

## **Trade Unions, Collective Action and the 100th Anniversary of the International Labour Organization**

### **Debate on 18 July 2019**

#### **Summary**

This House of Lords Library Briefing has been prepared in advance of the debate due to take place on 18 July 2019. Lord Jordan (Labour) is to move that “this House takes note of the future of trade unions; and of wider industry representation, solidarity and collective action; and of the 100th anniversary of the International Labour Organization”.

Trade unions exist to help and represent their members, particularly in relation to their conditions of employment. In the UK, trade union membership has been declining sharply since its 1979 peak. The last two years have seen that trend flatten out. However, each generation of workers is less likely to be in a union than its predecessors, meaning that membership will tend to fall over time.

Reasons advanced for the declines in membership include changes in the nature of work and globalisation. Changes in legislation have also affected the ways in which unions can operate. Unions have responded to these challenges in several ways. First, they have increasingly recognised the need to represent workers with atypical forms of contract. Second, they have adopted operating models that more closely involve their members in the union’s activities. Third, there have been mergers between unions. And fourth, they have made greater use of technology in recruitment and member engagement.

The Advisory, Conciliation and Arbitration Service (ACAS) reported estimates that around half of employee representatives in the UK are non-union. Unlike some EU countries, the UK has no formal structures to provide for works councils elected by all employees. A new corporate governance code, introduced in 2018, places some requirements on larger listed UK companies. However, the code has been criticised by some for its “comply or explain” approach.

The government-commissioned ‘Taylor Review’ of modern working practices was published in 2017. It stressed the importance of the quality of work, and included “consultative participation and collective representation” as one key element. The Government’s response agreed, and described ways in which government can engage with trade unions to guide labour market policy and practice. However, the Trades Union Congress (TUC) criticised the lack of action on the Taylor Review’s recommendations.

The International Labour Organization (ILO) was founded in 1919. It became an agency of the United Nations in 1946 and currently has 187 members. Its aim is to promote “social justice and internationally recognised human and labour rights”. The ILO is a leading source of labour statistics. It also runs campaigns, for example on the elimination of child labour. Commentators have suggested that globalisation makes the links between national unions and international labour organisations more important. However, one book on the subject described the “relative weakness” of the ILO in this area.

## Trade Unions

### Definition and Activities

In a book originally published in 1894, the socialists and social reformers Sidney and Beatrice Webb defined a trade union as follows:

A trade union [...] is a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their employment.<sup>1</sup>

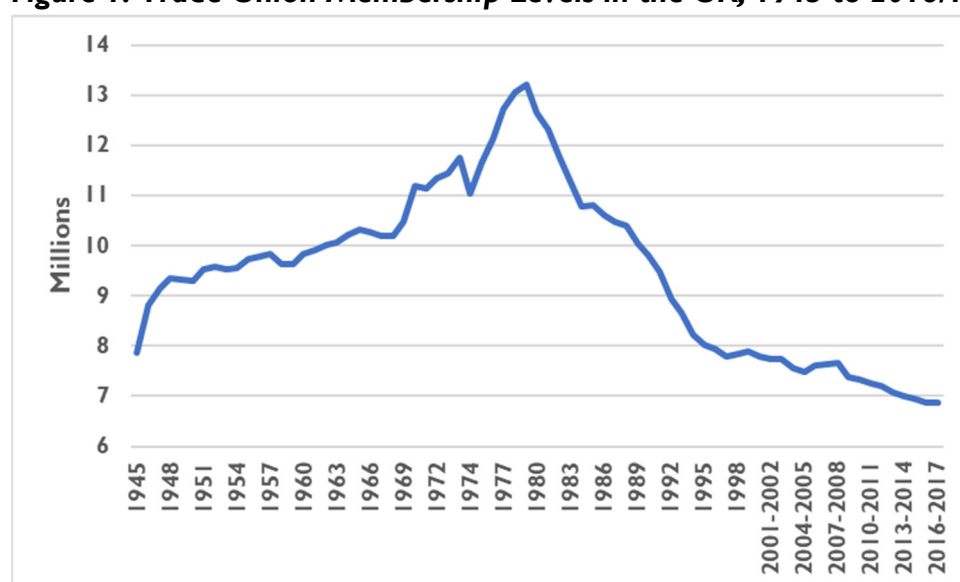
The *Oxford Dictionary of Economics* expands on this. It suggests that other activities which may be undertaken by trade unions on behalf of their members include:<sup>2</sup>

- offering legal advice about unfair dismissal, paid for from subscriptions;
- paying workers during strikes;
- providing friendly society services, including sick and unemployment pay;
- negotiating price concessions; and
- engaging in political activity to promote their members' interests, for example over issues such as legislation affecting security of employment.

### Recent Trends in Membership

Official statistics show that trade union membership in the UK reached its peak in 1979, before declining sharply in the 1980s and early 1990s.<sup>3</sup> Figure 1 shows the total membership of trade unions since the end of the Second World War.

**Figure 1: Trade Union Membership Levels in the UK, 1945 to 2016/17<sup>4</sup>**



The above series shows total union membership, including employees, the self-employed and the unemployed. The latest data in the series is for 2016/17. More recent statistics cover employees only. These suggest that the number of employees who were trade union members rose by 103,000 in 2018.<sup>5</sup> This was the second annual increase in a row and the second largest since this series began in 1995.<sup>6</sup> Commenting on these figures, Daniel Tomlinson of the Resolution Foundation noted that, even after these increases, total membership was still 200,000 less than in 2010. This, he said, was despite an

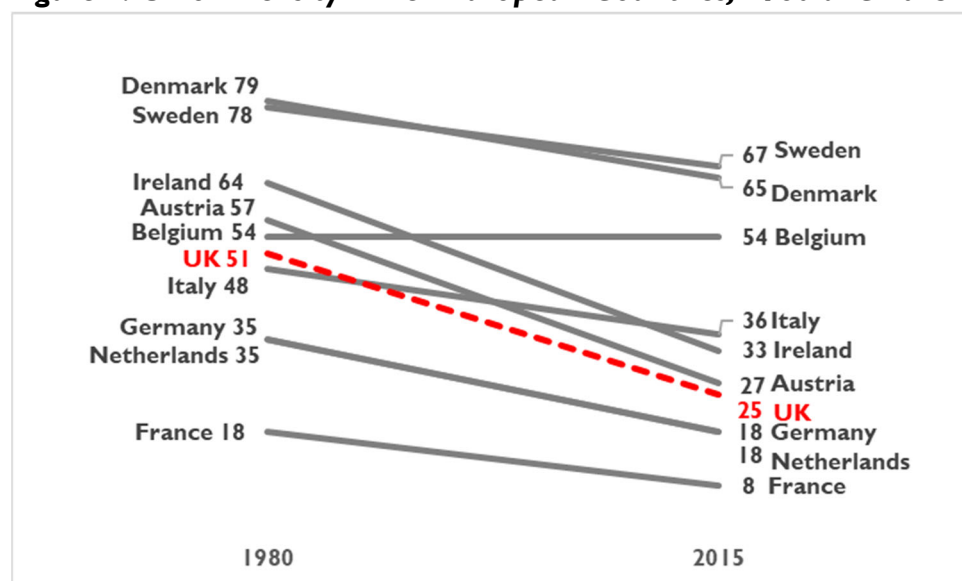
increase of 3 million in the number of people in work.<sup>7</sup> Because of such changes in the size of the workforce, Tomlinson described union membership as a percentage of workers ('union density') as a "better estimate of the overall strength of the labour movement". He reported that in 2018, union density was unchanged at 20.8% for all those in employment (including the self-employed). Like membership numbers, union density has been on a declining trend. Tomlinson suggested that the 2018 figures "could be the first sign of things bottoming out".

However, Tomlinson also argued that demographic trends are likely to reduce union membership in the future.<sup>8</sup> He said that each successive generation of workers is less likely to be in a union than its predecessors, meaning that as time goes on overall membership should fall.

The Trades Union Congress (TUC) responded to the official statistics on union membership by noting the challenges of recruiting younger workers, and those in the private sector.<sup>9</sup> The TUC recently launched a recruitment campaign amongst workers under 30 years old.<sup>10</sup>

Surveying ten European countries, academics Rebecca Gumbrell-McCormick and Richard Hyman showed that falls in union density are not unique to the UK. However, in proportionate terms the decreases in the UK have been sharper than many of the other countries surveyed. Their data is illustrated in figure 2.

**Figure 2: Union Density in Ten European Countries, 1980 and 2015<sup>11</sup>**



### **Falling Membership: Reasons and Implications**

In their 2018 book, Gumbrell-McCormick and Hyman suggested that the reasons for the falls in membership included:<sup>12</sup>

- globalisation and the growth of multinational companies. This, the authors argue, "weakens trade union capacity to regulate work and employment within the national boundaries in which they are embedded";
- the decline in large-scale manufacturing industries which were traditionally strongholds of union membership;
- the privatisation of public services, which have been the other main stronghold of union representation; and

- the growth of “atypical” employment, which requires unions to adopt a different approach to recruitment and representation, compared with a ‘traditional’ workforce.

The authors suggested that reduced membership levels have led to a reduction in unions’ collective bargaining power, but also in their influence on government and, in some countries, their “public respect”.<sup>13</sup> Nevertheless, they put forward three reasons why unions remain important. These were:<sup>14</sup>

- their ability to provide a collective voice to counter “unilateral, and potentially autocratic, management control”;
- their role as a “countervailing power to the socio-economic dominance of capital”. The authors stated that this is particularly important in an era of multinational corporations and the “financialisation of the global economy”; and
- their potential ability to defend weaker and more vulnerable members of society.

Although trade unions can provide a collective voice, a Fabian Society survey suggested that, in the private sector, workers increasingly prefer to deal with their pay individually.<sup>15</sup> However, the survey also found that even non-unionised workers were “instinctively positive” about trade unions.<sup>16</sup>

### Changing Trade Union Laws

Since the peak of trade union membership in 1979, there have been many changes to UK legislation affecting trade unions and their activities and/or employment rights. The Institute for Public Policy Research argued that the decline of union membership is partially explained by these changes.<sup>17</sup>

The labour movement think tank the Institute of Employment Rights compiled a list of legislative changes since 1979 and the key measures in each.<sup>18</sup> The most recent listed is the Trade Union Act 2016. The Government described the aims of this Act as being to:

- ensure that strike action only ever takes place on the basis of clear and representative mandates, through new thresholds that strike ballots must meet;
- improve transparency and oversight of trade unions; and
- require reasonable notice of strike action, and give employers greater chance to prepare for industrial action and put in place contingency plans.<sup>19</sup>

The TUC described the Act as “the most serious attack on the rights of trade unions and their members in a generation”.<sup>20</sup> It also said that the Government’s aim in introducing the Act was “to further restrict the ability of union members to organise collectively in defence of their jobs and livelihoods”.<sup>21</sup>

The Act also introduced changes to the way in which unions could collect funds from their members to finance party political activities.<sup>22</sup> For example, members joining after 1 March 2018 need to opt in to make contributions to political funds. For members who joined before that date, unions can automatically deduct such contributions, unless the member opts out.

The Conservative Party manifesto for the 2017 general election contained no mention of further legislation in relation to trade unions.<sup>23</sup> In May 2019, the Prime Minister, Theresa May, stated that:

I recognise the important role that trade unions play in our democracy and the work that can be done with them to enhance workers’ rights in this country.<sup>24</sup>

## **Labour Party Policy**

The Labour Party has committed to repealing the Trade Union Act 2016, stating that it was part of an “anti-trade union era” under Conservative governments.<sup>25</sup>

It also says that it will create a new Ministry of Labour to “empower workers and their trade unions”. Its other policy commitments which relate directly to trade unions include:<sup>26</sup>

- a review of the rules on union recognition, “so that more workers have the security of a union”;
- guaranteeing trade unions a “right to access workplaces”;
- rolling out “sectoral collective bargaining”; and
- enforcing all workers’ rights to trade union representation at work.

One commentator has argued that strengthening trade union rights could lead to a “renaissance” of the sector, suggesting that the unions could “increase both membership and assertiveness in a virtuous upward spiral”.<sup>27</sup>

## **Modernisation of Trade Unions**

This section describes some of the ways in which unions have responded to the challenges outlined above.

### **Changing Patterns of Work**

Gumbrell-McCormick and Hyman discussed the dilemmas posed for unions by the growing number of workers on “precarious contracts”.<sup>28</sup> The first question for unions, they suggested, is whether to act on behalf of these workers at all. They said that unions naturally oppose the lower levels of job security, pay and terms and conditions of such contracts. Some unions have even refused to represent temporary workers on the grounds that this would give their status “legitimacy”.<sup>29</sup> Gumbrell-McCormick and Hyman noted that, if unions do seek to recruit and represent these workers, the costs of doing so may be higher than for traditional workers.

The authors then stated that unions have “gradually come to understand” that the increase in atypical forms of work could reduce their power and income.<sup>30</sup> Therefore, they said, recruitment and organisation of such workers has “become a priority for many unions and confederations”. The authors described a number of initiatives aimed at this sector. For example, in 2005 the Transport and General Workers Union (now part of Unite) launched a “justice for cleaners” campaign, and in 2006 worked with undocumented migrants in the food-processing sector.<sup>31</sup>

In June 2017, the TUC estimated that 10% of the UK workforce were experiencing insecurity at work.<sup>32</sup> It said that many of these people have lower pay, and miss out on rights such as maternity leave and union representation. It stated that the union movement had been at the “forefront of tackling insecurity at work”, for example by challenging Uber in the courts. The TUC called for a “new framework of legal rights” to ensure that all workers can have their voice heard.<sup>33</sup>

### **Operational Model**

Gumbrell-McCormick and Hyman also described changes in the operational model of unions, in part to respond to the changing economic environment.<sup>34</sup> For example, they discussed how unions have moved

from the historic ‘servicing model’ to a more recent ‘organising model’. They said that the servicing model was characterised by a “bureaucratic apparatus of union professionals” providing services to their members who are “largely passive recipients of these services”.<sup>35</sup> By contrast, the authors described the aim of the “organising model” as to engage members collectively and directly in representation, bargaining and recruitment, with the union providing “background support”.<sup>36</sup> They stated that unions in Britain and Ireland have particularly embraced the organising model.<sup>37</sup>

Academic Steven Parfitt has argued that member participation in union strategy is essential, particularly in sectors with low job security.<sup>38</sup> He said that this model has been adopted by newly established unions that represent precarious workers such as food delivery workers and migrant cleaners.<sup>39</sup>

### ***Sectoral Reorganisation***

Gumbrell-McCormick and Hyman described how falling union membership has been accompanied by mergers between unions.<sup>40</sup> They said that the number of unions in the UK has fallen by three-quarters in the past half-century, and that two unions now account for 40 percent of total membership. The authors suggested that the reasons have been partly “defensive”, for example because membership decline has made smaller unions less viable.<sup>41</sup> However, they said it may also be because “traditional recruitment boundaries have eroded”. For example, technological change has broken down the divide between occupations, and privatisation has blurred the boundaries between the public and private sectors.

### ***Use of Technology***

In its 2018/19 campaign plan, the TUC set out a number of steps to recruit and retain members.<sup>42</sup> For example, it advocated the use of digital campaigning tools, online balloting and the use of technology to “transform how unions engage with our members”.

### **Non-union Forms of Representation, Solidarity and Collective Action**

The World Bank has argued that “wherever we look today we can see collective action at work”.<sup>43</sup> It listed examples such as credit and savings associations, community managed services and political parties.

### ***Non-union Employee Representation***

Looking specifically at collective action in the workplace, ACAS reported estimates that around half of employee representatives in the UK are non-union.<sup>44</sup> These may include, for example, representatives on employee safety, pensions, or collective redundancies. They may also be part of a body set up under the Information and Consultation of Employees Regulations 2004, discussed further below.

ACAS suggested that such representatives tend to have much more restrictive roles than union representatives. However, they still have statutory rights, such as paid time off to perform their duties and receive training, and to be provided with facilities.<sup>45</sup>

ACAS also referred to the role of consultative bodies such as employee forums and works councils. These, it said, were set up voluntarily by employers and, unlike both union and non-union representatives, members have no statutory rights. The European Trade Union Institute noted that, unlike in the UK, some EU countries had formal structures to provide for works councils elected by all employees.<sup>46</sup>

## **Corporate Governance Code**

The Financial Reporting Council is the organisation responsible for setting the UK corporate governance and stewardship codes, as well as UK standards for accounting and actuarial work.<sup>47</sup> It introduced a new version of the corporate governance code in July 2018.<sup>48</sup> Its provisions include new requirements for companies with a 'premium listing' to describe how the company's board engages with the workforce.<sup>49</sup> It requires that companies adopt one of four models:<sup>50</sup>

- a director appointed from the workforce;
- a formal workforce advisory panel;
- a designated non-executive director; or
- if it chooses none of the above three methods, it should explain "what alternative arrangements are in place and why it considers that they are effective".

In May 2019, the Local Authority Pension Fund Forum (LAPFF) published the results of a survey into how companies were complying with these provisions.<sup>51</sup> It found that 73% of companies were appointing a designated non-executive director. 5% said that they would appoint a director from the workforce, and 27% opted for a workforce advisory panel. The LAPFF commented that the results showed a "disappointing lack of innovation and imagination".<sup>52</sup> Some commentators have criticised the code's 'comply or explain' approach, arguing that it allows companies to ignore the code if they wish.<sup>53</sup>

## **European Works Councils**

For larger companies with operations in more than one country in the European Economic Area, workers are entitled to ask the employer to set up a European Works Council (EWC).<sup>54</sup> The Government described EWCs as forums in which employees can be consulted on their views, and kept informed about plans and decisions.<sup>55</sup>

## **Taylor Review of Modern Working Practices and Government Response**

### **Taylor Review**

In July 2017, Matthew Taylor, chief executive of the Royal Society of Arts, published a review of employment practices in the UK (the 'Taylor Review').<sup>56</sup> The review was commissioned by the Prime Minister, Theresa May, in October 2016.<sup>57</sup>

The review stressed the importance of the quality of work, and went on to describe how this can be assessed.<sup>58</sup> It listed six "high level indicators" of quality. These included factors such as wages and working conditions. The sixth indicator was "consultative participation and collective representation".<sup>59</sup> The measures listed under this indicator were:

- direct participation in organisational decisions;
- consultative committees or works councils;
- union presence; and
- union decision-making involvement.<sup>60</sup>

The Taylor Review stated that the benefits of an "effective worker voice" included:<sup>61</sup>

- managers being able to receive feedback about business practices from those who are

- delivering them day-to-day;
- for individuals, to be able to get together to discuss common issues affecting them;
- for the workforce to have a safe route to voice concerns; and
- offering the workforce the ability to hear and influence strategic issues which may impact them.

The review also considered the form of this effective worker voice.<sup>62</sup> It stated that it had heard “many positive examples of the role trade unions can play in good employment relations”. However, it concluded that “voice can and should be exercised even where there is little or no trade union organisation and representation”. It also mentioned other organisations, such as Investors in People and ACAS, as bodies who have expertise in workplace relations.<sup>63</sup> It encouraged the Government to work with all such organisations to promote employee engagement.

The review commented on the Information and Consultation of Employees (ICE) Regulations 2004.<sup>64</sup> These, it said, offered a framework to encourage long-term consultation arrangements between employers and employees. However, the review found that the thresholds for implementing ICE in a company were too high and recommended that they be reduced.

### **Government Response**

The Government’s response to the Taylor Review, the *Good Work Plan*, was published in February 2018.<sup>65</sup> It agreed with the need to find ways of measuring the quality of work. It included “voice and autonomy” as one of the five principles which underpin quality work.<sup>66</sup> It also committed to consulting on changes to the ICE regulations.<sup>67</sup>

The *Good Work Plan* also contained several references to ways in which government can engage with trade unions to guide labour market policy and practice. One was in identifying the principles underlying the quality of work and in agreeing measures to assess them.<sup>68</sup> Other examples were included in the Government’s 2017 industrial strategy.<sup>69</sup> For instance, the strategy committed to an “ambitious national retraining scheme”, overseen by a high-level advisory group including representatives of the Government, the Confederation of British Industry and the TUC.<sup>70</sup>

In June 2018 the General Secretary of the TUC, Frances O’Grady, expressed her anger at what she described as the lack of action from the Government on the Taylor Review recommendations.<sup>71</sup>

The Institute for Public Policy Research has set out a range of policy proposals which would support unions in acting as partners in an industrial strategy. These include:<sup>72</sup>

- introducing a physical right of access to workplaces and a digital right of access to workers;
- introducing a statement of rights for workers which would set out the right to join a union and the benefits of joining; and
- auto-enrolment in unions for workers in the gig economy.

### **International Labour Organization**

#### **Introduction and Aims**

The International Labour Organization (ILO) states that its aim is to promote “social justice and



internationally recognised human and labour rights”.<sup>73</sup> It lists its four strategic objectives as being to:

- Set and promote standards and fundamental principles and rights at work.
- Create better opportunities for women and men for decent employment and income.
- Enhance the coverage and effectiveness of social protection for all.
- Strengthen tripartism and social dialogue.<sup>74</sup>

The “tripartism” in the last of these objectives reflects the fact that the ILO brings together representatives of governments, employers and workers in its executive bodies. It states that it is the only body in the United Nations to do so.<sup>75</sup>

### ***History***

The ILO was formed in 1919 as part of the Treaty of Versailles that ended the First World War.<sup>76</sup> Its original constitution was drafted by nine countries.<sup>77</sup> In 1946, it became an agency of the newly formed United Nations. Today, it has 187 member states.<sup>78</sup>

### ***Tripartism and Social Dialogue***

As mentioned above, one of the ILO’s four strategic objectives is strengthening “tripartism and social dialogue”. It states that, in practice, this means helping to establish and strengthen “legal frameworks, institutions, machinery or processes for sound industrial relations and effective social dialogue”.<sup>79</sup> It calls, for example, for strong and independent workers’ and employers’ organisations, and respect for the “fundamental rights” of freedom of association and collective bargaining.<sup>80</sup>

The ILO’s Global Commission on the Future of Work reported in January 2019 and repeated these arguments.<sup>81</sup> The commission recommended that states should guarantee workers’ and employers’ rights to freedom of association and collective bargaining. The commission also called for workers’ and employers’ organisations to use “innovative organising techniques” to reach those in the gig economy.<sup>82</sup>

### ***Campaign Against Child Labour***

The ILO’s activities include a campaign to eliminate child labour.<sup>83</sup> It estimated that 152 million children were in child labour in 2016, almost one in ten of all children worldwide.<sup>84</sup> The ILO holds an international day on 12 June each year to promote awareness of the issue. It has produced recommendations to reduce child labour, and reports on progress over time.<sup>85</sup>

### ***Statistics***

The ILO describes itself as the “world’s leading source of labour statistics”.<sup>86</sup> These include, for example, information on employment and unemployment rates, hours of work, earnings and productivity.<sup>87</sup> A summary profile is available for each member country.<sup>88</sup> However, data is also collected on a consistent basis across members, allowing comparisons between countries and over time.<sup>89</sup>

### ***National Unions and the ILO***

In their book, Gumbrell-McCormick and Hyman discussed the links between national unions and the ILO, as well as other international labour organisations. They suggested that the rise of multinational corporations (MNCs) makes these links more significant.

For example, they said:

MNCs with elaborate global supply chains may often be able to outflank national unions, but can be vulnerable to action which targets weak points in the chain.<sup>90</sup>

However, the authors went on to argue that, in practice, the international structures of union power are limited. They drew particular attention to the “relative weakness” of the ILO, which makes these limitations “obvious at global level”. They concluded that:

International union action remains an arena of diverse forms of organisation and multiple levels of initiative; their integration and coordination remain severely underdeveloped.<sup>91</sup>

### Further Reading

- Steven Parfitt, [‘The Future of Trade Unions’](#), Open Democracy, 10 June 2018
- Unions 21, [Roadmap to Renewal: A Manifesto for Change](#), 12 April 2018
- Cameron Tait, [Future Unions: Towards a Membership Renaissance in the Private Sector](#), Fabian Society, November 2017
- Gavin Kelly et al, [What is the Future of Trade Unionism in Britain?](#), Nick Tyrone (ed), Radix, 23 September 2016
- Michael Barry et al, [The “Good Workplace”: The Role of Joint Consultative Committees, Unions and Human Resources Policies in Employee Ratings of Workplaces in Britain](#), University College London Institute of Education, October 2018
- Ryan Bourne, [‘History Shows Forcing Companies to Put Workers on Boards is a Bad Idea’](#), *Telegraph* (£), 13 December 2018
- [Debate on ‘Trades Union Congress 150th Anniversary’](#), *HL Hansard*, 14 June 2018, cols 1820–42
- [Debate on ‘Trade Union Access to Workplaces’](#), *HC Hansard*, 4 June 2019, cols 29–53WH

<sup>1</sup> Sidney Webb and Beatrice Webb, *The History of Trade Unionism*, 1911 edition, p 1.

<sup>2</sup> Oxford Reference, [‘Oxford Dictionary of Economics: Trade Union’](#), accessed 4 July 2019.

<sup>3</sup> Department for Business, Energy and Industrial Strategy, [Trade Union Membership: Statistical Bulletin](#), 30 May 2019, p 5.

<sup>4</sup> Department for Business, Energy and Industrial Strategy, [Trade Union Membership Statistics 2018: Tables](#), 30 May 2019, table 1.1.

<sup>5</sup> Department for Business, Energy and Industrial Strategy, [Trade Union Membership: Statistical Bulletin](#), 30 May 2019, p 5.

<sup>6</sup> Department for Business, Energy and Industrial Strategy, [Trade Union Membership Statistics 2018: Tables](#), 30 May 2019, table 1.2a.

<sup>7</sup> Daniel Tomlinson, [‘Union Membership is Rising Again—But Will It Last?’](#), Resolution Foundation Blog, 31 May 2019.

<sup>8</sup> *ibid.*

<sup>9</sup> Carl Roper, [‘Trade Union Membership Rises by 100,000 in a Single Year—But Challenges Remain’](#), Trades Union Congress, 30 May 2019.

<sup>10</sup> Trades Union Congress, [‘Building a Union Movement that Works for Younger Workers’](#), accessed 5 July 2019.

<sup>11</sup> Rebecca Gumbrell-McCormick and Richard Hyman, *Trade Unions in Western Europe: Hard Times, Hard Choices*, 2018, pp 5 and 211.

<sup>12</sup> *ibid.*, pp vii and 29.

<sup>13</sup> *ibid.*, p vii.

<sup>14</sup> *ibid.*

<sup>15</sup> Cameron Tait, [Future Unions: Towards a Membership Renaissance in the Private Sector](#), Fabian Society, November 2017, p 5.

<sup>16</sup> *ibid.*, p 6.

<sup>17</sup> Joe Dromey, [Power to the People: How Stronger Unions Can Deliver Economic Justice](#), Institute for Public Policy Research, May 2018, pp 2–3.

<sup>18</sup> Institute of Employment Rights, [‘A Chronology of Labour Laws 1979 to 2017’](#), accessed 8 July 2019.

<sup>19</sup> Department for Business, Energy and Industrial Strategy, [‘Trade Union Act’](#), 1 March 2017.

- <sup>20</sup> Trades Union Congress, [‘Trade Union Act 2016—A Guide for Union Reps’](#), 6 April 2017.
- <sup>21</sup> *ibid.*
- <sup>22</sup> Department for Business, Energy and Industrial Strategy, [Trade Union Political Funds](#), February 2018, p 3.
- <sup>23</sup> Conservative Party, [Conservative Party Manifesto 2017](#), May 2017.
- <sup>24</sup> [HC Hansard, 15 May 2019, col 228](#).
- <sup>25</sup> John McDonnell, [‘Shadow Chancellor John McDonnell’s Speech to Trades Union Congress 2018’](#), 11 September 2018.
- <sup>26</sup> Labour Party, [‘Manifesto: A Fair Deal at Work’](#), accessed 11 July 2019.
- <sup>27</sup> Gregor Gall, [‘Unions Need a Renaissance—Here’s What Could Happen Under Jeremy Corbyn’s Labour’](#), The Conversation, 27 June 2018.
- <sup>28</sup> Rebecca Gumbrell-McCormick and Richard Hyman, *Trade Unions in Western Europe: Hard Times, Hard Choices*, 2018, p vii.
- <sup>28</sup> *ibid.*, pp 56–8.
- <sup>29</sup> *ibid.*, p 57.
- <sup>30</sup> *ibid.*, p 57.
- <sup>31</sup> *ibid.*, p 66.
- <sup>32</sup> Trades Union Congress, [The Gig is Up: Trade Unions Tackling Insecure Work](#), June 2017, p 5.
- <sup>33</sup> *ibid.*
- <sup>34</sup> Rebecca Gumbrell-McCormick and Richard Hyman, *Trade Unions in Western Europe: Hard Times, Hard Choices*, 2018, pp 55–8.
- <sup>35</sup> *ibid.*, p 55.
- <sup>36</sup> *ibid.*, pp 55–6.
- <sup>37</sup> *ibid.*, p 65.
- <sup>38</sup> Steven Parfitt, [‘The Future of Trade Unions’](#), Open Democracy, 10 June 2018.
- <sup>39</sup> *ibid.* In the UK, the two new unions he mentions are the [Independent Workers Union of Great Britain](#) and [United Voices of the World](#).
- <sup>40</sup> *ibid.*, p 88.
- <sup>41</sup> *ibid.*, p 90.
- <sup>42</sup> Trades Union Congress, [‘Campaign Priority 1: Winning for More Workers’](#), 6 September 2018.
- <sup>43</sup> Alison Evans and Divya Nambiar, [Collective Action and Women’s Agency: A Background Paper](#), World Bank, 2013.
- <sup>44</sup> Advisory, Conciliation and Arbitration Service, [Non-Union Representation in the Workplace](#), March 2014, pp 2–5.
- <sup>45</sup> *ibid.*, p 4.
- <sup>46</sup> European Trade Union Institute, [‘Workplace Representation’](#), accessed 5 July 2019.
- <sup>47</sup> Financial Reporting Council, [The UK Corporate Governance Code](#), July 2018.
- <sup>48</sup> Financial Reporting Council, [‘A UK Corporate Governance Code that is Fit for the Future’](#), 16 July 2018.
- <sup>49</sup> Financial Reporting Council, [The UK Corporate Governance Code](#), July 2018, p 5. A premium listing is available to “equity shares issued by trading companies and closed- and open-ended investment entities”. It means that the company is expected to meet the UK’s highest standards of regulation and corporate governance (London Stock Exchange, [‘Listing Regime’](#), accessed 5 July 2019).
- <sup>50</sup> Financial Reporting Council, [The UK Corporate Governance Code](#), July 2018, p 5.
- <sup>51</sup> Local Authority Pension Fund Forum, [Companies Choose Not to Appoint Employees to Boards](#), 1 May 2019.
- <sup>52</sup> *ibid.*
- <sup>53</sup> James Moore, [‘Corporate Crackdown? Businesses Told to Consider Workers’ Interests in New Code that They Can Ignore if They Want To’](#), *Independent*, 16 July 2018.
- <sup>54</sup> UK Government, [‘Ask Your Employer to Set Up a European Works Council’](#), accessed 5 July 2019.
- <sup>55</sup> *ibid.*
- <sup>56</sup> Taylor Review of Modern Working Practices, [Good Work](#), 11 July 2017.
- <sup>57</sup> Department for Business, Energy and Industrial Strategy, [‘Taylor Review on Modern Employment Practices Launches’](#), 30 November 2016.
- <sup>58</sup> Taylor Review of Modern Working Practices, [Good Work](#), 11 July 2017, p 10.
- <sup>59</sup> *ibid.*, p 12.
- <sup>60</sup> *ibid.*, p 13.
- <sup>61</sup> *ibid.*, p 52.
- <sup>62</sup> *ibid.*
- <sup>63</sup> *ibid.*, p 53.
- <sup>64</sup> *ibid.*
- <sup>65</sup> Department for Business, Energy and Industrial Strategy, [Good Work: A Response to the Taylor Review of Modern Working Practices](#), 7 February 2018.
- <sup>66</sup> *ibid.*, p 13.
- <sup>67</sup> *ibid.*, p 16. On 17 December 2018 the Government laid draft regulations to lower the threshold for a valid employee request under ICE (House of Commons, [‘Written Question: Information and Consultation of Employees Regulations 2004’](#), 10 January 2019, 205305). The regulations have since been made (Employment Rights (Miscellaneous Amendments)

---

Regulations 2019, SI 2019/731).

<sup>68</sup> Department for Business, Energy and Industrial Strategy, [Good Work: A Response to the Taylor Review of Modern Working Practices](#), 7 February 2018, p 13.

<sup>69</sup> Department for Business, Energy and Industrial Strategy, [Industrial Strategy: Building a Britain Fit for the Future](#), 27 November 2017.

<sup>70</sup> *ibid*, p 117. In a December 2018 update to the strategy, the Government stated that it was “developing” the scheme. It also said that a £100 million investment had been announced in the 2018 budget “to ensure that it is underway by the end of the current parliament” (Department for Business, Energy and Industrial Strategy, [‘Forging Our Future: Industrial Strategy—The Story So Far’](#), 6 December 2018).

<sup>71</sup> Alexandra Topping, [‘Frances O’Grady on the TUC at 150: “Unions Have to Change or Die”](#), *Guardian*, 4 June 2018.

<sup>72</sup> Joe Dromey, [Power to the People: How Stronger Unions Can Deliver Economic Justice](#), Institute for Public Policy Research, May 2018, p 3.

<sup>73</sup> International Labour Organization, [‘Mission and Impact of the ILO’](#), accessed 3 July 2019.

<sup>74</sup> *ibid*.

<sup>75</sup> International Labour Organization, [‘About the ILO’](#), accessed 3 July 2019.

<sup>76</sup> International Labour Organization, [‘History of the ILO’](#), accessed 3 July 2019.

<sup>77</sup> *ibid*. The states were Belgium, Cuba, Czechoslovakia, France, Italy, Japan, Poland, the UK and the US.

<sup>78</sup> International Labour Organization, [‘Mission and Impact of the ILO’](#), accessed 3 July 2019.

<sup>79</sup> International Labour Organization, [‘Tripartism and Social Dialogue’](#), accessed 4 July 2019.

<sup>80</sup> *ibid*.

<sup>81</sup> International Labour Organization, [Global Commission on the Future of Work: Work for a Brighter Future](#), 22 January 2019.

<sup>82</sup> *ibid*, p 12.

<sup>83</sup> International Labour Organization, [‘World Day Against Child Labour 2019: Children Shouldn’t Work in Fields, but on Dreams!’](#); and [‘What is Child Labour’](#), accessed 4 July 2019. For more information on the ILO’s work on this issue, see House of Lords Library, [World Day Against Child Labour: 12 June 2018](#), 11 June 2018.

<sup>84</sup> International Labour Office, [Ending Child Labour by 2025: A Review of Policies and Programmes](#), December 2018, p 3.

<sup>85</sup> *ibid*, pp 4 and 6–11.

<sup>86</sup> International Labour Organization, [‘Statistics and Databases’](#), accessed 4 July 2019.

<sup>87</sup> International Labour Organization, [‘ILOSTAT’](#), accessed 4 July 2019.

<sup>88</sup> ILOSTAT, [‘Country Profiles’](#), accessed 4 July 2019.

<sup>89</sup> ILOSTAT, [‘Free and Open Access to Labour Statistics’](#), accessed 4 July 2019.

<sup>90</sup> Rebecca Gumbrell-McCormick and Richard Hyman, *Trade Unions in Western Europe: Hard Times, Hard Choices*, 2018, p 189.

<sup>91</sup> *ibid*.

---

House of Lords Library briefings are compiled for the benefit of Members of the House of Lords and their personal staff, to provide impartial, politically balanced briefing on subjects likely to be of interest to Members of the Lords. Authors are available to discuss the contents of the briefings with the Members and their staff but cannot advise members of the general public.

**Any comments on briefings should be sent to the Head of Research Services, House of Lords Library, London SW1A 0PW or emailed to [purvism@parliament.uk](mailto:purvism@parliament.uk).**