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Trade Unions: an introduction

An introduction to Trade Unions and how to work with them effectively

Introduction

Trade unions have existed in the UK for centuries. Although membership levels have decreased significantly since their peak in the 1970s, they remain a legitimate and important form of employee representation. Developing effective working relationships with trade union representatives and members can help organisations to build a positive employment relations climate and contribute to employee voice.

This factsheet explores the role and influence of trade unions and looks at the current level of union membership in the UK. It briefly looks at the history of trade unions and the role of trade union representatives. Finally, the factsheet considers the continuing value of a partnership approach to working with trade unions.

See the [full A-Z list of all CIPD factsheets](#).

What are Trade Unions?

Trade unions are organisations whose members are usually workers or employees. They exist to protect and further the interests of their members by negotiating over working conditions such as wages. They do this by consulting and negotiating agreements with employers to represent the views of their membership, known as collective bargaining.

Union members pay a membership fee and elect representatives to represent them and give advice when they have a problem at work.

The UK legal position

Trade unions have a special status in law which gives them special rights that other employee groups may not have. Unions have enhanced legal protections to negotiate pay and working conditions, as well as rights to be informed and consulted over changes at work such as TUPE transfers, health and safety matters and redundancies. Individuals cannot be punished for joining or not joining a union and trade union reps have special protections from detrimental treatment or dismissal.

Some trade unions are officially recognised in workplaces, the law gives recognised trade unions more say in workplace issues. If negotiations do not lead to resolution of a dispute between employers and the trade union, it may call for industrial action. Many complex laws govern industrial action including rules relating to the timing and notice given to employers. A majority of union members must support industrial action in a properly organised ballot. Since March 2017 there have been extra controls on ballot thresholds. For a ballot about industrial action to be effective, there must be a turnout of at least 50% of trade union members who are entitled to vote. A simple majority must then vote in favour. For workers in important public services for example health, schools, fire, transport, and border security ballots must meet the 50% participation threshold and be supported by at least 40% of all the members who are entitled to vote.

Agencies are banned from providing workers to cover striking workers' duties. The Conservative Party manifesto stated in 2015 it would end this ban and in 2022 an announcement was made that legislation will be implemented to allow agency workers to fill in for striking staff

History of trade unions

The origins of trade unions go back to the mediaeval craft guilds but industrialisation during the nineteenth century prompted the growth of national unions, culminating in the Trade Union Act 1871. Their reach and influence increased during the twentieth century, but long-term decline in trade union membership and collective bargaining over the past decades has been well charted.

From the 1880s and up to the First World War, unions were increasingly recognised as having a legitimate place in society. The post-war boom saw union membership grow and

reach 8.3 million in 1920 although it fell back to 4.4 million by 1933.

The post-Second World War period of 1945-79 saw the real growth of union power, with unions keen to take advantage of the post-war boom, with full employment, and strikes steadily rose. The 1970s were the summit of union power; UK membership in 1979 peaked at 13.2 million, representing 55.4% of potential membership.

There has been a transformation in many aspects of UK employment relations over the past 40 years, none more profound than the changed role and influence of trade unions. The declining levels of union membership and density, combined with a huge fall in collective industrial action, are well charted.

Trade union membership levels

According to 2021 UK [official statistics](#), trade union membership has declined to 6.4 million in 2021. The proportion of UK employees who were trade union members fell to 23.1% in 2021 down from 23.7% in 2020. This represents the lowest union membership rate on record among UK employees for which we have comparable data (since 1995).

Prior to these 2021 figures, UK trade union membership levels among employees had risen for four consecutive years, mainly driven by an increase in female membership, and by a rise in trade union numbers among public sector workers.

Unionisation levels have consistently been considerably higher in the public sector, although in 2021 the fall in trade union numbers among employees was driven by the decrease in public sector members, down 58,000 on the year to 3.9 million in 2021.

The downturn in membership rates reported in 2021 has also been primarily driven by female membership. The female membership rate fell by 0.9 percentage points from 27.2% to 26.3% from 2020 to 2021.

According to the [OECD](#), trade union density stood at 23.5% in 2019 in the UK compared with 29.8% in 2000, while the percentage of employees covered by collective bargaining was 26.9% in 2019 compared with 36.4% in 2000.

CIPD 2022 [research](#) shows that 45% of UK organisations have representative arrangements for informing and consulting with employees. Of these, 40% reported both union and non-union representation, 39% just non-union representation and 18% cited

union representation only. As expected, the public sector is significantly more likely to have representative arrangements with trade unions (30% compared with 12% in the private sector).

The employer research asked the 39% of organisations with just non-union representation arrangements in place if there was pressure from one or more trade unions to achieve formal recognition. The vast majority (90%) replied in the negative and just 5% said yes.

Trade union representatives

Trade union representatives represent members in individual disputes such as disciplinary cases as well as in collective issues. They are not paid but do get paid time off to perform their role as a union representative.

Union representatives and members also have a statutory right to reasonable unpaid time off when taking part in trade union activities. The [Acas Code of Practice on time off for trade union duties](#) covers these in detail. They should establish structures and processes for communicating with union (as well as non-union representatives) and employees at all levels of the organisation.

Working with trade unions

CIPD 2022 [research](#) shows trade unions continue to play a significant and legitimate role in many UK workplaces, particularly the public sector. Our findings show that trade unions are still an everyday reality for many organisations, particularly in the public sector. When asked about the perceived level of union influence in their organisation, more than half (53%) of respondents said it was significant/very significant

The most constructive approach for organisations is to develop positive working relationships with recognised trade unions. Most respondents (60%) with recognised unions describe the relationship between management and the trade union(s) in their organisations as positive, with just 6% reporting it as negative, although a third (34%) are ambivalent and say it's 'neither positive nor negative'.

If there is a request for union recognition, it's better to engage with the unions and form an agreement based on mutual understanding, preferably as part of a joint working

approach. See this UK [Government advice](#) for dealing with a recognition request.

Ensure a positive joint working ethos is cascaded throughout the organisation, so that managers at all levels approach working relationships with representatives in a constructive way and build trust.

Build trust in working relationships through honesty and direct communications – this approach has been key to developing positive working relationships between management and employee representatives

A partnership approach

'Partnership' is essentially about *'employers, unions and employees working together and creating long-term positive relationships which focus on the future of business and improving working life for employees'* ([John Monks, TUC General Secretary, 2001](#)).

There are different interpretations of partnership and it can be an ambiguous term. However, fostering a climate of mutual co-operation with recognised trade unions and employee representatives – whether union or non-union – can complement both individual voice channels and people management. Although 'partnership' between trade unions and employers is no longer always promoted as a modern employment relations model, its focus on joint working, collaboration and mutuality still has relevance.

Almost six in ten (59%) agree with the statement that *'working in partnership with trade unions can benefit the organisation'* in the CIPD 2022 [research](#). It's not surprising that public sector respondents, presumably with more experience of working with trade unions, are more likely than those in the private sector to agree (72% versus 55%).

Further, almost four in ten (39%) respondents say the purpose of their organisation's arrangements for representative participation are *'to support partnership working or collaboration on specific projects'*.

Useful contacts and further reading

Contacts

[Acas](#)

[GOV.UK – Joining a trade union](#)

[Involvement & Participation Association – working with TUs](#)

Books and reports

Unions21. (2021). *Changing World of Work – Future of Unions*. London: Unions21.

Saundry, R. (2020). *The impact of Covid-19 on Employment Relations in the NHS*. CMP. HPMA Research Paper.

COLFER, B. (2022). *European Trade Unions in the 21st Century – the Future of Solidarity and Workplace Democracy*. Palgrave Macmillan

Journal articles

Labour Research Department. (2022). *What's the outlook for women in our unions?* Labour Research March 2022 (online).

Bell, K. (2021). *What role can trade unions play in building back better?* IPPR Progressive Review Volume 28, Issue 3 p. 234-241.

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