

TRADE UNION BILL SUMMARY



THRESHOLDS

- Minimum 50% turnout across all sectors. In certain 'important public services', as well as the minimum 50% turnout, 40% of all those entitled to vote must vote in favour of industrial action. This essentially treats abstentions as no votes.
- There are no provisions in place to allow secure, workplace balloting or electronic balloting.

BALLOT PAPER REQUIREMENTS

- Ballot papers will have to include a 'reasonably detailed indication of the matters in issue in the trade dispute', 'the type of types of industrial action' contemplated and 'the period or periods within which action is expected to take place'. This would create opportunities for the employer to challenge these details.
- Must also include statement alerting members that if they take industrial action this may breach their contract of employment, and that they only have limited unfair dismissal rights.

TIME LIMITS FOR STRIKE MANDATES

- Currently, provided industrial action starts within four weeks of a ballot, the mandate remains valid as long as the dispute continues.
- The TU Bill proposals mean that if the action goes on for more than four months, regardless of whether employers enter into meaningful negotiations, the trade union would have to re-ballot.
- Trade unions will have to give 14 days' notice of any industrial action, not 7 days' as now.

CERTIFICATION OFFICER

- The certification officer would be given significant new powers, including the ability to investigate trade unions on their own volition, to seize records from offices/workplace branches, to monitor all political expenditure over £2000, and they would have the ability to fine unions up to £20,000.
- The CO would have to be notified of planned use of social media in support of disputes.
- Trade unions would have to pay for this extended role.

RESTRICTING RIGHTS TO PICKET

- Trade unions would have to appoint a picket supervisor, who would have to provide their contact details to the police, have a letter of authority to produce to the police or 'any person who reasonably asks to see it', and must wear an armband, badge or other item to identify them.
- There are wide proposals to restrict picketing under consultation, which could include criminal sanctions and significant financial penalties.

POLITICAL FUND

- Currently the union must ballot members every 10 years on the continuation of the political fund. Members are automatically signed up to the political fund and must opt-out if they do not want to pay into it.
- The Bill will mean that only those who opt-in will be able to contribute to the political fund.
- Trade unions will have 3 months from the date the Bill becomes law to sign members up to the political fund. This can only be done in person or by post, not electronically.
- The opt-in only remains valid for 5 years, after which it must be renewed by the member.

FACILITY TIME

- The government will require public sector employers to publish the annual amount of funds used for trade union facilities, how many employees are trade union officials and a detailed breakdown of how money has been spent on trade union activities e.g. health and safety, grievance and disciplinary procedures etc.
- The government gives itself power to impose regulations on restricting facility time given, which would override any contractual or collective agreements.

AGENCY WORKERS

- This is not part of the Trade Union Bill, but part of a consultation the government intends to run alongside the Bill's passage through Parliament, which they will use to scrap the ban on using agency workers to replace striking workers.