intervene into situations where foundry members would not return to work. This is also an indication that management realised that the MS convenor could resolve disputes to everyone’s satisfaction. It can be argued that it was the different personalities of the two convenors and their different styles of working that influenced their own relationship and, in turn, the relationship of their separate union organisations with management. McCarthy’s (1966) suggestion that the degree to which management initiate discussion with union representatives depends upon their views as to the strength of the workers’ organisation and their personal relationships with the stewards involved appears to be still relevant at firm A.

The MS convenor’s style of working and negotiating with management had developed over time; guidance from his predecessor and practical experience had aided that development. Stewards may be able to develop a more suitable style of working which would encourage their members to participate in union affairs and, therefore, strengthen their own hand when dealing with their shop managers (taking the onus away from the convenor) through steward training courses. No amount of training can match experience when learning the best ways of dealing with certain people and problems, but training may help stewards to become aware of their own potential for leadership by adopting particular ways of working. This along with experience on the shopfloor itself may speed up the development process. The personality of a steward may influence his/her style of working, in particular being confident and portraying this to others appears to be one of the essential traits needed to carry out the role. The convenor of firm B referred to in the text did not appear confident with his dealings with management or his members and this may have added to his apparent lack of success within the workplace. Some personalities may adapt to the leadership role more easily than others, but if Fosh (1993) was correct, stewards who adopt a collectivist outlook to problem solving, that is relating issues to a shared situation of employment rather than treating them as individual grievances, will have a higher degree of support and, therefore, a higher success rate than those who do not encourage membership participation in solving problems. (See also, McCarthy and Parker 1968, Goodman and Whittingham 1969, Batstone et al 1977, Fosh and Cohen 1990, Hammer and Wazeter 1993.) This has implications for workplace union organisations everywhere.

The differences between the different workplace organisations of the AEEU was highlighted in chapter 7 and may largely have a direct bearing upon the personalities and ways of working of those concerned. If stewards could be encouraged to attend training courses, these differences may begin to recede. Indeed, now that the district shop stewards’ meetings have ceased, steward training courses may become more important in developing the stewards’ role: through the meetings stewards from

different workplaces were able to advise each other about the best ways of dealing with particular problems; therefore, stewards learnt from each other. Batstone et al (1977) contended that the contact that stewards had with each other supported the conception of the steward role. Unless local stewards meet unofficially, this will no longer happen and training courses may be the only way that stewards from different workplaces can learn from each other. Advice from FTOs was not always sufficient to deal with particular situations. Representatives from workplaces who had experienced similar predicaments were better placed to suggest solutions, which may have been unorthodox compared to the official advice but appeared to work. Therefore, stewards must have a means of contact with each other, especially if they wish to become/remain independent of their national body. In the present economic climate this contact may be even more essential as companies appear to be introducing more and more changes into their workplaces in order to assist their output and keep up with the competitive nature of their product market.

10:4 *The economic and employment climate*

The economic climate may have induced local firms to introduce new working practices, particularly because of the competitive nature of their industries. However, in the majority of local firms the AEEU workplace organisations had coped rather well with any changes ensuring that they were implemented to their members' advantage. The economic climate does not appear to have had an adverse effect upon the union organisation at firm A; if anything it had probably strengthened the determination of the senior representatives to protect their members' interests. When the company experienced a down turn in trade the union ensured that the best deal possible was secured for those who volunteered for redundancy and for those who remained working; for example, the union was opposed to contractors working on the site while the workforce was on a four day week and it won its case. However, the convenor's recognition of management's problems, especially in times of recession, confirms Terry's (1986) suggestion that workers and management share a common interest in the immediate survival of the firm; union "power" is not only used to defend (and advance) its members' interests but also to assist management in running the firm more efficiently.

The change in the economic and employment climate may have altered the attitudes of trade unions, whereby they are more willing to work with management than previously and accept changes so as to ensure the survival of a company. But it does not appear to have altered their role: they still protect their members' interests. Mutual respect seems to be the key factor between those union representatives and managers who appear to work together: the main representatives try to understand the problems that management face and management appear to see advantages in a unionised workforce, especially if they can see that its "leaders" are working for the overall good of the company as well as for their members. However, as research in the 1960s reached similar conclusions this is not necessarily characteristic of the 1990s (see for example, McCarthy and Parker 1968, Goodman and Whittingham 1969). As

McCarthy and Parker (1968) concluded, managers and stewards had reached a level of mutual tolerance and acceptance and this appeared to be the norm. Arguments that the promotion of collective organisation is the best way to achieve increased production and does not damage a company's long term prospects (Brown 1994, Machin 1995) appear to be appropriate, at least in Xtown. The fact that union co-operation makes the running of a business much easier (Edwards and Heery 1989b, Brown 1994) may be more beneficial to employers in today's economic climate because of the competitive nature of their product markets; as Martin (1992) contended, to maintain their market position firms require labour co-operation which is secured much easier with a good relationship with the workplace union.

Nevertheless, even though unions may be more willing to work with managers than previously, they have not lost the will to fight and ensure that changes are implemented to the advantage of their members rather than allowing management a free rein to introduce change as they wish. As past studies also concluded that shop stewards largely worked on management's terms and that while trade unions did have a certain amount of bargaining power in the workplace the final decision making remained the prerogative of management (for example, Beynon 1973, Boraston et al 1975, Marchington 1980, Wilson et al 1982), it could be argued that workplace relations have not changed a great deal. In reality unions tend to shape and alter management's original proposals in such a way that they may also claim to have made the final decision (Edwards 1978).

Nonetheless, the personalities and styles of working of those involved appear to be significant factors contributing to the success of the union when negotiating new terms with management, and indeed, in being able to convince its members that they are taking the right course of action. The attitudes of some members may not have changed towards management; they presume that management can and should offer them more than they do and sometimes these members can create problems for the stewards by persuading other members that this is the case (see also Batstone et al 1977). Members' expectations can become out of touch with reality to the disadvantage of themselves and management. Therefore, the ability of the steward to "lead" his/her members is of the utmost importance; he/she must have the confidence and respect of both his/her members and management so that he/she can act as a mediator between them.

The economic and employment environment may not have altered the role of trade unions but members' attitudes about what unions' priorities should be do appear to have changed. Job security seems to be one of the most important things that members want from their union. Hedges' (1994) conclusions that job security had overtaken higher wages as the priority that members' thought unions should work towards appear to be upheld. However, while firm A members were aware of the need to protect their own jobs (and in some cases all jobs), because the fortunes of the company had improved dramatically, members still appeared to be "money oriented"; many of the grievances taken to stewards involved money. This was not a new

phenomenon; researchers in the 1960s and 1970s also concluded that union members were instrumental in their motives for union membership (for example, Moran 1974, Goldthorpe et al 1968). The economic climate may actually have been working in favour of the union organisation at firm A. The competitive nature of the engineering industry ensured that management wanted to keep production running to fulfil their order books and to win even more contracts; therefore, any threatened work stoppages were dealt with swiftly or an important contract could have been lost. Nevertheless, junior members of management had joined the AEEU in anticipation of job protection, and union members who had been dismissed had been reinstated through union pressure. Indeed, the results from the third Workplace Industrial Relations Survey (WIRS3) suggested that unions played an important role assisting members in disciplinary and dismissal procedures (Millward et al 1992). It could be argued that union membership gives workers an increased sense of job security, at least where the union organisation is seen to be effective. As Blanchflower et al (1990) suggested, workers will readily join a union if it offers insurance against arbitrary dismissal.

10:5 *The legislation*

The legislation did not appear to have made a great impact upon the majority of local stewards or the way that they conducted their negotiations with management. However, the determining factor appears to be the level of dependence of the workplace organisation on its FTO. Those workplace organisations that were capable of conducting their business independently of the national union did not appear to be influenced in any way by the legislation, whereas those organisations which relied upon the FTO to help sort out their problems were more inclined to follow the law, for example, on industrial action balloting. This was probably because the FTO made sure that all the correct procedures were followed before any action took place so as to ensure that the national union was in no danger of being threatened with legal liability. Where this occurred, the lay representatives and their members would become more aware of the law and the way that it might affect their negotiations. Therefore, the law only played a part during negotiations when the “external” union was brought in.

The legislation appears to have had little effect upon the negotiations at firm A; that is, between the convenor and/or the senior stewards and middle/higher management. Stewards may have found that their own negotiations with shop managers had been affected, but this to a large extent may have reflected upon themselves and their members.² It appears that higher management did not wish to risk ignoring threats issued by the convenor irrespective of the fact that the law would have been on their side. It was also the case that the managers preferred to deal with their own union representatives (see also Elgar and Simpson 1993b). “The cult of privacy”, as A.I.

² This could be part of a general trend. A Labour Research survey found that two thirds of union representatives felt that the law had affected the way that they negotiated (1990b). Awareness of the fact that the legislation exists, but not necessarily awareness of its full contents, may lead stewards to think that their negotiations with management have been affected, when in fact they may not have changed at all.

Marsh (1963) called it (see chapter 3, footnote 9), still survives; if the external union was to be called in management's superiors would also have had to be called in and management did not like to give the impression that they could not manage their own affairs. (See also, Clegg, Killick and Adams 1961, McCarthy and Parker 1968, Goodman and Whittingham 1969.)

The concept of secret balloting was seen as a positive aspect of the law by FTOs, stewards and members alike. Even if they were not always conducted by the national union, secret (workplace) ballots were seen as more democratic because they reduced victimisation among the workforce. The suggestion that strike ballots had made a universal impact while the other labour legislation had not made such a general impression (Elgar and Simpson 1992) appears to stand up locally. Even the procedures for ensuring that union elections are more democratic may have failed (see also Martin et al 1995). The turnout for the first round of the presidential election was 24%, and 28% of the electoral roll voted in the second round; approximately three quarters of those eligible to vote did not do so, even though the ballot papers could be filled in in the privacy of members' own homes and returned at no cost to themselves. However, the Conservatives justified the use of postal ballots by arguing that high levels of participation are not the most important factor ensuring that a democratic decision is reached; more important is the fact that postal ballots are least susceptible to union manipulation. But the findings also show that members do not necessarily vote as individuals in the privacy of their own home. Rather they take their voting papers to work (or to their branch if they work in a workplace with few employees or few union members) and ask the advice of their representatives. Therefore, postal ballots have not increased the involvement of members as individuals in the decision-making forum of their union; many of those who do vote still vote as part of a collective or take advice from other members.

The check-off regulations appear to have worked in favour of the AEEU; workers who had never been approached to join the union became members. So this part of the legislation, while it may create an administrative nightmare for those involved, was actually advantageous for the union. The fact that no firm A members had complained that they were not informed by management of the increase in their subscriptions indicates that members either do not know their rights or are not interested in exercising them.

Welch (1993) argued that his findings:

“[S]uggest that in the here and now legal controls are working to restrain the forms of industrial action that trade unionists take, and that the law has an inhibiting impact at workplace as well as national level.” (pp240-241).

Welch talked about “the forms of action that trade unionists take” and other studies have looked at the way the legal reforms had restrained industrial action, in particular strike action. It appears that the majority of grievances at firm A (possibly excluding pay claims) were resolved amicably without any action being taken. However, the

above statement seems to imply that legal restrictions had actually restrained any action that workers might have taken, and therefore, that they had lost any leverage that they may have had in the workplace. Strike action could be looked upon as a sign of weakness rather than strength in the workplace, and therefore, a lack of strike action could be taken to indicate the strength of workplace unionism. Certainly, at firm A the law does not appear to have had an inhibiting impact upon the forms of action that members took. Evidence shows that workers may be prepared to stop work immediately to rectify a problem, and indeed, industrial action had been taken without a postal ballot organised by the outside union (and this action had secured the workers their goals). However, it is possible that members did not define their actions as industrial action. As Elgar and Simpson (1993b) found, most industrial action tends to be unballoted (at least officially) and over workgroup issues. This type of action rarely reached the attention of the union organisation outside the workplace, with perhaps the exception of the district secretary, who preferred to turn a blind eye rather than report it to head office,³ which would then have had to repudiate it and perhaps organise a postal ballot, at tremendous expense to themselves when the unofficial action cost them nothing and tended to sort out any problem much quicker.

The national union appears to have been affected much more than workplace organisations by the legislation, especially in relation to industrial action and the balloting procedures. It appears that those authors who argued that very little had actually changed on the shopfloor were right (for example, MacInnes 1987, Batstone 1988, Towers 1989, Marsh 1992a, Martin 1992). There are differences between shopfloor units but this has always been so (for example, Edwards 1978, Brown et al 1978). The legislation may have an inhibiting affect at some workplaces, but this most likely relates to the style of "leadership" there. On the whole it can be argued that the shopfloor unit is more concerned with the pressing realities of the workplace than the legal boundaries within which it should work.

However, despite the lack of knowledge about the law relating to trade unions, evidence from firm A suggests that the legislation had influenced members' perceptions about trade union power; that is, knowledge that legislation had been passed which sought to undermine union power influenced members' perceptions about that power. Even though the majority of firm A members appeared to be satisfied with the union at their own workplace and the evidence pointed to the existence of a powerful union, the feeling was that the legislation had reduced trade union power. Conservative propaganda against trade unions and well documented disputes where trade unions had lost their fight with their employers, such as in the printing industry and particularly the 1984/5 miners' strike, appear to have given members the impression that the legislation had worked and trade unions had been undermined.

The evidence suggests that, at least in Xtown, the legislation has not reduced trade

³ This is not a phenomenon of the 1990s. In 1973 Beynon suggested that by turning the occasional blind eye the local FTO could protect stewards from the formal control of the national organisation.

union power; it remains the same as it always has, with some workplace organisations being more successful than others in achieving their aims. Researchers, such as Marsh (1992b), who claimed that it was the history and current state of relations between an employer and his/her workforce that had the most effect on industrial relations within that workplace rather than the legal framework, appear to be correct. Therefore, it could be argued that those members who felt that trade union power had been reduced had taken claims that the legislation had been effective at face value rather than judging for themselves by the outcomes at their own workplaces.

10:6 *Individualism versus collectivism*

Members attitudes towards unionism have not changed a great deal over the years; they have an overriding self interest in union membership. However, whereas the national organisation of the AEEU appears to be taking on board the notion that individualism outweighs collectivism in what its members want and is providing more and more individual incentives to join, at least at firm A, collectivism seems to be seen as the best way of achieving those self interested goals. Indeed, members appear to want much more from their union than the individual benefits provided by the national union; benefits may be seen as an important reason for membership, but they fall behind reasons that relate to the workplace, such as, “higher pay and better working conditions”, “protection from future problems”, “job security” and even to “use as a workers’ voice against management”. Therefore, members’ main concerns, even if they are largely self interested ones, lie with their immediate working environment. Where the workplace organisation is effective and achieves members their goals, collectivism has not yet died away, though, “instrumental collectivism” may still be the best way of describing it (Goldthorpe et al 1968). Nevertheless, the stewards, while also possessing a self interested nature towards unionism, displayed an overriding concern for their fellow members and a collective attitude. This indicates that those who took up a leadership role had an increased awareness of the necessity for collectivist principles within the workplace. It could be argued that if “leaders” did not possess this attitude the collective aspect of the workplace might whither away. As Fosh and Cohen (1990) and Fosh (1993) contended, local leaders who are committed to collectivism and have a participatory style are more effective than other local leaders.

The argument that rather than being opposing ideals, the individualistic model and the collectivist model fit closely together, that is, by working collectively each individual’s self interests can be fulfilled, appears to be upheld. Arguments that industrial relations problems had been caused by too little collectivism rather than too much (MacInnes 1987, Marquand 1988) appear to be correct. In workplaces where collective organisation and collective attitudes are almost non-existent, individual self interests lead to such a competitive environment that each worker becomes isolated from each other and a hostile working environment with low worker morale is created. (The workshop at firm C was a good example, see p163.) Suggestions that a union presence actually increases production (for example, Brown 1994) are also relevant because a unionised workforce is more likely to have the same gains per worker so

that the competitive and hostile nature of the workplace is reduced.

However, individuals may not think of the collective aspect of unionism other than in terms of the protection and advancement of their own self interests (see also Rentoul 1989). Even using the union as a workers' voice against management could be seen as being in the self interests of each individual member; a collective voice tends to be more effective than a solitary one. The individualist nature of trade unionists cannot be attributed to the legislation as these attitudes have existed since the formation of trade unions and as support for unions and their collectivist principles appears to be continuing it could be argued that the Conservative aim of promoting individualism at the expense of collectivism had failed. Even those union members who had only been in employment since 1979 appeared to endorse the collectivist principles of unionism rather than just the individual benefits offered by the national organisation (see also Rentoul 1989).

Unionism and its collectivist pursuit of goals does not impede individualism; it enhances it. Where the national organisation of the AEEU is concerned the promotion of individualism may have had some effect, but at least where effective workplace organisations exist it appears that collectivism still plays a large part in the strategies of the union to achieve its aims. Therefore, it can be argued that individualism has not yet undermined the collective principles of unionism. Nevertheless, this may depend upon one crucial factor, the lay representative, or at least the main lay representative, within a workplace. Differences between (and within) workplaces seem to relate to the particular style of working of the shopfloor leader which is essential in determining membership participation in workplace unionism and, therefore, the level of success that the union has when negotiating with management.

10:7 *Trade union power*

The Conservatives wanted to reduce trade union power and introduced legislation designed to do just that. However, as far as the AEEU is concerned it appears that union power remains pretty much the same as it always has. If trade union power is defined as the union's capacity or ability to achieve desired effects, the AEEU, at least locally, could be described as "powerful".

It seems that the machine shop union organisation at firm A actually "ran" their part of the factory as much as management did, and in many respects, this function of the union could be described as having had management's blessing. Brown et al (1978) contended that managements actually played a major role in determining the strength of their workplace unions and at firm A this may have been the case. Management saw an advantage with a unionised workforce because the union actually kept its members in check more efficiently than the managers could; workers who did not pull their weight were chastised by union representatives who warned them of the consequences for themselves and the rest of the workforce, without taking action against them.

Indeed, other studies have concluded that managements recognise that their job would be much harder without the co-operation of the union in the running of the workplace (for example, Beynon 1973, Edwards and Heery 1989, Marchington and Parker 1990). WIRS3 found that management support for unionism had remained high throughout the 1980s (Millward et al 1992); therefore, there was nothing sinister about the management/union relationship at firm A. Metcalf (1993) argued that labour compliance appeared to be the reason why unionised workplaces had higher levels of productivity and investment than their non-union counterparts. However, it could be argued that unions are “powerful” in respect of the way that they can control their members; after all, it appears to be the case that “a happier workforce” tends to produce more, and if productivity is linked to a reasonable bonus scheme, workers benefit from increased production as much as management.⁴

Nevertheless, it appears that unions do largely react to parameters defined by management (Wilson et al 1982). Therefore, while the union at firm A could be described as “powerful”, that power was largely defensive, though at times the union had secured advancements for their members, such as accident benefits paid by the company and leave of absence for hospital visits. This coincides with what Carter L. Goodrich termed negative and positive control in 1920 (see pp 33-34). The trade union’s role is still primarily negative and defensive, but this is of extreme importance to members, the majority of whom believe that trade unions are needed to protect workers’ interests. Without that negative and defensive “power” workers might find that things they considered their “right” could disappear altogether. However, it could also be argued that where a “powerful” union organisation exists within a workplace it may be used by management to secure the efficient running of the company, so that even though the union’s role may be primarily defensive it also plays a large part in the management of the workplace.

The essential thing when talking about “power” is how each individual interprets the concept. It appears that the notion of “power” on its own may mean more to individual members than the ability to achieve effects. However, it might also be the case that once members become accustomed to the benefits and concessions that their union achieves for them they begin to take its role for granted and expect it to do much more. It also appears that those members (albeit a minority) who viewed the union as a national concern accepted that union power had been reduced rather than measuring it by the overall outcomes of situations at their own workplace.

The role of the national union may have changed but where independent workplace organisations exist nothing much appears to have altered (see also, WIRS3, Martin 1992). The AEEU still has workplace organisations in every plant in Xtown that it had in the 1970s and where those organisations worked independently of their national body they were still defending and advancing their members’ interests quite adequately. Workplace organisations vary as to the level of success that they have

⁴ As a steward at firm A commented “I believe better working conditions lead to a happier workforce and a happy workforce will produce more and in turn will be paid more through bonus.”

when dealing with management but this appears to have always been the case (Brown et al 1978, Edwards 1978, Edwards and Heery 1989b). Members may also get a better deal through their workplace union than when the “external” organisation becomes involved: the national union is restricted by the law, whereas on the shopfloor outside influence might be limited so that some members may receive support from their workplace which the outside union would not condone as the issue could not be legally “won”, for example, in the case of a person rightfully dismissed.

Trade union power, or at least potential trade union power, still belongs to the workplace where it has always been; union power works upwards from the members on the shopfloor, the “backbone of the union”, and the ability of the lay representative to instil membership interest and participation in workplace unionism is extremely important. It appears that it is actually the style of working of the main lay representative within a workplace that is the key to successful unionism within that workplace. However, members’ opinions about their workplace union seem to be influenced by their own steward and the way that he/she performs within their own workshop.

10:8 *Implications for the AEEU*

The findings have implications for the AEEU as a whole. It can be argued that the national organisation does appear to be out of touch with the realities of the workplace and members’ needs. The fact that an overwhelming majority of members never attend a branch meeting makes a mockery of the statement by the AEEU that the branch is the basic unit of the union; the evidence points to the shopfloor as the basic unit of the union. This point also raises the issue of the accountability, for example, of delegates to AEEU conferences; if they are elected from the branches, then members cannot have much say in the process if they do not attend. As the AEEU was altering its structure to reflect the best aspects of the AEU and the EETPU, it might do well to consider its commitments below branch level, at workplace level. However, the rule book changes have abolished district committees and district secretaries have become regional ones responsible to the Executive Council rather than the local membership. While things were not perfect before, this tends to be isolating those on the shopfloor further away from their national leaders rather than bringing head office more into focus with the major constituents of their organisation. Local union activists considered head office to be misleading its members; the statements from the Executive Council about the changes to the rule book were one example. The changes actually lost members some of their entitlements, such as funeral benefit and legal aid for retired members; and phasing members who were permanently exempt from paying subscriptions out of the union was being considered. However, dispute benefit was to be increased by 33% which may be a considerable improvement for members, but as postal ballots tend to achieve members their goals either without the need to take action or after only a very short stoppage of work, how many members would benefit from this improvement is debatable. Nevertheless, it could have been offered as a ploy to curb unofficial action and ensure that members follow the correct

procedures before they embark upon any action.

The fact that almost three quarters of the members who were eligible to vote did not do so for the presidential election makes the statement by the AEEU that it ensures that all decisions are taken by members as a whole rather than by small groups of committed activists⁵ appear rather weak. Indeed, a few local “committed activists” were quite clear that the changes in the “new union” were designed so that eventually members would not be able to question decisions made by their national leaders! This runs contrary to the claims of the Executive Council. However, local evidence does give the impression that the national organisation of the AEEU was out of touch with the realities of the shopfloor and that ordinary rank and file members showed little interest in their national body other than for what they could get out of it personally.

The AEEU appears to be trying to attract members with packages aimed at them as individuals rather than as members of a collective, which in itself could undermine the general principles of unionism. Indeed, the national organisation saw membership as a cheap form of insurance, but members did not agree. In this respect the legislation aimed at promoting individualism may have had some effect but upon the national organisation rather than individual members. The Green Paper “Industrial Relations in the 1990s” argued that trade unions should offer their members professional services in areas such as pensions, health insurance and legal advice, and the Employment Committee’s third report stated:

“We believe that the unions of tomorrow will extend or even maintain their membership if there are clear and identifiable reasons for ordinary workers to pay their dues. Whatever the future holds for collective bargaining, unions must attract new members and keep their present ones. In practice, this means using extra benefits to give demonstrable value for members’ money.” ((1994), HC 676 - I, pxxiv, para. 110.)

It appears that the national organisation was taking up these recommendations and was beginning to resemble an insurance agency and information provider; protecting its members against accidents and industrial illness as well as offering incentives such as free legal advice and wills services. (See also Martin 1992). Yet the above results indicate that members, while individualistic by nature, are more concerned with materialistic issues such as pay, working conditions and protection against the employer, issues that relate to their everyday shared working environment. Rather than investing in more individualistic packages for their members the AEEU, (or at least its members), might benefit more from insisting that its lay representatives take up the courses on offer and develop the right style of working to strengthen their influence over their members, to ensure solidarity and, therefore, their success rate in protecting their members’ rights in the workplace. “The challenge for *trade unions* is greater than ever before... In future they will have to attract and retain members by convincing them that they can serve their real interests”, claimed the Conservative

⁵ Divisional Organisers’ Weekend School Pack 1995 - “Future Structure of the New Amalgamated Union.” p4.

government in 1991.⁶ However, rather than the provision of extra services, it appears that members' "real interests" lie in the workplace and this appears to have always been the case. The legislation has ensured that national union organisations cannot, without putting themselves and their members at a severe disadvantage, call for an industry wide or nationwide strike to campaign for workers' rights; therefore, it is left to workplace organisations to protect their own members' interests within the workplace.

The AEEU correctly stated "the more members we have the stronger our voice and the more successful we shall be". However, it appears that this applies to individual workplace organisations rather than the national union: the larger the union becomes nationally the more distant the national leaders become from their members' aspirations and immediate interests; these problems are encountered in individual workplaces across the country. As others have argued, (for example, Fairbrother 1990), national policies do not necessarily coincide with the circumstances of workplace organisation. Therefore, it becomes more important that members have local representatives who are in a better position to evaluate their needs and understand the problems that they face. Indeed, effective independent workplace organisations are also beneficial to the national body as they do not always use the resources available to them, saving the national union time and money and at the same time their members may receive a much better service than when FTOs become involved.

Brown (1986) suggested that "shop steward organisations are proving relatively easy to isolate from the wider union movement....[T]hey identify their interests more with the success of the enterprise and less with the job controls, employment anxieties, and concern for the poorly organised of the outside union" (p165). This has perhaps always been the case, but it is being highlighted more since the legislation has taken effect upon the national organisations. If the Conservatives wished to develop a non-political business unionism with a loosening of solidaristic bonds across industry and encourage a greater identification of the union and its members with the workplace (McIlroy 1988), then, it could be argued that this may be the case, at least in the case of the AEEU; however, it appears that this has always been the case for shopfloor organisations. Members tend to be interested in themselves and the fates of their own workplaces rather than supporting workers elsewhere (Brown 1986). The 1984/5 miners' strike was a good example; some national union leaders, including those from the TGWU, NUR and ASLEF, wanted their members to take action to back the NUM but they received little support.

The role of the national organisation may be altering rapidly and the AEEU's national leaders appear to be trying to curb the influence that local activists may have had on individual workplace representatives. For example, the dismantling of the six monthly district shop stewards' meetings could be seen as a shrewd attempt to isolate local workplace organisations from each other, so that rather than learning from the experiences of other workplace organisations, the less developed shopfloor units must

⁶ "Industrial Relations in the 1990s" 1991, para 2.24.

rely on FTOs more. This would bring them into line with the policies of their parent body rather than developing their own ways of working, like the union at firm A. As Boraston et al (1975) concluded, the outside union can actively encourage or discourage workplace independence. In this way the national union would gain more control over its workplace organisations, especially if information counter to that provided by head office was not forthcoming. Nevertheless, as yet, at least locally, where independent workplace organisations of the AEEU do exist, the role of the union appears to be much the same as it always has, to protect and advance its members' interests within the workplace. And they appear to be fulfilling their role rather well. The original objectives of unionism remain in the workplace.

If a trade union's power is described as its capacity to defend and advance its members' interests, then, where independent workplace organisations of the AEEU existed, at least in Xtown, they could still be described as powerful. However, while members do not seem to associate the term "power" with achieving effects, they do appear to measure their union's effectiveness by the level of success that they have in their individual workplaces in achieving their aims.

Contrary to the views of some (for example, Roberts 1987, Metcalf 1993) the legislative changes have not undermined collectivism. Trade unions are still used as vehicles for a collective voice, but that voice and any action which may accompany it tend to be exercised at individual workplaces rather than as a collective voice campaigning for nationwide issues. The "power" of a trade union lies at the bottom of the hierarchy with the members and if they cannot be persuaded to show their unity in order to achieve their goals any potential power will be lost. Even those workers who are only members for what they can get out of the union personally can be persuaded that the best way to do that is by working together. This research demonstrates that the personality and style of working of the main lay representative are the key to successful unionism within the workplace.

The next chapter documents the findings from the public service union UNISON and compares the findings with those from the AEEU. Chapter 12 presents the overall conclusions from the research findings and discusses the implications for trade unions generally.

11:1 *Introduction*

This chapter documents the findings from a local case study of UNISON, the public sector union. Only one chapter is devoted to UNISON because of the low return rate of the questionnaires from UNISON members. However, the quality of the information obtained by other research methods was such that conclusions can still be reached regarding UNISON and useful comparisons with the AEEU can be made.

The case study focused on the health care group of UNISON. The information presented below was gained by formal and informal interviews with a UNISON shop steward, an informal interview with an ex-NALGO steward, informal conversations with UNISON members and ex-members, an interview with the domestic services manager of one hospital, observation of a health branch meeting, a questionnaire completed by the full time convenor for the local region and questionnaires completed by UNISON members.¹ The workers who had been asked to complete questionnaires had also been observed at work over a two year period. Literature published by UNISON and documentary materials regarding the hospital trust council meetings were also analysed.

The main focus of the study was two hospitals catering largely for the elderly. The larger hospital, hospital 1, had been established for many years and had eight wards, some long stay and others short stay; it had two day centres and various departments, such as physiotherapy, a dentist and a pharmacy and had a complex of houses for the long term mentally ill. The smaller hospital, hospital 2, was four years old at the time of the study and had two wards and a day care centre, but was constantly being updated with services for the community it served, such as a doctors' surgery. Both hospitals were covered by UNISON; however, the number of members at hospital 1 was not known but there was only one steward. The shop steward interviewed was the only steward at hospital 2 which had around 100 UNISON members, which included all the porters, domestics, kitchen staff, most of the clerical staff and many of

¹ Thirty questionnaires were distributed to domestic workers at one hospital (hospital 1) but only nine were returned to the researcher. However, it appears that some completed questionnaires may have gone astray, as at least seven other members when asked if they would return their questionnaires said that they had done so, but these never reached the researcher. Questionnaires were taken to another hospital (hospital 2) by the steward, but members were reluctant to take them because they had already completed two questionnaires for other projects.

Those members whose questionnaires reached the researcher were all female and were all aged over 40, two were over 50. They had been union members for a varying number of years; two had only been members for one year, two for six years and the others had been members for between twelve and twenty years. They all paid their subscriptions by check-off, but as with the AEEU members the majority did not know that deduction from their wages was called "check-off". Judging by the number of hours that they worked per week, three members from each shift had returned the questionnaire. The workers studied at hospital 1 worked on one of three different shifts, which for the purpose of the thesis are referred to as shifts A, B and C. Shift A worked the most hours per week and shift C worked the least.

the nurses. This steward had also been a COHSE representative at the larger hospital before the newer one had opened. Reference is also made to hospital 3, the main hospital catering for the community of Xtown and its surrounding areas.

11:2 *UNISON*

UNISON was created in July 1993 by the amalgamation of NUPE, COHSE and NALGO. With over 1.4 million members it is now the largest union in the country with members throughout the public services and essential industries. The union is divided into seven service groups: electricity, gas, health care, higher education, local government, transport and water. Each group has the autonomy to determine its own general policy and to negotiate on behalf of its members. According to a UNISON leaflet UNISON has almost a million women members, "providing a powerful voice and campaigning strongly on the issues that matter to women. UNISON is committed to proportionality and fair representation giving all groups of members a real share in the union."²

A UNISON recruitment leaflet stated:

"WORTH EVERY PENNY!
There's more to UNISON than great protection in
the workplace.
Your subscription also entitles you to a range of
specially-negotiated benefits that could save you
hundreds of pounds every year.
We're sure you'll agree--
UNISON really is worth every penny."

Membership benefits include legal services for the member and his/her family, home, motor and holiday insurance, travel and holiday discounts, mortgage and savings deals, career qualifications and training, welfare help and convalescent home facilities, car breakdown services and personal loans. As with the AEEU, UNISON appears to be trying to attract members by offering services which are aimed at them as individuals; a UNISON leaflet advertising Frizzell insurance claims "because you're a UNISON member... enjoy the benefits of insurance, banking and financial services as *individual* as you are." (Italics are mine). Like the AEEU UNISON have also introduced benefits such as free initial advice on any non-work related legal matters and a free wills service. The free wills service appears to be attracting attention from members in both unions but it also appears that the service does not hold members on its own merit; there is more to union membership than just the provision of benefits.

As a public sector union UNISON campaigns about issues which not only affect UNISON members but which affect members of the public too, for example, council cuts, community care, defending the NHS, equality in employment, rights for part time workers and about international issues such as health care in Cuba. The health care group of UNISON was committed to campaigning for increases in the funding of

² "UNISON. What we stand for".

the health service and is opposed to a system where contracts are made because they give a good financial return rather than the best possible service in health care. One of the union's main priorities is to defend and improve the pay and conditions of UNISON members. The union had gained recognition and bargaining rights in most NHS trusts and argued that it has "the skills, experience and resources to bargain at the level where power lies and to secure as good a deal as possible for our members."³

However, as the UNISON/Gallup 1995 pay and conditions survey⁴ found, UNISON nursing members display low morale, nearly two thirds were considering leaving NHS nursing and midwifery, half were dissatisfied with their levels of pay and two thirds were worried about job security. In addition just over half of those who responded to the survey thought that services to patients on their wards had deteriorated and a third of respondents had reported job losses from their ward/unit over the previous year. The survey concluded that its "findings are a cause for concern and disquiet" (p3). They also indicate that UNISON had not improved the pay and working conditions for some of their nursing members. In fact, the findings suggest that dissatisfaction with pay levels and job insecurity were actually increasing within the nursing profession; since 1993, when the survey was first conducted, the percentages of respondents replying negatively had increased.

11:3 *UNISON health care locally*

Locally (for Xtown and its surrounding areas) UNISON health care had a full time regional officer and a full time convenor. Both were female. The convenor was paid by the health authority rather than by the union itself. She had been a union representative for ten years and was responsible for a large district, covering all aspects of health care, such as hospitals, clinics and nursing homes. According to the convenor she was constantly in contact with the different workplaces under her jurisdiction and when her workload allowed she did try to visit all the workplaces whether they needed her help or not. She was allowed access to all levels of management and had no difficulties approaching the level that she felt she should be talking to. When asked "what is the general attitude of the managers that you deal with towards UNISON?" she replied "it depends on the manager, but usually I have no problem." Managers usually provided all the information the convenor asked for and they did discuss changes that they were considering making with her and sometimes asked for her advice.

The community health care service NHS trust for the region employed 3,000 staff and ran community hospitals in six local towns and worked closely with GPs through nursing and therapy services. A trust staff consultative council met every three months to discuss anything concerning the trust, any problems that staff may have

³ UNISON leaflet - "UNISON and the Health Service. The Challenge."

⁴ "A Change For The Worse. UNISON's evidence to the Nurses, Midwives and Health Visitors Pay Review Body 1996" UNISON.

encountered, any proposed changes and health and safety.⁵ All unions with members employed by the trust were represented on the council, some by more than one person, including UNISON, depending on the number of members that they represented. When necessary UNISON's regional full time officer (FTO) attended. The unions also requested information from the trust through the council.

This council, according to the convenor, was the way that UNISON influenced what actually happened within the different workplaces administered by the trust and when asked whether members were consulted on deals and proposals made by management before they were accepted or rejected, she replied, "this is what the joint unions of the staff council does". The minutes from these meetings were distributed to all the relevant parties, including UNISON stewards, who received two copies, one for their files and one to circulate to their members; therefore, the onus was on the lay representatives to ensure that their members saw a copy and to report back any comments. However, the majority of members among the domestic workers at hospital 1 did not know who decided what action should be taken about any grievances; they certainly did not think that they had a say in the process. This suggests that they were not always consulted about proposals made by management or they were just not interested. The evidence indicates that both these suggestions may be true (see below). It could be argued that not all UNISON members were involved in the decision making process concerning their workplaces. As it was the lay representatives' responsibility to inform members about proposals made at the council meetings and report back their reactions, if members were not informed of things that might affect them the blame must lie with their steward.

Nevertheless, the minutes of the trust staff council meetings reveal that the union representatives within the trust did voice members' concerns to the council or at least those concerns that they knew about. Examples included concern over catering facilities at one hospital, computer breakdowns, concerns that nurses were not working on the terms and conditions that they should have been after transfer to different hospitals and training in negotiating skills for the staff side, which the trust agreed to fund if the staff side were supportive of joint training; this initiative did go ahead. Of particular interest, in the light of the above UNISON/Gallup survey, was the fact that at one meeting UNISON's convenor had expressed concern about staff morale and the fact that nurses were resigning because of the way that they felt. In particular staff were not happy with some of the things purchased by the trust, for example, wall murals, arguing that they did not think they were an appropriate use of resources identified for patient care; in other words, the trust was seen as wasting money on decorative items while patients' needs were not being met. While the union made its point at the meeting and members' concerns were fully discussed over the issue of inappropriate use of resources, the minutes state that the convenor was not happy with the outcome, that problems should be taken to the relevant locality manager.

⁵ Meetings inbetween these would be convened if it was considered necessary by any party to the council.

UNISON did have a voice within the local NHS trust and some members' concerns did find their way to their employers via their UNISON representatives, and in some cases they were resolved to the satisfaction, at least, of those on the trust council. However, as the above example shows, some UNISON members were becoming increasingly disillusioned with the way that the trust operated, for example, in their allocation of money, and members were beginning to leave the health service altogether. Therefore, even though the convenor said that the union "would like to think that they are helping managers run their workplaces more efficiently", and in some respects this appears to have been the case, in other respects, the union was not able to prevent what its members viewed as a diversion of resources away from patient care and in turn members, particularly nurses, were resigning their posts. It appears that within the health service UNISON, at least locally, was able to influence certain decisions, particularly those involving working conditions and health and safety. However, it seems as though managers saw the financial side of running their workplaces as their own prerogative and spent their budgets as they thought fit rather than consulting with their staff first; and once money has been spent it is hard to recover it to spend on something else instead. Nevertheless, as the trust believed that staff should be involved in the running of their workplaces (see below), it is possible that staff concerns over the inappropriate use of resources may be taken into account when future spending is being considered.

11:4 *The branch*

There was one local branch for the health sector which met monthly at Xtown's Labour club. The convenor was the branch secretary and a local lay representative from hospital 3 was the chairman. The regional FTO attended the branch when she could. UNISON branch meetings resembled the AEEU's shop stewards' meetings rather than the AEEU's branch meetings. Any correspondence such as accident forms or application forms were sent straight to the relevant officer, either the convenor or the regional officer, by the member or their lay representative, which eliminated the need to take anything to a branch meeting. In addition UNISON subscriptions were paid either to a local representative, by cheque through the post, direct debit or by the check-off method, which meant that members did not have to attend to keep their payments up to date.

The branch was the place where stewards from different workplaces came together and were able to discuss their problems with each other. However, unlike the AEEU's shop stewards' meetings, members were also encouraged to attend. Nevertheless, like AEEU members, UNISON members did not appear to be interested in the branch and judging by the attendance of lay representatives they may have taken the same attitude,

though a steward did comment that attendance was usually much higher. Only one person who was not a lay representative was present at the meeting observed.⁶ The steward from hospital 2 said that the majority of members never attended. She would have liked to have seen more members at the branch so that they would make their feelings known to the FTOs; the more members voicing an opinion the more likely it would be that they might take notice, whereas, when representatives put forward their members' concerns, they were very often passed over. The majority of the questionnaire respondents never attended the branch and conversations with UNISON members revealed that not one of them was interested in attending, though two different reasons for this emerged. Some were just not interested in the union at all, claiming that "the union" did nothing for them and there was no point in taking problems to the branch because nothing ever came from them, confirming the opinion of hospital 2's steward. Others said that they did not attend because of the time that they were held, in the evening. As one member put it: "people can't be bothered to go up there, especially if they live a distance away". However, members would have attended union meetings if they were held in their worktime and at their place of work. This might indicate that workers associate unionism with the workplace but it could also be argued that they are just displaying their self interested nature; they are only interested in the issues that may affect them personally and not those that are affecting others elsewhere. Also by attending a meeting during their working hours they would not have to give up any of their leisure time to attend something that they see as part of their working lives. The convenor recognised this problem and so did hospital 2's steward. However, whereas the convenor appeared to resent this attitude, the steward understood why her members felt this way: because she worked alongside them, she realised that to them "the union" involved the workplace and those issues that might affect them personally. The branch had no significance for them at all, especially as they were informed about the things that involved them by their workplace representative. However, it seems that not all workplace representatives were as efficient as this.

The meeting was a formal affair, and information relevant to members, stewards and the union in general was read out and passed around the meeting. Information about things such as forthcoming conferences, seminars, rallies and shop stewards courses were read out to those present. A number of leaflets were available for the stewards to order and pass on to their members, for example; "Getting to know Europe", "Sickness at work", "Bullying at work" and "Negotiating equal rights". However, those present at the meeting dispersed as soon as it had ended and no one enquired about the leaflets or any of the other information about courses and conferences, suggesting that stewards were less interested in things of a general (albeit important) nature than with the problems that they encountered at work. Similarly, the branch had been asked to organise a workshop for young people, which the meeting hardly discussed. In reply to the announcement about a UNISON black members' conference, a member thought that it was wrong that it was called "a black members'

⁶ A full committee was present, two auditors, the regional FTO and eight members. They were all women.

conference” when many people objected to being called black. In addition the feeling of the meeting was that they had not got many active black members. That issue was left there rather than discussing what the union could do to encourage members from ethnic minorities to become more active within the union.

Those at the meeting were informed about various problems that had occurred at workplaces in the local area. For example, at hospital 1 a ward floor was being repaired and the management there had wanted it to be done at night. After complaints from staff on the ward the convenor intervened, telling the managers “no way” can that be done while patients are trying to sleep. She proposed that the patients should be transferred onto the day unit, so that the work could be completed in the day time causing no disruption to the patients or staff. After consulting the health and safety executive, who agreed with the convenor, the floor manager finally agreed to UNISON’s proposals. At another hospital the managers had wanted to clean the carpets while the “clients” were in bed: the lay representative insisted that this should not be done and got her own way. However, with other problems that involved the FTOs, it appears that managers had the final say, for example, concerning the closure of sections of hospitals and moving services from one area to another. In one case, where a new personnel manager was refusing to negotiate with UNISON, the regional officer said “we must insist that we set something up there with management because they are just doing what they want to”. This indicates that in some health service workplaces managers were “managing” their workplaces without consulting UNISON, which was contrary to the trust’s official policy of involving staff in the running of their workplaces via their representatives (see below). However, it could be argued that closing sections of hospitals and transferring services are usually done for financial reasons; the FTO did comment that management had said that they would only open the closed sections if it was absolutely necessary as they could save money by merging the patients from different wards rather than keeping those that were virtually empty open. As suggested above hospital managers seem to view the financial aspects of the workplace as their own prerogative.

The major topic for the branch officials was the forthcoming pay negotiations and the issue of local bargaining in trusts. The FTO was trying to convince those present that the situation was not as portrayed by the media, as she put it, “after all they don’t mind if there is a dispute because that’s good news for them”. A major document was outlined and the stewards were told that it was important that they took the information back to the workplace and that a vote was to be held on the proposals in the document. However, no one was given a copy or an outline of its main proposals, so the stewards would have had to rely on their memory if they were to relay the information back to their members.

The general feel of the meeting was a clinical one. Those running the meeting wanted the upperhand all the time and gave the impression of not being prepared to accept a different view to that of their own. This attitude appeared to isolate and annoy those present, who were concerned with issues that were affecting themselves and their

members rather than the opinions of the branch committee. This may be an indication that those with connections to the national union become isolated from their members and more connected with the outside concerns of the union rather than the intricate realities of the workplace. This may also contribute to the lack of interest of rank and file members in their union; many already felt that the branch paid no attention to their worries and the attitude of the officials confirmed this. This suggests that a lay representative with the right style of working is essential within the workplace to ensure that members get the service they require and participate in the affairs that involve them and maybe solve their problems without outside assistance.

It could be argued that because the bulk of those present at branch meetings were stewards rather than rank and file members the FTOs would become isolated even further from the concerns of their members. However, the stewards did attempt to put their members' views and concerns across at the meeting but the officials appeared to brush them to one side. A good example concerned the nurses' regrading issue. A steward at the meeting brought up this issue, which was apparently brought up at every branch meeting. The atmosphere of the meeting became quite heated over the issue of compensation for those nurses who wished to appeal about their present grading. All those present (excluding the committee) were backing the steward who brought the issue up, but the "discussion", if it could be described as such, was brought to an abrupt end by the chairman who insisted that if the conversation continued it would take up the entire meeting. The issue centred on nurses who had wanted to appeal against their new grades. There had been three stages of appeal: the first was a local appeal with the member's workplace representative present; the second was also local but with the branch secretary present and the third stage was at regional level. All the nurses who had wished to appeal passed through the first stage, but a group of about thirty nurses had had their meeting for the second stage cancelled because a member of the management side did not turn up. It was promised by management that another date would be arranged but it never was. Therefore, when the health authority offered to pay £500 compensation to each nurse at the third stage of appeal, those who had not had their second were not included in the offer. This had caused a lot of unrest between the members and the higher levels of the local union, who, according to one steward, did not seem to be bothered by the discrepancy at all, which is another indication that local union officials and members were not in tune with each other.

In fact, it appears that the union itself tried to keep members in the dark about what was happening over the nurses' regrading issue. Evidence presented to the branch meeting showed that some of the nurses who had not received compensation from management had actually been for an individual interview with union officials and some had received money from the union itself in return for signing a waiver saying that they would not tell anyone else. However, someone must have said something because other nurses who had attended an interview with the union and those who had not were complaining that they had received nothing. The FTO's and convenor's replies summed up their feelings to the situation: "We're getting this everyday and

we're sick of it", said one. The full time convenor commented "at the end of the day it's their appeal, but they think that the union should do it for them". This is probably a fair statement. Members tend to take the work of their union (or union representative) for granted, and expect them to do things which they themselves should do, this was apparent in the AEEU. However, if the union had "secretly" paid some members compensation and not others it could be argued that those who had not received any compensation could hardly be blamed for complaining about the perceived unfairness of the situation. In addition, the convenor's comment seems to contradict her statement about the main benefits of union membership: "The union is there for them [the members]. They are the union. We are there to look after their interests and see that they are well represented." It appears that rather than these members "being the union" and their representatives "being there to look after their interests and see that they are well represented", the convenor was suggesting here that these members were wrong to expect the union to look after their interests!

The FTOs also tried to diffuse the heated argument by adding that some members who were not entitled to compensation were trying to jump on the bandwagon, moving away from the argument that some of the original nurses who had had their second appeal cancelled had not been compensated. They were also annoyed that some members were pulling out of the union after receiving compensation. However, it could be interpreted as a reaction to the way that those members felt they had been treated. As shall be seen, UNISON members in one particular workplace were resigning their membership in great numbers, which may reflect the treatment that they felt they had received from their union and may also reflect upon their lay representative within the workplace.

The branch was the main route of communication between shop stewards from different workplaces. It was also the major way that the national organisation of UNISON communicated with its members. However, the lack of interest from members towards the branch suggests that they were not interested in this aspect of their union. Members felt that their local officials were not interested in their grievances and the evidence suggests that unless the problem was related to working conditions or health and safety matters, which were generally solved satisfactorily, other grievances, such as the nurses' regrading issue, were brushed to one side. From information presented to the branch it also appears that UNISON had little influence over the financial aspects of the trust or the individual workplaces within it; managers seemed to consider this their prerogative, even if their decisions were contrary to the wishes of their staff and in some cases did not contribute directly to patient care.

Within UNISON, not only did the national organisation appear to be out of touch with its members' concerns but the local organisation, which had more contact with the workplaces under its jurisdiction, also

seemed to disregard members' anxieties unless they corresponded with the beliefs of the branch committee. If members are not satisfied with the service that they get from their local union organisation, it is essential that effective union organisations exist within individual workplaces so that members feel that their interests are being protected.

11:5 *Workplace and union*

In comparison with the workplace union organisation of the AEEU at firm A which could be described as close knit, UNISON organisation within the health sector may be described as scattered; that is, members may be clerical workers, ancillary workers, porters or nurses, with many working different shift patterns daily or weekly. Therefore, as well as working in different jobs, UNISON members are not always working with the same group of members regularly. Indeed, the members observed, while belonging to a particular workgroup, that is, domestic workers on shift A or shift B for example, usually worked on their own rather than as part of a team, though it could be argued that they were part of a team on the wards or departments that they worked on, that is, without their work certain other tasks would not be able to be carried out properly. If the argument that the lay representative is the essential ingredient for successful unionism in the workplace is correct, then, within hospitals, for example, the lay representative must be an extremely dedicated person; he/she must be willing to contact all his/her members when necessary and in this way the steward should be able to generate a feeling of togetherness so that certain groups of members do not feel isolated from their "union".

Studies have concluded that union organisations within the public services tend to have a greater reliance upon their FTOs than those in the private sector, usually because of the nature of the dispersed workforce (for example, Brown et al 1978). It has also been suggested that with a scattered workforce the shop steward is little more than an individual problem solver (Terry 1982). However, this may be largely dependent upon the personalities of those concerned and indeed the members themselves. As Fosh (1993) argued the local leader's style is one of the most important factors influencing members' conceptions of unionism; a leader who stresses the importance of involving all members in every grievance, individual or not, can encourage members to work collectively, whereas the leader who does not involve his/her members does not portray to those members a perception of unionism "that encompasses group action" (p581). Evidence from hospitals 1 and 2 suggests that this is the case.

As can be seen in section 11:7 below, some workers at hospital 1 were prepared to act as a group but not necessarily as "the union". Indeed, all the questionnaire respondents, except for one who "did not know", said that workers achieved their goals by sticking together; however, as will be seen, a few employees did tend to look after themselves rather than the group. Nevertheless, the fact that some groups of workers were prepared to show solidarity and stick together until a problem was

solved indicates that those workers were aware that by acting collectively they could achieve their goals more effectively than by acting alone. As the majority of UNISON members studied at hospital 1 saw their membership purely in terms of what they could get out of the union individually, they did not associate their collective action with their union membership. It is highly likely that this attitude developed because the UNISON steward was not known to many of the members spoken to and they viewed the full time convenor as their representative⁷ and saw the union as external to the workplace; therefore, they acted as a work group rather than “the union”. However, as at least two of the work groups studied at hospital 1 had demonstrated that they were prepared to work collectively, a steward with the right style of working could influence those workers’ conceptions of unionism so that they associated it with their actions in the workplace and not just for what they could get out of it personally.

At hospital 2 the situation was different. The UNISON organisation there appeared to be fairly tight knit and the lay representative was very confident and was able to operate within the workplace independently of her FTOs; in fact she was very “union minded” but from the members’ side rather than the national union’s side. As there was only one steward at the hospital, there was no stewards’ committee or stewards’ network for her to work with. She took sole responsibility for ensuring that all new employees were informed about the union, for health and safety within the hospital, dealing with management and members’ grievances and problems. It appears that all new eligible employees did join the union at hospital 2, that is, if they were not already members. The workplace leader’s style of working influenced her members’ perceptions of unionism. She involved all those concerned in the problem solving process within the workplace, which gave them a sense of belonging to their “union”, the workplace unit, rather than viewing the union as an outside organisation like some members at hospital 1. The steward passed on general and local union information to her members, though she was aware that unless issues affected members in some way they were generally not interested. However, she was able to gain support for UNISON rallies and demonstrations from her members by stressing the need to show solidarity about issues that may not affect them at that moment in time but might do in the future if things were not changed. Hospital 2’s steward’s style of working was such that she maintained her members’ interest and participation in all the affairs that involved them directly and indirectly.

Unionism took on a different meaning for workers at hospital 2 than for those at hospital 1. Workers at hospital 2 associated “the union” with the workplace and saw themselves as part of “the union” using it to solve their workplace grievances collectively. At hospital 1 many members saw “the union” as something external to the workplace and used it for individual complaints. If workplace grievances were solved collectively at hospital 1, this action was not associated with “the union”. The difference between workers’ attitudes at the two hospitals appears to be due to the lay

⁷ Members should have contacted their steward with any problem and if the steward could not deal with it he/she would contact the convenor. This procedure appeared to have broken down at hospital 1 due to the lack of communication between the steward and members.

representative at each workplace. At hospital 2 the representative had built up and maintained her members' interest in unionism and through their participation in those affairs that involved them the workplace organisation largely achieved its goals. This gave members a sense of belonging to an effective workplace organisation. At hospital 1 some members were unaware of who their steward was, let alone about unionism within the workplace, which left them with no conception of a workplace organisation. They did not view themselves as "the union"; to them the union was based outside the workplace. It can be argued that it is the lay representative that is essential in determining membership interest and participation in unionism and, therefore, in building up their conception of themselves as "the union".

Nevertheless, even hospital 2's members were still not interested in the branch or the national union's policies; it was only those issues that might affect them in their own workplace that concerned them. The "external" union organisations made no difference to them as their problems were sorted out by their lay representative; they did not need to interact with officials from outside the workplace as their grievances were solved internally.

When asked if she had much contact with her stewards, the convenor replied "all the time. I could not do the job with out the good work and support they give me." However, when members' opinions are taken into account (see below), not all UNISON stewards were as in touch with their members as the convenor said she was with her stewards . Even the branch chairman commented that whereas some shop stewards are active and do a great job there are others "who do sod all", which suggests that even those who were responsible for the running of the local union knew that some of their stewards were not pulling their weight and, therefore, their members may not have been receiving the representation that they were entitled to.

The convenor's statement that the main benefit of unionism was that members' interests were looked after and that they were well represented may not always be the case in some local hospitals. This appears to relate to the style of working of the lay representative. Where members felt that they were "the union" on the shopfloor, their steward could work independently of the outside union, but where members associated "the union" with organisations external to their working environment, their opinions and use of the union were very different. Members must be made to feel that they are "the union", rather than the union being seen as some organisation remote from the workplace. The lay representative is the key to being able to do this. It can be concluded that how well the lay representative performs influences members' perceptions of their union. The personality and style of working of the lay representative are two of the main ingredients for successful unionism in the workplace.

11:6 *Management/union relationship*

The trust itself appeared to appreciate that communication between staff and management was vital to the smooth running of all the workplaces it was responsible for and according to the convenor the work by UNISON stewards was generally accepted by managers. Notes from a training session on how to improve industrial relations highlighted both what the staff side thought managers should do and what managers thought their staff could do to improve industrial relations. The summary concluded that:

"[T]here seem to be a lot of common areas where improvements can be achieved through better communication....the following principles will need to be adopted by both sides to eradicate the current difficulties that exist within the communication process.

*Every chance is taken to share problem solving at the earliest possible stage.

*Staff representatives to attend management meetings and receive regular information on activity and financial performance within the locality.

*Staff side will be involved in the setting of local objectives and will represent staff by taking corporate responsibility for achieving the agreed objectives.

(March 1996.)

Therefore, the trust as a whole recognised that staff had a valuable role to play in the efficient operation of the trust. As the staff were represented at the council meetings by their union representatives, it can be assumed that the trust expected the management/union relationship to be an amicable one. Indeed, the Agreement for Consultation and Negotiation in the Community Health Care Service Trust (1994) document stated that:

"The Trust recognises that it is to the mutual benefit of the Trust and its employees for the latter to be represented by UPA's⁸.... Further to this the Trust will encourage its employees to belong to an appropriate UPA recognised by the Trust and will provide facilities for UPA subscriptions to be collected at source.

The UPA's recognise the Trust's responsibility to plan, organise and manage the activities of the Trust in accordance with its objectives. For its part the Trust recognises the UPA's responsibility to represent the interests of their members employed by the Trust and to seek improved conditions of employment and of work according to the UPA's policies.

...All parties to this Agreement recognise that their pursuit of the common objectives detailed above shall be by consultation, negotiation and a sharing of information."

According to the document the functions of representatives included responsibility to and for a particular group of members within a particular constituency, to communicate with their members, to be consulted and to negotiate on behalf of their members, to organise meetings during working hours and, perhaps most significantly, "to seek full membership amongst all employees in the constituency". Therefore, the trust recognised that by having their staff represented by UPA's it was beneficial to the trust as a whole as well as the workforce. Bryson et al (1995) concluded that "it is crucial for unions to show that their presence is essential for a trust to provide an effective

⁸ UPA's stands for Unions and Professional Associations.

service” (p132). In the local area UNISON (as well as the other UPAs) had managed to do this.

The full time convenor appeared to have a reasonable relationship with the majority of managers that she dealt with. As she put it “it depends on the manager, but usually I have no problem.” However, the management teams of different hospitals may not always wish to implement the trust’s recommendations; the workplace identified by the FTO at the branch meeting was one example where the manager did not want to negotiate with UNISON.⁹ The management team at hospital 2 also acted contrary to the accepted policy of the trust.

According to the steward the management at hospital 2 did not want to communicate with the union (or herself). The management did not tell her anything voluntarily and did not want to involve the union in anything, especially the decision making which affected the hospital. In addition, the steward was not provided with a union office, access to a telephone or a notice board which management should have provided. They were also reluctant to allow her time off work to attend union conferences which managers of other local hospitals allowed.

Nevertheless, the steward felt that she had a lot to offer management in terms of help in running the hospital more efficiently and had, through her own intervention, built up an amicable relationship with a female member of the management team. The steward was not afraid to confront management over issues that she felt needed their attention or those that were affecting her members. Rarely a day went by without her having to see management about something. She appeared a very determined lady and knew her job well and far from wishing to obstruct management in the running of the hospital she appeared to be more concerned than they did with its efficient administration. However, her main emphasis was on patient care and her members’ rights. The approach she tended to take when confronting management was a “softly softly” one rather than a conflictual one; that is, demanding that various things should be done. She argued that by taking this approach it gave the impression that she was working with them rather than against them and, as a rule, eventually secured her members their goal (or “us” as she would say, reminiscent of the convenor from firm A).

Apparently the three main members of the management team had not had any previous experience of management let alone running a hospital and very often attempted to do things without taking them to be approved by the trust first. One of them had had his “knuckles rapped a number of times” for taking things into his own hands, but was not prepared to listen to the UNISON lay representative when she advised him against doing things. According to the steward the management did not understand about hospitals and how they operated and gave the impression that they had no real interest

⁹ One steward at the branch had been having her mail opened by management (similar to the AEEU steward) which suggests that the managers at her workplace did not respect the confidentiality of the union.

in patient care. “None of the management team has a clue about health and safety and pay absolutely no attention to the relevant health and safety documents”, she stated. UNISON was preparing another written paper for them on health and safety and what health and safety representatives are entitled to do in the hope that they would take note of the new document.

The female member of management (the nursing officer) was the only one who was willing to listen to the steward. However, while this manager did take on board the steward’s advice, comments and suggestions she did not like to admit it openly. For example, during an outbreak of diarrhoea and sickness, no barrier nursing had been introduced and visitors were allowed onto the affected ward unprotected and unwarned. Even the nursing officer had been constantly walking from one ward to another; a possible way of transmitting the virus. The only precaution taken was to isolate the nurses’ changing room so that only nurses from the affected ward used it; however, nurses who had been off work were not being informed of the situation and were going on duty after using the affected changing facilities. When confronted the nursing manager could not understand what all the fuss was about and according to the steward did not appreciate the health and safety issues involved. After the steward had explained the situation to her, “the manager went onto the ward and verbally laced into the nurses”. The talk with the manager solved the problem, but instead of taking responsibility herself she had passed the blame onto the nurses which was not what the representative had wanted “because they are my members and I’m trying to protect them.”

The management team at hospital 2 had had little experience of running a hospital and were perhaps learning as they went along, but overall it appears that they wanted to assert their right to manage with no interference from union representatives. However, perhaps fortunately for all concerned, an experienced steward was willing to try and work with them and help them run the hospital more efficiently. Admittedly the steward was looking after her members’ interests first, but one of the main concerns of UNISON members, especially nurses, appears to be that of patient care, which according to them should be the first priority of the hospital. The steward by her attitude and approach towards management was able to convince one of the managers that her suggestions were the better options for all concerned. If the steward had taken a different approach, that is, a conflictual one rather than trying to work with management, she may not have even been able to convince the one manager of her intentions. As the management settle in, they may begin to realise that by working with the union, or at least the steward, it is beneficial to themselves as well as the hospital as a whole.

Far from wanting to take away management’s right to manage, the steward just wanted to see the hospital managed efficiently and to ensure that her members’ concerns and interests were safeguarded. For example, one of the three porters had retired and management wanted to replace him with a part time worker and stop the night cover altogether. The representative was against both these proposals and so were the

nurses who worked nights. The hospital is situated in an insecure area near a psychiatric hospital from which patients were constantly walking out. The nurses did not want to work with no security at nights and their husbands said that they would refuse to allow them to come in to work. The representative tried to explain the situation to management but they would not listen. Believing the situation to be based on financial considerations she asked for details of the hospital's finances, which she was denied. Determined to find a solution to the problem the steward approached the porters, including the one who had retired, and inquired about their income over the last year. She worked out how much had been spent on them including overtime over the last twelve months. She discovered that if the hospital set on another full time porter and two part time porters the trust would actually save money. She took these figures back to management who at first were reluctant to look at them, but after the nurses had threatened to come out on strike they agreed to her proposals. The female member of management studied the steward's proposals and was surprised by the savings that could be made. The steward was loyal to her members, getting them what they wanted, at the same time she was helping management to run the hospital more efficiently, in financial as well as patient care terms. Therefore, the argument that without a union presence companies merely manage labour badly (for example, Brown 1994) can also be applied to the health service.

In contrast the full time UNISON convenor was aghast when she learned of what the steward was proposing, arguing that "you can't do that, you'll have to leave it as it is". The convenor did not want to fight the case; however, the workplace union solved the problem with no outside help. Within UNISON it appears that the higher union representatives, those on the periphery of the workplace, did not want to "rock the boat" with management. In the convenor's case this may have had something to do with the fact that she was paid by the health authority rather than by the union itself. However, this argument is a weak one as it appears that the higher up the union hierarchy a person moves the more detached they become from members on the shopfloor (Beynon 1973, Lane 1974, Sherman 1986, Darlington 1994a, 1994 b, Kelly and Heery 1994). Perhaps, because they have many workplaces under their jurisdiction, each with their own unique problems, as well as those issues which involve all workplaces, for example, pay negotiations; the larger issues may be easier to deal with because they are not peculiar to individual workplaces where intricate knowledge of the situation is needed. For example, the domestic services manager at hospital 1 said that she had a very good relationship with UNISON and that the convenor was always "flitting in and out of her office", and yet the steward from hospital 2 had portrayed a different picture about her relationship with this manager and getting things sorted out for her members (when she had been a steward at hospital 1). The convenor appeared to see things from a management viewpoint rather than a members' viewpoint, perhaps because she did not work alongside the

members.¹⁰ Therefore, it is essential that stewards within the workplace have the right style of working, otherwise members may lose confidence in their union's "power" to help them (see below).

The trust recognised that a good management/union relationship was essential to the efficient running of the trust as a whole. The summary from the training session also appeared to advocate that the staff representatives might have a say in how hospital finances were spent; that is, by attending management meetings and receiving information on activities and financial performance, they could voice their members' opinions about how money is spent, and if managers took on board the trust's recommendations these concerns should be incorporated into their future strategies. However, some managers of individual workplaces within the trust appeared to resent any interference in their "right to manage".

The full time union representatives appeared to get along with managers on management's terms, possibly because they had attended joint management/union training sessions (see below) and did not want to interfere with issues that they may have seen as management's right to manage, such as setting on employees. But where a lay representative existed who could work independently of the "external" union, it appeared that even if management did not wish to involve him/her in the administration of the workplace, if he/she took the correct approach towards management he/she could protect his/her members' interests at the same time as helping management to run the workplace more efficiently.

11:7 *UNISON - the workers' point of view*

Some UNISON members were disillusioned with their union and others had given up their membership altogether. It could be argued that the fact that many members would not take questionnaires when they realised that they were about their union reflected their negative opinions about UNISON.¹¹ When asked if they were members of UNISON a typical answer from workers at hospital 1 was "for what it's

¹⁰ This would relate to the comments made by firm A's convenor that stewards who actually work alongside their members are also affected by the consequences of their bargaining with management, whereas full time stewards who do not actually work on the shopfloor are isolated from any deals that they may have made.

¹¹ A substantial number of the domestic workers were not UNISON members. The younger workers had never been approached about becoming a member and the older ones had either resigned their membership or had not rejoined after becoming re-employed. For example, at hospital 1 one worker in her 50s said that she was "too old" now. But after further questioning it emerged that she had not been allowed to join when she had originally applied because she had held a supervisory position at another hospital. This appears to have influenced her decision. The fact that all those who returned the questionnaires were over forty may reflect upon their past commitment to unionism, if not to UNISON.

worth!” The majority of comments about UNISON were very derogatory giving the impression that those who remained members were only doing so for the benefit side alone, particularly accident benefit; one questionnaire stated that an important reason for membership was “to help in case of accident at work. Compensation.” However, as table 1 shows, those members who completed the questionnaire valued other reasons for union membership, though that does not necessarily mean that they thought their union fulfilled that criteria. For example, all respondents said that “to get higher pay and better working conditions” was an important reason for membership, yet only four of them thought that being in a union actually made a difference in the case of higher wages. This suggests that some members did not feel that UNISON was effective at improving their pay levels even though they felt that “to get higher pay” was an important reason to join a union.

Table 1. The importance to questionnaire respondents of a number of possible reasons for belonging to a trade union.

	Number of respondents				
	very important	fairly important	not very important	not at all important	don't know
To get higher pay & better working conditions	6	3			
To protect me if problems come up in the future	7	1	1		
To get members' benefits, such as financial or health schemes	2	4	2		1
To help safeguard my job	8	1			
To use as a workers' voice against management	6	3			
I believe in them in principle	5	1	1	1	1
To campaign against inequality and injustice	6	3			
To show solidarity with those I work with	4	1	1	1	2
Most of my workmates are members	4	2	1	1	1
It's a family tradition	2	1	1	2	3

The questionnaire respondents and those UNISON members who were informally interviewed were largely ignorant of what their union did do for them other than on a personal note. For example, four of the respondents did not know if their union did a

good job negotiating about wage related issues or whether their steward/convenor negotiated with management over work related problems. Indeed, one member, when asked if she had completed her questionnaire, replied “well I don’t know many of the answers”. As the questionnaire largely referred to issues involving the members’ lay representatives, union activities within the workplace and issues to do with unionism in general, this suggests that this member did not know very much about the union within her workplace. The fact that many UNISON members at hospital 1 had no idea what their union did do for them could to a large degree reflect upon their representative. If the representative does not introduce her/himself to her/his members, (many members did not know who their representative was), then how can she/he encourage participation and interest in union affairs let alone unity among members? Half of the questionnaire respondents did not know answers to questions such as “who decides what action should be taken over a particular grievance or problem?” which indicates that they were not involved in the decision making process as a group, unless of course these particular members had never encountered any problems (though after observing these workers this is hard to believe). The only issues that the questionnaire respondents said were raised with their representatives at hospital 1 were wages and accidents; therefore, some members may not have used the union for other types of grievances.

If these workers had had an active lay representative among them, with the right personality and style of working, they may have viewed their union in a different light. This suggestion is backed up by the fact that some of these workers had united over certain issues and by doing so had “won” their case, usually without the intervention of their representative or union. The problem was usually solved speedily and was initiated by the workers themselves. In addition workers who were not union members had also been prepared to unite with those who were, at least on shifts B and C; therefore, these groups of workers did see themselves as a united front even though “to show solidarity with those I work with” was not considered an important reason for membership by all the questionnaire respondents. One worker who was not a union member because of a bad experience during her previous employment¹² was adamant that unions were no good for workers and yet she stated:

“If we’ve got a gripe we just have to stick together. The only problem with not being a union member would be if the union called a strike, then I suppose I’d have to come out with them.”

Therefore, this non-union member had still got a sense of solidarity and the fact that

¹² In her opinion her previous union had “sold the members out”. The management at her previous workplace had implemented forced redundancies which many of the workforce were not happy about. The union representative had talked those affected into signing a document which stated that they were going to insist on more redundancy pay rather than to keep their jobs. After everyone had signed this document they were told that the union had actually arranged a tribunal for those affected to contest the decision, but because they had signed the document it was too late to do anything about this. This unfortunate incident had led to the lady in question treating all unions and union representatives with contempt rather than blaming the incident on the few people who were involved at the time. Incidentally, this former union member had worked at firm M (see chapter 7).

she thought workers should stick together over a problem in some respects signifies a sense of shopfloor organisation without any outside body to direct it. She also felt a sense of obligation towards her union member workmates by suggesting that she would not break a strike. Nevertheless, she was adamant that unions were no longer any use to workers, citing the 1984/5 miners' strike as an example:

“There's no power left with the unions. If the miners couldn't do it there's no hope for anyone else!”

In a sense this worker appears to have made two contradictory statements. She thought that workers should stick together to alleviate their problems, therefore, she perceived solidarity as a “powerful” means of solving problems and yet she said that unions have no power left. The only conclusion must be that this worker did not perceive “the union” as being on the shopfloor with the members, but rather that any potential “union power” lay with the national organisation itself or its representatives (who sell their members out). Perhaps, if she had had a different lay representative at her previous workplace, one who had been prepared to fight for his/her members, she might have seen things differently. Indeed, Lewis (1989) found that the attitudes of the unemployed towards trade unions were based upon their past experience of membership. “The main anti-union views were based on the powerlessness of unions and the fact that unions had done little or nothing for the particular respondent.” (p277).

The majority of UNISON members studied at hospital 1 did not associate “the union” with the workplace; they saw it as a national concern: they had no conception of a union organisation within the workplace. Those members who did not know who their steward was or did not come into contact with him/her considered the full time convenor to be their representative, which also gave them the impression that “the union” was external to the workplace. The fact that all the questionnaire respondents thought that “to use as a workers' voice against management” and “to campaign against inequality and injustice” were important reasons for membership probably reflected upon the national and local organisations of UNISON rather than the workplace organisation; that is, because a conception of a workplace organisation did not exist, these functions were seen as the domain of union officers who were not part of the members' working environment. However, it is clear that where a steward exists who can portray to his/her members a conception of unionism that involves them, the workplace organisation becomes “the union” and while perceptions of the external organisations may remain the same, unionism itself takes on a different perspective for the workers.

The steward from hospital 2 knew that many members were not satisfied with UNISON but she thought that the majority of her members were quite happy and conversations with some of them confirmed this. This might be understandable as it was plain to see that her main priority as a steward was her members and to ensure that their rights and interests were protected. An example that suggests she was capable of mobilising her members concerned a London demonstration organised by UNISON.

At the branch meeting the branch chairman was bemoaning the fact that she had booked a coach but no one had turned up to support the demonstration, yet the steward from hospital 2 had organised three coaches for her members and each one travelled to London without an empty seat.¹³ Her members' interest and participation in unionism was encouraged by her enthusiasm and encouragement when dealing with their problems within the workplace. However, she contended that members did not realise "the hassle that you go through" and like the AEEU stewards she commented:

"Many when they bring niggly problems to you do not understand why you can't deal with them. It is a lot of hard work and at times a real hassle but we get there eventually. Many members do not appreciate what you do for them and only a few thank you. One member did present me with a bunch of flowers and a box of chocolates after helping her, but these are few and far between."

Nevertheless, members at hospital 2 regarded their workplace organisation as "the union". All their problems and queries were dealt with by their steward so that they had no need to have any contact with officers from outside the workplace. The union organisation (if it could be called that) at hospital 1 was dependent on those outside the workplace and many members were dissatisfied with that representation. The fact that many members at hospital 1 considered the convenor rather than the shop steward as their workplace representative suggests that their steward did not have the right style of working to encourage these members to use her/him as their representative and, therefore, develop a sense of unionism that involved them in the workplace. They had not been encouraged to see themselves as "the union" even though a sense of solidarity did exist within some of the workgroups. Even the convenor did not do this; in fact she may have contributed to the way that members viewed UNISON. All comments from those interviewed relating to her were negative and demeaning.¹⁴ The main complaint from members was that you could never get in touch with her¹⁵ and if you were lucky enough to see her at the workplace she was very often in a hurry and gave members the impression that she was not interested in their problems. Those who had had contact with her tended to describe her as "rubbish".

In contrast the convenor, who said that she sometimes dealt with members directly, when asked whether the contact with the workplaces under her jurisdiction was on a regular basis or just when a problem occurred replied "they know where they can get me, but I try to visit when work will allow". This, it appears, was not always the case, at least for members at hospital 1. Therefore, as with the AEEU, it could be

¹³ She was also organising her members to take part in a demonstration to be held in support of fifty three sacked workers from Hillingdon hospital. The workers had been sacked because they refused to sign new contracts accepting a £40 a week wage cut. The steward was even more determined to ensure that local UNISON members attended the demonstration because the firm who had sacked these workers had put in a bid to take over similar services at a hospital in Xtown and, as she put it, "workers must be made aware of this and do something about it before it is too late".

¹⁴ Not one of the questionnaire respondents described the convenor.

¹⁵ It was extremely difficult to contact the convenor. When trying to contact her about the research it took almost four weeks of telephoning her every day, leaving messages on her answer machine and three letters containing stamp addressed envelopes, before I finally managed to speak to her. This time limit may not always be convenient to members if they have an urgent problem.

argued that where a workplace organisation has a leader who can work independently of the outside union organisations it is beneficial to all concerned. Members develop a sense of unionism that encompasses themselves and they are more likely to have a favourable opinion of their union, at least within the workplace. Where members are dependent on external help they tend to hold a negative opinion of unionism and do not develop a conception of themselves as “the union”.

When asked “do you think your members are generally interested in trade unionism?” the convenor replied “only when they want something”. And at the branch meeting when discussing the fact that no one had turned up to go to the London demonstration, she had stated:

“No one is interested, unless it’s in their working hours and then when it is in their working hours it is only to get out of work! In addition they are not interested unless it affects them personally, especially at [hospital 1].”

Therefore, it seems that the members who did contact the convenor were those who had personal problems and especially those at hospital 1, which again indicates that members at hospital 1 did not use their lay representative, even for individual grievances. It could be argued that rather than moaning about the lack of interest on the part of UNISON members the officials might find that if they and their workplace representatives took a more active role and developed a style of working that promoted unionism within the workplace and encouraged their members to participate in the affairs that involved them, then, members might begin to appreciate the values of unionism more for its general principles rather than for personal reasons. Beynon (1973) had contended that despite representatives’ complaints about their members’ lack of interest in the union if they had the correct leadership the members behaved differently. A prerequisite for correct leadership, according to Beynon, was continuous membership contact. Also, as Fosh (1993), argued, leaders who involved members in the decision making process tended to promote a different view of unionism to those who treated problems solely as individual ones. When asked whether problems were treated as individual ones or whether the whole workgroup was involved in solving them collectively, the convenor replied “it depends on the problem, but mostly individually”. Therefore, it could be argued that members were not encouraged to develop a conception of unionism that involved more than individual grievances. As Fosh (1993) suggested if grievances are treated as individual ones members’ participation in the grievance process is significantly reduced and they do not develop a conception of unionism that encompasses group action. If contact with members is confined to individual grievance processing it reinforces the tendency of members to ignore the collective aspect of unionism (Schuller and Robertson 1983).

The representative at hospital 2 involved her members in all the affairs that involved them, so even though the nature of the workplace may make it harder for some stewards to keep in touch with all their members, hospital 2 proves that it can be done. Hospital 2’s steward admitted that it was harder for her at hospital 1 because of the size of the workplace, which leads to the conclusion that for a union to be effective in a

larger hospital more stewards must be incorporated to ensure that the workforce is divided into smaller shopfloor units making the steward's task of keeping track of all his/her members easier. As with the AEEU the issue of steward training must be made a priority. However, when asked if enough people were willing to become stewards the convenor replied with a definite "no"; therefore, without effective stewards, the future of unionism for some workers at hospitals in the local area appears rather bleak. UNISON recognised that the recruitment of stewards was difficult in some areas and were planning a major campaign to recruit more. Its education and training department were preparing a "recruitment and retention training programme" so that new stewards could learn how to recruit and retain new members.¹⁶

The suggestion that it is the stewards who are essentially responsible for maintaining members' interest in unionism was also recognised by some members. A member from hospital 3 was very derisive about many members there but also tended to lay the blame for this, not with the members themselves, but with their representatives. She argued that members were only interested in the union for any benefits that they might get, such as accident benefit, but the reason for this was their shop steward:

"If a steward is capable of leading then they should do it and get the members interested. But they're just not bothered half of the time. We had a young employee at our place who was advised by [another member] that he ought to be in the union even if just for accident benefit. He said that he'd never been asked to join or even told anything about it. The shop steward was pointed out to him and even though it's her job to approach new employees, she just said 'well there's notices up'. She's just not interested."

In the opinion of this member the stewards at her workplace did not do their job properly and did not even encourage membership, let alone participation in anything that may involve the union. This was a member who worked on a hospital ward; therefore, there is scope for a shopfloor organisation to develop on the ward itself if members could be made to see the advantages in doing so and had a steward who was prepared to lead them.

Another UNISON member commented that union representatives "were now running rather scared with all the job losses", which is another indication that not all lay representatives were "leading their members". Members and ex-members from hospital 1 felt that they were not kept informed of what the union was doing about particular issues at their workplace. Many were annoyed that the regular workplace meetings which had kept them up to date on what was happening had been abandoned, apparently after the transfer of their previous steward to hospital 2. Meetings were only held at hospital 1 when there was an issue to discuss, though a few members did say that they were never held, which suggests that they did not keep up to date with what was happening at their workplace. The majority of members said that they attended these meetings whenever possible. However, observations of and informal interviews with some of these members revealed that unless meetings were held during their working time only the committed actually attended. Indeed, from the

¹⁶ "UNISON focus", no. 20, 20 October 1995, p7.

questionnaire answers it appears that, like some members at firm A, attendance may only have been when the meeting had been held to discuss wage negotiations (and observations of members showed that many did not even attend these meetings). Not one of them attended branch meetings at the local Labour club. This may indicate that members are not interested in the union unless a meeting is held at the workplace during their working hours as commented on by the convenor. However, keeping aside the fact that many members, especially female members, may have been working all day and have families to look after in the evening,¹⁷ most members are only interested in their own workplaces and the problems that affect them there. This was the case with AEEU members and past studies also reached the same conclusions (for example, Goldthorpe et al 1968). Workplace meetings would have concentrated on issues relevant to them rather than issues of concern to the union as a whole. As it is the responsibility of the steward to maintain union organisation and convene workplace meetings (UNISON rule book), the blame can only be placed with the steward. The steward at hospital 2 did this; however, at workplaces like hospital 1, if groups of workers receive no feedback from their representative, perhaps it is no coincidence that they had little confidence in their union.

An ex-NALGO steward, who had represented the administration and clerical staff at hospital 1 before transferring to hospital 3, also stated that:

“Members are just not interested. They are only interested in pay issues. It’s different in a factory or in a job where everyone is paid the same. Different secretarial and admin. jobs carry different rewards and wages, therefore, each individual is only interested in what he/she can gain. When they used to moan about their pay rise I’d ask ‘well are you prepared to stick together and do something about it?’ They’d reply ‘a strike? oh no!’ and then you’d hear nothing more about it. There is no solidarity or unity, they are all in competition with each other.”

This steward had been prepared to “lead” her members but they were not prepared to follow, at least over pay issues. The nature of these members’ employment situations may have influenced their attitudes; they worked largely as individuals with jobs that did not necessarily overlap and affect other people’s work, whereas on a hospital ward everybody is part of a team and a problem for one part of the team will affect the other parts. The clerical workers were aware that individual performance led to better pay and promotion prospects and appear not to have wanted to jeopardise them by taking any collective stance over an issue. These workers worked as individuals; therefore, the general principles of unionism, that by working as a collective workers can advance and protect their interests, was no use to them because of the competitive nature of their employment.¹⁸ Shop stewards representing these types of workers may have a much harder task than those representing workers who are not necessarily in competition with each other, but if the steward develops the right style there is no reason why she/he should not be able to convince her/his members that by working

¹⁷ Previous studies have also argued that meetings are timed, located and structured in such a way as to exclude women or discourage their participation (Terry 1996).

¹⁸ See also Batstone et al (1977) whose description of the staff organisation that they studied was remarkably similar to that of the clerical workers described by the ex-steward.

together they have a much better chance of advancing their interests overall. (See Fosh 1993 who argued that no matter what kind of situation the steward has to work in, with the right style of working he/she should be able to foster an interest in unionism among his/her members.) The former NALGO steward actually thought that for these types of workers it would probably be better if a full time steward, who did not work on the premises, was brought in when problems occurred. She argued that this would bring an element of impartiality into the situation and would prevent any “back biting” that often occurred against the lay representative. However, since a full time convenor has been appointed, problems do not appear to be solved any differently and for some groups of workers they were not solved to their satisfaction.

The way that members’ perceive their union appears to depend upon their lay representative. Those with an active steward saw “the union” as being in the workplace and valued unionism for more than just individual benefits. Those who had no contact with a workplace representative perceived “the union” as a concern outside the workplace and largely held negative opinions of it. Therefore, it can be concluded that how the lay representative performs will influence members’ perceptions of their union. It is the workplace leader’s style of working that is essential in determining membership participation and interest in workplace unionism. At hospital 1 individualism appeared to be a predominant reason for union membership; however, after the change of steward there members had never been encouraged to view unionism as anything other than for individual problems. Therefore, it is perhaps no coincidence that the majority of UNISON members at hospital 1 did not see “the union” as an essential part of their working lives. A good lay representative should keep his/her members informed about all issues which may involve them and should be able to convince them that another person’s problem is also their problem, thereby encouraging a collective attitude. The fact that some workers at hospital 1 had united over certain problems indicates that there is the potential for a collective union organisation to develop if a leader were to emerge who had a style of working that could convince those workers that unionism encompasses more than an individual problem solving agency. It can be concluded that the personality and style of working of the lay representative are two of the main ingredients for successful unionism in the workplace.

11:8 *The steward is the key to successful unionism in the workplace*

The UNISON steward is the most important union person within the workplace according to the UNISON rule book. Stewards should: represent the interests of members in their workgroup or workplace in any grievance, dispute or negotiations at the level of the work group or workplace; establish and maintain union organisation in their workgroup including the convening of workplace meetings; and report to the

branch committee all developments affecting members in their workgroup or workplace (UNISON rule book p31, section 5). According to the convenor stewards were able to deal with management by themselves. She saw her stewards as “very influential and effective” and argued that she could not do her job without them. However, it appears that not all UNISON stewards were as effective as the convenor made out. The argument that successful unionism in the workplace rests with the personality and style of working of the lay representatives is supported by evidence from hospitals 1 and 2.

The lay representative from hospital 2 was one of three stewards at hospital 1 until she transferred to the new hospital.¹⁹ According to the steward while she was working at hospital 1 she was “always in to see [the manager of domestic services]” on behalf of the domestic workers, and she felt that problems were generally sorted out to their satisfaction. However, she said that there were vast differences between the three shifts of domestic workers regarding what they would do in a given situation. Observations of these workers confirmed the steward’s opinions. Shift A were not very close knit and any unity within the group was usually broken by one or two individuals. For example, if it was decided not to incorporate any extra duties into their normal working hours (a common issue because of staff shortages; the argument was that while ever the workers covered other shifts and did extra work no new employees would be set on) there was always someone prepared to do the extra work and, if necessary, overtime (perhaps indicating the self interested nature of those workers). In contrast, shift B were prepared to stick together over an issue. One bank holiday when the manager had decided that each worker should cover two wards instead of their normal one the workers refused to do it and more workers had to be called in on that particular day.

This highlights the difference between two sets of workers doing more or less the same job. One shift was prepared to show solidarity and stick together but the other, while initially showing unity, had so many individuals who were prepared to go against a majority made decision that worker was pitched against worker.²⁰ None of these groups had a shop steward among them. But whether that would have made a difference is another matter. According to the steward, shift C were actually the ones who were prepared to stick up for themselves and unite together over an issue whether the steward was involved or not. The union, then, had been used in the past for different purposes by these workers; the majority of shift A had used it more for individual grievances, such as injury claims (see also Terry 1982), whereas the two other shifts had stood united over problems which had secured them their goals.

¹⁹ However, the steward was then a steward for COHSE, rather than UNISON, the other two stewards represented NALGO and NUPE. Therefore, while certain conclusions can be drawn from the evidence, especially regarding the personalities of those involved and their influence upon their members and management, they should be treated with care, as workers were then represented by three different unions rather than just the one.

²⁰ The majority of questionnaire respondents were not sure if they would go against a majority vote in a ballot. However, one did say that she would be prepared to do so and this worker was from shift A.

Solidarity and success within the workplace may also be connected to the morale of workers; workers on shifts B and C appeared to have a much more positive attitude towards their work and their workmates than those on shift A, who were constantly quarrelling among themselves rather than solving their problems as a group. Even their employer contended that many of the workers on shift A were “not very union minded” and that they used the union for the wrong reasons. It could be argued that whereas workers on shifts B and C had a collective attitude some of the workers on shift A did not and, like the employees in the particular workshop at firm C (see chapter 7), worker became pitched against worker so that a united workgroup was hard to maintain; individualism dominated over collectivism and the union tended to be used only for individual self interests, such as accident claims. However, if a steward with the right style of working had had more contact with these workers it is possible that their attitudes may have changed. For example, the actions of a UNISON steward from the local community health team indicates that the key to successful unionism within the workplace lies with the steward. When she moved to a new office she was surprised to find that UNISON members there were apathetic towards unionism, very much like the members at hospital 1. After a couple of weeks she had managed to get things sorted out that the workers had been complaining about for months, such as faulty equipment in the office. The members’ response to the union changed from one of indifference to one of a feeling of belonging and being able to get things done. The steward’s style of working had encouraged those members to see unionism in a way that involved them in the workplace rather than as an external entity that provided assistance for personal claims and problems.

The steward from hospital 2 also argued that there was a lot more to union membership than benefits; solidarity is an essential part of being in a union, which, it could be argued, may be part of the explanation for why she appeared to be able to keep her members satisfied and prepared to act together if necessary. At hospital 1, UNISON had lost many members, and some of those had been active members who believed in solidarity and the general principles of unionism (indeed, a couple of them had been NUPE/COHSE stewards). Many of these workers had lost faith in their union, especially since the amalgamation of the three public service unions (see below). However, most of them had resigned their membership after the particular steward transferred from hospital 1 to hospital 2. When the steward was asked why members were dropping out of UNISON, she was surprised at the number of ancillary workers who had resigned their membership at hospital 1, yet at the same time she was sympathetic because of the problems the creation of UNISON had caused. This could be the reason workers were resigning their membership. However, the fact that other workers were remaining members and new workers were becoming members at hospital 2 suggests that the lay representative is the key to encouraging workers to remain/join the union and to participate in union affairs within the workplace.

One domestic worker at hospital 1 resigned her UNISON membership because of how she felt she had been treated by the union over her claim for compensation. She had

put her hand into a black waste bag and a syringe needle (which should have not been in the bag) pierced her hand. After two and half years UNISON had sent her what she described as “an insulting and nasty” letter, saying that she should accept what was offered by the health authority because “she was partly to blame” for putting her hand into the bag; that is, she was contributorily negligent. The worker was very annoyed and immediately resigned her union membership. This was also a worker who had been an active union member; she believed in all the general principles of unionism and was not just a member for the sake of benefits and “what she could get out of the union” personally. She felt very strongly about how she had been treated: it was not just a case of not getting what she felt she was entitled to, it was a stand on a matter of principle. When the steward from hospital 2 was told about the outcome of this case she was surprised because she had originally been fighting the case, and during that time the union had recommended that the worker accept a certain sum of money which the steward had advised against doing. However, when the representative moved to hospital 2 the case was put into the hands of another representative, who could not have wished to carry on fighting the case. The result was that the member became disillusioned with the union and felt that the best thing was to pull out. It will never be known if the situation would have ended differently if hospital 2’s steward had carried on fighting the case. She certainly did not agree with the outcome and would have contested the suggestion that the worker was in any way at fault. This could be taken as an indication that the new representative at hospital 1 was not as effective as the previous one and UNISON was losing members as a result of the change.

When asked about their steward, many members at hospital 1 did not even know who it was!²¹ Some workers at hospital 1 actually said that they had never been asked to join a union. This to a large extent reflected upon their current representative. The questionnaire answers about the steward confirmed that some members did not see their steward; “never see them” stated one. However, it may also have depended upon the shifts that members worked on; when the hours that members worked are looked at²² those that described their representative in some way worked over 24 hours a week and those that did not worked less. Therefore, it could be argued that those workers on shift A came into contact with their union representative more often than the workers on the other shifts.²³ The representative was described as “easy to approach” and “willing to help”. One respondent said that the steward was knowledgeable and dedicated and another that he/she gave advice and sorted out problems unrelated to work. However, only one said that he/she was readily available. This falls into line with the comments from members on each shift, including shift A, that they never came into contact with him/her. The member who

²¹ When distributing questionnaires one member actually asked “are you the union rep?” which suggests that many members at hospital 1 did not know who their representative was.

²² This is an indication that they worked different shifts.

²³ This may have been because shift A were allowed a half hour dinner break and some of the workers had their lunch in the staff canteen at the same time as other hospital workers were having their dinner. Therefore, shift A workers may have had more opportunity to meet their steward (if they knew who it was) than workers on the other shifts, who only attended the canteen when other hospital workers were not present.

said that the steward was readily available may have been in a different position to other members and perhaps worked on a ward or department where the steward worked. Indeed, one questionnaire stated "I would like to see our union steward at least once every three months". This indicates that contact between the members studied and their lay representative at hospital 1 was almost non-existent. A steward should be in contact with his/her members regularly if he/she wishes to build up an effective union organisation and even the UNISON rule book recognised this.

Satisfaction with union representation at the workplace appeared to be related to whether the member had contact with the steward or not. The questionnaire respondents who had replied that they were satisfied or were "sometimes" satisfied with their representation were the ones who had also described their steward in some way, whereas those who were not satisfied with their union representation or who did not know had not described their representative at all indicating that they may have had no contact with him/her. Members who were interviewed also reacted in the same way. In addition, all the respondents were most likely to take any problems that they may have had to their supervisor and observations of the domestic workers revealed that all these workers did the same. This may reflect the fact that a union steward was not readily available; however, it was also the case that all the domestic services supervisors while seen as part of management in one respect, that is, workers were careful not to be caught doing something they should not be doing, for example, taking an unofficial tea break, in another respect they were treated as a part of the work group and became involved with the workers under their supervision as "leaders". In comparison to the supervisors/foremen at firm A, at hospital 1 they were not treated with suspicion or in a "us" and "them" fashion; they were seen as part of the workgroup and had usually worked alongside the domestic workers before their promotion, in addition they were also UNISON members. Usually the union only became involved at the instigation of a supervisor if she could not solve a problem herself; these usually covered things like injury claims or in one case, a malicious letter campaign against a worker; personal problems.

It could be argued that the domestic supervisors were seen as, and acted as, leaders of the workgroup rather than as part of the management team. This may have reduced the likelihood of a workplace union organisation being built up by these workers; that is, because their supervisors dealt with the majority of their problems, the workers did not see a need to insist that they had a steward in the workplace who was on hand if they should ever need to contact her/him immediately about workplace problems. However, because the supervisors took on the role of problem solvers, this may have increased the competitive nature of some of the workers. Whereas a union representative should stress the collective nature of the workforce in solving their problems, by, for example, all workers refusing to work overtime, a supervisor wants to get the work completed and may encourage individual workers to work overtime against the wishes of the majority. Therefore, some union members were being encouraged to work as individuals rather than as part of a collective. This would appear to add weight to Roberts' (1987) suggestion that if employers offered a system

which satisfied employees that their interests were being protected trade unions would cease to be important as a major institution. Nevertheless, it could be argued that the lack of union representation for these workers also contributed to this situation and the fact that two of the workgroups did work collectively to achieve their aims refutes Roberts' (1987) contention that employees wish to be treated as individuals rather than as collectivities.

The nature of the workplace itself may also be a significant factor when considering the unity of union members (see for example, Sayles 1958). A close knit workforce, who work together regularly, may be more likely to become united over an issue than a scattered workforce who do not regularly meet up with each other or do not necessarily work together. The steward from hospital 2 recognised that it was sometimes difficult to maintain solidarity within a hospital, especially because of the nature of the workplace. But she insisted that at hospital 2 solidarity was much easier to maintain because the hospital was more compact than hospital 1 and members could be contacted much easier; if a workplace meeting had to be called, for example, it was easier to get all the members together. At hospital 1 it was much harder to get all the members together because they were "dotted about all over the place". It was also much harder at hospital 1 to keep track of all new employees and some tended to "slip the net". Terry's (1982) contention that a key steward was crucial to the success of workplace unionism where there was a scattered workforce does not appear to be upheld in Xtown. The convenor was the "key steward" with access to all members and management; however, because she did not maintain contact with all her members, as Terry put it, trade unionism just became a label that went along with the job.

The evidence suggests that while the nature of the workplace itself can hinder union organisation, it is actually the lay representative him/herself who actually encourages union participation. The fact that the steward at hospital 2 maintained her membership while at hospital 1 and was still doing so at hospital 2 suggests that the dissatisfaction of members at hospital 1 was created by their present steward. The fact that the domestic supervisors acted as workplace problem solvers for their workers may also have taken the onus away from the union on these types of issues .

11:9 *The national union*

According to hospital 2's lay representative UNISON was "a shambles", basically because of the amalgamation between the three unions. As a whole representatives were finding that certain groups of workers did not like to be lumped together with other groups; for example, many former NALGO workers, that is, white collar workers, did not like to be combined with cleaners, porters and other manual workers. Indeed, if the nature of the employment situation influences the way that individuals choose to work, that is, as individuals or as a collective, then the amalgamation of NALGO with NUPE and COHSE, rather than leading to a united workforce, may

have actually created a union where members are divided about their priorities. The steward agreed that COHSE and NUPE should have amalgamated years ago as they were both representing similar workers, and in some instances the same groups of workers, which caused difficulties when trying to get problems sorted out within the hospital when the workers involved belonged to two different unions.

The ex-NALGO steward gave a good example of the difficulties faced by stewards before the amalgamation. During a strike at a local hospital, if workers took one day off they did not receive any reimbursement from their union but if they stopped work for three or more days they were entitled to some form of payment. A FTO of one of the unions had negotiated a deal for her members that entitled them to some form of payment for taking only one day off work, whereas members of the other two unions would not receive any payment unless they stopped work for at least three days. As the ex-steward put it: "This was not fair and could have broken the strike. Those who were being paid for the first day they stopped work did not all join the strike for longer. The same deal should have been negotiated for everyone."

Problems for representatives still existed because of the traditions of the original unions. The steward at hospital 2 was asked by a member who had been off work ill for 13 weeks about that member's entitlement to a lump sum of money from the union. The representative did not think that this was the case, but after making enquiries on the member's behalf found that former NALGO members were entitled to a small lump sum after 13 weeks of illness, whereas members of the other two former unions were not entitled to this same benefit.²⁴ Similarly, members wishing to contribute to UNISON's political fund may have been confused to find that they could choose whether to pay into the General Political Fund or the Affiliated Political Fund or to both. The contribution rate to each fund was different; 22p a month to the General Political Fund and 6.5% of their contribution to the union for the Affiliated fund. The two political funds had been created by NALGO's political fund (now the General Political Fund) and the combination of COHSE's and NUPE's political funds (now the Affiliated Political Fund), and contributions from members were diverted into the fund replacing their former union's. However, after January 1st 1996 any UNISON member can elect to contribute to either of the two funds. However, if evidence from AEEU members²⁵ can be applied to UNISON members, members may not even know which fund they are contributing to, if they are contributing at all.

UNISON's method of working out the level of subscriptions paid by each member was also criticised by many members and was described as "a very unfair system" by

²⁴ The UNISON rule book stated: "Members who were members of COHSE, NALGO or NUPE on Vesting Day shall retain entitlement to any financial benefits of membership of the former Union which are not otherwise provided for in these Rules, providing that they continue to remain in membership of UNISON." (1995, p51).

²⁵ Many AEEU members did not know if they were contributing to their union's political fund. Those that said they were not also commented that they appeared to be paying exactly the same subscriptions as everyone else that they knew, which suggests that in Xtown, members either did not contribute to the AEEU's political fund or they did not know that they were doing so.

the ex-NALGO steward.²⁶ Rather than a set rate, as paid by AEEU members, UNISON members paid a different rate depending on their annual income; therefore, each member's rate of subscription was based on the amount that they earned in the previous year. According to the ex-NALGO steward, members who had worked a lot of overtime were finding that any extra pay they had earned in the months before their "anticipated income" for the following year was being assessed was being taken into account, making their union subscriptions much higher the following year. Each branch was also allowed to fix a local levy which was added to members' subscription rates. This would also create differences in different groups of workers' subscriptions.

The steward from hospital 2 gave the impression that she had no respect for the national side of her union, its national officers or the FTOs for the region: "they are more concerned with themselves and finances than with the members and issues of solidarity" she stated quite clearly.²⁷ This may be one reason why some UNISON stewards take the "not bothered" attitude as described by the member above; if union officers outside the workplace are not interested in encouraging solidarity and participation in unionism, this attitude may be passed onto their stewards. So unless stewards already possess the right qualities to encourage membership participation and maintain unity among their members, it is highly likely that they will not learn these traits from their superiors.

The steward was also critical of the "top levels" of the union, particularly because "rather than let you make your own mind up over a particular issue they tend to tell you to vote yes".²⁸ She was also critical of the way issues brought up at conference were dealt with:

"At conferences, if members are not satisfied with a particular issue, the union will say 'well we'll put it into remit'. We vote on it, it gets put into remit and then we never hear about it again. So it has to be put across to delegates not to vote for issues to be put into remit, then they can stay on the agenda and be discussed until members are satisfied."

It appears that UNISON as a national organisation does not even satisfy its own activists let alone the rank and file members, at least in Xtown. As the steward from hospital 2 said "the workplace is the place where the union matters, the top people are totally out of touch."

As already mentioned the branch committee appeared to want to ignore their stewards'

²⁶ This was also the reason that the former steward "fell out" with the union.

²⁷ The former NALGO steward also reflected these views and had become very bitter about UNISON and the way that it went about doing things after its creation.

²⁸ Interestingly the branch officials also tended to take a particular stance regardless of what their members might have thought. One member at the meeting had asked if it was possible to get Rodney Bickerstaffe to come and speak to the members before they voted for their general secretary. After an outburst from the chairman about making all the necessary arrangements for speakers to appear locally and then no one turning up, she announced "anyway this branch is supporting Rodney".

views and concerns. One rank and file member who had attended the branch meeting had also questioned many of the things put forward by the FTOs and it was clear that she was not happy with many of the answers she received. After the meeting she commented that “they are very conservative at the top of this union” and went on to say that she had stopped attending meetings because she had become disillusioned with the union:

“The union is in the workplace. What the top level of the union does is made up on their own decisions not what the members want.”

When opinions like this are voiced, it is perhaps easy to understand why members without an adequate lay representative, who is able to work on his/her own initiative and sustain a workplace organisation, are either only in the union for what they can get out of it themselves or pull out altogether. It is interesting that many members who had resigned their membership since the union became UNISON tended to be those who were most active within one of the three former unions; they believed in the principles of unionism rather than in membership for the sake of benefits, attended union meetings and were proud of their union membership. Those who remained members at hospital 1 did not associate “the union” with the workplace and had very low opinions of their union in general.

The UNISON rules state that two of the aims and objects of the union are: “To promote and establish a member-led union and to carry out and fulfil decisions made by members in a spirit of unity and accountability”,²⁹ and: “To promote and safeguard the rights of members to have an adequate opportunity to participate in the initiation and development of policy making, through meetings, conferences, delegations or ballots, and to encourage the maximum democratic debate, together with the right to campaign to change policy, while at all times acting within the rules and agreed policy.”³⁰ Members locally did not feel that this was the case and even branch officials did not seem to want to take on board the opinions of their members.

UNISON activists in other areas also appeared to be unhappy with the way that the national organisation of UNISON was working. For example, the front page story of one “UNISON Focus”, magazine declared that: “Health staff say yes. Ballot shows 82 per cent in favour of deal to end pay dispute”. The article accompanying the headline told the reader that “health workers have voted overwhelmingly to accept a deal to end this year’s pay dispute” and outlined the framework of proposals that were voted for. Nearly three quarters of UNISON’s 440,000 health members were balloted and the turnout for the voting was 36%.³¹ In the following edition of the magazine³² two letters were printed objecting to the article. One stated:

“I object to the blatant piece of propaganda contained in the front page article (UNISON

²⁹ UNISON Rule Book as amended by the 1995 conference, p2, section 2.2.

³⁰ Ibid, p3, section 2.5.

³¹ UNISON Focus no. 20, 20 October 1995.

³² No.21, 3 November 1995

focus 20, health staff say yes). To argue that the pay vote represented an overwhelming acceptance of the deal is stretching things. When only 36 per cent of members voted, it is a bit like saying the Tories have a mandate from a majority of the electorate to govern the country. The reality is the massive majority of our members abstained. Who can blame them when it seemed like a sham that they were being recommended by their leaders to accept local pay bargaining when they rejected it in favour of strike action. Our members do not feel confident that this deal will protect national pay and conditions when they see that management is also saying that the deal represents a victory for them!.....”

This letter was written by a branch secretary, who, like the steward from hospital 2, did not like the way that UNISON leaders recommended a “yes” vote. He also appears to have hit the nail on the head when he complained about the vote being called an “overwhelming victory” when the majority of members did not vote at all. The vote held in Xtown was done by a show of hands and, therefore, many members may have missed the vote altogether because they were not at work or may have been intimidated because those conducting the vote were recommending a “yes” vote. The second letter, also from a branch secretary, began; “What a sell out by full-time officers the pay settlement for NHS staff is. It is yet another case of ignoring the members’ wishes...” Therefore, despite the aims of UNISON cited above, the union was not seen as a member led union, as some activists were of the opinion that members’ wishes are not taken into account. It could be argued that members should have voted rather than abstaining and their wishes might then have been taken into account; however, if the vote was conducted as it was locally, some members may not have had a chance to vote. Others may have been resigned to the fact that whatever they voted for was ignored anyway, as the above letter said, members had already rejected the proposals in favour of strike action but another vote was taken anyway. While this shows that many members around the country may not be satisfied with the national side of their union³³ it also indicates that not all local branches appear to support national policies and ignore their members’ concerns. Maybe locally this had something to do with the fact that the full time convenor was the branch secretary and the regional FTO was usually in attendance. Nevertheless, it indicates that members in some areas may receive a better service than those in others, depending upon the personalities and allegiances, that is to the national union or to their members, of those involved.

Local active UNISON members and stewards echoed the views of the AEEU stewards that the workplace is where the union should matter and that their national leaders were more concerned with themselves and the financial side of the union rather than with the everyday realities that members encounter. Of particular concern, from members

³³ To be fair to UNISON a letter from a shop steward in Wales, on behalf of fifteen members who worked for a small employer, thanked their UNISON district office for the level of support and expertise that was given during an organisational restructure. They were obviously surprised by this because the letter said, “we were expecting the worst and got the best”, and they asked “is this a universal experience of the union membership since the amalgamation?” It appears that for many members the reverse is actually true; however, at least one district organisation appears to be satisfying its members.

in both unions, was the way that their national leaders appeared to ignore members' wishes and advise them to vote in the way that they wanted. This makes a mockery of statements that the two unions are "membership-led". Though it is significant that within UNISON, the local organisation appeared to endorse national policies, sometimes against the wishes of members, whereas the local organisation of the AEEU was very often opposed to national initiatives. This difference was probably due to the fact that full time representatives were in charge of UNISON's local organisation, whereas lay representatives administered the local organisation of the AEEU.

Even though the majority of UNISON members at hospital 1 agreed that workers need trade unions to protect their interests and particularly at work, it appears that UNISON was not delivering the goods as far as some members were concerned. If stewards with the right styles of working are not available to keep members happy within their workplaces, it seems that, at least locally, UNISON is in danger of losing more and more members.

11:10 *Legislation and industrial action*

When asked if she thought that the legislation had had any effect on the way that negotiations were conducted between UNISON and managements, the convenor replied: "Yes. It is a new area for us all. We have had study days for combine managers and union reps to work together, which we all felt were good." Therefore, union representatives and managers within the trust were trained together in negotiating skills, which, even though the convenor thought that everyone "felt they were good" could be considered a bit of disadvantage because by learning these skills together both sides would be aware of the bargaining tactics of the other side. However, it appears that representatives from the management and staff sides tried to work together and by the means of the staff council tried to solve their problems amicably. Therefore, the legislation had had an effect on negotiations within the health service as a whole in the local region and may have brought the managers and union negotiators closer together, or at least the full time union representatives.

Nevertheless, the legislation had not had any effect on hospital 2's steward and the way that she dealt with management. Not surprisingly, the majority of the questionnaire respondents did not know if the law had affected the way that negotiations were conducted between their workplace union and management. Over half of them did not know if their steward even negotiated with their manager over work related problems. Most of the UNISON members who were interviewed or completed the questionnaire were not aware of many aspects of the law. Informal interviews with some of those from hospitals 1 and 2 revealed that the only information that some of them received about the law was from the television and newspapers and most were not interested in this anyway. The majority of the

questionnaire respondents did not know the answers to any of the questions relating to the legislation, though of particular importance is the fact that not one of them knew that the organisation of industrial action without a postal ballot could involve the national union incurring legal liability.

The law had no significance for those UNISON members studied. However, like the AEEU members at firm A, despite their lack of knowledge about the legislation relating to trade unions they believed that union power no longer existed. It could be argued that this was because they were basing their judgments upon the national organisations of trade unions, and in the case of hospital 1 they did not have an effective workplace organisation to base their measurements of union power upon. Indeed, it could be argued that before hospital 2 was built, the union organisation at hospital 1 was more efficient than it was at the time of the study; therefore, members may have based their perceptions about the loss of union power upon the change that had taken place at their workplace. This also coincided with the transition of the three former public service unions to UNISON.

The majority of members interviewed did not think that the law had had an effect on the forms of industrial action that were taken at hospital 1 or they did not know. This is not surprising as the majority of the questionnaire respondents said that no forms of pressure had been used at their place of work while they had been working there. However, when action was taken, it was by individual workgroups, usually refusing to do particular things, and this did not appear to be defined as industrial action but was looked upon as “sticking up for our rights”.

Regarding industrial action on issues that affect the health service generally, such as the pay negotiations, the regional FTO commented at the branch meeting that UNISON can get some areas to take action but not others and “if we can’t get it everywhere it breaks the ranks and if some areas accept a deal then it loses the impetus for action. [Xtown] would have delivered industrial action, they have done before, although it is sometimes patchy”. Therefore, the FTO was confident that local members would back the union if necessary. However, members may feel differently, at least at hospital 1. Over half of those who returned the questionnaire had said that they would not be prepared to take strike action if a serious problem should occur and three did not know (and these were not nurses who were responsible for patient care). However, industrial action, such as refusing to do the work of another person, had been taken by members without a ballot, and this type of action had secured them their goals. Nevertheless, this type of action depended largely on the work group taking it. Only two of the questionnaire respondents would have been prepared to take industrial action short of a strike, yet none of the respondents had said that they would not be prepared to take immediate action without a ballot in the given

circumstances.³⁴ This may indicate that depending on the form of action taken members may be prepared to take part depending on the circumstances. It may also depend upon how individuals define industrial action. As at firm A, it may be that UNISON members do not necessarily define certain measures, such as refusing to do the work of another person, as industrial action. It also appears to have been the case that actual or threatened action was more likely to arise over workplace issues rather than national or even local issues. (Elgar and Simpson 1994b also found that disputes in the 1980s tended to be over local issues rather than national based ones.)

The example above, where the nurses threatened to go on strike, shows that union members at hospital 2 were prepared to issue threats to management when they felt very strongly about something and the threat certainly made management consider and accept the steward's proposals. Nevertheless, the dispute was solved within the workplace by the lay representative, if the convenor had had her way the dispute may have been prolonged. Therefore, the argument that workplace bargaining within the NHS might benefit those concerned was upheld on this occasion. However, when asked if the nurses would have been prepared to take strike action, the steward hesitated and answered "I doubt it, because of the patients. They've got us over a barrel. It's not as though we just stop productivity, we care about the elderly patients. But the threat was there." So whether the nurses would have taken action is another question; the nature of their work makes it hard for them to do so without a guilty conscience about the effect that it would have on their patients. The point is that the threat worked.³⁵ Indeed, Elgar and Simpson (1994b) found that the law relating to industrial action was rarely used by NHS managers, usually because of the short lived nature of most action and so as not to make the industrial relations atmosphere any worse. In this case it could be argued that the steward had found a solution to the problem which benefited management just as much as it did her members.

If the nurses had refused to work, they would have done so without first conducting a postal ballot. The branch committee, backed by the regional officer, were discussing the vote that was to be taken on the document outlining new framework proposals for pay and local pay bargaining. All members were to be balloted on whether to accept the proposals and the chairman announced that "the vote will mean a show of hands because of the lack of time". When challenged by a member who asked "but is a show of hands democratic? Won't members be influenced by other people?" she replied with a very distinct "no!" and the regional officer backed her by adding "it is not viable with what we've got to do and in the time we've got to organise a proper ballot". Therefore, local union officers were prepared to take a vote of their members in a fashion considered undemocratic by even some of their own members. The

³⁴ The majority of the respondents could not really say whether they would take immediate action without a ballot. Two had said that they would; one to ensure that all workers doing the same job received equal treatment and for a health and safety problem and the other over the dismissal of a workmate, a pay dispute, changed working conditions and to ensure everyone received equal treatment.

³⁵ Yet the hospital 1 questionnaire respondents either thought that threats to walk off the shopfloor were not usually sufficient to make management concede to their demands or they did not know. This may indicate the difference between the two workplaces and the workers there.

chairman, as if trying to vindicate the decision, stated: "I've very often been up at [hospital 3] until two in the morning organising a vote by a show of hands from those on every shift." However, this would not include those members who were not working that particular day; therefore, the vote would not be taken by every member, let alone the issue of whether it is democratic to vote this way. In many respects a workplace secret ballot would not have taken an enormous amount of time up and could be described as more democratic than a show of hands.³⁶

As with the AEEU the legislation appears to have had more effect upon the national organisation rather than the workplace organisations of UNISON. Indeed, as far as the local organisation was concerned, it may have brought managers and union officials closer together. The convenor could not say whether she thought that the changes in the law had had any effect upon UNISON as she felt that UNISON "had not yet settled since becoming one union". This supports the comments made by other representatives and members about "the shambles" that UNISON appeared to be in at that moment in time.

11:11 *Trade union power*

When asked "do you regard your union as powerful?" the convenor answered with a definite "yes", and in reply to the question "do you feel that overall UNISON is effective locally?" she said "I would hope so". Despite the negative opinion of many members towards the convenor evidence does show that if power is defined as the union's capacity or ability to achieve a desired goal, UNISON locally had achieved many things which were contrary to the original decisions of management. For example, the provision of adequate catering facilities for staff at one hospital or the restoration of a ward floor at a time convenient to staff and patients rather than management. However, problems such as these which were solved to the satisfaction of those concerned tended to involve health and safety issues or working conditions, problems which in some instances should not have been allowed to happen in the first place. Issues that management might regard as their "right to manage" tended to be left unresolved, usually because they involved financial aspects which had already taken place. Therefore, in the trust as a whole UNISON could be regarded as powerful, that is it had the ability to produce effects and achieve desired goals, on issues that related to health and safety and working conditions. But the union appeared to be powerless over the financial aspects of the trust, though it should be noted that this was largely because members' concerns were voiced over things that

³⁶ The questionnaire answers were divided as to how a vote was usually carried out at hospital 1. Three said that a show of hands was used, three a postal ballot, one a workplace secret ballot and two did not know. This may indicate that different work groups use different methods within the workplace to vote, but it also shows that postal ballots may have been used by the national union. UNISON as a national organisation bargains on behalf of all its members on issues which affect more than one workplace, such as pay. Therefore, if industrial action was to be called for over these types of issues, it could be presumed that the national union would ensure that the correct balloting procedures were carried out.

had already taken place, such as new carpeting for administration offices when hospital wheelchairs were in desperate need of repair. The convenor did say that as a union representative the most important issues to her were “everything that appertains to the health and safety and all working conditions for our members”, and it appears that, at least locally, UNISON was effective in ensuring that these kinds of problems were solved to the satisfaction of those involved. In fact, a few members did comment that “unions are good for health and safety issues”.

The steward at hospital 2 felt that “the union” was effective there; however, it was the workplace organisation rather than the outside union that she referred to; as far as UNISON locally was concerned she did not have a high regard for it. The workplace union organisation at hospital 2 did have the capacity to produce effects; therefore, that organisation could be described as “powerful”; members’ interests were protected. However, like firm A’s convenor, the steward did not see herself as powerful, she looked upon what she did as an essential part of the working environment; the protection of her members’ interests and the best possible care for patients were the two things that mattered most. However, the union’s effectiveness revolved around how she worked with management and her members. Her style of working determined membership participation in the union affairs that involved them and also enabled her to work with management despite their resentment of any interference in their “right to manage”. She did feel that she was helping management to run the hospital more efficiently even though they were reluctant to include her in the decision making forum. Her style of working accommodated management as well as her members and ensured that she did have an influence over what happened in the workplace. Even though the management did not acknowledge her intervention, she shaped and influenced their decisions in such a way that she could have claimed to have been involved in the process. However, her style of working was such that she did not want to antagonise management: she was happy not to take any credit for decision making as long as her members’ interests were protected. It could be argued that within a hospital the main emphasis for both union members and management is patient care (or should be) and, therefore, even though conflict situations may arise both parties are working towards the same goal. However, Brown’s (1994) suggestion that without a union presence management’s merely managed labour badly could be applied to hospital 2; without the union’s (or the steward’s) intervention the management at hospital 2 would have managed not only labour badly but also patient care. The union worked to the advantage of its members, management and the hospital as a whole.

Only one of the questionnaire respondents said that UNISON was not effective at her workplace (hospital 1), the others were equally divided; four did not know and four thought that it was effective. However, even though the number of questionnaire respondents was low, their answers to whether union membership made a difference in a number of particular circumstances reflected the feelings of those hospital 1 members who only gave their opinions verbally. As table 2 shows union membership was considered to make a difference in unfair dismissal cases and if a workplace

accident should occur. These functions of UNISON were carried out by the union organisation external to the workplace. The answers indicate that while members at hospital 1 may have had a negative opinion about their union, or at least their local union, they did consider the national union effective where compensation was involved. Indeed, evidence from WIRS3 showed that unions continued to play an important role assisting in dismissal cases. UNISON, then, did have some use to hospital 1 members, even if it was only for issues of compensation.

The fact that a third of the respondents did not know whether being in a union made a difference to those circumstances which involved the workplace directly, such as “having your conditions of work changed” and “efficient health and safety”, suggests that the union was not used for these types of problems at hospital 1. If members did not have contact with their workplace representative, then, these types of workplace concerns, which at hospital 2 were dealt with without external intervention, would not

Table 2. Whether questionnaire respondents thought that being in a union made a difference to a number of different circumstances

Circumstance	Yes	No	Don't know
Higher wages	4	4	1
Unfair dismissal	8	0	1
Accusation by employer	4	1	4
Changed working conditions	4	2	3
Efficient health and safety	4	2	3
Workplace accident	8	0	1
Preventing harassment & discrimination	5	0	4
Job protection	5	0	4

be brought to the attention of the steward. Indeed, as mentioned above, in the case of the domestic workers they tended to use their supervisor to solve these types of problems. Overall at hospital 1 the workers studied did not view their union as powerful³⁷ or as being particularly bothered about representing their interests. The reason for this appears to be that they had not got an effective lay representative. The lack of a workplace union organisation left the workers with no sense of belonging to a union, union membership to them was like a form of insurance against unfair dismissal, accidents and a last resort for personal work related problems.

³⁷ Nevertheless, some of the questionnaire respondents took a different view. They were equally divided over trade union power in the country as a whole: three said they had the right amount, three thought they had too little and three did not know. However, when asked about the power of the union at their workplace, four said that it had the right amount, one thought it had too little, another said it had far too little and three did not know.

It can be concluded that UNISON within the trust as a whole was powerful on issues relating to health and safety and working conditions, whereas on issues involving the financial side of the trust the union had little authority. However, it could be argued that within the local trust UNISON had the potential to exert its power, that is, its capacity to produce effects, over these types of issues. Whereas, studies have concluded that unions generally only react to already defined parameters (for example, Burkitt 1981, Wilson et al 1982) UNISON had the capacity to do more than structure management's final decision making. The fact that the trust recognised that staff had a vital role to play in its efficient running and that they should be involved in setting local objectives coupled with the participation of UNISON representatives on the staff council indicates that UNISON could play a greater role within the trust than just reacting to management decisions. Coates (1983) suggested that if union power was equated with participation in decision making then union power had significantly increased, though this power was limited. It could be argued that UNISON's power has increased within the local trust and rather than this power being limited it's potential has actually been enhanced by the trust itself. Nevertheless, if the full time UNISON representatives are out of touch with their members' opinions, members, like those at hospital 1, may not feel that their union is powerful as their concerns appear to be ignored. This would be particularly so if they considered the convenor to be their representative. However, at workplaces where members' interests are served by a workplace steward UNISON's "power" within the trust as a whole may not be considered; their interests are protected within the workplace so that they have no need to contact outside representatives.

Individual workplace organisations appear to be effective in achieving their goals depending on whether they have a lay representative who can maintain his/her membership and their interest in unionism. In those workplaces where an active shop steward could be found UNISON membership was constantly maintained and new employees also joined (see also Hancke 1993). In those workplaces where the steward was not in contact with the members, they tended to view their union in a very derisive way and used the full time convenor for their personal claims and problems. Nevertheless, the fact that in these workplaces some groups of workers were prepared to unite over particular issues and as a rule to their own advantage, indicates that there may be an opening for a united workplace organisation to develop if a union lay representative with the right style of working could be found to organise them.

While UNISON could be described as powerful in the trust overall on issues relating to health and safety and working conditions, financial considerations appeared to remain a management prerogative. However, if the trust policy is taken literally UNISON had the potential to achieve its members' goals over financial spending. Nevertheless, members were more concerned with the problems that affected them personally rather than those encountered at other workplaces within the trust. Successful unionism within the workplace rests with the style of working of the lay representative. Stewards who maintained a

successful workplace organisation were those who could work independently of the “external” union organisations.

11:12 Discussion - UNISON in Xtown and its surrounding areas

The evidence points to three different strands of unionism within UNISON, the shopfloor unit, the local unit and the national organisation. Whereas the local unit of the AEEU appeared to function as a go-between for the national and shopfloor organisations (or at least officially), the local unit of UNISON played a much larger role within the union and the local area. The fact that pay bargaining within the NHS was conducted locally rather than between individual workgroups and their managers, as with most private sector companies, contributed to the added importance of the local organisation of UNISON. The structure of the UNISON local branch also gave the local organisation of UNISON a larger role than within the AEEU, especially as the full time convenor was branch secretary rather than a lay representative. Nevertheless, it could be argued that when the AEEU alter its branch structures by amalgamating all local branches, its local organisation may begin to resemble that of UNISON. However, an important point is that while the local unit of UNISON supported their national union’s policies, the local AEEU activists who were in charge of the district shop stewards’ meetings were largely opposed to many of their national organisation’s proposals and disseminated information to local stewards that they may not have otherwise learned about.

It is clear that where the workplace has a UNISON representative who is seen to be successful, that workplace is less reliant upon the local organisation for help. The convenor said that workplace organisations were able to cope “up to a point” on their own without assistance; however, evidence from hospital 2 indicates that a workplace organisation may actually solve problems more efficiently than when the convenor is called in. The local organisation, headed by the full time convenor with assistance from the regional FTO, dealt with problems at a vast number of workplaces and many were solved to the satisfaction of the full time representatives. However, members were not always satisfied. The full time representatives appeared not to want to “rock the boat” with local managers and it seemed that the convenor may have had an over friendly relationship with some of them. Her description of her dealings with a manager at hospital 1 was different to the description of the dealings that the previous steward there had had with the same manager. It was generally the steward rather than the convenor who solved members’ problems for them when she had worked at hospital 1. Since she has left many members there have become disillusioned with the union and some have even resigned their membership. This suggests that the steward rather than the convenor was the person who had the capacity to achieve results for members, or at least those that mattered within the everyday working environment. The example where the nurses had threatened to stop working at hospital 2 also confirms this suggestion; the convenor would not have interfered with management’s proposals wanting to leave the situation as it was, but the steward persisted and found a solution that was beneficial to management as well as her members. Brown et al’s

(1978) conclusion that the existence of a well developed shop stewards' organisation was associated with a reduced wish to see the FTO appears to be confirmed, however, in UNISON: the existence of only one steward who could work independently of outside sources was enough to develop an effective workplace organisation.

Local full time representatives did appear to work hard on behalf of their members and accepted what they thought was the best deal for them; however, members may not always have regarded this as the case. Union representatives from outside the workplace do not appear to be as efficient at solving members' problems as workplace representatives. They are more detached from the workplace and are not immediately available should an urgent problem arise. They also appear to deal with managers much more than their members; the convenor's visits to workplaces tended to be to see managers. Members found her very hard to contact. It could be argued that FTOs will gain more of a management than a members' viewpoint. In addition they do not necessarily have to face the consequences of their actions in the same way that a steward would. However, when no lay representative is available in the workplace members may have to rely on the services provided by outside sources which might explain why some members were dissatisfied with their union.

Studies have found that in the public services there was a greater reliance upon representatives from outside the workplace and this was generally associated with a scattered workforce (for example, Terry 1982) or with national level bargaining (Brown et al 1978). However, local members' reliance on their full time representatives was not because of national level bargaining or because they were part of a scattered workforce: it was because they had no contact with their workplace representative. Indeed, Terry (1982) had argued that where dominant senior stewards were to be found in local government they exerted an important influence and may have played an important role in local negotiations. This does appear to be the case. Where a steward is available in the workplace who is able to work independently of the external union, members are more satisfied with their union.

The national organisation provides services and benefits to members which could be described as an exercise of power. UNISON has won some important cases for its members and the results from these cases benefit many more people than just the original member. For example, in 1995 UNISON won an Employment Appeal Tribunal case which allowed claims for unfair dismissal to be lodged by employees with less than two years service if they lose their jobs as a result of a transfer (since overturned by legislation). Therefore, in this respect UNISON could be regarded as powerful because it has the capacity to produce effects and achieve desired goals, and in the long term these achievements benefit many more people than just UNISON members. Indeed, hospital 1 members endorsed the fact that being in a union made a difference in the case of unfair dismissal and if an accident should happen at work. However, it appears that if an effective lay representative is not available in the workplace, benefits and services alone are not enough to keep some members happy. In fact, some members were not satisfied with the level of service that they had

received from the local/national level of the union, for example, the worker who was told that she should accept the health authority's offer rather than fight the case.³⁸

As with the AEEU, the leaders of the national organisation were considered to be out of touch with the realities of the workplace and their members' concerns; in fact, many members thought that they did not even take account of what members actually wanted. This sentiment was also applied to the branch. It could be argued that UNISON as a whole is now too big. Even within the health care section, the union represents many different types of workers each with different priorities. In this respect it is essential that shop stewards who understand their members and their concerns are incorporated into the workplace, so that small shopfloor organisations might begin to maintain themselves. As Colling (1995) concluded, within the public sector the national organisations of trade unions must recognise that the key to their success is to encourage active and independent workplace organisations to develop.

The evidence does indicate that the main workplace representative is the most important person to members and is generally seen as "the union". In some cases this may be the steward but where members did not have any contact with their lay representative they regarded the full time convenor as "the union". How that representative performed shaped members' perceptions of their union and also made a difference to their reasons for continued membership. Those members who had a steward who was seen to be effective within the workplace and who encouraged participation in union affairs valued unionism for reasons such as "solidarity within the workplace". Members at workplaces where the convenor was looked upon as "the union" tended to remain members for the benefit side alone. This coincides with Colling's (1995) findings. He concluded that the vast differences between the workplaces he studied as to the strength and maturity of the union organisations "exposed and intensified divisions between the membership and had serious consequences for the perception of the union locally" (p142).

It can be argued that within UNISON members view "the union" as their representative and the way that representative performs influences those members' perceptions about their union. Those with little contact with their representatives were more likely to hold negative views of the union as a whole. Successful unionism in the workplace depends upon the lay representative; a steward with the right style of working determines membership participation and interest in workplace unionism. As other studies have concluded, participation in union affairs enhances satisfaction with the union (for example, Fiorito et al 1988, Kuruvilla et al 1993). Full time representatives do not appear to be able to encourage this among members, perhaps because they do not work alongside them on a regular basis. Some of the workgroups at hospital 1 displayed a sense of solidarity, particularly if they had a problem;

³⁸ Only two questionnaire respondents had been represented by a union representative, both at work and over two years ago suggesting that it may have been by their previous steward. They were both satisfied with that representation, but as with the AEEU members, there was no connection between this and their perceptions of the union, though it could be argued that a change of steward may have altered their attitudes.

however, at least after their previous steward had left, they did not see their collective action as being in any way connected to unionism. They had no conception of themselves as “the union”. As the convenor was considered to be their representative, this indicates that she had not encouraged members at hospital 1 to think of themselves as being connected to the union in any way other than for what they could get out of it in times of personal need, despite the fact that she had said that the members were “the union”.³⁹ Terry (1982) suggested that a stress on individual grievances put less of a strain on dispersed workforces than collective issues might. However, it could be argued that a stress on individual grievances puts less of a strain on the full time representative rather than the workforce, as it appeared to contribute to the decline of unionism being associated with a collective stance among employees. Yet at hospital 2 where the steward worked largely independently of the “external” union, members encompassed a view of “the union” that included themselves. To them the workplace was where the union mattered; that was where the majority of problems occurred and were solved. When problems were solved without outside assistance, they tended to be solved quicker and more to the satisfaction of members. Independent workplace organisations provide a better service for their members than when outside sources become involved. As Colling (1995) contended, unions, especially in the public sector, must actively build and invest in workplace organisations.

It is hard to say whether changes in the economic and employment climate had changed the role of the union organisation within the health service. It could be argued that the union’s role was the same as it always has been, the protection of its members’ interests. However, it is evident that the move to trust status of local hospitals had made a difference to the work and status of UNISON in those workplaces. The convenor felt that this was the case, though she did not say how the work of UNISON had been affected. It could be argued that UNISON’s role within the trust had been enhanced; the trust recognised the need for employees to be represented by unions and the fact that their staff had a role to play in the efficient running of the trust. However, there is a danger that full time representatives, especially if they are paid by the trust, may unwittingly begin to take a management viewpoint above that of their members, so that members may not feel that their concerns are being met. The ex-NALGO steward did not feel that the move to trust status had enhanced UNISON’s role:

“Now that hospitals are trusts, the situation for unions will get worse, because the management is squeezing everything and everyone, trying to save money from the bottom rather than the top. They’ll try and push everyone into individual contracts. Management are trying to make workers do more and more work in the same working time and for the same wages. The younger workers are more prepared to sign individual contracts and accept more work because they know no different and have many responsibilities such as mortgages and children, they are just grateful to have a job. Older workers know better. The trusts are trying to squeeze unions out altogether. However, they will squeeze so much that eventually everything will come to a head and the union will rebel like they did in 1978/79.”

³⁹ Though the steward at that workplace was also at fault, because if she/he had communicated with the members and had the right style of working, the members would not have had to rely on outside sources.

This was the opinion of a member on the shopfloor. She was presuming that the situation would get worse for unions. Her main concern was the way that financial considerations were managed, which as already argued UNISON did appear to have less influence over, but this situation could change if the trust's policy is followed. However, the assertion that management were trying to push everybody into individual contracts may have had a grain of truth in it. At hospital 3, during the 1995 pay negotiations, some members of management had been talking to individual workers about accepting the pay deal that they were offering, contrary to UNISON's ongoing negotiations. A steward had intervened and letters informing all workers about the negotiations were included in their next pay packets (itself an indication that management did work with the union). Nevertheless, the steward did say that if she had not intervened many members would have accepted what management were offering them. In one respect this could be taken to indicate that those members were satisfied with management's proposals, in which case the union could not have communicated its message and intentions to its members or was not listening to what the members were prepared to accept.⁴⁰

It could be argued that an increase in workplace bargaining would benefit members of individual workplaces more than their reliance on "external" representatives. In addition workplace bargaining might have a positive effect on shopfloor union organisations; negotiations at workplace level may encourage lay representatives to become more involved in those issues that affect them and their members. As Nichols and Armstrong (1976) contended, because management and unions at a level outside the workplace make the agreements, employees lacked an effective power base of their own. If the stewards begin to solve problems to the satisfaction of their members and management there is no reason why those stewards should not be able to build up an effective shopfloor organisation independent of external sources. As workplace bargaining appears to benefit members of the AEEU, at least in workplaces where the workplace organisation could work independently of its FTOs, there should be no reason why it should not work in the public sector. National, and even local, agreements may be forced upon a workforce whereas domestic agreements are made with their consent.

Local pay bargaining within individual trusts, rather than national pay deals, might also be beneficial to union members. The national union may reject local pay bargaining particularly because it might mean that workers doing the same jobs but in different trusts may get different rates of pay and conditions attached to their employment. However, workers are usually interested in what they can get at their

⁴⁰ It could be argued that both these suggestions may be true. As not all stewards attended the branch regularly they may not have received the relevant information to pass on to their members, though those members who had no contact with their steward may not have received the information even if the steward was aware of it. As the local branch had been accused of not listening to members' opinions, and observations tended to confirm this, members may have been prepared to accept management's proposals, but the local union was following the directions of the national organisation.

place of work rather than what workers get at other workplaces. Indeed, it could be argued that the level of pay of similar workers elsewhere might be used as a benchmark for negotiations. As Fatchett (1989) argued, workplace bargaining might benefit many employees in the health sectors; the competitive nature of workplace bargaining could force a hospital trust to pay above the current national rate for particular skilled jobs forcing similar establishments to match those rates of pay so as to retain their own staff. The fact that some union members were prepared to accept management's proposals at hospital 3 may also indicate that members there would have bargained differently had the local union not followed what UNISON's national leaders were recommending.

It could be argued that if workplace bargaining became a norm in the public sector, UNISON as a national and even a local organisation would lose a lot of its influence over national and maybe even local issues. Even if pay is not negotiated within individual workplaces there are many issues which can be bargained about, for example, working conditions. While pay is a big concern for workers it is not the issue which dominates their everyday working environment. Evidence suggests that if a steward can maintain an independent workplace organisation, the members and management of that workplace tend to benefit much more than if the local union is brought in. Therefore, if workplace bargaining within the NHS was to become widely accepted, provided lay representatives with the right style of working can be recruited, it will be to the advantage of both management and members; if bargaining remains within the confines of the workplace an amicable (and usually quicker) agreement is more likely to be made between the parties concerned than when outside sources not directly involved are brought in.

Brown (1986) contended that the structure of trade unionism was increasingly being shaped to the needs of employers. However, it could be argued that locally UNISON had not changed to meet the needs of its members' employers as the local trust management were using UNISON to help in the efficient running of the trust. Bryson et al (1995) found that trusts either believed that unions were a threat to their human resource strategies or they worked very closely with them to win staff commitment towards trust objectives. Kavanagh (1990) argued that the balance of power had changed since 1979 from union leaders to employers and managers. Within the local NHS trust it would appear that the management preferred to work with the unions involved on equal terms. It is perhaps significant that the major priority for most UNISON members was also that of the trust as a whole, patient care. Members' concerns about trust spending was aimed at efficient patient care. AEEU members in the private sector were less interested in what managers did with the financial side of the company as long as they felt that they received sufficient remuneration for their work.⁴¹ Generally, employees in both the public and the private sectors possessed

⁴¹ Generally managerial spending in the engineering industry was used to increase and upgrade production so as to secure further contracts and ensure the survival of the company. Where an effective workplace organisation existed, the workers benefited as much as management from increased production, for example, through increased bonuses.

no desire to take over their workplaces, they only wanted to have a say in the events that directly affected them (for example, Marchington 1980, Beynon 1973, Batstone et al 1977, MacInnes 1990). However, it could be argued that UNISON members were also concerned with events that affected the nature of their work, patient care, rather than just themselves. The AEEU in the private sector worked with management to ensure the survival of their workplaces. UNISON members were not only concerned about the survival of their workplaces but also about the level of care that they were able to provide. It appears to be the case, as Elgar and Simpson (1994b) rightly pointed out, that trust managers believed that as they shared the same concerns as their staff a cooperative approach with the unions on site would be the most productive in terms of the efficient running of the trust.

Union organisations do work to assist rather than frustrate managerial intentions (Terry 1986). In fact, independent workplace organisations do this just as much as UNISON as a whole; at hospital 2 the steward helped management to run the workplace much more efficiently than they would have done otherwise (or than they would have done if the convenor had intervened). Therefore, it is essential that lay representatives with the right style of working are available in the workplace to ensure that their members do not feel let down by their union. Indeed, workplace organisation in the new union was to be based on an extensive shop steward system, with stewards who would represent their members' interests both to managers in their immediate workplace and to the wider union at "major employer level" (Terry 1996). So it could be argued that UNISON did recognise that workplace representatives are the main building block for union organisation within the workplace, the challenge for the union must be to ensure that stewards who are able to develop an independent organisation are sought out and recruited.

The economic and employment climate do not appear to have altered the union's role in any way, especially where an independent workplace organisation exists. However, the economic and employment climate may have altered the opinions of union members regarding their union's priorities. Like the AEEU members, UNISON members felt that "to safeguard my job" was an important reason for membership, which may have reflected the employment climate at the time of the study, particularly as contracting out within the NHS had become a feature of some UNISON members' employment. However, where membership of the AEEU may have given workers an increased sense of job security, it does not appear that UNISON membership did the same, particularly among the nursing profession (UNISON/Gallup 1995). Nevertheless, the attitudes of trade union members appear to be dependent upon their representative: those members who had a workplace representative who was seen to be effective in the workplace may have had a greater feeling of job security than those who did not. For example, the steward at hospital 2 had, through her own intervention, kept open the job of a porter and created two part time posts for porters. She had also successfully defended a number of her members against dismissal during her time as a steward.

The legislation does not appear to have reduced UNISON's potential to achieve effects, at least locally. In fact, it may have brought trust managers and full time union representatives closer together as they had attended joint workshops designed to introduce them to aspects of the legislation and negotiations within the trust. While not forcing its employees to become members of a union the trust did "encourage its employees to belong to an appropriate UPA recognised by the trust" and provided "facilities for UPA subscriptions to be collected at source."⁴² Therefore, despite the legislation the trust was in favour of 100% employee membership of its recognised unions⁴³ and did favour helping the unions by operating the check-off system. The legislation had not had any effect on how the steward worked at hospital 2 and her style of working did appear to achieve her members their goals. Indeed, the threat at hospital 2 that the night staff would refuse to work was not backed by a ballot of those employees and this was not challenged by management. However, like firm A's managers, hospital 2's managers preferred to keep their problems within their own workplace and a resort to the law may appear like an admittance of not being able to manage their workplace correctly.

The legislation certainly does not seem to have affected negotiations between UNISON representatives and managers. However, as no major dispute involving the entire health section of UNISON had occurred in the local region during the past five years it is hard to say whether the legislation would have played a greater role. Nevertheless, if Elgar and Simpson (1994b) were correct that managers in the NHS were reluctant to legally challenge their workforces coupled with the relationship that the trust appeared to want to maintain with its employees, it seems highly unlikely that the legislation would play a great role in any dispute. Yet, the fact that hospital managers had taken an opportunity to talk to individual employees about their pay offer while UNISON was still negotiating nationally indicates that suggestions that the balloting procedures may provide employers with time to "buy off" members (for example, Brown and Wadhvani 1990) could be very realistic.

It could be argued that concerns that union members in the public sector may have been coerced into action that they did not wish to take may have contained a grain of truth; that is, members may want to fight for better pay or working conditions but many of them feel an obligation to their work, patient care. As hospital 2's steward said "they have us over a barrel." However, claims that the legislation has made national unions more representative of their members' views may not necessarily apply to UNISON; many members in Xtown felt that their national and local organisations ignored their views. The concerns voiced in the union magazine (see above p326) indicate that, while other local organisations may not be as supportive of their national body as the one studied, members nationally did not feel that their national leaders were representative of their opinions. If the union does ignore the

⁴² "Agreement for Consultation and Negotiation in the Community Health Care service Trust" Community Health Care Service (North Derbyshire) NHS Trust. 1994.

⁴³ It also reserved the right to recognise other UPAs who may in the future have members employed by the trust. Ibid.

views of the majority of its members it cannot claim to be democratic and it could be argued that the laws designed to make unions more representative of their members have failed UNISON members.

In the local area UNISON was losing many members; however, this decline in membership cannot be attributed to the legislation with its distinct promotion of individualism. The decline in membership was due to a change in employee attitudes towards UNISON. Indeed, one of the aims of the legislation was that members should not necessarily give up their membership, but rather that they should challenge the decisions of their union from within. However, workers who had resigned their membership had not done so because their union was more militant than they were or because they disagreed with the collective aspect of unionism (a principal aim of the legislation), they had done so for quite the opposite reasons. For those members who did not have an adequate lay representative within the workplace, individualism may have prevailed over their reasons for continued membership; however, this was not due to its constant promotion throughout the legislation; individualism appears to be a predominant disposition among union members (for example, Goldthorpe et al 1968, Rentoul 1989). Indeed, some of the workgroups at hospital 1 realised their goals within the workplace collectively; therefore, it cannot be argued that individualism had outweighed collectivism. However, they did not associate this action with unionism. The lack of a lay representative at their workplace who had a style of working that encouraged members to see themselves as “the union” prevented them from associating their actions with unionism. To them unionism did not help them with their workplace problems, it just provided compensation if they should need it. Therefore, suggestions that the decollectivisation of workers’ opinions had led to the decline in union membership (for example, Metcalf 1993a) can be refuted, at least in the case of UNISON locally.

Despite their lack of knowledge and interest in the law relating to trade unions, those UNISON members who had an opinion felt that the legislation had had a negative effect on trade unions and that they had lost their power. However, like the AEEU members, this appears to be attributed more to the media coverage of well documented disputes than to personal experience. However, the change of steward at hospital 1 could well have induced members there to feel that trade unions are not as powerful as they were; they may compare how “the union” was over four years ago with the representation that they had received since.

It is hard to decipher whether members were critical of UNISON because of the union itself or because of their lay representative, though both appear to contribute towards members’ attitudes. Many former active unionists had become very bitter about UNISON since its creation suggesting that the union itself may be at fault. The nurses who had resigned their membership after their regrading appeals had done so because of the way that they felt their union had treated them. However, if particular shop stewards are able to maintain their members’ interest in their union, or their workplace union at least, it indicates that the steward is the key to successful unionism within the

workplace. If members are encouraged to see themselves as “the union”, their solidarity is given more meaning and they appear to remain interested in unionism for reasons other than just benefits. Some lay representatives were also critical of their national organisation; however, these were the ones who were able to sustain an independent shopfloor organisation. It appears that unless UNISON can recruit more lay representatives with the right styles of working it may be in danger of losing more members and as members are the crucial components ensuring the existence of a trade union and, indeed, its capacity to achieve effects this would be disastrous for the union as a whole.

11:13 *Conclusions*

It can be concluded that within UNISON there are three strands of unionism. To those members who had contact with their lay representative, the shopfloor was the most important one; however, those who had no contact with their steward tended to view the full time convenor as their main representative and saw her as “the union”. The evidence suggests that how well that representative performed influenced members’ perceptions of their union. Where the full time convenor was brought in to solve problems, the members studied rarely felt satisfied and did not feel a sense of belonging to a union. “The union” was seen as something external to the workplace and was not considered to be an essential part of the working environment.

If power is defined as the capacity or ability to produce effects, then, UNISON could be defined as powerful in many ways. Nationally UNISON has achieved results in court cases which represent an improvement not just for its own members but also for similar workers all over Britain. Compensation, such as for accidents at work, are also provided by the national organisation and can be seen as an exercise of power; the union is achieving a desired goal for its members, something that they may find hard to do alone. Locally, UNISON could be described as powerful. The local organisation had achieved members’ aims over many issues, especially those involving health and safety and working conditions. It is significant that within the local trust UNISON and management appeared to work together to ensure its efficient operation and even though the union appeared to be less effective over financial issues it had the potential power to be able to influence future decisions. Bryson et al (1995) concluded that UNISON was “well placed to have a powerful influence on industrial relations in trusts” (p131) and that certainly was the case locally. Nevertheless, the crux of union power, as far as members were concerned, was on the shopfloor. Where a steward with the right style of working was available in the workplace the shopfloor organisation could be described as powerful; members’ problems were solved within the workplace and it could be argued that, while members do not necessarily associate the workplace organisation’s ability to achieve their goals with trade union power, this is the service that members actually require and it maintains their interest in unionism. When a lay representative is not available to members their opinions of their union tend to be negative.

It can be concluded that if an effective steward is not available in the workplace members begin to view UNISON as little more than an insurance agency. UNISON may play a vital role campaigning about issues that affect whole communities for example, but this aspect of unionism means very little to rank and file members; they are more interested in the everyday realities that they encounter. Members wanted to be informed about and involved in those issues that mattered to them; that is, those that concerned themselves and their workplace. But at workplaces, such as hospital 1, where many members had no contact with their steward they were left in the dark about all issues involving the union. Communication between the union and its members was non-existent. It is perhaps no coincidence that most members at hospital 1 had no conception of themselves as “the union”. Members must be encouraged to see themselves as “the union” if a shopfloor organisation is to develop.

The shopfloor organisations (or lack of them) to a large extent reflect the personalities of those involved, in particular that of the steward. The evidence does indicate that the shopfloor leader’s style is essential in determining membership participation and interest in workplace unionism and, therefore, the level of success that the shopfloor unit has when dealing with management. It can be concluded that the personality and style of working of the lay representative are essential ingredients for successful unionism within the workplace. Therefore, it is essential that stewards within the NHS become more involved as leaders of their workgroups and develop a style of working that encourages the participation of members and diminishes their dependence on the “external” union.

Effective shop stewards communicate with their members and involve them in the problem solving process, thereby determining membership participation in the affairs that involve them and promoting a sense of unionism that includes the members. These stewards are able to negotiate much better than local officials on behalf of their members, therefore, so that members receive the best possible service, independent workplace organisations should be encouraged to develop. Indeed, this was the intention of UNISON when it was created (Terry 1996); therefore, it could be argued that the local organisation, in particular the branch committee, was at fault. As it largely ignored members’ concerns and did not advise stewards on how to deal with problems, but either passed them off or the convenor would say “leave it with me”, stewards were not urged to even try and solve the problem themselves. As Fairbrother (1990) argued, the forms of workplace organisation that the health care sector of UNISON appeared to sponsor bore “the stamp of leadership manipulation and control” and the establishment of stewards who acted within a very narrow remit, dependent upon branch leadership (p172). Indeed, the attitude of the branch may have been a factor preventing members becoming stewards; if they perceived the full time representatives as the main negotiators (who largely ignored members’ concerns) they may have felt that there was little that they could do to alter the situation. If the stewards who relied upon the full time representatives to solve their problems were encouraged to negotiate with managers themselves they may become more involved in

those issues that directly affect them and their members and the capacity for an independent shopfloor organisation to develop would be created. It can be concluded that efficient workplace bargaining maintains internal solidarity much more effectively than when outside sources become involved. Evidence indicates that if a steward can maintain an independent workplace organisation the members and management of that workplace benefit much more than if the local union is brought in.

Local evidence appears to refute the statement by UNISON that it provides a powerful voice campaigning strongly on the issues that matter to women. All the UNISON members studied were women and judging from their opinions their national union did not take their views into account and most held negative views of UNISON as a whole. Colling (1995) had found that women were much more likely than men to suggest that unions were powerless to protect their interests and to admit to having considered cancelling their membership. However, it cannot be suggested that it is the gender of a worker which determines how they are likely to perceive their union because at hospital 2 female members viewed unionism in a much different light to those at hospital 1. The steward was the key to determining members' perceptions of unionism. If unions consider that some workers are not "ready for autonomous forms of union organisation, either because of their class or gender position or the specific circumstances of their employment as public service workers" (Fairbrother 1990, p172-3), stewards may not have been encouraged to develop a style of working that enabled them to work independently of the branch leadership because of their gender and their employment as public service workers. However, the lack of encouragement of independent workplace organisations was more likely because the local organisation wanted to remain in control of the workplaces under its jurisdiction. It did not like opinions contrary to its own and if more workplaces were to become less dependent upon the "external" union, then it may be in danger of losing its influence in the local region.

The economic and employment climate has not changed the role of UNISON; protection of its members' interests is still its main priority. However, the move to trust status of local hospitals has enhanced UNISON's role within those workplaces; the trust in Xtown recognised the need for employees to be represented by unions and the fact that they had a vital role to play in the efficient running of the trust. Though the local organisation of UNISON played a large part carrying out this role, where independent shopfloor organisations existed they appeared to be more efficient at ensuring their members' interests were protected and advanced. As union members and managers were largely working towards the same goal, patient care, the union organisations did work with managers to ensure that the most efficient service was carried out. Nevertheless, managers and members may have had differing opinions over how money allocated for patient care should be spent. The employment climate during the 1990s may have given workers' an increased sense of job insecurity (see also Hedges 1994). However, whereas membership of the AEEU may have given members a sense of job security, this was not necessarily so among UNISON members and appeared to be dependent on how effective the lay representative was in

the workplace.

The legislation had not had any effect upon UNISON locally, with perhaps the exception that it may have brought the union negotiators and management closer together. Nevertheless, despite the lack of knowledge of the law relating to trade unions, members' opinions about trade union power had been influenced by the fact that they knew that legislation existed that intended to reduce that power (or perceived power). Individualism may have prevailed among many of the union members studied but this was not a result of the legislation: it was due to the lack of a conception of unionism that encompassed collective action.

The key to successful unionism is the lay representative in the workplace. How she/he works influences members' perceptions of their union and unionism in general. UNISON must realise its original intentions and encourage active and independent workplace organisations to develop. The scope of authority and expertise must be transferred from the local organisation to the workplace if the union is to remain viable, at least in the eyes of its members in Xtown.

The following chapter analyses the evidence presented in part 2 of the thesis and relates the findings to the conclusions and hypotheses that were discussed in chapter 5. The conclusions from the research findings are set out and the implications that they may have about trade union power in general are discussed.

12:1 *Introduction*

When the research findings are compared with those of previous studies, especially studies conducted before 1979, it appears that nothing much has changed, at least on the shopfloor; even before 1979 some union organisations were found to be much more successful at getting their own way than others. The paradox concerning trade union power can be solved by suggesting that those authors who argued that union power had been severely curtailed were referring to trade unions as national organisations rather than delving deeper and looking at union organisation at shopfloor level. Of course other studies may reveal that shopfloor unionism has also been weakened over the last fifteen years, but the evidence presented in this work indicates that the key to successful unionism at workplace level actually depends to a large extent upon the workplace lay representatives and how they conduct themselves in relation to their members and management; where trade union power appears to have changed within a particular workplace, a change of leadership has usually taken place.

It should be stressed that the bulk of the evidence presented was largely based on the perceptions of those who took part in the study; therefore, the reliability of the evidence could be questioned, especially as it has been suggested that members' feelings towards their union constantly change depending on the circumstances at any particular moment in time (for example, Fosh 1993, Batstone et al 1977). However, as the aim of the study was to ascertain what members thought of their unions, it was inevitable that many of the findings would be based upon individual perceptions. Nevertheless, as similar perceptions were obtained from UNISON and AEEU members who worked in different situations, it could be argued that some conclusions can be made with confidence. In addition, the observational work and documentary analysis confirmed many of the conclusions reached using individuals' perceptions. It is also recognised that the results may only be relevant to those workplaces studied so that generalisations about unions in general should be made with caution. However, because of the nature of some of the conclusions an overall picture of why unions may be successful at some workplaces but not at others can be built up and is worthy of further study.

At first sight the findings presented in the last five chapters appear to indicate that there were vast differences between UNISON and the AEEU. As far as the research was able to study UNISON, it seems that since its creation many members were not satisfied with the union and some were showing their discontent by resigning their membership. Within the AEEU, at least in Xtown, members may be dissatisfied with certain elements of their union, but overall the majority were happy to retain their membership. Whereas UNISON appeared to be losing members the AEEU appeared to be gaining them. This phenomenon leads to the question why have two very

different pictures emerged of two trade unions operating within the same area? However, a comparison of the findings from the two case studies reveals that there are similarities between the two unions and their members and that the lay representative is the key to successful workplace unionism in both unions.

12:2 *National or shopfloor union?*

It certainly appears that the debate about trade union power centres on what the term "trade union" is taken to mean; that is, is it referring to the national union as a whole or to a separate shopfloor organisation? Research points to the fact that there is a big difference between these two entities and that the shopfloor unit is actually "the union" as far as most members are concerned. Evidence from this study is no exception; members were concerned with shopfloor issues, those that affected them personally, rather than with the activities of their national union. In fact, the majority of members did not even attend branch meetings or vote in their national union elections and those that did tended to agree with their lay representatives that their governing bodies were out of touch with the realities of the shopfloor. This was true of members and stewards from both UNISON and the AEEU.

The two national organisations appear very much the same as one another. They both campaign nationally on behalf of all workers and, indeed, all members of society, for example on issues such as health and safety and better training and educational facilities. They both inform members through union journals and leaflets about things concerning their rights, health and safety and anything that might affect them at work or even generally, such as the proposed European Single Currency. Through the use of their solicitors both unions have gained some of their members large compensation awards for things such as unfair dismissal and work related injuries. For example, a nurse was awarded £80,000 damages for post traumatic stress disorder after an appeal handled by UNISON's solicitors and a union member received £90,000 after the AEEU proved that he had developed cancer after working with mineral oils. Initially these awards benefit the particular individual member; however, some of these cases may set a precedent and, therefore, will benefit many other workers in the long term. In this respect the national organisations of both the AEEU and UNISON could be described as powerful because they do have the capacity to produce effects and achieve desired goals.

Both unions were beginning to resemble insurance agencies; they both provided a range of financial and legal services for various things unconnected to work. The unions appear to be taking the advice of reports such as "The Future Of Trade Unions" (1994) which recommended that in order to attract more members unions would have to provide more attractive measures than it was presumed they already did. National union organisations are beginning to reassess what they think their members want; on the basis of Basset and Cave's (1993) research the AEEU felt that its members wanted packages aimed at them as individuals. However, the provision of individual services may be seen as an important reason for membership, but on its own it may not be

enough to satisfy members. The provision of the free wills service by both unions had been widely taken advantage of, but UNISON members were still resigning their membership which suggests that members want more from their union than individual services. When firm A's AEEU members' opinions are taken into account, between 80% and 100% of members felt that "to show solidarity with those I work", "to use as a workers' voice against management", "to safeguard my job", "to protect me if problems come up in the future" and "to get higher pay and better working conditions" were all important reasons for membership. All these reasons can be connected to the workplace, and when members' grievances are taken into account the vast majority were connected directly to their employment, for example, rates of pay, working conditions and working practices. Indeed, the UNISON convenor said that "alteration to contracts and working conditions" were the problems that came to her attention the most. **Therefore, it could be argued that members' main concerns lie with issues related to their employment and if they feel that their interests are not being met individual benefits, such as the wills service, are not enough to encourage them to retain their membership. This suggests that it is actually the union organisation within the workplace rather than the national organisation that actually keeps members interested in unionism and how successful the union is within the workplace will influence members' opinions of their union.**

The national organisations of the AEEU and UNISON were considered to be out of touch with the realities of the workplace and what their members wanted. However, where a lay representative was able to cope effectively on his/her own without assistance from outside the workplace, members seemed to have less of an opinion about their national body than those who relied on help from outside the workplace to solve their problems. This suggests that outside involvement may be less effective than when problems are solved by lay representatives. Even with work connected benefits, such as for workplace accidents or industrial deafness, which are provided by the national unions, members still tend to see their workplace representative as "the union"; he/she is the person who gives them advice and as a rule helps them to make their claim and deals with any problems relating to it. However, this may depend upon the lay representative. According to the AEEU many members were failing to take advantage of the services that are on offer, even those services which are directly connected to work such as legal representation for an accident claim.¹

Activists from both unions did not think very highly of their governing bodies. They argued that their "leaders" were more interested in themselves and the financial aspects of the union rather than their members' wishes. If the turnout for elections is taken into account, the majority of members did not even bother to vote; only 28% and 31% of the electoral roll voted respectively for the AEEU's president and general secretary and only 36% of those UNISON members eligible to vote did so when balloted on a deal to end the 1995 pay dispute. The turnout for the AEEU elections suggests that the

¹ *Union Review*, May 1994 & *Union Review*, August 1994, union solicitor, Xtown's district shop stewards' meeting.

majority of members are not particularly interested in who their national leaders are. The poor turnout for the UNISON ballot may have been created by the voting methods chosen by local branches; by a show of hands in Xtown, which could mean that members not on duty when the vote was taken were not included in the ballot. However, as branch secretaries from other areas had voiced their opinions that their members' wishes were being ignored and many, therefore, abstained from the vote altogether,² it could be argued that UNISON members around the country felt that their national organisation was not complying with their wishes and that it was pointless to vote because if the vote went against the recommendations of the Executive Council another was authorised until it got its own way. Indeed, activists of both unions complained that when a vote is held by their Executive Councils, the union recommends its members to vote in favour rather than letting them make their own minds up. In the case of the AEEU's ballot on the proposals for the new rule book, local activists were dismayed because the Executive Committee were not even recommending that members voted yes, they were telling members to vote yes!

The claims by both UNISON and the AEEU that they are "member led" unions appears to be a sham when the opinions of members and activists are taken into account. Members very often feel let down by decisions made on their behalf by their local or national officials, which may lead to a feeling of despondency. However, it is clear that where a lay representative exists who is seen to be effective and, perhaps more importantly, interested in the fates of his/her members, levels of morale tend to be higher among union members. It could be argued that unless effective lay representatives maintain union organisation within their workplaces new members may become a thing of the past.

The evidence indicates that the national organisations of both unions were very similar in their outlook and in their dealings with their members; therefore, the different picture which the evidence appears to portray of the two unions in Xtown did not lie with the unions at national level. A major difference between the two unions was the different strands of unionism that could be identified within them. Within the AEEU there appeared to be two major strands to unionism, the shopfloor unit and the national organisation (loosely taken to include all officials who are paid a wage by the union itself). Within UNISON another strand could be identified, the local unit, which played a large role within all the workplaces under its jurisdiction. The local unit of the AEEU was an important source of information for the main workplace representatives; however, where the workplace organisations of the AEEU were well organised the local unit only acted as a go between for the shopfloor units and the national organisation, which is why the local unit was disregarded as a significant strand of unionism within the AEEU. It is also significant that whereas the local unit of the AEEU was largely opposed to its national body's policies the local unit of UNISON supported its national leaders. This most likely reflected the fact that UNISON's local organisation was led by full time representatives of the union. The local unit of the AEEU was managed by lay representatives, though the district

² UNISON Focus no. 20, October 1995.

secretary was part of the organisation. This would explain why the local unit of the AEU supported its members rather than its national leaders; it had more contact with its members and, therefore, could relate more to their opinions than the UNISON full time representatives, who spent more time with managers than their members.

The workplace is the location where problems occur and where the union organisation is capable of working independently from its FTOs³ it is usually the place where those problems are solved without any reference to the outside organisation. Nothing much has changed in the nature of workplace unionism; even before the acclaimed watershed year of 1979, some workplaces had strong organisations and others had weaker ones. The gap between the workplace organisation and the national organisation is not a new phenomenon (for example, Boraston et al 1975). However, McIlroy (1988) argued that by basing conclusions of a minimal loss of union power on the workplace alone it was redefining what unionism has meant in the past. As argued in chapter 3, it is hard to agree with this statement. To the average worker and trade union member unionism means the same now as it always has, the protection of their interests at work. Of course there are the added advantages of services and benefits, but in terms of reasons for membership these take second place to the protection of members' interests, especially those that are work related, and on their own they do not appear to be sufficient to retain members' interest in unionism. The workplace is for most members, in the private sector at least, "the union" and even in the public sector, where there may be a greater reliance on the local organisation, the working environment was generally the main focus of union activity, at least where an effective lay representative was present.

There have been immense changes in society since trade unions were first organised, especially in the improvement of the working class. Trade unionism as a whole may have been seen in the past as a movement which campaigned for all workers on separate industrial and political dimensions. However, it is the case now, and has certainly been the case for at least the last thirty years (perhaps from the start of the union movement) that individual members are more concerned with issues that affect them personally than remote issues that are affecting someone else. Most union members are rarely interested in the campaigning aspect of unionism. There is a distinct lack of membership interest when it comes down to branch meetings; this indicates that members see their union as being on the shopfloor or as associated with their personal problems (for example where a shopfloor organisation is non-existent) rather than as an organisation which embraces all workers. Perhaps this has always been the case. Allen (1954) also noted low branch attendance. He argued that this may indicate nothing more than the fact that subscriptions are collected "on the job" or that an effective shop steward system is in operation. Local observations support this view; the shopfloor is considered to be "the backbone of the union" and "head office"

³ UNISON's full time convenor was not an official of the union and was paid by the health authority rather than the union. However, she was not part of any one workplace organisation and for the purposes of the study was considered as an "outside source". She belonged to UNISON's local organisation rather than a particular workplace organisation.

was described as “not having a clue about the grass roots of the union”.

The impression given is that for most members they are not part of a wider union movement; union members see their representative as “the union” taking all their problems to him/her rather than using the proper channels, for example, branch meetings. (See also, Marchington, 1980, Goldthorpe et al, 1968, Goodman and Whittingham 1969.) In those workplaces where an effective steward exists the shopfloor is seen as “the union”; members develop a sense of the union that encompasses themselves. Even in those workplaces where members felt that “the union does nothing for me”, they still blamed their union representative, suggesting that whether the representative is viewed as effective or not he/she is still seen as “the union” and blamed for the union’s shortcomings. In terms of Flanders’ two different aspects of unionism, members tend to look upon their union as a “wielder of economic muscle” in the workplace largely ignoring the “sword of justice” aspect. Many members do not even support their national union’s political outlook.

Rather than developing a “consciousness” that includes workers from outside their individual workplaces, the majority of workers develop a “workplace consciousness”, that is, a sense that they are all in it together within the workplace. Where an effective union representative is present that consciousness becomes associated with “the union”; when a union representative can get members to unite, especially over issues that may initially affect only one person, it instils a sense of togetherness and even an “us and them” attitude. The ideology of the workforce is influenced and reinforced by the way that the union organisation operates in their workplace. As Batstone et al (1977) argued, the ideology of the domestic organisation fosters particular views of the workplace and particular patterns of behaviour, partly reflecting the past actions of the members. It could be suggested that a change of workplace leadership might change the workers’ ideological position. However, in the foundry at firm A and at hospital 1, where a change of leadership had taken place, union members did not appear to have lost their “workplace consciousness”; where there had been a history of working collectively to achieve their aims, this was still done despite the lack of leadership guidance from their union representatives. Nevertheless, at hospital 1, the lack of an effective steward meant that the workers no longer associated their collective or “workplace consciousness” with unionism. It can be concluded that workers who, as a group, had developed a “workplace consciousness” do not lose that sense of solidarity; however, whether it was associated with unionism or not was dependent upon the union organisation within their workplace.⁴ For the majority of union members that consciousness did not extend beyond the workplace; therefore, authors who argue that workers’ “factory consciousness” should be broadened into a wider workers’ movement may be disappointed. As Brown (1986) contended workforces are interested in the fates of their own firms rather than the struggles of their fellow workers elsewhere.

⁴ Workers who had never developed a sense of unity among themselves did not possess a “workplace consciousness”, for them individualism prevailed rather than a collective outlook.

For the members there is definitely more to unionism than the provision of services. Whether they experience it though depends upon the workplace and the union organisation within it, in particular on the personality and style of working of the main lay representative. It can be concluded that as far as most members are concerned the shopfloor unit is “the union”, which confirms hypothesis number 1.⁵ The national union has little significance except for the services side, and even then, members tend to use their steward rather than contact the union directly. Members’ concerns are with the politics of the workplace. However, the key to successful unionism in the workplace is the lay representative, yet even when members have little conception of workplace unionism, they still view their representative as “the union” and direct their opinions about their union at him/her. Martin (1992) was probably correct when he described the role of the national union as more like that of the employers’ association: a source of expert advice, information and a provider of services.

12.3 *The nature of the employment situation*

The major workplaces covered by the two unions can be described as different. Generally, employees within health care organisations tend to constitute a more scattered workforce than those working within a factory. In a factory workshop most employees usually work together as a “team”, especially when cell working is introduced, such as at firm A. Team or cell workers tend to work the same shift patterns and work under the same supervisor and shop manager as each other and all employees within the factory work for the same managing directors whose offices are usually on site. Those working within the care industry, whether they are nurses, ancillary workers or care assistants, do largely work as a team within their own boundaries, that is, a care home or a particular hospital ward or department. However, many of these employees tend to work alternative shift patterns on a daily basis, rather than a weekly or continental basis like factory workers, and some, such as domestic workers or porters may have different supervisors and managers from other workers, such as nurses. Therefore, health care workers cannot be homogenised. While each worker is essential to the efficient running of a hospital ward, for example, they also belong to other groups of workers who do not necessarily work together. For example, porters and domestic assistants are essential components of hospital work; without them the infrastructure would not be able to operate efficiently; however, though each porter and domestic assistant is part of a team within their own work unit, that is, the ward or department that they work on, they are also members of their own workgroup of porters or domestic assistants, and each has to answer to their own supervisor and manager who may have different priorities from those of the nursing manager, for example, who is responsible for the nurses within the hospital. In other words, some UNISON members may have to work in an environment where they find that they have two competing sets of

⁵ The hypotheses are set out in chapter 5, pages 122-123.

priorities; those of their immediate working environment and those of their separate workgroups. AEEU members, at least within the private sector, largely find that these priorities are actually one and the same, though different workgroups may experience similar problems at different times. It is easier to maintain unity when all the affected workers have the same priorities.

It could be argued that the nature of the workplace and the workforce itself can either aid or hinder the development of union organisation within that workplace. Low levels of participative democracy among hospital workers have been noted before (for example, Fosh and Cohen 1990). Within a factory where the employees regularly work together and are answerable to the same management union organisation will be much easier to develop and maintain. All workers within a particular workshop are liable to be affected by the same kind of problems, whereas within a hospital those working on a particular ward or department may not all be directly affected by the same issues. Therefore, imposing sanctions in a particular factory workshop, such as an overtime ban, will be easier than imposing sanctions on a hospital ward, particularly when some workers work under different conditions of service.

A major difference, then, between the workplace organisations of the AEEU and UNISON hinges on the types of members that they recruit. The AEEU largely recruit similar types of workers who work in similar types of jobs and unity is easier to maintain. UNISON recruits many different types of workers all working within the same workplaces. This may make the maintenance of unity within the workplace harder but not impossible. As Fosh (1993) argued, a lay representative who has the right style of working should be able to unite the different groups of workers within that workplace regardless of their different employment situations. The steward at hospital 2 had managed to do this; therefore, there should be no reason why it cannot be achieved at other hospitals. Those groups of workers, such as porters and domestic assistants, who have separate work groups and yet work individually as part of a team on their separate wards and departments, could be persuaded that as a group they might not only benefit themselves but those working alongside them if their unanimous support was to be forthcoming. Indeed, the evidence indicates that some of these workgroups did act collectively to achieve their own goals; however, they did not see this as being connected to unionism; they no longer had a steward who encouraged them to see their actions as relating to anything other than their employment situation.

Connected to the nature of the workplace is the nature of the employment itself. The AEEU members covered by the study were employed to produce some item that eventually constituted a finished product, whereas the majority of UNISON members within the health sector do not actually produce a finished product as such. While this should not affect union organisation within the workplace, it could have a great effect upon the amount of "power" that the workgroup is perceived as possessing. Many employees in the care industries feel a moral obligation towards their work, that is, patient care. If industrial action is taken at a hospital, for example, employees, despite

their ambition to achieve a desired goal, feel that the care of their patients might suffer, whereas factory workers may feel no moral obligation towards their production as their finished products do not “suffer” while they are not working. Past studies have highlighted how factory workers may even resort to individual forms of “sabotage” such as pulling “the safety wire” and stopping the line as a movement towards some form of job control (Beynon 1973). At firm A the convenor was astonished to find that in one workshop a particular “cell” was turning out “shoddy work” and the inspector was passing it! These examples indicate that many factory workers have no moral obligation towards their finished product. When employees feel a moral obligation towards their work they are unlikely to refuse to work until a grievance has been rectified and their chances of bringing about a desired effect solely by a threat of action will be severely weakened, especially if their employer is aware of that obligation.

If official strike action takes place within the public health domain workplaces are staffed to provide the minimum care needed for any patients/clients. This may take the onus off those who feel morally obliged towards their work; however, while disruptions may be caused to non-essential services, and working conditions may not be totally satisfactory for those working, it may undermine any action taken because services are still being carried out, and in some ways managers looking for a way of cutting their budgets even more may think that work can be done efficiently with fewer staff.⁶ In the private sector factories covered by the AEEU, industrial action may take several forms and, at least at firm A, threats to stop work and even short immediate stoppages of work were not uncommon. Due to the nature of the production this action usually secured the workers their goals, particularly if management had a production deadline to meet. It is also significant that the workers studied at hospital 1 looked upon their supervisors as their problem solvers, possibly because they had little or no contact with their union representative. However, in this way the supervisors ensured that work continued if there was a problem rather than it being disrupted, though when particular workgroups felt strongly about an issue they did sometimes take matters into their own hands and collectively solved their dilemma by refusing to work as directed.

Clerical workers within hospitals are a totally different group of UNISON members from those working directly or indirectly with issues of patient care. There is a great potential for unity among this group of workers; they all tend to work the same hours per day and work in a similar environment to each other. However, the nature of their employment appears to make them work in competition rather than in harmony with each other. The clerical workers were described as very competitive and alleviated their problems individually by going straight to their manager rather than viewing problems as collective ones. Maybe this is a result of the different work situations; those workers who work more or less as “a team” work collectively and therefore

⁶ Indeed, at firm A it was found that employees were producing as much when they were on a four day week as when they worked full time, which was a cause for concern for “the union” at the time as they were trying to negotiate a return to their normal hours. (Convenor’s notebooks.)

think collectively, workers who work individually think as individuals. Evidence from firm C showed how workers had become afraid to speak to each other about their weekly wages because each person was getting a different rate of pay negotiated individually. The AEEU convenor was astonished at just how low these rates were, and was convinced that if those workers would join the union and work together he would have been able to get them a much better pay deal covering everyone concerned preventing animosity between the workers.

Even though the nature of the employment situations of UNISON and AEEU members may be different, the fact that at hospital 2 an effective union organisation operated indicates that this can be overcome. Also, as junior members of management and clerical workers from the “staff side” had joined the AEEU at firm A, it suggests that workers who are not necessarily part of a team can be persuaded that collectivism is a good thing. UNISON members need to be persuaded that by working together they could be effective and might gain far more than by working in competition with each other. A steward with the right style of working should be able to do this. However, many UNISON stewards remain dependent on the full time convenor to solve their problems; they are not encouraged to develop a style of working that would enable them to become independent of the local organisation.

12:4 The importance of UNISON's local unit

The fact that the local organisation of UNISON played a larger role than that of the AEEU to a large extent reflected the bargaining arrangements of the workplaces covered by the two unions. The private sector firms covered by the AEEU had their own bargaining arrangements, many, such as firm A, were governed by the national agreement between the EEF and the CSEU, but they bargained about pay and working conditions (and most other things that may affect their workers) within the firm itself. Some workplaces were more reliant on their FTO than others, but generally these were those with only a few members or where the shop stewards were less organised. Within the public health sector covered by UNISON pay and general working conditions were bargained for nationally and locally by the local officials, rather than individual workplaces negotiating their own terms and conditions. Therefore the local organisation of UNISON was much more prominent within those workplaces than the AEEU in the private sector. However, this type of bargaining still leaves room for workplace bargaining on other issues which may affect members; many grievances can occur during the working day which a steward could negotiate with management about, especially those which need immediate attention.

Another major difference between the AEEU and UNISON in Xtown was the fact that

a full time UNISON convenor⁷ represented members for all the local district. The issue of full time stewards may be a contentious one. For example, the ex-NALGO steward felt that a full time steward would be more appropriate for the type of members that she had represented, that is, members who largely worked as individuals. She felt that a full time steward would “bring an element of impartiality” to the shopfloor and prevent any “backbiting” against the lay representative who has to work alongside his/her members. In contrast the convenor from firm A, where no full time stewards were employed, felt that full time stewards were not “as in touch with the shopfloor” as lay representatives who work alongside their fellow members. This, he explained, was for two reasons: full time stewards tend to be seen as part of management, especially because any problem in the plant affecting the workers also affects lay stewards; therefore, their involvement in the decision making process is crucial because that decision also affects them, a full time steward would not be affected personally by any decisions made. He also argued that full time stewards were more attached to the national union than lay representatives, especially if they were paid their wages by the national union.

As far as can be ascertained the evidence gathered indicates that the AEEU convenor was correct, at least in the case of the UNISON full time convenor for health. She appeared to be more affiliated to the local UNISON organisation and to be more in touch with the managing side of the hospital trust than with her members. This may have been purely unintentional on her part: her comments suggest that she did see her members as “the union”, but evidence from members implied that she did not satisfactorily represent their interests. The fact that she was responsible for members in such a wide area may have contributed to the appearance of seeing things from a management point of view; her workplace visits tended to be to see the managers responsible for whatever problem she was trying to sort out; therefore, her contact was with managers rather than members. The AEEU stewards from firm A had also been accused by some of their members of being “too friendly” with management; however, as this accusation was made by a very small minority of members coupled with the fact that the stewards at firm A were in regular contact with their members, the situation at firm A was slightly different. Still, it indicates that some members may not understand the often delicate relationship that has to be built up between a steward and management in order to be successful within the workplace. The fact that the UNISON convenor was paid by the trust rather than the union may have made her more amenable to see management’s point of view. Nevertheless, minutes from the trust’s staff council meetings indicate that she did get on well with most of the managers concerned and also that she did voice her members’ concerns. However, members and stewards regarded her in a negative way and most associated her with the national side of UNISON rather than working for them in the workplace. Darlington (1994) also concluded that once a steward became full time he/she became

⁷ The UNISON health service group conference 1995 actually agreed that the union should boycott paid trade union liaison jobs, though a spokesperson for the executive said that “[t]his is not an attack on lay officials who’ve negotiated full-time release and facilities. This is to prevent trusts appointing placemen and women who cannot be democratically elected or removed.” (“UNISON at work” No.4 November 1995.)

distant from the shopfloor. This, it appears, at least for the majority of his members, could not be said of firm A's convenor.

In many respects UNISON's convenor resembled the AEEU's district secretary. He was also responsible for many workplaces within a wide area and evidence indicated that in workplaces with a well established union organisation he was considered less effective than the senior lay representatives. However, the main difference between the two appears to be the fact that the AEEU district secretary's job was helped enormously by AEEU workplace representatives, the majority of whom were able to deal with most workplace problems without direct intervention from him.

Another difference between UNISON and AEEU workplace union organisations was the number of stewards that each had. Even within the AEEU some workplaces had fewer stewards than they would have ideally liked, but most of the existing stewards appeared to be reducing the workload of the district secretary. Within most workplaces covered by the AEEU at least one senior steward was elected and he/she took on the responsibilities for his/her firm that the full time convenor for UNISON did for all the workplaces under her jurisdiction. UNISON's steward organisation in Xtown must be built up so that stewards might begin to take on at least some of the responsibilities of their convenor, for example issues that are exclusive to their workplace or members; this would decrease her workload and perhaps enable her to concentrate more fully on what her members do want in those issues that concern all workplaces. The steward at hospital 2 was able to deal with issues in her workplace quite adequately, in fact, solving problems much more effectively than the convenor.

The difference between UNISON and AEEU workplace organisations may not only lie with the lack of stewards but also with the fact that many UNISON stewards were dependent on their local organisation, or full time convenor, to a much greater extent than the AEEU stewards. That is, they appeared less able to cope with everyday workplace problems and relied on the local organisation to solve them. In many ways this weakens the workplace organisation, particularly because members appeared not to be involved in the problem solving process. If Fosh (1993) was correct, that by involving members in all stages of the problem solving process they develop a deeper commitment to their union, then, this is being missed within many UNISON workplace organisations.

The local UNISON organisation may actually have kept its stewards more dependent on it. As bargaining on important issues such as pay and general working conditions was taken out of the hands of the lay representatives they may have felt inadequate to bargain themselves. At their branch meetings, UNISON stewards were not given any substantial advice on how to deal with their particular workplace problems; the full time representatives appeared to think that problems were best left with them, which did not encourage stewards to work problems out for themselves. In contrast, at AEEU stewards' meetings, stewards from different workplaces very often gave each other advice on how to deal with problems that they had had the experience of dealing

with themselves. The AEEU district secretary appeared to be quite happy with this and only intervened if he felt it was necessary for him to do so. Therefore, AEEU stewards were allowed to develop their independence and learnt from each others' experiences, whereas the UNISON stewards were encouraged to remain dependent on their local organisation; issues of concern to AEEU members were addressed at stewards' meetings rather than being ignored which regularly happened at UNISON branch meetings. Fairbrother (1990) may have been right when he argued that public sector workplace organisations "bear the stamp of leadership manipulation and control" (p172).

The fact that in the public services there is a greater reliance upon the outside union by workplace organisations is not a new phenomenon (see for example, Brown et al 1978). It has been argued that the existence of a well developed shop steward organisation is associated with a reduced wish to see more of the FTO (Brown et al 1978). Even without a well developed shop stewards' organisation, if the lay representative feels that he/she can cope adequately on her/his own the desire to contact the full time representative appears to be less; the steward from hospital 2 found that she coped more efficiently without the assistance of the convenor, who was very often against the actions that the steward proposed to take, (perhaps because of her relationship with management). In this situation the local organisation of UNISON actually functioned similarly to that of the AEEU, as a go-between for the workplace organisation and the national union.

The evidence does indicate that where stewards can work independently of the outside union they are able to negotiate better deals for their members than their FTO would have been prepared to negotiate for; the pay negotiations at firm A and the employment of porters at hospital 2 are just two examples. It follows that where a lay representative is capable of acting independently of his/her "parent" body, the union in the workplace actually becomes more effective or "powerful" than the more dependent workplace organisations. **This suggests that it is the lay representative within the workplace who is the essential ingredient for successful unionism within that workplace.**

Due to difficulties contacting members in larger hospitals, it could be argued that more stewards are needed so that a steward network, of the type found within engineering firms, can be built up, with each steward ideally representing similar groups of workers. Stewards could then learn from each other's experiences and if a problem should occur each steward would have less difficulty contacting his/her members, and their opinions could be discussed by a stewards' committee within the workplace to decide on the best course of action. This might help build a sense of solidarity between all the UNISON members within one workplace, rather than members viewing "the union" as some remote organisation away from the workplace (usually in the form of the full time convenor) that did nothing for them. Terry (1982) suggested that although the dominance of the major steward in local government derived from the wide dispersal of the workforce, more effective organisation of the workers could

reduce the freedom and dominance of the “key” steward, who dealt predominantly with individual problems on a one to one basis rather than on a collective one. He also argued that the need for a key steward may disappear as steward organisation at lower levels became more developed and coordinated. This suggests that if workgroup leaders were to emerge, with the right qualities, and most importantly a commitment to collectivism, workgroups could organise themselves effectively and the work of the full time convenor would be reduced. If successful workplace unionism is dependent upon the shop steward, there is no reason why public sector workgroups cannot develop effective organisations comparable to those in the private sector. Fosh’s (1993) concluding remark is apt here, “a careful choice of local leadership style can yield results even when members’ experiences and situations are not the most favourable for the development of unionism.” (p589).

Members must be made aware of the fact that they are the “union” and that any potential power to change things lies with them and not with their union officials. This task tends to lie with the stewards. The evidence does suggest that while the nature of the workplace can hinder the development of a successful union organisation, it is actually the lay representative him/herself who encourages union participation and a sense of belonging to “the union”. The steward must have the right personality and style of working to convince his/her members that participation in the affairs that involve them, directly or indirectly, will benefit them much more than expecting things to be done for them without their involvement. The nature of the local organisation of UNISON may be discouraging stewards from developing the style of working necessary to do this.

12:5 UNISON and the AEEU - are they different?

The two case studies reveal that while the national organisations of the AEEU and UNISON appear very similar there are differences in how the two unions operate at a local level, with UNISON’s full time representatives taking more of a leading role than the AEEU’s. However, despite the differences highlighted above between UNISON and the AEEU in Xtown, similarities do exist between some of the workplaces covered by the two unions. While direct comparisons of members’ opinions cannot be made because of the lack of information from members at hospital 2, the evidence gathered does show that the steward from hospital 2 was able to act independently from the local UNISON organisation and that she did maintain a degree of unity among her members. Despite the fact that a well established union and shop stewards’ organisation existed at firm A comparisons can still be made with hospital 2 where there was only one UNISON steward. Even though the stewards at firm A were responsible for their own workshops, it could be argued that it was actually the convenor, the main lay representative, who negotiated with management over anything that he felt was in his members’ interests to do so, and as a rule “the union” secured its goals. At hospital 2 the steward took on responsibility for all UNISON members, no

matter what job they were doing, and like firm A's convenor was not afraid to confront management over any issue that she felt needed attention.

The evidence also reveals that there are differences in the amount of bargaining power that stewards possess between different workplace organisations of the AEEU, and even within the same workplace two separate AEEU organisations can be perceived as totally different by their members and by management. Even though the local organisation of UNISON played a larger role within the workplaces under its jurisdiction than the local unit of the AEEU, the fact that differences existed between shopfloor organisations of the AEEU, where the work situation was largely the same, and the fact that the union at hospital 2 was able to maintain itself independently of the local organisation suggests that something more than the nature of the workplace and the employment situation must be responsible for any differences between workplace union organisations. The common factor which can be identified in each workplace that was able to maintain its own union organisation and act independently of outside sources appeared to be the main lay representative of that workplace.

Even though at first sight the findings may appear to indicate that there are vast differences between UNISON and the AEEU, closer examination suggests that, regardless of the differences in bargaining arrangements and the nature of the employment situation, union organisation at workplace level need not be different for the two unions. Both the AEEU and UNISON have workplace organisations which have differing degrees of success in achieving members' aims and the key to that success appears to lie with the lay representatives.

12.6 Successful workplace unionism depends on the lay representative

The evidence reveals that there are differences in the success rates of different workplace union organisations (UNISON and AEEU). Numerous studies have stressed the importance of particular factors which may shed light on why the amount of bargaining "power" that stewards appear to possess varies between and within workplaces and at various points in time. (See chapter 3.)

It was generally thought that a relatively tight labour market contributed to the growth in shop steward influence and that this could easily be weakened in adverse circumstances. However, it has also been argued that unemployment and redundancies did not represent any change in the workplace power of unions, (MacInnes 1990, Martin 1992). **If anything, the downturn in the fortunes of firm A appeared to have strengthened the union organisation there;** the senior stewards found that they had many more problems to confront which made them more determined to protect their members' interests. Moreover, even in times of high employment there were still differences between workplaces in the levels of influence of different shopfloor organisations. In addition many of the newer employees at firm A had actually been working in a similar industry prior to their

engagement; very few workers were recruited from the unemployed. Therefore, MacInnes' suggestion that "the option of replacing existing workers with recruits from the dole is not something that employers in the real economic world contemplate" (1990, p225) appears to be corroborated, at least where skilled labour is required.

There were differences between the employment situations of the UNISON and AEEU workers studied. However, while this may go some way towards explaining the difference between different types of workers, for example, clerical workers who may work on an individual basis and factory workers who work together as a team, it does not explain the variations of steward "power" between similar groups of workers, such as those at hospital 1 and those at hospital 2. The size of the workplace may influence the nature of its shop steward organisation (for example, Brown et al 1978). Large firms may give their shop stewards an advantage over those in smaller firms; there are more members (and potential members and where there are more members there is an opportunity to incorporate more stewards who can build on each others' experiences). Size would not account for differences between workplaces of the same size, differences within workplaces or even the fact that small workplaces may have a strong union organisation. It appears that in the larger hospitals stewards may have more difficulty contacting their members; however, as already suggested if more stewards could be incorporated this problem could be reduced. As one steward appears to have been effective in a smaller hospital, albeit she was still responsible for many more members than the average AEEU steward, it could be argued that the size of the workplace does not satisfactorily tell us why differences between stewards exist.

Batstone et al (1977) found a considerable difference between the clerical "staff" union organisation and the "shopfloor" organisation within the same firm. They found that the shopfloor stewards tended to place greater emphasis on the need to adopt a leadership role in relation to their members. They argued that differences in the definition of the shop steward's role are related to the degree of involvement in the steward network - those most involved experience a continual reaffirmation of the norms of steward leadership, those less involved are subject to less general pressure to espouse a leadership role; this tended to be the case for the staff stewards. As no shop stewards' organisation appeared to exist as such within UNISON, at least not one that was comparable to those of the AEEU, the local UNISON stewards were isolated from each other, especially due to the nature of their work; therefore, individual stewards received little encouragement to adopt a leadership role. Contact with other stewards reinforces the conception of the steward role. Even at their branch meetings UNISON stewards were not encouraged to act as leaders but were encouraged to leave their problems with the convenor; therefore, no conception of a leadership role was given.

Institutional factors, such as the degree of centralisation in a workplace, the form of its collective agreements and the nature of its wage structure, may influence steward behaviour. It has been suggested that if a national union organises a workplace it

hinders the development of member-steward communication; with national agreements the employees' working lives are structured by externally given facts and nationally agreed rules and procedures, so that the workers lack an effective power base of their own (Nichols and Armstrong 1976). Boraston et al (1975) also concluded that the outside union could encourage their workplace organisations to become independent, especially by the availability of the FTO; lack of an FTO may push a workplace organisation towards independence whereas the ready availability of the FTO may hold it back. This would explain any differences between UNISON and AEEU organisations overall. Some UNISON stewards were subordinate to their FTOs; the availability of the full time convenor, no matter how useless she may be described as being, prevented some stewards from becoming independent. It could be argued that those FTOs preferred to keep the situation as it was so that they retained control of the local organisation.

UNISON, at least in Xtown, appeared to actively inhibit its stewards from acting independently. Stewards were not encouraged to solve problems themselves or even to accompany the convenor when she was negotiating on their behalf; problems were left with the convenor who solved them in her own way without consulting the steward or the affected members. However, once a workforce has become self reliant there is little the national organisation can do but accept it (Boraston et al 1975). Hospital 2 and firm A were two examples where this had happened (though the local AEEU FTO would have preferred all the workplace organisations under his jurisdiction to have been as independent as the one at firm A). As bargaining by workplace representatives appears to be more beneficial to members and management than when outside representatives are brought in, UNISON ought to encourage its stewards to begin bargaining themselves rather than leaving this to their local representatives. The authority and expertise should be transferred from the local unit to the shopfloor units.

It would appear that the key to successful unionism actually lies within the workplace itself with the main lay representative. It has been suggested that management and their style of working may determine how successful a shopfloor union becomes in the workplace (for example, Boraston et al 1975). This may have more than a grain of truth in it, Edwards and Heery (1989a) described how the management at Freightliner had become more assertive and more prepared to insist that the unions accepted their proposals for turning the company around. However, they found that the workforce, who were dissatisfied with the outcome, tended to blame the national union, looking upon their leaders as ineffective, remote and too close to management. This implies that if the workplace organisation had been more independent of the national union they might have been able to achieve gains in their favour, albeit not necessarily to the detriment of the company. Other evidence does seem to indicate that the success of the workplace organisation has more to do with the lay representatives themselves. Beynon (1973) described how a new convenor had managed to pull the plant together after its "disintegration" under the old convenor. He argued that the shopfloor had lacked confidence in their previous leader, the new one must have had a certain

personality and style of working that regained members' confidence and therefore, union influence. The fact that at firm A two different workplace organisations of the AEEU had contrasting relationships with the same management suggests that this may well be the case; the union's relationship with management in the foundry changed after a new convenor was installed.

Despite the fact that the management/union relationship was very different at firm A and hospital 2, at one management were prepared to work with the union and at the other management preferred not to involve the union in their affairs, both representatives appeared to satisfy most of their members' concerns and looked after their interests. This would suggest that even with different management techniques, successful unionism is possible in the workplace providing that the lay representative has the right style of working and dedication to be able to protect his/her members' interests. The main representatives from firm A and hospital 2 could be described as similar in their outlooks and their approaches towards unionism, their steward role and towards management. They were both dedicated to their job and their main priorities were their members; both would fight for their members if they thought they had been wronged in some way, no matter how difficult the situation might appear to an observer. Rather than taking any credit for themselves both representatives spoke of their work in terms of "us" and "we" rather than "I", suggesting that they carried out their role seeing themselves as part of the collective rather than as an individual. They both tried to involve their members in the decision making process and both gained membership support when it was necessary. Their apparent success within their respective workplaces supports Fosh's (1993) contention that a lay representative with a commitment to collectivism who tries to involve all his/her members in the problem solving process will become a more successful leader and gain more concessions than a representative who treated problems solely as individual ones.

Some studies when taken at face value portray management as having the upper hand when it comes down to the final decision making (for example, Boraston et al 1975, Marchington 1980, Wilson et al 1982); however, management may claim to have made the final decision when in reality the union may have shaped and altered the original issue in such a way that it could claim to have substantially influenced it. This appears to have happened frequently at hospital 2. The steward (or "the union") helped to solve many problems; however, she took no credit for this and allowed management to believe that they were in sole charge of the efficient running of the hospital. To a large extent shop stewards must work on management's terms and if they are to survive they need to learn how far they can take an issue with their employers. Shop stewards, or at least the senior stewards, are in a position where they can see the situation from management's point of view as well as the workers. This does not mean that they abandon their loyalty to their members but that they try and persuade them that certain courses of action may not gain them what they want because management will not concede their demands as they would damage the future prospects of the company. In this sort of situation the steward must be well established and respected by his/her members, the steward must be seen as a leader

rather than someone who just follows members' wishes. Edwards and Heery (1989b) suggested that the NUM leadership who adopted a leadership role rather than a representative role realised that on occasion members had to be persuaded to accept unpopular management decisions for the good of the workplace as a whole.

Nevertheless, it could be argued that if the workplace organisation is seen to be strong by its members and the steward's style induces participation and a sense of "togetherness", the workgroup may be prepared to accept defeat, or at least a partial climb down on their original claims, more gracefully than a group with a less respected leader. The main representatives from firm A and hospital 2 appeared to have understood their managers and their motives even though they did not always agree with them. They had both developed styles of approaching their managers that they knew would have an effect on them without necessarily damaging their relationship. Both representatives preferred to take an amicable approach rather than a conflictual one and in both workplaces they gained their own way in most cases, even if the hospital managers preferred not to acknowledge that the union had shaped their decisions. **Mutual respect between union representative(s) and managers appears to be the key to a successful management/union relationship**, both sides respecting the individual(s) they are dealing with. Evidence from firm A particularly highlighted the fact that management, especially higher management, respected the person that they were negotiating with rather than that person's position, though it was recognised that the representatives were on the workers' side. (See also, Marsh and Coker 1963, Goodman and Whittingham 1969.) Indeed, Edwards and Heery (1989b) found that where NUM representatives had developed a degree of trust with management they tended to be more powerful and the ability to deal with higher management, rather than the subordinate levels "was a determinant of their power, and no doubt also a reflection of it" (p180). This was very much the case with firm A's convenor and in Edwards and Heery's terms would be an indication of his "power" even though he did not view himself as powerful.

Research during the 1980s pointed out that, because of increased international competitiveness in the private sector and a financial crisis in the public sector, trade unions were involved in labour management in more compliant ways (Brown 1986) and that it "is plausible to suggest that workers and management share a common interest in the immediate survival of the firm" (Terry 1986, p177). It could be argued that when a shop steward does his/her job properly everyone gains; the shopfloor is kept happy and productivity will continue benefiting management.⁸ However, this is not necessarily a product of the 1980s. In 1969 Goodman and Whittingham concluded that "[t]he response does not, then, support a stereotyped image of the steward and his manager forever at loggerheads as the former aggressively defends his position or attacks the manager's." (p98). This could also be said of some of the

⁸ It has been argued that stewards' relationships can be described as "dualities" - their relationship to management is characterised by a tension between resistance and accommodation, their relationship with their members by a tension between democracy and bureaucracy, and with FTOs by a tension between independence and dependence. See for a fuller explanation Darlington, 1994a, pp138-9.

stewards at firm A. However, because their objectives did not always coincide their relationship may occasionally have become a conflictual one, but this does not mean that their relationship will be undermined. In 1968, McCarthy and Parker concluded that alongside the conflict situations managers and shop stewards appeared to have reached a level of mutual tolerance and acceptance and that this appeared to be the norm. The same could still be said now.

Nevertheless, some stewards may become management oriented, and therefore, loyalty to their members may be lost.⁹ It has been suggested that once a shop steward becomes "closer" to management, he/she has become "bureaucratized", and tends to work solely on management and national union terms rather than for the workers; he/she becomes divorced from his/her members and becomes part of an elite within the workplace (see for example, Hyman 1979). It could be argued that UNISON's full time convenor may have unwittingly taken this path; participation in training courses, on negotiating techniques for example, designed by management would probably give a management rather than a workers' viewpoint. As she dealt more with managers than members she may have unintentionally become detached from them. However, this could not be said to apply to the main workplace representatives from firm A and hospital 2. Even though they may have had amicable relationships with their managers they had certainly not become divorced from their members. In fact, their dealings with management confirmed their loyalty to their members; neither was prepared to accept management's viewpoint at face value or accept any proposals that would be detrimental to their members' interests.

It could be argued that this all depends upon the steward him/herself. If he/she has the right style and is able to see the current situation from both a management and a workers' perspective, he/she (with membership support) should be able to reach a compromise acceptable to all concerned when negotiating. Batstone et al (1977) argued that the ideology of the domestic organisation can be an important base of power, because it fosters particular views of the workplace and particular patterns of behaviour, in part reflecting the past actions of the members; these, they argued can be changed by present endeavours. It could be argued that this was true at firm A. Management believed that the MS convenor had the backing of his members, probably because of their past actions. This can be crucial for the workplace organisation and could be described as a catch 22 situation; in order to be perceived by management as having bargaining power, the shopfloor representative must have the full backing of his/her members, yet at the same time it appears that members will only give their support to leaders who they perceive as having bargaining power already. Therefore, it is crucial that the steward has the right working style necessary to determine

⁹ Many studies claim that some stewards would like to gain promotion within the firm. In fact, Goodman and Whittingham (1969) found that many managers regarded their stewards as potential supervisory material. The stewards in Nichols and Armstrong's (1976) study were actually trained by the foremen; they were taught how to handle the workforce but not how to represent them. At firm A the convenor had commented that some stewards were only after a supervisor's job, which might suggest that these stewards were working for themselves rather than their members. In some respects this may be reflected in the adverse comments made by AEEU members about their particular steward.

membership participation and, most of all, confidence in him/herself as the leader of the workgroup. The convenor from firm A and the steward from hospital 2 both appeared to fit this bill. Yet after a change of leadership at hospital 1 the attitudes of members and, therefore, their opinions of their union had also changed, reflecting upon the different approach taken by their new representative.

The members play a crucial role in their steward's "effectiveness"; without members' support a steward loses any influence or "power" that he/she may have had. Nevertheless, it can be argued that it is the steward him/herself who determines members' reactions to unionism. Batstone et al (1977) argued that there was less of a commitment to trade unionism on the staff side and that management played a key role influencing those workers' attitudes, fostering individualistic perspectives and courses of action. This resembled the clerical workers at hospital 1. The fact that the domestic supervisors at hospital 1 took on the role of "leaders" of their workgroups, also influenced some of their employees attitudes. If employees have little conception of working collectively they may consider the short term advantages for themselves rather than any long term implications of their actions. As Nichols and Armstrong (1976) found, the workers appeared to be all for themselves; if they saw a short term advantage "they were willing to forget the consequences for their workmates" (p124). If the union representatives had adopted a style which developed a sense of unity among these workers, allowing them to see that they all share the same basic problems and that they can be dealt with effectively collectively, the situation may have been different. Batstone et al (1977) argued that the institutional centrality of the union in work experience fosters commitment to the union. At hospital 1 the workers had lost any conception of the union being connected to the workplace let alone their work experience. An active shop steward with a commitment to collectivism may have altered this situation.

To members the shopfloor is "the union" and it appears that how well their lay representative performs actually influences their perceptions of their union and the way that they react to different situations. This relates to hypothesis number 3: however, whereas the representative's performance appears to influence members' perceptions of their union, it does not appear to influence their perceptions of the "power" of their union. Nevertheless, hypothesis number 5 appears to be substantiated: **it could be argued that the personality and style of working of the lay representative are essential ingredients for successful unionism in the workplace.** This would go a long way to explain the differences between and within workplaces as to the perceived power of the union organisation. Members are a crucial factor determining the success of a workplace union organisation, without their support it has little chance of achieving their aims. Where stewards are able to determine membership interest and participation in workplace unionism, the level of success that "the union" has when dealing with management is greatly enhanced.

12:7 *The steward's personality and style of working*¹⁰

Research over the years tends to confirm that the personalities and working techniques of individual stewards are important factors contributing towards the success of the union within the workplace (for example, Goodman and Whittingham 1969, Edwards 1978, Fosh and Cohen 1990). "Of course, different local leaders have dissimilar material with which to work: members have different initial commitments to unionism, experiences of union membership and work and community backgrounds; further, relations between management and unions in a workplace can differ sharply. Some local leaders will have an easier job encouraging members to take part in workplace activities and to become more solidaristic in their approach to the union. However, a careful choice of local leadership style can yield results even when members' experiences and situations are not the most favourable for the development of unionism." (Fosh 1993, p589).

The style of working of the shop steward is essential to successful unionism in the workplace. This must also be connected to the individual's personality and his/her experience of the role. It has also been suggested that in addition to the steward's personality and individuality the social framework of his/her life and his/her outside contacts should be considered (Beynon 1973). This is a point worth remembering. Contacts can be essential when needing advice and support, but it could be argued that a person's life and the contacts that he/she has built up are also a product of that person's personality. The convenor from firm A found that by keeping in contact with his retired predecessor, who was also a friend, he was able to uphold some of the traditions that had already been built up. Experience may be important to a steward; for example, a steward may be trusted and respected because of his/her past achievements but these may also be connected to his/her style of working and personality. Batstone et al (1977) argued that patterns of power and influence were actually created and new shop stewards might find that they inherited these from their predecessor. However this may vary, for long standing stewards may derive a good deal of their influence from sources not immediately available to newcomers, for example, a network of social relationships with their members which facilitates their leadership roles. This appeared to be the case for the convenor at firm A and the steward at hospital 2; both had built up a network of relationships with their members, which no doubt had a significant effect when they required membership support. In the case of firm A's convenor this also had a profound effect on management, who took his word at face value when he threatened that "the lads will be out"; without his relationship with his members, management may have been prepared to take the risk that he might have been bluffing. However, it could also be argued that if a new shop steward has the right approach to the role and, therefore, can rely on membership support, he/she should be able to build up his/her own sources of influence (if he/she has not already done so prior to election). In fact, Batstone et al (1977) did suggest that the personalities of the stewards are one reason why they build up different

¹⁰ This is relevant to hypotheses numbers 3, 4 and 5.

networks of relations.

To be effective the shop steward must be seen as a workgroup leader as well as a union representative and “[a] commitment to collectivism intrinsically embodies the concept of leadership” (Fosh and Cohen 1990). McCarthy and Parker (1968) recognised that some stewards had more influence than others and suggested that this could be to do with the differences in leadership style and therefore effectiveness; they distinguished between the charismatic leader who gained a wide degree of discretion and influence and those who chose not to lead at all and were little more than a channel for the objectives and strategies of others (see also Batstone et al 1977 who distinguished between populist and leader stewards). Fosh (1993) was probably correct when she argued that a workplace leader who has a collectivist outlook, that is one who sees all issues as relating to the shared employment situation rather than as individual grievances, will encourage members to view the union as something which encompasses group action rather than as an individual grievance agency alone. Stewards must lead their members rather than just follow up their individual problems. This would explain the differences within and between workplaces as to the way members use their union and gain results.

In fact, many studies have shown that some shop stewards may not even be regarded as a work group representative, let alone a leader, by their members, but as individual problem solvers (Goodman and Whittingham 1969, Batstone et al 1977, Schuller and Robertson 1983, Terry 1982). If these stewards had changed their style and tried to involve the whole work group in the problem solving situation, thereby turning individual problems into group ones, they may have been regarded differently by their members. Schuller and Robertson (1983) found that shop stewards spent more time talking to each other than to their members, contact with members tended to involve individual problems only; the stewards held the view that their members were only self interested. This is still true today; however, where a shop steward can turn a member’s “self interested problem” into a group problem¹¹ they may be able to evoke a response to workplace unionism, which they could then use and build on; this depends upon the style and personality of the representative. Indeed, Schuller and Robertson argued that if contact with members was confined to individual grievance processing it would reinforce the tendency of members to ignore the role of the union as a collective organisation. Terry (1982) argued that “an emphasis on individual grievances places less strain on fragmented local organisation than might collective issues, since there is no strong pressure to develop collective policies covering the entire workforce.” (p16). This may be so, but then members do not develop a conception of unionism that encompasses themselves; they view unionism as unconnected to the workplace and as a personal problem solving agency. Members at hospital 1 were a good example.

Both the convenor from firm A and the steward from hospital 2 appeared to have the

¹¹ An important point here is that, as a rule, all members have the same self interests; therefore, the task of turning an individual problem into a group problem should not be so hard.

right style of working; they were both able to “lead” their members when necessary and were able to confront management and in most cases appear to have satisfied both sides. Their styles of working must be related to their personalities and beliefs, which suggests that their success may be related to particular aspects of themselves. A commitment to collectivism, but not necessarily a commitment to the national organisation appears the most essential part of a steward’s make up. Both main lay representatives were committed to their members and their interests first and foremost, even above their own personal priorities; for example, both would give up their leisure time in pursuit of “justice” for their members, or even just one member. An essential part of an effective steward’s personality must be a selfless attitude, whereby he/she is prepared to put others before him/herself, even though in many cases it might be a “thankless task” (or as Beynon, 1973, put it, to be prepared for “graft without glory”). Therefore, it could be argued that the right style of working partly comes naturally and partly evolves; that is, with certain personalities taking on the role of “leader” may come naturally and that person’s style of working develops over time with experience and practice, for example, of dealing with management and members.

Both stewards were confident, and neither was afraid to confront management at any time, they were stubborn and strong willed (“you’ve got to be prepared to stand your ground”), but perhaps most importantly they were both seen as honest and fair, which especially from a management viewpoint, is very important. However, despite this they were both solidly on their members’ side, even though they could accept management’s viewpoint they both tried to work out a solution to any problem that would be fair to both sides; management at firm A recognised this, seeing the convenor in some respects as a member of management even though they knew he was on the workers’ side. So, even though an effective steward’s major priority is his/her members he/she may give an appearance of working on management’s terms when he/she is actually shaping management’s terms to suit his/her members. An essential component of the stewards personality, then, must be communication skills: he/she must be able to communicate with management and members (and this includes being prepared to listen, especially to all sides of an argument). Confidence is the key: a successful steward must have confidence in him/herself and also be able to portray this to his/her members and especially to management.

It can be very important that the steward is seen as “one of the lads”; if he/she is viewed as being outside the group the likelihood is that he/she will not be thought of as a leader let alone a representative. This may be one of the reasons that UNISON’s convenor was not thought of very highly by her members; she was not seen as “one of us”; she did not work alongside her members and was associated with the union organisation outside the workplace, but more importantly she did not instil in her members a feeling of togetherness. The shop steward’s relationship with his/her members is the most crucial aspect of his/her job and the key to his/her success. A point worth noting is that while most shop stewards are subject to re-election at regular intervals, in practice opposition is limited and many retain the office as long as they wish. However, this does not imply a lack of resistance to their leadership; informal

leaders very often emerge in opposition to the steward, who may either put pressure upon the steward to act as they wish (with membership backing) or will bypass him/her altogether and go straight to a senior steward or convenor or in rare cases even management (Goodman and Whittingham 1969, Batstone et al 1977). It appears that this sometimes happened at firm A, indicating that the members involved did not think that their own steward was able to solve the problem.

Nevertheless, informal leaders tend to be unwilling to stand for election; perhaps they do not wish to take on the extra responsibility that is attached to the post; they are only prepared to "lead" when the situation suits them! For example, at hospital 1, unofficial leaders of some workgroups emerged when problems had arisen and the collective action of the workers secured them their goals. Yet these workers did not associate their actions with unionism and the unofficial leader may not have been a union member. If these workers were encouraged to see their actions as associated with unionism, the unofficial leader might be persuaded to become a steward, but because no conception of unionism as a collective organisation existed at that workplace the workers were happy to continue as they were. Nevertheless, some unofficial leaders may not appreciate the dilemmas that stewards often face; a particular member at firm A had continually disrupted a workplace meeting designed to put certain proposals to the membership during a period when the workforce were on a three day week. The member had accused the stewards of "being in management's pocket" and refused to listen to their proposals; however, after becoming a steward himself, according to the convenor, the member had begun to change his opinion after realising that everything is not always as it may seem. This confirms Fiorito et al's (1988) contention that the more a worker participates in union business the more he/she begins to appreciate the constraints on union influence.¹²

Consideration should also be given to the fact that shop stewards are also employees and individuals in their own right and, therefore, like rank and file members they have priorities of their own, such as mortgages and children, which may affect the way that they carry out their role. There is always the possibility that those individuals who have been coerced into taking on the position may not be as dedicated as those who readily volunteer and as members appear loathe to become stewards (Millward et al 1992) this probability may apply to a number of stewards. The shop steward's role extends further than the workplace; therefore, if stewards, like most employees, prefer to forget about work when they finish for the day, they may not be considered as effective as those who respond to their members and their problems in their own time. Women may be affected more by this than men; after a working day women still tend to be the ones responsible for child care and other household chores; therefore, some women may find that they are not always able to extend their steward's role further than the workplace. However, evidence from the study indicates that this is not always the case and that women can be as effective as men if they have

¹² All the stewards at firm A were over 30 years old and had been union members for over ten years. This suggests that the process of becoming a steward may be a gradual one; he/she gains an insight into the union organisation within the workplace first.

the right style of working.

Goodman and Whittingham (1969) suggested that the growth of AEU membership during the war was a result of the work performed by the shop stewards, who devoted their spare time to improving the working conditions of their workmates. This is still the case today. The two main lay representatives considered their steward's role as a full time one and not one that finished at the work gates, and at both their workplaces union membership remained solid. The evidence does show that where shop stewards are seen to be effective union membership tends to be constantly upheld, whether the union on site is the AEEU or UNISON. Other studies have also concluded that strong local unions actually gain members (for example, Hancke 1993). The personality and style of working of the steward are essential ingredients for successful unionism in the workplace.

12:8 *Industrial action*

There are a wide range of sanctions which workers have at their disposal to help them get their problems solved. The overtime ban appeared to be the most commonly used by AEEU members in Xtown, officially and unofficially. The UNISON members studied did not appear to resort to action in the same way as the factory workers, probably because of the nature of their employment, though the refusal of some workgroups to do extra work had achieved them their aims (but not necessarily in the name of the union). Within the health care industry, where an independent workplace union organisation existed it appears that workplace problems were solved so that members had no need to put pressure on the workplace manager. However, in those workplaces where the UNISON representative was not looked upon as effective, rather than trying to solve their grievances by means of collective action, it appears that some UNISON members were resigning their membership instead.

The sanction most commonly thought of, perhaps because it is the one which is most likely to reach the public gaze, is the withdrawal of labour or the strike. The vast majority may only last a matter of hours¹³ as a protest, for example, against unsafe working conditions or to call for the reinstatement of a workmate, usually against one employer and by one group of workers; the problem is usually rectified quickly. This type of action appears to have taken place at firm A occasionally; however, the workers there did not appear to associate it with industrial action; to them it was a normal working practice that secured what they saw as a "legitimate grievance".

Of greater significance to the shopfloor organisation is the threat of a withdrawal of labour, which may happen more often than those involved care to admit. In this situation it is essential that the shopfloor leader has the support of his members and

¹³ Very often in these situations the workers do not even leave the workplace, but sit around until the problem is solved.

that management also believe this. Some negotiations may involve an element of “bluff” and therefore more emphasis is given to any kind of a threat (involving any sort of sanction) if full membership support is forthcoming. Even though it was suggested earlier that threats made by workers’ with a moral obligation towards their work may be less effective than those made by other workers, the example from hospital 2, where the nurses had said that they would refuse to work at night with no porters on the site, achieved their goal, even though the steward admitted that the nurses probably would not have taken strike action because of their feelings towards their work (though it could be argued that the steward solved the problem so that action was not necessary).

The “workplace consciousness” of union members is an essential element when threats are made to management and their past actions will give more substance to the threat. As long as management perceive that workers will support their leaders, those leaders can have a great deal of influence over management even when the affected members do not know that a threat has been made on their behalf. This appears to have happened regularly at firm A; the convenor knew that if “the union” had a valid case a threat to management that “the lads will be out” was taken seriously even if “the lads” did not know that a threat had been made. Threats are probably more significant in workplace industrial relations than actions, because the party on the receiving end must weigh up the significance of the threat before making any decisions. Very often action does not need to be taken because the threat is taken seriously and a solution is forthcoming. However, it must be remembered that where major issues are involved, for example, pay, the economic climate and the market situation may influence any outcome and not always in the workers’ favour. In addition managers can also use threats: employers may not use legal sanctions very often against their workforce, but they may threaten to do so, and where the workplace organisation is not perceived as effective, these threats appear to work. Firm B was an example.

Industrial action of one kind or another had been taken at firm A since 1987 and as no ballots had been organised by the national organisation of the AEEU, the law on industrial action balloting appears to have had little effect on the union or management at that particular firm. (See also Elgar and Simpson 1993b, who also found that most industrial action in the engineering industry was unballoted.) Union members, at least in the private sector, do appear to be prepared to take immediate action if they feel strongly about an issue, and immediate action usually means refusing to work. However, members do not seem to define this sanction as industrial action. It can be concluded that, at least where an effective union organisation is seen to operate, the majority of union members still take the same types of action against their employers that they took before 1979; that is, action that is confined within the workplace and usually, because of its effectiveness, shortlived. This type of action also adds weight to any future threats against management that employees will stop working.

12:9 *The impact of the legislation*

The fact that the majority of employers prefer where possible to settle disagreements with their own workers' representatives (for example, Elgar and Simpson 1992) suggests that the legislation has had little effect upon the majority of workplace relations. This study indicates that where the workplace organisation is capable of acting independently of its national union this is indeed the case. At hospital 2 and firm A threats that members would stop work rectified problems without recourse to any action, let alone a properly conducted ballot. It also appears that the legislation had had no impact upon the local organisation of UNISON in Xtown, with the exception that it may have brought the union negotiators and management closer together through the joint training courses. However, at those private sector workplaces where the union organisation was dependent upon its FTO to help solve problems, such as firm B, management did threaten their workforce with "the law" and it appears that this did dampen the workers' complaints. Nevertheless, evidence suggests that the main workplace representative might have been partly to blame for this; after he was replaced by another steward management-union-member relations became more productive and membership morale appeared to grow.

Awareness of the law is far from universal among union members, though the law relating to industrial action appears to be the most well known, perhaps due to its prominence in the media. Even the AEEU stewards were not fully aware of all the legislation. The most common mistake appeared to be the belief that the criminal law might be involved rather than the civil law. However, members and stewards alike may not take an interest in those things that they feel do not affect them personally; the legislation certainly does not appear to have had any effect upon the union organisation at firm A; therefore, there is probably no reason why members should be aware of it. Nevertheless, even those aspects of the law which related to members directly were not known by all members; for example, the requirement that all check-off paying union members must sign a written authorisation every three years before the money is deducted from their wages; over half of those AEEU members who responded to the questionnaire did not know this despite the fact that they had all done so in 1993.¹⁴ Perhaps more significant for union organisation is the fact that over half of the AEEU members and half of the stewards believed that if a single union deal was made between an employer and a particular union all union members should be members of the union party to the deal. In fact, at firm C the AEEU did lose a few members because they believed that they should join the printing union which had signed the deal with their employer. This has implications for members as well as a loss of membership for the unions involved; members may find that they lose out depending on the union that they have joined. Non-recognised union representatives may in some instances still represent their members within a firm (see also WIRS3); at firm C the AEEU representative tended to negotiate a better deal for the small minority of members that he had in one workshop which was dominated by the GMB. Even

¹⁴ Even more significant is the fact that many other members did not know that their method of payment was called "check-off".

though he was not party to any negotiating rights he had established himself with the managers, who respected him and his opinions, even if it was unofficially, and in the long run this benefited his members. Those employers in Xtown whose employees were represented by more than one union have shown that Simpson's (1993a) reservations that the right to belong to the union of one's choice might dissuade employers from entering into single union deals were unfounded.

It does appear that the legislation has affected the national organisations much more than workplace organisations. The national union of the AEEU, for example, was constantly reminding its representatives of the need to observe "the law" and updated its requirements for industrial action ballots each time a court case appeared to signal a new limitation. Despite this, at workplace level, if a strong workplace union organisation was present, balloting on industrial action was largely ignored, usually because the time taken to conduct a proper postal ballot was considered unnecessary (if it was considered at all at the time) by those involved. Though at firm A workplace secret ballots were conducted. Other research highlights the fact that ballots may have strengthened a union's hand when bargaining. Evidence (for example, TUC 1995a, AEEU Executive reports in the union journals) also suggests that one aim of the legislation has failed, that is, that members would restrain their union from using its "power" excessively; the fact that strike ballots are very often instigated at the request of members rather than their national leaders, at least in the private sector, indicates that it is actually members who want to take action rather than their national leaders coercing them into it. However, within the public sector, members' reactions to the proposals of their local union organisation might indicate that in the past, and indeed even now, some members were coerced into action that they would rather not have taken. For example, during the 1995 pay negotiations, it appears that some UNISON members would have been prepared to accept management's proposals, but because their local unit was determined to follow national guidelines and wait until a vote had been taken nationally, members had to wait until the local unit was satisfied with what was offered. Indeed, it was also the case that many UNISON members in Xtown did not know precisely what had been offered by management; therefore, UNISON's local representatives could not be considered accountable to or representative of all their members; if members had not had the chance to consider the options open to them the local representatives could not have been acting on the opinions of all their members.

It has been argued that ballots for union elections have shown that members do support their leaders and their policies. Yet postal balloting for union elections and other important decisions which affect union members does not appear to have led to an increase in membership participation. The low turnout for union elections also suggests that members are not particularly interested in who their national leaders are. Members from the AEEU and UNISON in Xtown were very critical of their national leaders, but the fact remains that someone must have voted them in. It may be claimed that the balloting procedures have made trade unions more accountable to and representative of their members; however, it appears that both UNISON and the AEEU try to "guide" their members on how to vote and members in Xtown (and

elsewhere in UNISON's case) felt that they were often "misled" into voting for something which may not be in their best interests. UNISON locally also conducted a vote on the 1995 pay proposals by a show of hands ignoring members' doubts about whether that was democratic. Therefore, it could be argued that at national (and in UNISON's case in Xtown at local) level unions are not truly accountable to their members.

Evidence from the AEEU case study also suggests that the idea that postal ballots would lead to members voting as individuals in their own interests rather than in the interests of the collective has not necessarily borne fruit. Members appear to take their voting forms to work (or to their branch if they have no representative at work) to ask the advice of their representatives on who or what they should vote for. Therefore, members either do not know much about the issues that they are being asked to vote on or they prefer to vote along with the rest of their group, which undermines the basic principle behind the introduction of postal ballots.

Despite the demise in law of the closed shop, employers in both the public and private sectors in Xtown saw advantages in having a predominately unionised workforce. While not enforcing membership on their employees they were actively encouraged to become a member. Employers may not insist that employees become members but, at least in the private sector, fellow workers may make non-union members' working lives miserable if they do not. Xtown's NHS trust and firm A's managers recognised that having their workers represented by a union was essential to the efficient running of their workplaces. At firm A the union was seen as a stabilising influence on the workforce; "the union" was able to exercise a degree of control over its members that managers would have found harder to do. As Edwards and Heery (1989b) also found that most colliery managers viewed union representatives as a useful tool to be used to control the workforce, this may be more widespread than commonly thought. This is contrary to the contention that during the 1980s managers were exercising a deliberate choice to develop relationships with individual employees rather than groups (Brewster 1989).

The demise of the closed shop has not necessarily reduced the "power" of workplace unions; the findings indicate that if the workplace organisation is perceived as successful union membership is upheld and new employees join the union. Hospital 2 and firm A were good examples. In close knit workplaces, such as firm A, members may feel strongly about their membership and even refuse to work with non-union employees, which in most cases has resulted in that employee joining the union. Yet at workplaces such as hospital 1, where UNISON was rapidly losing members, even if a closed shop had been in operation, the union organisation there would probably not have been perceived as "powerful" anyway. Therefore, the demise of the closed shop may have resulted in a decline in union membership but not necessarily in union power, though it must be noted that the workers at hospital 1 who had resigned their membership had not done so because of the legislation; they had done so because they had become disillusioned with their union.

Declining membership is liable to have a greater effect upon national organisations than independent workplace organisations, especially in terms of finance; fewer members means less subscription money. Fewer workplaces in the traditional strongholds of union recruitment will decrease the number of members overall, but in those workplaces where a union presence exists nothing much has changed on the shopfloor. Where the workplace union is seen to be effective membership tends to be constantly upheld (see also Hancke 1993). At firm A even junior members of management had joined the AEEU rather than the MSF, which suggests that those workers perceived the workplace organisation of the AEEU to be more effective than the workplace organisation of the MSF. It also indicates that to the workers protection against their employer is the important reason for membership. In those workplaces with a weaker union organisation workers may not see their work related interests as being protected and they, therefore, see no reason for union membership. To combat this fall in membership, the national organisations ought to concentrate on ensuring that effective stewards are available in all their workplaces rather than introducing services aimed at members as individuals. Unions should also exploit the sectors of employment which they have not traditionally entered into, such as the service industries, where employees may welcome an organisation that would look after their interests .

Despite the gloomy forecast by Waddington (1993) the check-off legislation appears to have been advantageous to unions. Many have actually gained members; the exercise of having to get every member's signature on the authorisation forms actually uncovered workers who had never been asked to join a union. Providing that employers are prepared to continue with their existing practices (and the local NHS trust and firm A's managers were happy to do this), this piece of legislation has created no hardship for trade unions; however, the prospect of having to get members to re-sign the authorisation forms every three years may become a burden. The onus appears to be falling on the national unions rather than the employers to ensure that this is done, at least within the AEEU. At firm A management and stewards found the exercise a nuisance taking up their valuable time; management wished to keep the existing arrangements but allowed the union to carry out the task. Firm A's management did not appear to be worried by the legislation and they had not informed union members that there had been an increase in deductions from their wages for their union subscriptions. In this sense the legislation had not a great effect upon the management of firm A. It could also be argued that those union members there who knew their rights were not interested in challenging the increased deduction without first being notified.

It can be argued that at national level trade unions have been affected much more by the legislation than those workplace organisations that can work independently of outside sources. Nevertheless, the national organisations have weathered the legislative attack well and perhaps the only disadvantage is the added financial burden; for example,

even though fines and damages awarded against trade unions were rare¹⁵, legal action may have cost them over £1 million in just one year (TUC 1995a). National unions are very careful that they act within the legislative boundaries when a confrontational situation with an employer is imminent; they realise the problems they might face if they do not. A frequent comment from local shop stewards was that the national organisation was scared of sequestration, which could be seen as an indication that “head office” is looking after its own interests rather than the immediate ones of its members.

Balloting may have strengthened a union’s hand when bargaining; yet it could be argued that in cases such as at firm B, where a ballot was carried out by the national organisation but nothing was gained from it through lack of membership support, money was spent gaining nothing. If national unions put more of their resources into concentrating on building up their workplace organisations and encouraging and training stewards to act independently, unions might be able to save themselves further expense, for example, on wasted ballots; an independent workplace union, such as at firm A, appears to be able to settle its own problems and even incorporate its own “unofficial” overtime bans if necessary, saving the national union money at the same time. Only if the employer should decide to resort to the law (and in many cases, at least in Xtown, the employer wants production to return to normal as soon as possible), would the national union become involved, by either repudiating the unofficial action or facing the consequences in court.

At shopfloor level union members may find the need to take instant action in support of a grievance which needs immediate attention; this type of action is probably taken without any thought about the likely consequences. In this kind of situation the two different strands of unionism can be clearly seen, one restrained by the legislation the other acting on impulse. However, on the shopfloor members will act in the name of their union whether they have the support of “head office” or not. The majority of threats of some form of action against an employer are most likely to come from the shopfloor rather than the national union and very often the grievance will not even be brought to the attention of the national organisation.

Whether workers are prepared to take immediate action or at least give a threat of it appears to depend upon the personalities at the workplace. Welch (1993) argued that his findings indicated that trade unionists were more likely to favour compliance with the law. Yet at the same time he contended that many lay union representatives generally favoured what they considered to be the relevant action, irrespective of whether they thought it was contrary to the law. Firm A’s and hospital 2’s stewards appeared to fit into this category. However, their members were also prepared to back them; therefore, the shop stewards must have stimulated an interest in membership

¹⁵ A disgruntled AEU member lost his claim in the High Court that the Executive Council had acted contrary to the rules, in bad faith and in breach of the rules of natural justice after they had amended the rules to remove the requirements for divisional organisers, which he was a potential candidate for. (Union Review. May 1994, p2). This shows that some members will challenge their unions and also that the challenge failed.

participation. Nonetheless, if members are not aware of the law they would not know if they were complying with it or not.

Welch (1993) argued that his findings suggested that legal controls were working to restrain the forms of industrial action that trade unionists take, and other studies have looked at the way the legal reforms have restrained industrial action and in particular strike action. However, it appears that the majority of grievances (possibly excluding pay claims) are resolved amicably without any action being taken, at least in Xtown. The grievance may be of such a nature that management will also benefit from its resolution, such as a health and safety issue. But Welch seems to imply that legal restrictions have actually restrained any action that workers may take, and therefore that they have lost any leverage that they may have had in the workplace. Strike action could be looked upon as a sign of weakness rather than strength in the workplace, and therefore a lack of strike action could be taken to indicate the strength of workplace unionism. Certainly, at firm A, the law did not appear to have had an inhibiting impact upon the forms of action that members took; they were still prepared to act the same as they always had and would stop work immediately if they felt strongly about an issue. This indicates that forms of industrial action do take place regardless of legal controls. However, the evidence from firm A revealed that some union members may not associate their actions as industrial action; in particular refusing to work until a grievance had been solved did not appear to be defined as strike action. Therefore, it could be argued that members did not realise that their actions could be considered contrary to the law.

However, differences, and in some cases very large differences, existed between shopfloor units. It is possible that how the legislation has affected shopfloor units may be a result of the degree of dependence that the shopfloor organisation has on its national union; that is, those shopfloor units which are more reliant on their FTO may have an increased awareness of the necessity to abide by "the law".

National unions may conduct their daily business with more procedural caution than previously, but the legislation cannot be said to have altered trade unions in any adverse ways. Indeed, as far as local AEEU and UNISON members were concerned, their national leaders were not even accountable or representative of their interests. Even the local organisation of UNISON within Xtown could not be considered representative of all its members if they were not consulted on deals and proposals that affected them.

In many ways where a workplace trade union organisation is seen as "powerful", the legislation has had no effect upon it at all; this also appears to apply to the local organisation of UNISON. The law has had little direct relevance to those studied in their industrial relations activities. As other authors have concluded (for example, Dunn and Metcalf 1994), the law appears to play only a peripheral role in the

industrial relationships between most employers and their workforces. However, despite the lack of knowledge of, and even interest in, the law relating to trade unions, members' opinions about trade union power had been influenced by the fact that they knew that legislation had been passed which intended to reduce that power. Therefore, hypothesis number 7 was unfounded.

12:10 *Individualism versus collectivism*

Members' attitudes have not changed a great deal over the years; they have an overriding self interest in union membership. At a national level unions may be taking on board the notion that individualism outweighs collectivism in what their members want and providing individual incentives to entice workers to join. However, on their own packages aimed at members as individuals do not appear to be effective at encouraging members to remain with a union. The evidence suggests that members want much more from their union. Their main concerns lie with their immediate working environment. At least where effective union organisations are operating, such as at firm A and hospital 2, collectivism tends to be the means that workers use to satisfy their self interests.

Whether members associate their collective action with unionism or not is dependent upon their union representative. Where an effective lay representative is present in a workplace, members tend to associate their actions with "the union"; that is, the representative has encouraged membership participation in unionism, so that they see themselves as "the union". As they all have the same self interests in relation to their employment those self interests become the collective interests of the group. But where members have no conception of unionism in the workplace, they tend to view unionism as an individual insurance agency and use the union only for personal reasons, such as for accident claims. The union is not used for workplace related problems. However, while a few of these members may act as individuals, many of them (and even non-members) do act collectively to solve their problems. Nevertheless, these workers appear to have developed a sense of workgroup solidarity, or "workplace consciousness", before the departure of their previous steward. Therefore, it could be argued that even though their conception of unionism had altered they still retained their "workgroup consciousness" but it was no longer associated with "the union"; "the union" had become an insurance agency for personal problems and was no longer connected with the workplace.

Individualism and collectivism work together to achieve the same aims. Evidence from the case studies indicates that collectivism is not yet a thing of the past. Individualism may prevail among union members but where a sense of solidarity exists members (and non-members) agree that collective action is more effective than a solitary voice. The individualist nature of trade unionists cannot be attributed to the legislation since these attitudes have existed since the formation of trade unions (Marquand 1988, Kingdom 1992) and since support for trade unions and their

collectivist principles appears to be continuing, at least where an effective representative is available in the workplace, it could be argued that the aim of promoting individualism at the expense of collectivism has failed. Even where collective action is not associated with unionism it is still used as the most effective means of achieving workers' self interests, or at least those interests that are associated with their employment.

Unionism and its collectivist pursuit of goals does not impede individualism: it enhances it. Where national union organisations are concerned the promotion of individualism may have had some effect, but at least where effective workplace organisations exist it appears that collectivism still plays a large part in the strategies of "the union" to achieve its aims. Therefore, it can be concluded that individualism has not yet undermined the collective principles of unionism. Nevertheless, this may depend upon one crucial factor, the lay representative, or at least the main lay representative, within a workplace. Differences between (and within) workplaces seem to relate to the particular style of working of the shopfloor leader. Arguments that industrial relations problems had been caused by too little collectivism rather than too much (MacInnes 1987, Marquand 1988) seem to be correct; where collective attitudes are almost non-existent individual self interests lead to a competitive and hostile working environment, which cannot be in the best interests of the employees or management.

12:11 *The economic and employment climate*

The economic and employment climate of the 1980s and 1990s has not altered the role of trade unions; they still protect and advance their members' interests. It could be argued that unions may be more willing to work with managers and accept changes than they did previously. However, as research conducted before 1979 also reached similar conclusions this is not necessarily characteristic of the 1990s. Even if unions are willing to work with managers, it does not necessarily mean a diminishing of trade union power; an effective union organisation appears to be able to shape management's decisions so that management and members both get what they want.

Managers within the private sector appeared to be following the trend identified by the Labour Research Department survey and were introducing changes in the way that their employees worked.¹⁶ Human resource management (HRM) and profit related pay (PRP) were the two most common changes made within Xtown. However, in those workplaces where an independent workplace union was present their members had not been adversely affected by any changes. Rather than allowing management a free rein to introduce change as they wish, unions have not lost the will to fight and ensure that changes are implemented to the advantage of their members. Nonetheless, the personalities and styles of working of those involved appear to be significant factors contributing to the union's success.

¹⁶ Bargaining Report no. 147, February 1995, pp 7-13.

If the union is perceived as powerful in the workplace it does not necessarily mean that management “do not manage”; a powerful organisation does not work against management in an arbitrary way. Indeed, an effective workplace leader may work to management’s advantage; satisfied workers tend to work better and produce more, whereas an ineffective leader and a weak workplace organisation may lead to low morale among workers and a low productivity rate to management’s disadvantage (see also, Edwards and Heery 1989b). This would confirm those arguments that collective organisation is the best way to secure increased production (for example, Brown 1994). The move to trust status of local hospitals had actually enhanced UNISON’s role within those workplaces; the trust recognised the need for employees to be represented by unions and the fact that they had a vital role to play in the efficient running of the trust. The fact that union cooperation with management makes the running of a business much easier (Edwards and Heery 1989b, Brown 1994) appears to be recognised by many employers in Xtown. Particularly in the private sector with the competitive nature of its product markets, unionism can be as beneficial to employers as it is to employees. This is particularly so, if unionised workplaces are more likely to introduce advanced technology (Daniel 1987), which would assist those workforces to produce more than non-unionised ones (see for example, Metcalf 1993a).

It can be concluded that workplace relations have not changed a great deal. It could be argued that a trade union’s role is still primarily negative and defensive, especially in relation to protecting its members’ interests; “the union” reacts to situations that appear to disadvantage its members in some way. However, it appears that the workplace organisation at firm A and the local organisation of UNISON within the local NHS trust were also used by management to help ensure the efficient running of those workplaces. Therefore, the role of these union organisations was much more than reacting to decisions that might affect their members; they also played a part in the management of the workplace. Union “power” is not only used to defend (and advance) its members’ interests but also to assist management in the efficient operation of the workplace.¹⁷ This is contrary to Brewster’s (1989) contention that managers were working carefully to reduce the importance of the trade union relationship. Even when a union works to management’s advantage as well as its members’, it cannot be argued that the role of the union has altered. Even before 1979 most established workplace organisations were acknowledged by managers as helping to run their companies more efficiently than they might otherwise have done (for example, A.I. Marsh 1963, McCarthy 1966, Goodman and Whittingham 1968, Batstone et al 1977). Claims that managers had rediscovered the right to manage (for example, Purcell 1991) may be unfounded; that right appears to be shaped and influenced substantially by the union organisation within a workplace (with management’s blessing) so that, in effect, unions actually structure management’s right to manage.

¹⁷ This aspect of unionism in Britain astounded a group of French managers who were visiting firm A. They were astonished that union representatives actually spoke to members of management other than when negotiating, let alone that they could play a role helping the firm run more efficiently than it might otherwise do. Apparently in France union representatives do not talk to managers unless they are bargaining.

The economic and employment climate may not have altered the role of trade unions but members' attitudes about what unions' priorities should be appear to have changed. Workers are more aware of the need to safeguard their employment, especially as many employees have mortgages and other debts, incurred through the increasing use of credit to purchase household and luxury items. Where an effective workplace organisation exists union membership appears to give members an increased sense of job security; where employees jobs have been saved, such as at firm A and hospital 2, workers appear to voluntarily join the union. Job protection now appears to be one of the major benefits of unionism; workers who once may not have considered joining a union appear to be willing to do so if they feel that the union is effective at protecting their employment. Also, members who attend a tribunal for unfair dismissal tend to get a better settlement when backed by their union (TUC 1995a); therefore, it is essential for those workers in the industries which tend to be over represented at tribunals, for example, hotels and catering, that trade unions begin to organise themselves and give the workers the representation that they are lacking. This may also cut the numbers of applicants to industrial tribunals for unfair dismissal; under a third of unfair dismissal cases made between April 1990 and March 1991 were made by union members. Where a strong workplace organisation exists, such as at firm A, dismissed members may not need to attend a tribunal as the workplace union tends to negotiate for their return.

Workplace union organisations may be working with employers to ensure the survival of their companies and, therefore, the jobs of their members. However, where the union appears to be effective members attitudes towards management do not seem to have altered much; they still presume that their employers should give them more than they are offering. Members' expectations can become out of touch with reality to the disadvantage of themselves and management. Therefore, the ability of the steward to "lead" his/her members is of the utmost importance; he/she must have the confidence and respect of members and management so that he/she can act as a mediator between them. Nevertheless, some AEEU members in Xtown had not had a regular wage rise over the last five years; they had worked with their employers to ensure the survival of their workplace and therefore, their employment. However, workers' attitudes towards issues at work, such as accepting a lower pay rise than anticipated rather than fight the cause and risk losing everything, including their job, are not new; studies in the 1970s highlighted how members might be prepared to "give in" to management because of their responsibilities (see for example, Beynon 1973). As Batstone (1984) argued, it is likely "that stewards and workers will seek to make the minimum concessions to ensure plant survival" (p235). The economic climate of the 1980s and 1990s may actually have affected those in employment much less than commonly thought, or at least those trade union members in employment.

Members still appear to view the workplace as they did two decades ago and unionism means the same to them now as it always has. The key to whether they view it as a collective organisation or as an individual

problem solving agency lies with their lay representatives, but this has always been so. The one important change is that job protection has become an important part of membership, perhaps reflecting the employment climate. It can be concluded that the economic and employment climate has not changed the role trade unions: they still protect their members' interests.

12:12 *Trade union power - implications for the future*

For the purposes of this study power is defined as a union's capacity or ability to produce effects; that is, the ability to bring about or accomplish something. **Trade union power is the union's capacity or ability to achieve desired goals. As the basic purpose of a trade union is to look after its members' interests, a trade union's power is its capacity or ability to defend and advance its members' interests.** Using this definition of power the AEEU and UNISON can both be described as powerful. The national organisations produce effects for their members in the form of compensation for things such as workplace accidents and industrial illness and where independent shopfloor organisations operate within workplaces, at least in Xtown, they could be described as powerful; for example, they ensured that changes made in their workplaces were to the advantage of their members. The union organisations at firm A and hospital 2 were effective at achieving members' goals and therefore could be described as powerful. It can be concluded that despite the determination of the previous government to reduce trade union power, that power, at least at workplace level, remains the same as it always has.

However, the legislation, despite not being fully understood, does appear to have influenced members' perceptions about the power of trade unions, at least when they are asked directly about trade union power. The knowledge that legislation had been passed which intended to reduce that power appears to have influenced members' opinions about trade union power. If the AEEU members' perceptions of union power, at their workplace and in the country as a whole, were taken at face value without reference to any of the other information presented in part 2 of the thesis, it might be suggested that union power had indeed been curbed during the 1990s, at least from a members' point of view; many more respondents from this study thought that unions had "too little power", than those who responded to the seventh BSAS (Millward 1990) and Stevens et al's (1989) survey.

The essential thing when talking about "power" is how each individual interprets the concept. It appears that the notion of "power" means more to individual members than the ability to achieve effects; success at achieving their aims in the workplace does not appear to be equated with the power of their workplace union. For example, the majority of respondents from firm A thought that their workplace union did not have enough power, yet the evidence portrays a powerful union organisation. Members may take the role of "the union" for granted and because they have become accustomed

to the fact that it usually solves their problems satisfactorily, they expect that it should do much more. Alternatively members may only think of trade union power as something that unions at national level possess; for example, media focus on trade union power tended to make it out to be a force that encompasses society rather than something that enables employees in individual workplaces to achieve their aims. It was certainly the case that those members who viewed the union as a national concern accepted that union power had been reduced. For many the 1984/5 miners' strike signalled the downfall of trade unions in general. They accepted that Mrs Thatcher's government had beaten the miners and if the NUM had lost its power, then there was no hope for other unions. This indicates that the media and Conservative propaganda had had an effect; studies such as Edwards and Heery's (1989b) suggest that the NUM is still a force to be reckoned with, only in individual pits rather than on a national scale. Even though the shopfloor is "the union" as far as most members are concerned, some of them only associate "power" with unions at a national level and they see that power as severely diminished.

The role of the national union may have changed, particularly from an adversarial to a service role (Millward et al 1992), but where independent workplace organisations exist nothing much appears to have altered. The AEEU and UNISON still represent members in all the workplaces in Xtown that they had in the 1970s and, at least where stewards worked independently of outside sources, they were still defending and advancing their members' interests quite adequately. Workplace organisations vary as to the level of success that they have when dealing with management but this appears to have always been the case (for example, Brown et al 1978, Edwards 1978, Edwards and Heery 1989b). Members may also get a better deal through their workplace union than when the "external" organisation becomes involved: the national union is restricted by the law, whereas on the shopfloor outside influence is limited so that some members may receive support from their workplace which the outside union would not condone, for example in the case of a person rightfully dismissed.

Evidence locally in both the public and the private sectors indicates that lay representatives actually negotiate better deals than the FTO. This raises the question of how far national union leaders actually represent the interests of their members. Agreements which are acceptable to management and union officials may not be to the shopfloor, which may result in lower worker morale. When workers have been involved in the negotiating process, via their steward, they at least have had a say in the outcome and may be more liable to accept a slight alteration to their demands than when they have been left largely on the sidelines while an "outsider" decides their future. A.I. Marsh (1973) termed this the "cult of privacy" - that is, workplace organisations prefer to work without outside interference; private settlements resolve immediate problems without any fuss and create no precedents for other workplaces and perhaps more importantly, both parties have to live with the consequences of their settlements whereas outsiders might create difficulties for which they accept no responsibility. It also appears to be the case that where an effective union organisation exists it actually "runs" the workplace as much as management do,

though management may be loathe to admit this, as at hospital 2.

Trade union power, or at least potential trade union power, still belongs to the workplace where it has always been; union power works upwards from the members on the shopfloor, “the backbone of the union”, and the ability of the lay representative to instil membership interest and participation in workplace unionism is extremely important. The origin of a union’s power is the collective strength of its members. It can be concluded that the main lay representative within a workplace is the key to successful unionism within that workplace. However, where more than one steward is present in a workplace members’ opinions about their workplace union seem to be influenced by their own representative and the way that he/she performs, rather than the level of success that the union has in the workplace as a whole. The workplace leader’s style of working is essential in determining membership participation and interest in unionism, and therefore, the level of success that they have when dealing with management.

However, the members themselves can determine how much “power” the union displays by the level of support that they are prepared to give to their representative. A steward can only be as powerful as his/her members allow him/her to be; that is if he/she does not have the support of his/her members any potential capacity to achieve a desired outcome could be lost. It is clear that some members appear to think that their representative should be powerful without their support; these members do not have a conception of “the union” that encompasses themselves. Members must be made aware of the fact that they are “the union” and that any potential power to change things lies with them. Following Fosh (1993), if a steward whose members are not prepared to support him/her altered his/her style of working he/she may be able to determine greater membership participation and, therefore, enhance the success of the union within the workplace.

It is on the shopfloor that any bargaining power against the employer is exerted and this is the service that members appear to want from their unions. Effective workplace organisations appear to gain members. Members view protection as an important reason for union membership and for the majority of members that protection is largely connected to their employment; they expect their interests in the workplace to be protected. Job protection is the highest priority given to union membership and where the union is perceived as effective union membership may give employees’ a sense of job security. Independent workplace organisations appear to be able to protect their members’ interests much more effectively than those that are reliant upon the outside union to help them solve any problems.

This has important implications for the future of trade unionism. WIRS3 found that those workplaces without lay representatives were more likely to be represented by paid union officials than in the past. The evidence presented in this work suggests that representatives from outside the workplace are not as effective as lay representatives when negotiating with management. Having a FTO (or in UNISON’s case a full time

convenor) to represent the shopfloor is better than no representation at all. In some circumstances the shopfloor may regard the FTO as doing a better job than their steward; if the steward is viewed as ineffective it may make the FTO appear to be effective. However, as the majority of members believe that their national leaders, and in UNISON's case their local leaders, do not represent their true interests, it is essential that more stewards with the styles of working appropriate to the role are incorporated into workplaces.¹⁸ The fact that full time stewards and officers become differentiated from their members has been well documented (for example, Beynon 1973, Lane 1974, Darlington 1994). However, FTOs have a very large workload covering many workplaces; therefore, it might be understandable that they become divorced from their members' workplace grievances. This strongly indicates the need for more effective stewards, particularly within UNISON; the stewards would be more knowledgeable about the kinds of workplace problems that affect their members and the workload of the FTOs might then be reduced.

The future of unionism is in the workplace (and it could be argued that its past was also firmly embedded there). It is evident that independent workplace organisations are more beneficial to members than when union representatives from outside the workplace are brought in. For example, if bargaining with management is conducted by lay representatives, members' interests are represented by those who know exactly what those interests are. Shopfloor representatives know the intricacies of their own workplaces and how far they can take an issue with management and also how far they can rely on their members to support them (which may reflect upon the steward him/herself). All this may be unfamiliar to representatives from outside the workplace. As WIRS3 concluded lay representatives are the most basic building blocks of trade union organisation; without effective stewards unionism has little meaning to many members.

Unions at national level, and in Xtown UNISON at local level, must realise that if they wish to retain their members' faith in unionism as more than just an insurance agency, they must put more of their resources into steward training. However, as stewards appear reluctant to attend training courses some other way of ensuring that stewards develop the right style of working for the role must be devised. Learning from each other and practical experience appeared to be the major ways that the AEEU stewards developed their styles of working. At firm A, where the union organisation was well established and a number of stewards were present, the stewards learnt from each other, in particular, individuals new to the role learnt from the past experiences of the

¹⁸ A letter from a GMB shop steward to the GMB's journal sums up the difference between what the national leaders want and what shop stewards feel that they should be doing: "... The hierarchy of our union wants shop stewards who can recruit, anything else does not matter. Myself being one of those lowly shop stewards believes that the role is to recruit of course, but also to *retain, represent, protect*, and be the *voice* of the member (the latter being the criteria most likely to make those in the hierarchy cringe). The constant tirade of 'recruitmentitis' is, to be frank, pathetic because it comes from those senior national officials who wouldn't know one end of a membership form from the other. I recruit every minute of my working life because I believe it is important to this union, but it is not important enough that everything else has to suffer..." ("Direct" Nov/Dec 1996. Issue 29.) The AEEU stewards who saw this letter agreed with it 100%.

more established stewards; by maintaining contact with each other the steward role was continually confirmed.

The AEEU shop stewards' meetings enabled stewards from different workplaces to share their experiences and they learnt from each other the best ways of how to approach particular problems. If stewards are reluctant to attend training courses, especially if they feel that they have little relevance to their workplace situations, something along the lines of the AEEU's district shop stewards' meetings might be a valuable tool whereby stewards can learn from each other's experiences, especially about the particular problems that they might be encountering at that moment in time. Stewards may be more willing to attend meetings of this kind if they address the specific problems that they encounter. Rather than being a training course with a special instructor the stewards themselves would largely conduct the meetings. Aspects of steward training could be incorporated into the meetings, though sharing information on how to approach situations at work appears to more relevant to stewards. The AEEU stewards were better equipped than UNISON's stewards to bargain with management themselves and through experience and practice developed their individual styles of working.

The local organisation of UNISON appeared to keep some stewards dependent upon it by not encouraging them to attempt to solve their own problems within their workplaces. Stewards must be encouraged at branch meetings to discuss problems between themselves and the branch committee should give them advice so that the knowledge of the full time representatives is passed down to the stewards. Even accompanying the convenor when she is dealing with their individual workplace problems would enable stewards to experience bargaining with their own managers and their confidence in themselves as workplace leaders might be built up, so that they develop a style of working that determines membership participation in unionism. The steward at hospital 2 was able to this more effectively than the convenor; therefore, if stewards would begin to be in charge of their own workplace union organisations their members might receive a better service. Also, the local organisation of UNISON might lose some of its importance if stewards began to take responsibility for their own work units.

The personalities of those involved cannot be altered by any kind of steward training and it may be that different personalities approach the role in different ways. However, a commitment to collectivism and a selfless attitude appear to be necessary if the steward is to carry out the role effectively; however, confidence and communication skills can be built up so that stewards learn how to accommodate both their members and management.

In the light of the above, the termination of the AEEU's district shop stewards' meetings could signal an end to local AEEU stewards supporting each other. At the time of writing the structure of the AEEU branches had not been altered, but if stewards are to continue helping each other the sooner the changes are implemented the

better; as the AEEU branches are to be amalgamated to create one large branch for Xtown, it is probable that they will resemble the structure of UNISON's branch. If shop stewards are encouraged to attend it could become like a monthly shop stewards' meeting and in this way it would be more beneficial to stewards; knowledge of local issues could still be shared between workplaces and they could still help each other to overcome their problems but on a more regular basis than previously. However, this would depend on the attendance of stewards, who do not at present attend the branch regularly, though it could be argued that the present structure of branches are not like a formal stewards' meeting perhaps discouraging attendance. Indeed, if the AEEU branch did resemble UNISON's, all the paper work that was dealt with by the branch officials, such as claims forms, would be dealt with by members or stewards sending them direct to the relevant parties; therefore, the belief by AEEU branch officials that these ought to be dealt with in the workplace might actually happen. Nevertheless, the intentions of the national union may affect how the branch is operated; if it wanted to dispose of local AEEU organisations because of their opposition to national policies and the way that they could influence local opinions, it may want the new branches to be run like UNISON's, so that stewards are not encouraged to become independent. However, the strength of feeling among local AEEU stewards was such that it could be argued that it would be hard to change the situation within the foreseeable future, but this would depend upon whether the local stewards are able to continually reaffirm their role with each other.

It could be suggested that some of the differences between UNISON and AEEU workplace organisations may be related to the fact that, at least among those studied, males tended to dominate the AEEU and women UNISON. Colling (1995) found differences between groups of women and groups of men workers, in particular women were much more likely than men to suggest that unions had been powerless to protect their interests. However, the men and women studied in Xtown tended to hold similar views about unionism and what its priorities should be. The major difference between the workplace organisations of the two unions was that many more UNISON stewards were dependent on the help of their full time representative than the AEEU stewards. While it could be argued that women may not have as much time to devote to the union outside the workplace, the steward at hospital 2 was able to act independently and effectively and so was the steward from the community health team, who also had a young family to look after; therefore, this argument does not apply to all women. In addition some AEEU male stewards were considered to be ineffective by their members. Fewer UNISON members (and it could be argued stewards) were encouraged to participate in the affairs that involved them within their workplaces and as participation enhances success and therefore satisfaction with the union (for example, Fiorito et al 1988) this would appear to account for the differences between the workplace organisations of the two unions. If Fairbrother (1990) was correct that some stewards were kept dependent upon branch leadership because of their class or gender position or the specific circumstances of their employment as public service workers, many UNISON members are being disadvantaged by the organisations that are supposed to protect their interests. Indeed, a move towards workplace based

bargaining in the NHS could have a positive effect for workplace trade unionism. Those stewards who presently rely on their convenor to negotiate for them might be encouraged to begin bargaining with management themselves, which would give them more experience and might lead to them developing a style of working that is beneficial to themselves and their members, which in turn might develop a greater sense of solidarity among their members which would enhance the bargaining power of the steward.

Bryson et al (1995) argued that “the strong membership base and powerful resources of UNISON have established it as a very major player in the future of NHS industrial relations” (p132). This does appear to be the case, but, at least in Xtown, if more effective lay representatives are not forthcoming UNISON’s membership base may collapse altogether in some local hospitals. Bryson and his colleagues (1995) concluded that:

“Union policies need to be seen to be effective in an environment where industrial action is not always even a last resort (although if forms of action excluding strike action are successful, this may lead to change in policy by some organisations). The key to effective policies is to develop their own wider agenda rather than just respond to management initiatives.” (p132.)

Certainly, union policies need to be seen to be effective, by members as well as management; however, rather than developing their wider agenda it could be suggested that unions, especially UNISON, should be developing their shop stewards’ organisations. As Colling (1995) suggested in relation to competitive tendering in the public services: “The crucial test for trade unions will be their ability to reconfigure the current distribution of authority, skills and resources within their organisations and to actively build and invest in workplace organisation in particular.” (p142.)

Union amalgamations may be designed to combat the fall in membership, but they appear to isolate members even further from their national leaders. Indeed, the creation of the AEEU and UNISON does not appear to have benefited their members in any substantial way; in fact local opinion appears to be that the amalgamations have altered the unions for the worse rather than the better. It may well be the case that trade unions as a whole are now too big. In terms of membership service on the shopfloor the national organisations appear to becoming more and more out of touch with their members and their interests. It must be recognised that it is an advantage for workers to be represented by effective independent shopfloor organisations when dealing with an employer.

The shopfloor is where unionism begins and for the vast majority of members that is where union activity takes place and their interests are protected. If the shopfloor organisation is seen to be effective and achieves results then, it will gain members. Martin (1992) concluded:

“Bargaining power at company and plant level remained ‘robust’, dependent on the same

environmental, organisational and individual features as in the 1960's and 1970's. The major decline was in the power at the centre of the trade union movement." (p178).

This conclusion is supported by this study.

12:13 *Conclusions*

The Conservatives wanted to reduce trade union power and introduced legislation designed to do just that. However, trade union power is still a reality in the 1990s. Nevertheless, that power may be looked upon differently depending on whether the focus is on trade unions at a national level or within the workplace. National organisations can be looked upon as powerful in the sense that they achieve effects for their members in the form of compensation against employers. But the "power" of a trade union to defend and advance its members' immediate interests lies on the shopfloor. Those authors who argued that trade union power had been curtailed were referring to trade unions at a national level and members appear to agree with them. Even though members may not view their union organisations within the workplace as powerful, it is there where the capacity to produce effects lies; the essential ingredient for trade union power is the solidarity of the workers and the key to membership involvement in unionism is their representative.

National unions may have changed but within the workplace much appears to remain the same as it always has. Some workplace organisations, even of the same union, are effective and others do not appear to be as successful at achieving their aims, but this has always been the case. The key to successful unionism within the workplace appears to be the main lay representative within that workplace; the personality and style of working of the representative are essential ingredients for successful unionism. The leader's style of working is essential in determining membership participation and interest in workplace unionism and therefore the level of success that the shopfloor unit has when dealing with management. Hypotheses numbers 4 and 5 were substantiated.¹⁹

The shopfloor organisation is the most important as far as rank and file members are concerned. National organisations, and in Xtown UNISON's local organisation, are looked upon as being out of touch with members' priorities: those that relate to the everyday realities that they encounter in the workplace. The workplace representative is looked upon as "the union"; he/she is the person who deals with their problems, even those that the national union eventually resolve, such as workplace accidents. Where an effective union organisation exists at a workplace the shopfloor is "the union" as far as the majority of members are concerned (hypothesis number 1); they have a conception of themselves as the union. Even where a workplace organisation is non-existent as such the representative is still seen as "the union". How well the representative performs influences members' perceptions of their union.

¹⁹ The hypotheses are set out in chapter 5, pages 122-123.

As the amount of power possessed by unions varies from workplace to workplace it is difficult to generalise about the extent of trade union power let alone any decline in that power. Nevertheless, members appear to think that trade union power has been curtailed; they do not appear to associate the concept "power" with achieving effects in their individual workplaces. Therefore, even though the lay representative's performance in the workplace influences members' perceptions of their union it does not influence their perceptions of the "power" of their union. Members do not measure the extent of their union's power on the level of success that they have in the workplace in achieving their aims. Therefore, hypotheses numbers 2 and 3 were unfounded.

However, contrary to hypothesis 7, the legislation appears to have had a great influence on members' opinions about the power of their trade union and unions in general. Despite their lack of knowledge of the law relating to trade unions, their opinions appear to have been influenced by the fact that they knew that legislation had been passed which intended to reduce trade union power. Well documented disputes where employers had made use of the law, such as in the printing industry and the defeat of the NUM in 1985, appear to have made an impact upon members so that they believed that trade union power had been reduced despite the fact that the union at their own workplace might have been successful at achieving most of their aims. Claims that the legislation had reduced trade union power appear to have been taken at face value.

At a national level unions may conduct their business with more procedural caution, but if Xtown's members' opinions are taken into account national leaders are no more representative of their members than they were in the 1970s. Independent workplace organisations do not appear to have been affected by the legislation at all; they still carry on their daily business in much the same ways as they did before 1979. It appears that the Conservatives misinterpreted the main source of union power; the legislation was largely aimed at national unions and their leaders; however, even if members do not interpret it as such, the main source of union power lies with them in the workplace.

Overall it can be concluded that the legislation has failed in its main aims; the majority of employers, at least in Xtown, have not been encouraged to assert themselves against unions, mainly because they see advantages with a unionised workforce. The encouragement of individualistic attitudes among trade union members has also failed. Individualism may be a predominant disposition among trade union members, but the pursuance of self interests, at least in relation to employment problems, appears to be done more effectively collectively than alone. However, this may depend upon one crucial factor - the lay representative and whether he/she encourages members to view their self interests as collective or individual problems. Where workers have a history of working collectively to achieve their aims they still appear to do this. The idea that by encouraging individual members to make decisions in their own interests, rather than the interests of the group, trade union power would be reduced was based on a

flawed interpretation of individualism (hypothesis number 6). Individualism is not necessarily the opposite to collectivism: the two appear to work together to achieve the same aims; that is, because most union members have the same self interests, they become collective interests. The majority of union members realise that the most effective way of achieving their self interests, albeit collective self interests, is by acting together. Where individualism is the predominant trait within a workplace the atmosphere can become competitive and hostile, which is not advantageous to the workers or management.

In relation to hypothesis 8, the change in the economic and employment climate over the last fifteen years has not altered the role of trade unions; in fact it may have strengthened the determination of workplace organisations to protect and advance their members' interests. Trade union organisations may be working with managers to ensure the survival of their workplaces but this does not appear to be contrary to the 1960s and '70s. In fact the change in the economic climate may have made managers more aware that it is advantageous for them to have an effective union on site. The change to trust status of hospitals in and around Xtown appears to have enhanced UNISON's role within those workplaces. However, this, at least for the members, appears to be dependent upon whether their lay representative can work independently of the local UNISON organisation. The impact that UNISON has within hospital trusts is worthy of further study, particularly as at the time of this study UNISON had not really settled after its creation.

The role of trade unions may remain the same, the protection and advancement of their members' interests, but a major change in the attitudes of trade union members appears to be that they now see job protection as a major priority for unions to work towards. This is most likely a product of the employment environment over the last twenty years. The fear of unemployment may have made it easier for unions to recruit members, especially if the union in the workplace is perceived as effective and offers a degree of job security. Nevertheless, it appears that, at least where an effective union organisation is present in a workplace, members' attitudes towards their employment situation have not altered a great deal and they are still prepared to make demands of their employers.

Unionism still means the same to members today as it always has; the protection of their interests at work. On their own services provided by the national organisations do not appear to be enough to satisfy some members. Members want service in the workplace. Unionism as a national movement has lost its impetus; it is perhaps significant that many union members are not familiar with trade union terms such as "check-off" and the traditional address of fellow members as "brother" appears to be used much less than it was, indicating that members are not interested in unionism except as a means of protecting their self interests in the workplace.

In the light of these conclusions it can be suggested that no matter what legislation might be passed, either for or against trade unions, it will not make a big difference to

trade unionists in the workplace. Even if the national union leaders gain favour with the Labour government, it may affect members' opinions about the power of their national organisation but it will make no difference to the power of workplace organisations to help their members. The success of workplace trade unionism is dependent upon the personalities and styles of working of the lay representatives. As long as effective lay representatives are forthcoming there is no reason why trade unions at workplace level should not continue protecting their members' interests well into the 21st century, though some form of steward training appears to be essential if more workers are to gain the benefits of effective unionism. This must be identified as an area for future research.

Appendix 1

This appendix is an addendum to chapter 4. It outlines some of the law in relation to trade unions that was not detailed in chapter 4.

1A. *Balloting*

All the law relevant to trade unions and their balloting procedures was consolidated by the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A), although this Act has been amended by the Trade Union Reform and Employment Rights Act 1993, (TURERA).

All important decisions made by trade unions must now be conducted by a postal ballot of members. Voting must be made by the marking of a ballot paper and every person voting must be allowed to do so without any interference imposed by anyone else and without incurring any direct cost. An independent scrutineer(s) must supervise the production and distribution of the voting papers and make a detailed report on the conduct of the election. The scrutineer is required to retain custody of the returned voting papers for at least a year after the announcement of the result. The name of the scrutineer must be communicated to all the union's members and must also appear on the voting paper itself. The scrutineer is required to inspect the register of members' names and addresses, particularly if requested to do so by a member or candidate who suspects that it is not accurate or up to date.¹ A copy of the register must also be kept in the same way as the retained voting papers. Within three months of receiving the scrutineer's report the trade union must notify all members of its contents.

Any member may apply to the High Court or to the Certification Officer for a declaration that their trade union has failed to comply with the law relating to secret ballots. The Court may make an order specifying the action that the trade union must then take, the Certification Officer has no such powers but may specify the actions to be taken by the trade union to remedy the declared failure. The application must be made within one year from the last day on which votes were cast in the ballot.

Executive committee. Every member of the executive committee of a trade union must be elected at least every five years.² Every member of the union is entitled to vote, except: i) those who as a class are excluded by the rules from doing so; ii) unemployed members; iii) members in arrears; iv) members who are students, trainees, apprentices or new members. (TULR(C)A section 46.)

Voting papers must be sent to the voters by post accompanied by a list of all the candidates. No member should be unreasonably prevented from standing as a

¹ The identity of any person making a complaint to the scrutineer must be protected.

² If the election is uncontested no ballot need be held.

candidate for election to the principal committee and each candidate must be allowed to prepare an election address to be sent out with the voting papers at no expense to the candidate.

Political funds. A ballot must be held at least every ten years to determine whether a political fund should be continued/created.

Merger ballots. Trade unions must send members a written notice, at least seven days before the ballot, informing them of the full details of the proposed amalgamation allowing them to form a reasonable judgment of its effects. No statements making a recommendation or expressing an opinion must accompany the notice. A simple majority of recorded votes is sufficient to pass the resolution unless the union rules state otherwise.

Secret ballots before industrial action. To retain immunity from actions against them in tort in respect of acts done in contemplation or furtherance of a trade dispute trade unions must:

- 1) have the support of a ballot;
- 2) have notified the employer at least seven days before the opening of the ballot
 - a) that the union intend to hold a ballot;
 - b) the opening day of the ballot;
 - c) the description of the employees who will be entitled to vote in the ballot³;
- 3) have sent a sample of the voting paper to the employer who must have received it at least three days before the ballot opens.

The legislation sets out how the voting papers must be worded and specifies other details which they must contain. For example, if the trade union wishes to ascertain its members' views on whether they would be willing to take part in a strike or other industrial action, these must be two separate questions and the required majority must be obtained in favour of the course of action adopted. The voting paper must specify the person who is authorised to call the action and must contain the following statement without it being commented upon - "If you take part in a strike or other industrial action, you may be in breach of your contract of employment".

The union must ensure that every voting member and every relevant employer has been informed of the number of votes cast, the number of "yes" votes, the number of "no" votes and the number of spoiled papers. However, the union only has to provide

³ A trade union may have to name individual members who would be entitled to vote and/or are likely to be called upon to take part in the action. Only if the employer is aware that all of his/her employees (or all in a particular grade or area) are union members will the union be able to rely on a notice which describes members solely by reference to a broad category or label: *Blackpool & The Fylde College v NATFHE* [1994] ICR 227. However, a union is not required to restrict its call for industrial action to members who were members at the date of the ballot. Industrial action does not lose its statutory immunity because new members (those who joined between the date on which an employer is given notice of a ballot and the taking of action) are called on to take action: *London Underground Ltd. v National Union of Rail, Maritime and Transport Workers* 29.9.95 Court of Appeal.

a copy of the scrutineer's report on request within six months of the date of the ballot.

The employer or an individual member can apply to the courts for an order restraining industrial action if a trade union has failed to comply with the ballot rules. In addition, TURERA allows a "citizen's right" to challenge unlawful industrial action if an individual member of the public is, or might be, adversely affected by the action.⁴

Public funds and use of employer's premises. The Secretary of State was empowered to set up a scheme whereby trade unions could claim back the costs of certain ballots held by them (section 115 TULR(C)A). However, this section was repealed by section 7(1) of TURERA and the scheme was phased out, ceasing to have effect from April 1996.

Employers were required, under certain circumstances, to allow recognised trade unions to use their premises for balloting purposes; this right was also repealed from April 1996. This may seem to reflect the fact that those balloting procedures regulated by statute are generally required to be postal ballots, but other ballots not regulated by statute could be affected. However, the legislation does not prevent an employer to allow his/her premises to be used for these purposes, though it could be assumed that the intention of the repeal was to encourage postal ballots for all issues.

1B. *Individual members rights vis-a-vis a trade union*

The statutory rights of an individual in respect of his/her trade union membership or non-membership are contained in TULR(C)A (1992) amended by TURERA (1993).

The right not to be excluded or expelled from any trade union : An individual may not be excluded or expelled from any trade union unless: he/she does not satisfy an enforceable membership requirement contained in the union rules, for example, employment in a specified trade, industry, profession or a particular part of Britain; the exclusion or expulsion was entirely attributable to the individual's conduct. "Conduct" cannot include being or ceasing to be: a member of another trade union; employed by a particular employer or at a particular place; or a member of a political party. Nor can it include any conduct which would constitute unjustified discipline (see below). (Section 14 TURERA).

A union may still specify who is entitled to join within the limits set out, but if a person needs a union card because an employer operates a closed shop he cannot otherwise be excluded from membership. However, in this situation the aggrieved individual would have a right against the employer under the unfair recruitment provisions. If a person's application for membership is neither granted nor rejected within a reasonable period he/she shall be treated as having been excluded from the

⁴ The Commissioner for Protection Against Unlawful Industrial Action provides assistance to members of the public who are contemplating or taking proceedings in order to restrain the unlawful organisation of industrial action.

union

Anyone who claims to have been wrongly excluded or expelled from a trade union can complain to an industrial tribunal. There is a six month time limit for such complaints, except where the tribunal finds that it was not reasonably practicable to do so, in which case the tribunal may extend the limit as it considers reasonable. If the complaint is upheld the tribunal will make a declaration to that effect. If the applicant is admitted or re-admitted to membership, a further application can be made for compensation to be assessed by the tribunal. The amount awarded shall be what the tribunal considers to be "just and equitable" in all the circumstances, and may be reduced if the individual caused or contributed towards the exclusion or expulsion.⁵ If the applicant has not been admitted or re-admitted to the union, an application may be made to the Employment Appeal Tribunal (EAT), within the same time limits, and the EAT will make an award on the same principles.

The right not to be unjustifiably disciplined : A member has the right not to be unjustifiably disciplined by his/her trade union. A member is unjustifiably disciplined if the reason for the disciplinary action was for conduct which consisted of: a failure to support or participate in a strike or other industrial action or an indication of his/her opposition to the action; something required of him/her by virtue of an obligation imposed by his/her contract of employment or another agreement with his/her employer; the making of an assertion that the union or one of its representatives or trustees has contravened or is proposing to contravene a requirement of the union rules or a legal provision or attempts to vindicate such an assertion; the encouragement of any person to perform an obligation imposed by virtue of a contract of employment or any other agreement; failing to agree to or withdrawing from a check-off agreement; resigning from a union, becoming a member of another union or refusing to join any other union; working with individuals who are not union members; working for an employer who employs individuals who are not union members; requiring the union to do something which the union is required to do under TULR(C)A; an approach to the Commissioner for the Rights of Trade Union Members or to the Certification Officer for advice or assistance on any matter whatsoever; a proposal to engage in conduct or preparatory conduct as outlined above.

"Discipline", for the purpose of the legislation, is a determination made under the union's rules that a member should: be expelled from the union; pay any sum to the union or to any other person; be deprived of or refused access to any benefits, services or facilities which would otherwise be available to him/her as a member of the union. Suspending a member involves depriving him/her of these benefits; be excluded from another branch or trade union; or be subject to any other detriment. However, a member will not be unjustifiably disciplined if the reason for the disciplinary action was that he/she had made a false allegation that the union, an official, a representative or a trustee had contravened the union's rules, an agreement

⁵ *Saunders v Bakers, Food and Allied Workers Union* [1986] ICR 28, [1986] IRLR 16.

or a rule of law and the member knew that it was false or otherwise acted in bad faith.

Any member who believes he/she has been unjustifiably disciplined may take his/her complaint to an industrial tribunal within three months of the alleged infringement, unless the tribunal is satisfied that it was not reasonably practicable to do so and that any delay was wholly or partially due to any reasonable attempt to appeal against the decision. If the tribunal upholds the complaint, the applicant's remedies depend on what the trade union does about the situation. If after four weeks and within six months from the date of the declaration the situation has not been put right an application must be made to the EAT, but if the necessary steps have been taken to reverse anything done the application should be made to the industrial tribunal. The EAT or tribunal may then make an award of compensation and may also order the union to repay any sum paid to the union or another person by way of a fine or donation. The amount of compensation will be such as is considered "just and equitable" in all the circumstances, bearing in mind the duty of the applicant to mitigate his loss, and a reduction may be made on the ground of contributory conduct.

The right to a ballot before industrial action : If a trade union calls on members to take part in any industrial action without the affirmative support of a ballot conducted in accordance with the legislative requirements (see appendix 1A), any member can apply to the court for an order seeking to have the authorisation or endorsement of the action withdrawn by the union. If the court finds that the union has not complied with the statutory provisions it will make an order requiring the union to take steps for ensuring that no member engages in action and that there is no further inducement to take part in the action. A court may grant interlocutory or interim relief by ordering that the authorisation or endorsement of the action is withdrawn, but it cannot order the union to hold a ballot.

In addition, a member may obtain an order compelling a trade union to hold a ballot even if action has not yet taken place; the member only has to show that it is "likely" that he/she will be induced to take part in that action.

The right to inspect union accounts : A trade union must keep its accounting records available for six years from the 1st January following the period to which those accounts relate. These records must be available for inspection by any member. Access to the accounts must be permitted within 28 days of the request to inspect them. The member is entitled to take an accountant with him/her, and to take, or be supplied with, such copies or extracts from those records that he/she may require. (The trade union may make a charge in respect of reasonable administrative expenses.) If the trade union fails to comply with the member's request, the member may apply to the court, which may make such order as it deems necessary for ensuring that that person is granted his/her rights.

Unions must also appoint auditors to audit their accounts and must submit an annual return to the Certification Officer, the contents of which are specified in detail by the

statute. Unions who refuse or “wilfully neglect” to perform any of these statutory duties may be found guilty of a criminal offence.

Trade unions must take all reasonable steps to provide each member with an annual statement within eight weeks of sending the annual return to the Certification Officer. Exactly what should be included in the statement is set out in TURERA and it may also contain “any other matter which the union considers may give a member significant assistance in making an informed judgment about the financial activities of the union in the period to which the return relates.” (Sections 8 and 9). The statement must also include a declaration as set out in the Act, informing members what steps they can take if they are concerned about any irregularities in the conduct of the union’s financial affairs. The statement may be sent to members individually or it may be provided by other means in line with the union’s normal practice for disseminating information. If a member requests a copy of the statement within two years a copy must be provided. A copy of the statement sent to members must also be sent to the Certification Officer.

Other individual rights : A member has the right to apply to the courts if the union has failed to comply with the statutory requirements relating to union elections (see above) and he/she also has a right to inspect the register of members, which the union must keep up to date.

A member has the right to restrain the union from indemnifying unlawful conduct. Any member who considers that the trustees of the union’s property are allowing an unlawful application of that property or are complying with an unlawful direction given to them under the union’s rules may apply to the court for an order; which may include the appointment of a receiver of the union’s property, the removal of any of the trustees or the requirement that the trustees take all such steps to protect and recover the union’s property.⁶

A member seeking determination or conciliation of a dispute under the union rules should first pursue the case through the union’s internal disputes procedure. But members also have an indefeasible right to apply to the courts any time after six months from when the union first receives the application to have the matter looked into. This right is in addition to a member’s right to apply to the court at any time when, for example, the action complained about is contrary to the law.

The Commissioner for the Rights of Trade Union Members : The post of Commissioner for the Rights of Trade Union Members was established under section 19 of the Employment Act 1988 and is now contained in section 266 TULR(C)A. The

⁶ For example, it is unlawful for a trade union to use any of its property towards the payment for any individual or towards the provision of anything for indemnifying an individual in respect of any penalty imposed on him/her for a relevant offence or for contempt of court. If property has been applied in this way, the equal amount of any payment is recoverable from the individual concerned by the trade union. If the trade union unreasonably fails to make a claim against the individual any member may apply to the court for authorisation to bring or continue proceedings on the union’s behalf and at the union’s expense.

post was established to help protect certain statutory rights of union members but the role was extended to cover the protection of contractual rights. The Commissioner may provide financial assistance to a member who is taking or contemplating taking action against his/her union, an official of the union or a union trustee in a complaint that the union has breached certain statutory duties or in the enforcement of their common law contractual rights.

Assistance may only be granted where the Commissioner believes that the breach in question is likely to affect members of the union other than the applicant or that similar breaches have been or may be committed in relation to other members of the union. In addition assistance is only available to those who are able to bring proceedings to court in their own right. At the member's discretion the Commissioner can appear alongside the assisted person in the title of the proceedings although the Commissioner is not a party to those proceedings.

The assistance which the Commissioner may provide includes: paying for any legal advice and representation; making arrangements for legal advice or representation; or a combination of both. In determining whether to grant the application for assistance the Commissioner may have regard to: whether the case raises a question of principle; whether it is unreasonable, having regard to the complexity of the case, to expect the applicant to deal with it unaided; and whether the case involves a matter of substantial public interest. The recovery of any expenses incurred by the Commissioner shall be a first charge on any award payable to the applicant.

The Commissioner is not empowered to provide assistance in the making of an application to the Certification Officer, nor can he/she give assistance in industrial tribunals or before the EAT.

1C *Industrial action*

Trade union immunities : Since 1980 the statutory immunities enjoyed by trade unions have been steadily restricted, although they have always only provided protection for unions when legitimate objectives were being pursued; that is, acts done in contemplation or furtherance of a trade dispute. The 1982 Employment Act restricted the definition of a "trade dispute"; a trade dispute must relate "wholly or mainly" to a specified list of employment issues, rather than just being connected to them as before. In order to qualify for immunity a trade dispute must be between workers and their employer, a strike called for political reasons is not a trade dispute. (Now contained in TULR(C)A section 244.)

TULR(C)A section 219 gives immunity against legal action to anyone who calls a strike or other industrial action and thus induces a breach of contract by other workers. It also provides immunity where a threat of industrial action is made. However, the immunity provided by section 219 will be lost in certain circumstances. All legal immunity for official disputes is conditional upon a majority vote in a secret ballot in

favour of strike action by all those involved (see appendix 1A) and an act will not be protected if its intention is to impose union recognition upon an employer. If a ballot is to be called at different workplaces, unless all members entitled to vote have a common factor relating to their terms and conditions of employment, separate ballots for each workplace must be conducted. A ballot ceases to be effective after four weeks; therefore, if action has not been called within that time a new ballot must be held before lawful action can take place. If, during the four week period, industrial action is prohibited by a court order which is subsequently discharged the union may request that the period during which the prohibition took place should not count towards the four week period, but no application can be made after eight weeks from the date of the ballot.

Trade unions are now vicariously liable for all their officials and representatives (including shop stewards) if they authorised or endorsed any act done by them. Trade unions are now legally liable for all unofficial action unless they repudiate it; a written notice must then be given to every member believed to be taking part in the action⁷ and to the employers telling them of this. If the union wishes to endorse the action, to preserve its immunity it would have to suspend any action until a properly conducted ballot had been carried out.

Secondary action : Secondary action loses a trade union its immunity as all trade disputes must be confined to the employees' place of work. Even if a trade dispute was legitimate there would be no immunity if unlawful secondary action was taking place. The only type of secondary action which remains lawful is peaceful picketing⁸ at or near the picket's own place of work.⁹ A Code of Practice on picketing emphasises: that only peaceful picketing is lawful; that only primary picketing is lawful; and that the number of pickets at any workplace entrance should not exceed six.¹⁰ The final section of the code advises pickets to ensure that the movement of goods and supplies and the provision of services essential to the life of the community are not impeded or prevented. However, it is left up to those affected by the action to use the law and seek an injunction to prevent the action going ahead and/or to claim damages for any loss incurred as a result of the unlawful action.

Industrial action affecting an individual : Any individual may make an

⁷ The notice must be in a particular form telling members that the union will give them no support and that if they are dismissed while taking action they will have no right to complain of unfair dismissal.

⁸ This must only be for the purpose of peacefully obtaining or communicating information or peacefully persuading any person to work or to abstain from working.

⁹ A person who has lost his/her job because of a trade dispute is allowed to picket at his/her former place of work.

¹⁰ This limitation was thought necessary because it was argued that excessive numbers on a picket line was the main cause of violence and disorder. The mass picketing and use of flying pickets during the 1984/5 miners' strike was seen by the Conservative government as a threat to public order. In one of the civil actions brought by working miners, mass picketing was identified as a tort of unreasonable harassment and effectively gave the limitation of the number of pickets a legal status (Davis and Freedland 1993).

application to the High Court or Court of Session if the effect of industrial action, which is actionable in tort or has not been supported by a properly conducted ballot, is to prevent or delay the supply of goods or services or reduce their quality. If the Court is satisfied that the claim is well founded it may make an order that requires the union to take steps to ensure that no further action is taken. If unlawful industrial action is not challenged by the employer (or union members) any individual, whether affected by the action or not, can apply to the court to seek an appropriate order. Assistance can be sought from the Commissioner for Protection Against Unlawful Industrial Action.

The Public Order Act 1986 made certain offences connected with picketing arrestable without a warrant and section 14 treats mass picketing the same as other disorderly gatherings. Therefore, if the legislation relating to picketing becomes ineffective, that is, workers ignore it, the police have wide discretionary powers to control picketing. Though most disputes do not involve the police; the vast majority of picket lines are often small, peaceful and uneventful and the incidence of picketing of any sort is low (Auerbach 1990).

Emergency powers: The Emergency Powers Act 1920 enabled governments to declare a state of emergency and to take over essential services if the community was deprived of the “essentials of life” and the Emergency Powers Act 1964 allowed temporary use of services personnel on “urgent (civilian) work of national importance”. Between 1945 and 1979 troops were used in twenty three industrial disputes. The implementation of emergency powers, according to every government since the war, does not constitute “strike breaking”: it is seen as a moral imperative. Though, what the “essentials of life” and work of “national importance” actually constitute is arguably debatable, as Jeffrey and Hennessey (1983) argued, the distinction between ‘maintaining essential services’ and ‘strike breaking’ become blurred.

1D *The right not to belong to a union*

Mandatory compensation is available for dismissals violating the right not to belong to a trade union and a dismissed claimant is allowed to bring a claim against the trade union which brought about the dismissal by threatening industrial action because of his/her non-membership. The 1982 Employment Act also prohibited union labour only and union recognition clauses in connection with contracts for the supply of goods and services.

A covering letter accompanied the questionnaire, which informed respondents of who I was and what I was doing. It also assured the respondents that they would remain anonymous and that all the information provided would remain confidential. The letter also contained my telephone number so that respondents could contact me if they had any queries regarding the research. They were also informed that a summary of results would be available at the end of the research.

1. Below is a list of possible reasons for belonging to a trade union. For each one please put a tick in the appropriate box to indicate how important it is to **you personally**.

	<u>very important</u>	<u>fairly important</u>	<u>not very important</u>	<u>not at all important</u>	<u>don't know</u>
To get higher pay and better working conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To protect me if problems come up in the future	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To get members' benefits, such as financial or health schemes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To help safeguard my job	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To use as a workers' voice against management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I believe in them in principle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To campaign against Inequality and injustice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To show solidarity with those I work with	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most of my workmates are members	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It's a family tradition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If there are any other reasons that you regard as important please state.

.....

.....

.....

.....

.....

2. Which **single** reason for belonging to a trade union is the most important to you ?

.....

.....

.....

.....

.....

3. In general how would you describe relations between management and your union at your workplace?

- Very good
- quite good
- not very good
- not at all good
- don't know

4. If you have a work related problem of any kind who are you **most** likely to go to?
Tick one box only.

- Supervisor/Foreman
- Management
- Convenor
- Shop steward
- Workmate
- No one
- Other
- Don't know

5. Do you think your union / shop steward does a good job when negotiating with management over wage related issues at your workplace?

- Yes
- No
- Sometimes
- Don't know

6. a) Does your shop steward/convenor ever negotiate with management about work related problems?

- Yes
- No
- Don't know

b) If you answered yes, are you satisfied or dissatisfied with the way work related problems are dealt with at your workplace?

- Satisfied
- Dissatisfied
- Satisfied in some ways but not in others
- Don't know

7. Which of the following describes your workplace union representatives?
Tick all which apply.

	Your shop steward	Your convenor (if you have one)
Easy to approach	<input type="checkbox"/>	<input type="checkbox"/>
Readily available	<input type="checkbox"/>	<input type="checkbox"/>
Willing to help	<input type="checkbox"/>	<input type="checkbox"/>
Knowledgeable	<input type="checkbox"/>	<input type="checkbox"/>
Dedicated	<input type="checkbox"/>	<input type="checkbox"/>
An individual problem solver	<input type="checkbox"/>	<input type="checkbox"/>
Gives advice and sorts out problems unrelated to work	<input type="checkbox"/>	<input type="checkbox"/>
A leader of a collective approach to problems	<input type="checkbox"/>	<input type="checkbox"/>

Any other Comments you may wish to make :

.....

.....

.....

8. Are you satisfied with the union representation at your workplace?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Sometimes	<input type="checkbox"/>
Not sure	<input type="checkbox"/>

9. What kind of issues are raised by members with the shop stewards/convenor at your workplace? These may include workplace problems or personal grievances.

.....

.....

.....

.....

10. Does your union representative generally decide him/herself what action should be taken over any complaint, grievance or problem or is this decided by the majority of members?

Union representative decides	<input type="checkbox"/>
Majority of members decide	<input type="checkbox"/>
Depends on the problem	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

11. Do you feel that **overall** your union is effective at your workplace?

Yes

No

Not sure

12. Do you think of your workplace union as different from the national union?

Yes

No

Don't know

13. a) Have you ever been represented by a union representative?

Yes

No

b) If yes, where did this take place?

At work

A tribunal

Other

Please specify:

.....
.....

c) Were you satisfied with that representation?

Yes

No

Not sure

d) Approximately, how long ago was this?

.....
.....

14. a) Have you ever received **any** form of union benefit, such as legal representation or compensation for an accident at work or for a work related illness (eg. deafness) etc.?

Yes

No

My claim is being processed

b) If yes or you have a claim being processed, what kind of benefit was/is it?
Please tick the appropriate boxes:

Legal representation

Accident at work

Other accident

Work Related Illness

Other

please specify

15. Do you think that being in a union makes a difference in the case of the following?

Higher wages:

Yes

No

Don't Know

Being unfairly dismissed:

Yes

No

Don't Know

Being accused of something by
your employer:

Yes

No

Don't Know

Having your conditions of work
changed:

Yes

No

Don't Know

Efficient health and safety:

Yes

No

Don't Know

Having an accident at work:

Yes

No

Don't Know

Preventing harassment and
discrimination:

Yes

No

Don't Know

Job Protection:

Yes

No

Don't Know

16. Trade unions have been described as a cheap form of insurance, do you agree or disagree with this description?

- Agree
- Disagree
- Don't know

17. It is often said that workers need trade unions to protect their interests, particularly at work, do you agree or disagree with this?

- Agree
- Disagree
- Don't know

18. For you personally, where would you say most union activity takes place?

- The workplace
- The branch
- At national level
- Don't know
- Other Please specify.

.....
.....

19. Do you see the union as being an essential part of your working life?

- Yes
- No
- Not sure

20. a) Do you have union meetings at your workplace?

- Regularly
- Only when there is an issue to discuss
- Never
- Don't know

b) If you have meetings at your workplace how often do you attend?

- Whenever possible
- Never
- Sometimes Please state when that is:

.....

21. How often do you attend a union branch meeting?

Whenever possible

Never

Sometimes please state when that is:

.....
.....
.....

22. Do you think that workers achieve their goals, for example better pay and working conditions, by working hard on their own or by sticking together?

By working hard on their own

By sticking together

Don't know

During the last fifteen years there have been changes in the way that trade unions must conduct their business if they wish to remain within the law, particularly in relation to industrial action. The balloting procedures are one example.

23. Do you feel that the recent changes in the law have had any affect on the way that negotiations are conducted between your workplace union and management?

Yes

No

Don't know

24. What forms of pressure, if any, have been used in disputes with management at your place of work, since you have been working there?

Threats to stop work

Overtime bans

Working to Rule

Go-slows

Strike Action

None

Other Please specify

.....
.....
.....

25. Do you feel that the recent changes in the law have had any effect upon any form of industrial action (over time bans, work to rule, walk outs etc.) at your place of work?

Yes

No

Don't know

26. If any serious problem should occur in the near future would you be prepared to take:

Industrial action short of a strike?		Strike action?	
Yes	<input type="checkbox"/>	Yes	<input type="checkbox"/>
No	<input type="checkbox"/>	No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>	Don't Know	<input type="checkbox"/>

27. Would you be prepared to take Immediate action without a ballot under any of the following circumstances? Tick all which apply.

A health and safety problem	<input type="checkbox"/>
The dismissal of a workmate	<input type="checkbox"/>
A pay dispute	<input type="checkbox"/>
Changed working conditions	<input type="checkbox"/>
To ensure that all workers doing the same job get equal treatment etc.	<input type="checkbox"/>
Can't really say	<input type="checkbox"/>

If there are any other situations that you consider important enough to warrant immediate action please specify:

.....

.....

.....

.....

28. If a vote is taken at your workplace, how is that vote usually carried out?

A show of hands	<input type="checkbox"/>
A workplace secret ballot	<input type="checkbox"/>
A postal ballot	<input type="checkbox"/>
Other	<input type="checkbox"/>
Don't Know	<input type="checkbox"/>

29. Do you believe a trade union should comply with a court order to call off a strike?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Not sure	<input type="checkbox"/>

30. Would you be prepared to go against a majority vote in a ballot?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Not sure	<input type="checkbox"/>

31. At your place of work would you say that a threat to walk off the shopfloor is usually sufficient to make management concede to your demands?

- Yes
- No
- Don't know

32.a) Do you feel that the changes in the law relating to trade unions have had any affect upon trade unions in general?

- Yes
- No
- Don't know

b) If you answered yes to the last question do you think the legislation has had a negative or a positive effect?

- Positive
- Negative
- Don't know

33. Do you think your union at your workplace has too much or too little power?

- Far too much power
- Too much power
- About the right amount
- Too little power
- Far too little power
- Not sure

34. Do you think that in the country as a whole, trade unions have too much or too little power?

- Far too much power
- Too much power
- About the right amount of power
- Too little power
- Far too little power
- Don't know

35. Below is a list of statements, please indicate in the appropriate boxes whether you think each one is true or false.

	True	False	Don't Know
It is a criminal offence for industrial action to be organised without first holding a secret ballot.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Postal ballots protect strikers from dismissal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The organisation of a postal ballot protects the national union from legal liability if a strike is called in support of a pay claim.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The employer has no right to dismiss employees for taking industrial action based on "working to contract", such as an overtime ban.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Even with a majority vote in favour, striking in support of workers at another workplace is unlawful.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Organising industrial action short of a strike without a postal ballot could involve your national union incurring legal liability.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A trade union member can obtain a court order to stop a union from taking industrial action without a properly conducted ballot.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is only lawful for a person to peacefully picket at or near his/her own place of work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Each member of a trade union's executive committee can retain the post as long as they wish.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
An employer must get an employee's written permission every three years before deducting union subscriptions from his/her wages.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A person can be rightfully dismissed because of his/her union membership.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When an employer makes a single union deal with a particular union, all union members in that workplace must be members of that union.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. How many hours a week do you normally work?

- less than 10 hours
- 10 - 15 hours
- 16 - 23 hours
- 24 - 30 hours
- Over 30 hours

37. How do you pay your union subscriptions?

- Check off
- At local branch meetings
- Collected by a union representative
- Standing Order/Direct debit
- Other Please specify:

.....
.....

38. Are you male or female?

- Male
- Female

39. Please indicate your age category.

- 16 - 20
- 21 - 30
- 31 - 40
- 41 - 50
- over 50

40. Approximately how long have you been a union member?

.....
.....

If you would like to comment on any of your answers above, or if you have any other comments you would like to make regarding your trade union or trade unions in general please feel free to do so in the space below and on the reverse of this paper. Thank you for your co-operation.

1. Below is a list of possible reasons for belonging to a trade union. For each one please put a tick in the appropriate box to indicate how important it is to you personally.

	<u>very</u> <u>important</u>	<u>fairly</u> <u>important</u>	<u>not very</u> <u>important</u>	<u>not at all</u> <u>important</u>	<u>don't</u> <u>know</u>
To get higher pay and better working conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To protect me if problems come up in the future	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To get members' benefits, such as financial or health schemes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To help safeguard my job	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To use as a workers' voice against management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I believe in them in principle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To campaign against inequality and injustice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To show solidarity with those I work with	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most of my workmates are members	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It's a family tradition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If there are any other reasons that you regard as important please state.

.....

.....

.....

.....

.....

2. Which single reason for belonging to a trade union is the most important to you ?

.....

.....

.....

.....

.....

3. a) Do you have senior stewards at your workplace?

Yes

No

b) Are you a senior steward?

Yes

No

4. Why did you decide to stand as a shop steward?

.....
.....
.....
.....
.....

5. a) Have you taken part in any kind of training or instruction for your role as a shop steward?

Yes

No

If yes what kind of courses have you attended? (for example, health and safety courses, courses for union representatives etc.)

.....
.....
.....
.....
.....

b) Has it helped you in your role as a shop steward?

A lot

A little

Not at all

6. In general how would you describe relations between management and your union at your workplace?

Very good

quite good

not very good

not at all good

don't know

7. a) Do you ever discuss and settle problems with management yourself?

Yes

No

Sometimes

Convenor deals with management

Full time officer deals with management

b) If yes, are you generally satisfied with the outcome of these discussions?

Yes

No

Sometimes

8. Does your management **ever** place restrictions in your way which hamper you in carrying out your duties as a shop steward?

Yes

No

If yes, what kind of restrictions do you come up against?

.....
.....
.....

9. What kind of issues do members bring to you?
These may include workplace problems or personal grievances.

.....
.....
.....
.....

10. Are your members' demands reasonable ones that you can do something about?

Always

Usually

About 1/2 of them

Other

Please specify:

.....
.....
.....

11. Do you feel that you can get members to see things your way when a particular dispute arises, and get them to do what you believe is right?

No / everyone has their own opinion

Yes

Sometimes

Other

12. As a **shop steward** what kind of issues are **YOU** most concerned with?

.....
.....
.....
.....

13. Do you think members view you as an individual problem solver or as a leader of a collective approach to problem solving?

Individual problem solver

A leader of a collective approach to problem solving

Both

Don't Know

14. How do you think your work as a steward is regarded by your members?

Most appreciate what I do for them

Most take it for granted

Some appreciate it and some take it for granted

Other

Please specify:

.....
.....
.....

15. Are you satisfied with the opportunities to contact members at your workplace?

Very satisfied

Fairly satisfied

Dissatisfied

Other

Please specify:

.....
.....
.....

16. When an issue that affects your members is being negotiated at your workplace, are all your members involved in the decision making process, that is are they consulted on any proposals or deals offered by management etc.?

Yes

No

Depends on the issue

17. Do you feel that **overall** your union is effective at your workplace?

Yes

No

Not sure

18. Do you think of your workplace union as different from the national union?

Yes

No

Don't know

19. Trade unions have been described as a cheap form of insurance, do you agree or disagree with this description?

- Agree
- Disagree
- Don't know

20. Do you have meetings of union members at your workplace?

- Regularly
- Only when there is an issue to discuss
- Never
- Don't know

21. How often do you attend a union branch meeting?

- Whenever possible
- Never
- Sometimes

please state when that is:

.....
.....
.....

22. How often do you meet a full time officer on union business?

- Weekly
- Monthly
- Once every 3 months
- Once every 6 months
- Never
- Other

Please specify:

.....
.....

23. Do you feel it necessary to meet a full time officer often?

- Yes
- No
- Not sure

24. Would you say that your full time officer plays an important part in local negotiations at your workplace?

- Yes
- No
- Not sure

25. Do you think that being in a union makes a difference in the case of the following?

Higher wages:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>
Being unfairly dismissed:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>
Being accused of something by your employer:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>
Having your conditions of work changed:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>
Efficient health and safety:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>
Having an accident at work:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>
Preventing harassment and discrimination:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>
Job Protection:	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Don't Know	<input type="checkbox"/>

26. Do you think that workers achieve their goals, for example better pay and working conditions, by working hard on their own or by sticking together?

By working hard on their own	<input type="checkbox"/>
By sticking together	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

During the last fifteen years there have been changes in the way that trade unions must conduct their business if they wish to remain within the law, particularly in relation to industrial action. The balloting procedures are one example.

27. Do you feel that the recent changes in the law have had any affect on the way that negotiations are conducted between your workplace union and management?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

28. What forms of pressure, if any, have been used in disputes with management at your place of work since you have been working there?

Threats to stop work	<input type="checkbox"/>
Overtime bans	<input type="checkbox"/>
Working to Rule	<input type="checkbox"/>
Go-slows	<input type="checkbox"/>
Strike Action	<input type="checkbox"/>
None	<input type="checkbox"/>
Other	<input type="checkbox"/> Please specify

.....

.....

.....

29. Do you feel that the recent changes in the law have had any effect upon any form of industrial action (over time bans, work to rule, walk outs etc.) at your place of work?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

30. If any serious problem should occur in the near future do you think your members would be prepared to take:

Industrial action short of a strike?		Strike action?	
Yes	<input type="checkbox"/>	Yes	<input type="checkbox"/>
No	<input type="checkbox"/>	No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>	Don't Know	<input type="checkbox"/>

31. Do you think your members would be prepared to take immediate action without a ballot under any of the following circumstances? Tick all which apply.

- A health and safety problem
- The dismissal of a workmate
- A pay dispute
- Changed working conditions
- To ensure that all workers doing the same job get equal treatment etc.
- Can't really say

If there are any other situations that you consider important enough to warrant immediate action please specify:

.....

.....

.....

.....

32. If a vote is taken at your workplace, how is that vote usually carried out?

- A show of hands
- A workplace secret ballot
- A postal ballot
- Other
- Don't Know

33. Do you believe a trade union should comply with a court order to call off a strike?

- Yes
- No
- Not sure

34. Would you be prepared to go against a majority vote in a ballot?

- Yes
- No
- Not sure

35. At your place of work would you say that a threat to walk off the shopfloor is usually sufficient to make management concede to your demands?

- Yes
- No
- Don't know

36. Below is a list of statements, please indicate in the appropriate boxes whether you think each one is true or false.

	True	False	Don't Know
It is a criminal offence for industrial action to be organised without first holding a secret ballot.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Postal ballots protect strikers from dismissal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The organisation of a postal ballot protects the national union from legal liability if a strike is called in support of a pay claim.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The employer has no right to dismiss employees for taking industrial action based on "working to contract", such as an overtime ban.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Even with a majority vote in favour, striking in support of workers at another workplace is unlawful.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Organising industrial action short of a strike without a postal ballot could involve your national union incurring legal liability.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A trade union member can obtain a court order to stop a union from taking industrial action without a properly conducted ballot.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is only lawful for a person to peacefully picket at or near his/her own place of work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Each member of a trade union's executive committee can retain the post as long as they wish.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
An employer must get an employee's written permission every three years before deducting union subscriptions from his/her wages.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A person can be rightfully dismissed because of his/her union membership.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When an employer makes a single union deal with a particular union, all union members in that workplace must be members of that union.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

37. a) Do you feel that the changes in the law relating to trade unions have had any affect upon trade unions in general?

Yes

No

Don't know

b) If you answered yes to the last question do you think the legislation has had a negative or a positive effect?

Positive

Negative

Don't know

38. Do you think your union at your workplace has too much or too little power?

Far too much power

Too much power

About the right amount

Too little power

Far too little power

Not sure

39. Do you think that in the country as a whole, trade unions have too much or too little power?

Far too much power

Too much power

About the right amount of power

Too little power

Far too little power

Don't know

40. How many hours a week do you normally work?

less than 10 hours

10 - 15 hours

16 - 23 hours

24 - 30 hours

Over 30 hours

41. How do you pay your union subscriptions?

Check off

At local branch meetings

Collected by a union representative

Standing Order/Direct debit

Other

Please specify:

.....
.....

42. Are you male or female?

Male

Female

43. Please indicate your age category.

16 - 20

21 - 30

31 - 40

41 - 50

over 50

44. Approximately how long have you been a union member?

.....

45. Approximately how long have you been a shop steward?

.....
.....

If you would like to comment on any of your answers above, or if you have any other comments you would like to make regarding your trade union or trade unions in general please feel free to do so in the space below and on the reverse of this paper. Thank you for your co-operation.

What is your title?

.....
.....

How long have you been a union representative?.....

.....
.....

Which areas are you responsible for?.....

.....
.....

Does this cover only hospitals or are you responsible for other workplaces such as schools etc.?

.....
.....

How many UNISON branches are there in Xtown?.....

How often do they meet?.....

.....
.....

How often do shop stewards from different workplaces meet together?.....

.....
.....

Do you think your members are generally interested in trade unionism?.....

.....
.....

Do you deal directly with members or is your contact mainly with your shop stewards?

.....
.....

Do you have much contact with your shop stewards?.....

.....
.....

What kinds of issues do members use their shop stewards for?.....

.....
.....

What kind of grievances come to your attention the most?.....
.....
.....
.....

Do you feel that you can get members and shop stewards to see things your way when a particular dispute arises, and get them to do what you believe is right?.....
.....
.....

Can you usually deal with problems yourself or do you have to take them higher up the union hierarchy?.....
.....
.....

Do you have much contact with the workplaces under your jurisdiction?.....
.....
.....
.....

Is this on a regular basis or just when a problem occurs?.....
.....
.....

Do you have access to all levels of management?.....
.....
.....

Do you ever encounter difficulties approaching the level of management that you feel you should be talking to?.....
.....
.....

What is the general attitude of the employers/managers that you deal with towards UNISON?.....
.....
.....

Is the work by UNISON shop stewards generally accepted by management?.....
.....
.....

Are shop stewards able to deal with management themselves?.....
.....
.....
.....

Do managers provide all the information you ask for?.....
.....
.....

Do any managers ever come to you for advice or to discuss some change etc. that they may want to make?.....
.....
.....

How much influence do you feel you usually have on what actually happens within workplaces?
.....
.....
.....
.....

Are members consulted on deals and proposals made by management before they are accepted/rejected?.....
.....
.....

Would you say that you are helping managers to run their workplaces more efficiently?
.....
.....
.....

Do you think that your shop stewards are effective and influential?
.....
.....
.....
.....

Do you/your shop stewards treat problems as individual ones only or do you/they try and involve the whole workforce in solving a problem collectively?.....
.....
.....
.....

Do you think your shop stewards are too ready or too slow to contact you?.....
.....
.....

Are enough people willing to become shop stewards?.....
.....
.....

What do you see as the main benefits of union membership?.....
.....
.....
.....
.....

As a union representative what kind of issues are the most important to you?.....
.....
.....
.....
.....

Do you feel that overall UNISON is effective?.....
.....
.....
.....

At [a local] hospital?.....
.....
.....
.....

Are local or workplace UNISON organisations in Xtown able to cope on their own without national assistance?.....
.....
.....
.....

Do you feel that the recent changes in the law relating to trade unions have had any affect upon UNISON?.....
.....
.....
.....
.....

Do you think the legislation has had any effect on the way that negotiations are conducted between UNISON and managements?
.....
.....
.....
.....
.....

Do you regard your union as powerful?.....
.....

Do you take an interest in UNISON's national policies etc. or are you concerned more with local issues?
.....
.....
.....

Has the move to trust status of local hospitals made a difference to the work and status of UNISON in those workplaces?.....
.....
.....
.....
.....

Please feel free to add any other comments that you may wish to make. Thank You.

Appendix 5

Representation by a union representative (Firm A members).

63 (53%) of respondents had been represented by a union representative. The answers to question 13 are set out below in table form.

Satisfaction with union representation -

Yes	41
No	13
Not sure	8
No response	1
	63

Where the representation took place	number of respondents	Satisfied
At work	58	37
At a tribunal	2	2
At work & a tribunal	1	1
Other	1	1
No response	1	

How long ago the representation took place	Number of respondents	Satisfied	Not sure	No
Under 1 year ago	8	6	0	2
1-2 years ago	15	11	0	4
over 2 years & under 5 years ago	4	3	1	0
5-9 years ago	16	11	3	2
10-15 years ago	9	4	1	4
On a regular basis	1	0	1	0
No response	10	6	2	1
		41	8	13

Appendix 6

Receipt of any form of union benefit. (Firm A members)

50 (42%) respondents had received some form of union benefit and 4 were having their claim processed at the time of the study. The type of benefit received is shown in the table below.

The type of benefit received / being processed	Number of respondents
legal representation	6
accident at work	12
work related illness	28
legal representation & accident at work	4
work related illness & accident at work	2
legal representation & work related illness	1

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