**Part 2**

# Motion remitted

#### Agenda 16 Fairness at work

Congress notes with concern that some employers are developing strategies to bypass the rights established under *Fairness at Work*.

Congress recognises that unscrupulous employers have employed several tactics to subvert the spirit and intent of the legislation, ie:

i) dismissing and victimising trade union activists before the law proscribes such despicable behaviour;

ii) establishing bogus 'staff associations' which bear no resemblance to genuine and democratic works councils and are in effect subservient to management; and

iii) seeking to promote 'sweetheart' single-union deals at the expense of other unions with a traditional occupational and established membership claim.

Congress instructs the General Council to establish a principle that where unions have a traditional basis for recruitment and representation, then this should be honoured. The new law gives the opportunity for unions to establish re-recognition where they were derecognised under the Tory Government’s anti-union legislation. Congress re-affirms its opposition to legislation being used against trade unions.

Congress calls on all TUC affiliates to assist in establishing re-recognition of these unions, and affirms that an area that has been derecognised shall not be deemed to a 'greenfield' site.

'Social partnership' should not be used as an excuse by employers or trade unions to prevent re-recognition. The TUC’s disputes procedure must provide a structure for avoiding conflict between unions. Congress condemns those unions that collude with employers by offering single union agreements in an attempt to prevent unions which represent particular skills or occupations from representing their members.

Congress re-affirms its total opposition to 'no-strike' deals.

Congress recognises that collective bargaining is the most effective means of giving workers the right to representation in decisions affecting their working lives. Congress instructs the General Council to ensure that collective bargaining is one of the main planks of any developments in industrial relations.

Further, Congress believes that single table bargaining is only one method of achieving collective arrangements in each industry. There are positive reasons and strong arguments of individual unions to have separate machinery for negotiations and consultation. This rests on the contention that there is a clear distinction between issues which are suitable for joint regulations through collective agreement and issues which are subject to management decisions affecting particular industrial or professional groups.

Congress re-affirms that the TUC must represent the views of all affiliates, regardless of size and whether or not they are specialised or general trade unions.

**National Union of Journalists**