

Chapter 4 – Additional Student Case Study (1)

Trade Union Bill 2015 – a step too far?

In 2015, the Conservative government proposed new legislation designed to restrict the ability of trade unions, particularly those in essential services, to take strike action. Under existing legislation, lawful industrial action must be supported by a secret postal ballot. Turnouts in such ballots have tended to be quite low. This has led some commentators to argue that any consequent industrial action does not have the support of the majority of trade union members. This argument has been made particularly vocally by government ministers critical of strike action in public services such as education and transport.

The Trade Union Bill 2015 proposes a number of new restrictions. However the main change will require lawful industrial action to be supported by a majority of those voting and the turnout must be at least 50% of those entitled to vote. There is an additional requirement that 40% of all relevant members vote in favour where the workers involved either provide or are ancillary to the provision of an important public service. This would include cover teachers, all hospital workers, and firefighters

1. To what extent do you think that these changes are necessary and justified?
2. What will be the impact on employment relations in the UK?
3. Could other measures be taken that would increase participation in industrial action ballots?

Reading

Trade Union Bill - Written evidence submitted by the CBI

<http://www.publications.parliament.uk/pa/cm201516/cmpublic/tradeunion/memo/tub23.htm>

Trade Union Bill - Written evidence submitted by UNISON

<http://www.publications.parliament.uk/pa/cm201516/cmpublic/tradeunion/memo/tub14.htm>

Trade Union Bill- Written evidence submitted by the London HR Directors Network

<http://www.publications.parliament.uk/pa/cm201516/cmpublic/tradeunion/memo/tub24.htm>

Key issues

This case asks students to consider the key measures in the Trade Union Bill 2015 which, among other things, introduces thresholds for industrial action ballots. The reading provides perspectives from unions, employers and the HR profession and encourages students to examine whether this will increase trade union democracy or simply make industrial action effectively unlawful.