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Trade Union Bill

Implications for H&S

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Background

- Government believes that trade unions are bad - Despite unions increasing pay, job security etc and improving the economy
- Perpetuates the myth that we have a strike “problem”.
- The bill is an ideological attack on unions who they see as being a financial contributor to the Labour Party.

Background – H&S

- Government claims that Britain has one of the safest occ health systems in the world.
- Also has one of the best developed systems of safety reps.
- Union effect means there are much less injuries and illnesses in unionised workplaces.
- The TU Bill will undermine the ability of unions to protect workers and challenge management or campaign.

Trade Union Bill

- Will allow government to restrict time off for health and safety representatives in the “public sector”.
- Restrict right to strike.
- Change ability of unions to collect and use political funds.
- Allow agency workers to be used during strikes.

Other attacks not requiring legislative change such as the reduction in check-off in the public sector.

Time off

- Two aspects – recording and “facility time”.
- Covers all reps in the “public sector”.
- Safety reps time is NOT facility time.
- Time off regulations mirror European Requirements and cannot be removed or curtailed
- Govt said “An employer must allow them as much paid time off work as is necessary or reasonable to perform their statutory functions and we absolutely do not propose to change that rule. We simply want to ensure that the time that TU reps collectively spend on union duties and activities during working hours at taxpayers’ expense is justifiable and accountable and that it represents value for money.’
- Wants unions to restrict their own safety reps!

Agency workers

- Employers will be able to bring in agency workers to replace strikers.
- Banned since 1973, and in most European countries.
- Untrained unskilled workers are a serious risk to the safety of workers and the public.

Check off

- Check off will not be allowed in the public sector.
- This will be done through regulation.
- Despite Local Authorities, NHS employers, and Scottish and Welsh Governments wanting to retain it.
- 6 month transition period but could have significant effect on proportion of union membership in public sector.

Right to strike

- Must be 50% turnout in any ballot on industrial action. (But they refuse to make balloting easier)
- Restrictions on wording and when action can take place.
- Must give 14 days notice.
- Also restrictions on picketing.
- In 'important public services' (fire, health, education, transport, border security and nuclear decommissioning), 50% of members must turn out to vote and 40% of the entire membership must vote in favour (that amounts to 80% of those voting, on a 50% turnout).
- Right to strike is an important to protect health and safety – especially given the lack of enforcement.

Progress on Bill

- Has progressed through Commons. No significant changes.
- Lords second reading, but discussion on the Bill expected later this month.
- Lords likely to be more challenging to the proposals, but no guarantee of significant change.

Summary

- Aspects that will influence health and safety are:
 - Restrictions on facility time
 - Restrictions on right to strike/picketing
 - Agency workers
 - Checkoff
- Will all make fighting for Health and safety in the workplace more difficult.

Conclusions

- Bill is not a foregone conclusion. Must continue campaigning against it.
- Battleground moves to the Lords, but also need to inform and involve our members.
- Even if Bill becomes law, unions are not going away. Will be needed more than ever.
- Must start building workplace organisation.
- TUC H&S Organising campaign starts next month.

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- <https://www.tuc.org.uk/TUbill>

Why is the government trying to stop union health and safety representatives doing their job?

Days lost through injuries or illnesses caused by work

28.2m

Days lost through strike action last year

0.8m

Union safety reps reduce serious injuries by

50%

The Trade Union Bill will reduce the ability of unions to campaign on health and safety issues.

Find out more: tuc.org.uk/tubill