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### **The content of new voluntary trade union recognition agreements 1998-2002.**

#### **Volume 2: findings from the survey of employers.**

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**EMPLOYMENT RELATIONS  
RESEARCH SERIES NO.43**

The content of new  
voluntary trade union  
recognition agreements  
1998-2002.

Volume two - Findings from the  
survey of employers

DR SIAN MOORE, DR SONIA MCKAY AND  
HELEN BEWLEY

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# Foreword

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The Department has an ongoing research programme on employment relations and labour market issues, managed by the Employment Market Analysis and Research branch (EMAR). Details of our research programme appear regularly in the ONS journal *Labour Market Trends*, and can also be found on our website: <http://www.dti.gov.uk/er/emar>

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Grant Fitzner  
Director, Employment Market Analysis and Research

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# Glossary of abbreviations and acronyms

Acas	Advisory Conciliation and Arbitration Service
CAC	Central Arbitration Committee
DTI	Department of Trade and Industry
ERA	Employment Relations Act 1999
JNB	Joint Negotiating Body
LRD	Labour Research Department
NJIC	National Joint Industry Council
PLC	Publicly Limited Companies
SIC	Standard Industry Classification
SOC	Standard Occupation Classification
PSI	Policy Studies Institute
TUC	Trades Union Congress
TUPE	Transfer of Undertakings (Protection of Employment) Regulations 1981
WLRI	Working Lives Research Institute

# Executive summary

*The vast majority of employers reported that new trade union recognition agreements have led to the development of positive relationships with trade union representatives. Employers had entered into discussions with trade unions over a range of issues, with active negotiations over pay. Where there had been organisational change, unions were seen as influential and were thought to have facilitated rather than hindered the process.*

*There were clear differences between employers' reports of the nature of discussions with the union and what was set out in the written recognition agreements. With the exception of annual pay bargaining, employers were more likely to see the bargaining relationship in terms of consultation or information-sharing rather than negotiation, especially when it came to discussing the 'non-core' issues of pensions, equal opportunities and training.*

## **Aims of the study**

This report describes the findings of the second stage of a study commissioned by the Department of Trade and Industry (DTI). The study was designed to examine the coverage and content of new voluntary trade union recognition agreements reached between 1998 and 2002. This report sets out the findings of a survey of employer representatives from organisations where new recognition deals were concluded between 1998 and 2002. The survey was based upon a sample of voluntary trade union recognition agreements drawn from the TUC/LRD surveys of new recognition deals. Findings from the analysis of these agreements, which formed Stage One of the research, were published in Volume one of this study. The analysis reported in this second volume was based upon telephone interviews with 101 employer representatives and six postal questionnaires. The interviews explored the reality of the bargaining relationship and bargaining outcomes following recognition, as perceived by the employer.

The context for this study was the increase in voluntary trade union agreements recorded both prior to and following the implementation of the statutory trade union recognition procedure in June 2000 (as introduced by the *Employment Relations Act 1999*).

The second stage of the study aimed to establish the organisational context within which voluntary recognition occurred and to determine how far new recognition agreements had developed into established bargaining relationships. Whereas Volume one focussed on the form that new recognitions took through a textual analysis of the written recognition agreements, this volume focuses upon management views of the 'reality' of bargaining following recognition and how far this reflected what was set out in the original agreements. Here, the main focus was upon the scope of bargaining and whether the main topics covered were perceived to be



open to negotiation, consultation, or information-sharing. The main topics covered, within the scope of bargaining, included both the 'core' issues of pay, hours and holidays, and the 'non-core' issues of pensions, training and equal opportunities. The study also aimed to establish the extent of procedural and institutional arrangements which emerged or were consolidated in the wake of new recognition arrangements; and, finally, management views of the current bargaining relationship with trade unions and employee relations more generally.

The main findings are as follows:

- In the vast majority of cases (93 per cent) the union was still recognised by the employer. Of the six cases where it was not, in only one case had the union been formally derecognised.

### **The organisational context**

In just under a quarter of cases (24 per cent) there had been previous recognition for a similar bargaining unit. In half of these, or one-in-ten cases overall, there had been derecognition, and this was particularly common in the print and publishing sector. In five per cent of cases recognition represented the formalisation of an existing relationship with the union. In another two per cent, recognition had ceased because of the collapse of union membership

- Just over one-in-ten employer representatives (12 per cent) reported that recognition came about following the transfer of staff to the organisation under TUPE regulations.
- In one-third (33 per cent) of cases the bargaining unit was based in a single-site organisation; in almost two-fifths (39 per cent), the bargaining unit was based on one site in a multi-site organisation, and in almost another third (29 per cent) the bargaining unit was based on more than one site within a multi-site organisation.
- In just over two-fifths (41 per cent) of cases, prior to recognition there was a formal body for informing and consulting employees in the bargaining unit. In some cases this body involved a union, as there was an existing relationship with a union. This was particularly common where recognition was a result of a transfer of staff under TUPE. In just over two-fifths of cases (41 per cent) there had been no formal body for informing and consulting prior to recognition. Where there was a formal body, in two-thirds (66 per cent) of cases, employers reported that representatives on this body were elected, and in under one-third of cases (29 per cent) they volunteered.
- In two-fifths of cases (40 per cent), employers had unilaterally introduced changes to pay prior to recognition. In less than one-in-ten (nine per cent) there had been consultation with individual workers, and in a similar proportion pay had followed national- or industry-level bargaining. In just under one-third (31 per cent) there had been consultation on changes to pay with a body representing workers. Where there was no previous

relationship with a union, just under one-in-five employers (19 per cent) reported that they consulted with a body representing employees.

- In the majority of organisations in the survey (60 per cent) there was no existing recognition arrangement for any other group of workers at the time of recognition. In just over one-third (34 per cent) there was existing recognition for another group in the same workplace, or in another workplace.
- Just over one-third of employers (34 per cent) said that there were significant changes to the size of the bargaining unit following recognition. In 59 per cent of these cases the bargaining unit had increased in size, and in over two-fifths (41 per cent) it had decreased. In a few cases (six per cent) the bargaining unit was extended to cover other occupational groups and in one-in-seven (14 per cent) it was extended to cover other workplaces.

### **Collective bargaining**

- Following union recognition the parties had engaged in discussions on a range of issues. In the vast majority of cases there had been dialogue on pay (92 per cent), with a majority discussing hours (71 per cent), holidays (67 per cent), training (67 per cent) and redundancy (66 per cent). Equal opportunities (53 per cent) and pensions (45 per cent) were less likely to have been the subject of discussions. In just over one-in-ten cases (11 per cent) there were either no discussions on any of these issues, or discussions on pay only.
- There was no indication that unions were raising issues that employers were refusing to discuss. Although based only on the views of employers, this was consistent with the findings of the case studies undertaken in Stage One of the study, where some employers expressed surprise that unions were not raising more issues.
- For all issues the proportion of employers defining discussions as negotiations was lower than was inferred from the text of the agreement, but the gap was wider for non-core issues. On the other hand, in a small proportion of cases where the agreement had appeared to allow for consultation or representation only, the employer reported negotiating with the union.
- In line with the findings from the analysis of agreements and the case studies undertaken in Stage One of the research, non-core issues were less likely to have been the subject of negotiations than the core issues of pay, hours and holidays. Negotiations on training (18 per cent), equal opportunities (19 per cent) and pensions (24 per cent) took place in less than one-quarter of cases where they were discussed. Discussions on redundancy (in line with legal requirements), equal opportunities, and training were more likely to be defined as consultation (60 per cent, 57 per cent and 54 per cent respectively). In the case of pensions, discussions were almost as likely to be defined in terms of the provision of

information (33 per cent) as consultation (38 per cent) and negotiation (24 per cent).

- Where the written agreements reflected the statutory model and were confined to pay, hours and holidays only, managers reported that in most cases the 'reality' of bargaining had not so far moved beyond this to cover non-core issues. In this respect bargaining mirrored the text of the agreement.
- Where agreements were defined in general terms as covering 'terms and conditions', employers reported negotiations over non-core issues in a small proportion of cases. For sick pay, nearly half (46 per cent) of agreements had led to negotiations; but the figures for pensions (23 per cent), equal opportunities (19 per cent), training (16 per cent) and redundancy (15 per cent) were lower. This is consistent with the findings from the case studies, presented in Volume one. Volume one demonstrated that it was not possible to state conclusively whether agreements defined in general terms included or excluded non-core issues.
- When discussions did not take place between employer and union, or issues appeared to be out of scope, bargaining or decision-making may have taken place at higher levels, through national or industry-level agreements or by the parent company, effectively precluding discussions at the workplace.
- Where an issue had not been discussed since recognition, but was included in the scope of the agreement, the majority of employers accepted that hours (83 per cent), holidays (74 per cent), sick pay (73 per cent), redundancy (71 per cent) and training (69 per cent) were potentially open for negotiation. Once again equal opportunities (52 per cent) and pensions (53 per cent) were considered less likely to be open to negotiation, and more likely than other subjects to be covered by consultation or information-sharing. With the exception of pay, the proportion of employers who reported that potentially the agreement allowed for negotiation was higher than the proportion who reported that actual discussions on that issue had been negotiated. This may reflect the union's aspirations and an intention to consolidate the bargaining relationship in the early stages of recognition by focussing upon developing a consensual approach based on consultation rather than pressing for full negotiation.

### **Pay bargaining**

- Union recognition has led to a focus on pay bargaining. In over three-quarters of cases (77 per cent) the employer reported that there had been pay negotiations since recognition. However, in some bargaining units where this had not happened, it was because pay followed national or industry bargaining. In under one-in-ten cases (nine per cent) the employer representative reported that pay was *not* subject to negotiation.

- Where there had been negotiations, in the vast majority (97 per cent) of cases a settlement had been agreed between management and the union.

### **Procedures**

- Almost all (98 per cent) organisations surveyed had a written grievance or disciplinary procedure covering the bargaining unit, and in the majority of cases this went beyond the statutory right to accompany to provide the right of representation. However, there remains a proportion (31 per cent) where provision can be defined as limited to the right to accompany.
- The employer survey confirmed the findings of Stage One of the research in that just over half of the organisations (52 per cent) had a written collective disputes procedure covering the bargaining unit, while 44 per cent did not. In the majority of cases the procedure provided for conciliation (73 per cent) or arbitration (71 per cent); a smaller proportion (62 per cent) of procedures allowed for mediation.

### **Information and consultation**

- Just over one-in-ten (12 per cent) employer representatives reported that a new formal body covering employees in the bargaining unit had been set up for informing or consulting employees since recognition. This confirms evidence from the earlier research that in a proportion of cases recognition leads to dual channels of communication within an organisation.

### **Union organisation and influence**

- Just over two-fifths of managers (42 per cent) did not know if levels of union membership had changed since recognition. Where they were aware of this, one-in-five (20 per cent) perceived membership to have increased; over one-third (36 per cent) thought it had decreased, and 44 per cent said it had stayed the same.
- Employer representatives were most likely to deal with both full-time officers and local representatives (65 per cent). In less than one-in-five (18 per cent) cases they dealt with the workplace representatives only. In over one-in-seven bargaining units (15 per cent) they dealt with the full-time officer only. These figures suggest there was still some dependence upon full-time union officers.
- In most workplaces, unions appeared to have established local organisation. In half of cases (51 per cent) the employer representative did not know how many workplace union representatives the union was entitled to. Where they did know, in two-thirds (66 per cent) the posts were filled. In only three cases (three per cent) were there no representatives; in around one-in-six (16 per cent) less than half of the posts were filled and in a slightly greater proportion (18 per cent) over half, but not all posts were filled.

- The vast majority (83 per cent) of employers reported that the union representatives had undergone training provided by the union. In one-in-twelve cases (eight per cent) employers thought that no training had been provided.
- In over a quarter of cases (28 per cent) however, the employer representative felt that the workplace representative was not sufficiently trained to perform their role, despite the fact that in eight-out-of-ten of these cases the representative had in fact been trained. In 43 per cent of cases trade union representatives were thought to be sufficiently trained and in nearly one-quarter (24 per cent) of cases, views were mixed.
- Over half (54 per cent) of the employer representatives met with local union representatives at least monthly, while under one-third (30 per cent) met less than quarterly. In a small proportion of cases (six per cent) the employer representative had not met with workplace representatives at all since recognition, and in these cases managers reported difficulties in getting employees to become representatives. In one-in-ten cases the parties met on an ad hoc basis as issues arose, and in many cases employers reported meeting informally as well as formally.
- In three-fifths of cases (61 per cent) employers met with full-time officers between one and four times a year. In one-in-six (16 per cent) the parties met more frequently – monthly, fortnightly or weekly. In one-in-ten cases the parties met on an ad hoc basis, and in a similar proportion the employer representative had not met with the full-time officer at all, or not since recognition, although in all these cases there were workplace representatives in post.

### **Organisational change**

- The union was often considered to be influential where there had been organisational change. Over half of employer representatives reported that significant organisational changes since recognition and almost three-fifths (57 per cent) of these were redundancies, workplace closures or staff reductions. In the vast majority of cases where there had been significant change (88 per cent) it was perceived that the union had some influence on the process and in nearly two-fifths (38 per cent) they had 'significant influence'.
- Accordingly, approaching three-fifths (59 per cent) of employers considered that the union helped to facilitate change and in only one-in-seven (14 per cent) cases, as having hindered change. Managers were more likely to hold this view if there had been organisational change, but this was not true where there had been redundancies.

### **Union and employment relations**

- The incidence of industrial action following union recognition was low – just two cases. In over one in ten (15 per cent) cases the union had balloted for, but had not taken, industrial action and in a similar proportion the union threatened industrial action, but had neither balloted nor taken action.

- Employer perceptions of the relationship with the union were generally positive; in nearly three-quarters of cases (73 per cent) the employer considered their relationship with both workplace representatives and full-time officers as 'good' or 'very good'. Less than one-in-sixteen (six per cent) reported that relationships were 'bad' or 'very bad'.
- In nearly one-third of cases (31 per cent) there had been some joint training for both management and trade unions in dealing with workplace issues and problems. Where this type of training had occurred, employers were less likely to regard relations with the union as poor.
- Employers generally rated their relationship with employees in the bargaining unit as 'good' or 'very good' (85 per cent). In two-fifths (40 per cent) of cases relationships were thought to have improved since recognition, in nearly one-half (45 per cent) they had stayed the same and in around one-in-eight (13 per cent) they had worsened. Change, was not, however, always attributed to union recognition.

The findings from the employer survey presented in this report suggest that the statutory recognition procedure has encouraged the extension of recognition into new organisations, albeit within sectors where unions have organised historically.

It is also clear that the conclusion of new voluntary agreements has not simply been symbolic but has resulted in active relationships between employers and unions. In the vast majority of cases there have been discussions between the parties on a range of issues both core, and outside the scope of what is traditionally seen as the range of legitimate collective bargaining.

Although pay dominated, discussions included non-core items such as training and redundancies and also, though with less frequency, pensions and equal opportunities. Of particular interest are the relatively high levels of discussions on the issue of training.

Overall these findings, perhaps surprisingly, are consistent with the analysis of recognition agreements published as Volume one of this study.

### **About this project**

This survey was carried out as part of the Department of Trade and Industry's Employment Relations research programme. The DTI commissioned Dr Sian Moore and Dr Sonia McKay from the Working Lives Research Institute, London Metropolitan University and Helen Bewley from the Policy Studies Institute to conduct the study. The survey was based upon a sample of voluntary trade union recognition agreements drawn from the TUC/LRD surveys of new recognition deals

There were two stages to the study. Findings from the first stage of the study, which examined the content of recognition agreements were published in August 2004 as *The content of new voluntary trade union recognition agreements 1998-2002. Volume one – An analysis of new*

*agreements and case studies*, Employment Relations Research series No. 26. This report is also available from the Department's website at: <http://www.dti.gov.uk/er/inform.htm> or can be ordered from the DTI Publications Orderline.

The second stage of the study examined actual bargaining practices and behaviours. It is based upon telephone interviews with 101 employer representatives who had recently entered a recognition agreement with a union, together with six postal questionnaires. The response rate was 50 per cent. Volume two represents the findings of the second stage.

# 1. Aims and objectives

In September 2003 the Department of Trade and Industry (DTI) commissioned the Working Lives Research Institute (WLRI) at London Metropolitan University to examine the coverage and content of voluntary trade union recognition agreements reached between 1998 and 2002 in the context of the statutory trade union recognition procedure introduced by the *Employment Relations Act 1999*.

The main objectives of the study were to:

- Provide a sound statistical estimate of the proportion of new voluntary formal agreements that include explicit reference to the 'non-core' collective bargaining issues of pensions, training and equality (excluding equal pay).
- Establish the extent to which, in practice, the 'core' issues of pay, hours and holidays and the 'non-core' issues of pensions, training and equality are perceived by the principal parties to be subject to collective bargaining, consultation, or the provision of information.

## **Research strategy**

The starting point for the study was the content analysis of a random sample of agreements taken from the TUC/LRD database of voluntary recognition agreements concluded between 1998 and 2002, which provided the most comprehensive source of information on new voluntary trade union recognition. This survey of the content of approximately 200 recognition agreements provided a sound basis from which to estimate the extent to which formal agreements made explicit reference to substantive core collective bargaining issues (pay, hours and holidays), and non-core issues, most importantly, pensions, training and equal opportunities. These survey findings were complemented with nine in-depth case studies, based upon interviews with management and trade union representatives, to explore what trade union meant in practice. The findings from this first stage of the study were published in an earlier volume of this series as:

*The content of new voluntary recognition agreements 1998-2002. Volume one – An analysis of new agreements and case studies* (Moore, McKay and Bewley, 2004).

This is available to download from the Department of Trade and Industry's website at <http://www.dti.gov.uk/er/inform.htm>

The findings presented here are from the second stage of the study which was based upon telephone interviews with 101 employers, with an additional six postal questionnaires. The sample was 213 recognition agreements from the first stage of the study, excluding the organisations which participated in the case studies, organisations which were included in the TUC/LRD database but where no recognition had taken place, organisations where recognition had ceased, and finally, those organisations where the workplace had closed. Overall this resulted in the



exclusion of 40 organisations from the original sample of 253 voluntary recognition agreements.

### **The telephone survey of employers**

This survey of employer representatives aimed to capture employers' perceptions of the reality of bargaining outcomes and relationships following recognition. The interviews focussed upon the following areas:

- The organisational context of new recognitions, in terms of sector, size and ownership;
- Employee representation and the determination of terms and conditions of employment prior to recognition;
- Changes to the bargaining unit and union membership since recognition;
- The depth and scope of discussions between management and the union following recognition and the extent to which such discussions mirrored or deviated from the content of the recognition agreement;
- The structure of union and employee representation and consultation arrangements following recognition;
- The nature of union representation and organisation within the workplace;
- The frequency with which the parties met and engaged with each other;
- Procedures established or modified in the light of recognition, including individual representation;
- Pay determination following recognition – the process and outcome;
- Organisational changes following recognition and union influence in such change or proposed change;
- The use of industrial action, or threatened industrial action;
- Training for union representatives and management;
- Employer perceptions of the relationship between the parties after recognition.

### **Content of the report**

Chapter Two outlines in more detail the research methodology and sampling strategy.

Chapter Three sets out the organisational context of recognition in terms of organisational size, structure, sector and ownership and provides some background in terms of employee representation at the time of recognition and organisational developments since recognition.

Chapter Four details the forms of representation to emerge following recognition in terms of the depth and scope of collective bargaining and the extent to which bargaining following recognition mirrors, goes beyond, or falls short of, what was set out in the text of the recognition agreement.

Chapter Five focuses on procedural and institutional arrangements established since recognition, in terms of provision for union representation in the management of individual grievances and disputes over individual rights, as well as in collective disputes. It also considers the development of dual channels of representation following recognition.

Chapter Six looks at the development of domestic union organisation following recognition and at outcomes in terms of management's relations with the union and with employees including the use or threat of collective action.

Chapter Seven provides some brief, tentative conclusions.

### **The limitations of the analysis**

An important caveat to the findings presented in the first volume of this study was that the analysis was based solely upon an examination of the text of the formal recognition agreements and, therefore, might not reflect the reality of recognition either at the time of the agreement or subsequently. In part this was a simple acknowledgement that union recognition is a dynamic relationship that changes over time. This was clearly illustrated by the findings of the case studies. It was also an acknowledgement that the agreements themselves may be drafted to reflect complex understandings which may deliberately avoid reference to contentious matters through the ambiguous use of language. In many cases written agreements, at most, set out the parameters of the relationship and were a starting point from which bargaining relationships could evolve.

This volume focuses upon bargaining outcomes and the reality of industrial relations following recognition, based upon the perceptions of employers. While it was originally hoped to extend this to domestic trade union representatives in order to establish the extent to which the perceptions and views of the principal protagonists were shared, this proved not to be practicable. The findings from the case studies included in Volume one, which were based upon face-to-face interviews with both parties to the bargaining process, highlighted differences in perceptions of the bargaining relationship between unions and employers. What one party perceived as 'negotiation', the other might see as only 'consultation' or the provision of 'information', notwithstanding that both might be satisfied with outcome of discussions. The case studies also showed that in the course of engagement the line between negotiation and consultation would 'drift' between the two processes.

One further limitation of the analysis is the decision of one of the larger manufacturing unions not to participate in the original study. This has affected the representativeness of the data in both Stage One and Stage Two of the research, particularly as it was one of the four unions that were party to around three-quarters (77 per cent) of the voluntary

recognition agreements in the TUC/LRD surveys. The impact, however, was somewhat mitigated by the predominance of the other three unions amongst the respondents in both Stage One and Stage Two<sup>1</sup>.

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<sup>1</sup> In terms of the distribution of the responses by union, these two large general unions and one smaller manufacturing union dominated, with over two-thirds (68 per cent) of agreements being signed by these three unions in Stage One, whilst in Stage Two three-fifths (60 per cent) of employer respondents covered bargaining units where one of these three unions had achieved recognition.

## 2. Research methodology

The telephone survey of employers, which provides the focus of this report, was based upon the sample of trade union voluntary recognition agreements secured in Stage One of the research. This was a random sample of agreements recorded by the TUC/LRD database of new trade union voluntary recognition agreements concluded between 1998 and 2003. A more detailed account of the research methodology can be found in Volume one.

### **The basis of the telephone survey of employers**

Stage Two of the research study, the telephone survey of employers, was based upon the 253 responses achieved in Stage One. These were cases where recognition was expressed in a formal written agreement and where copies of the agreement had been supplied by union officers, but also a minority of cases where recognition was based upon supporting documentation or upon practice and/or verbal agreement. The survey of employers also included cases where, to the best knowledge of the union officer responsible, recognition was still in existence, but they had been unable to supply a copy of the agreement.

A number of cases were, however, excluded. Stage One revealed that of the 253 responses, in six cases unions reported that despite being included in the TUC/LRD database no recognition was in fact recorded. In four cases union officers reported that recognition had ceased and in 23 the workplace had closed. These 33 cases were excluded from the employer survey. A further case was excluded because the agreement had been anonymised, and in another case two companies with two separate recognition agreements had merged to become one. The nine organisations that participated in the case studies in Stage Two of the project were also excluded on the grounds that the employer representative had recently participated in a semi-structured face-to-face interview.

A further four cases were added. These cases were excluded from the content analysis which formed the basis of Stage One because, although the agreements provided by the union were for the correct employer, they did not appear to match exactly the bargaining unit, workplace or date specified in the TUC/LRD survey. These cases were large national employers with a number of contracts within the public sector. In some cases they had established an agreement for recognition with a union at the national level which was then extended over a number of sites or contracts, making it difficult to identify the original agreement. The employer survey allowed the interviewers to check the validity of the

recognition recorded in the TUC/LRD survey and conduct the interview on the basis of the recognition for that bargaining unit and/or workplace. The final sample for the employer survey was 213 cases.

### **Protocols and the collection of primary data**

Once the employer survey sample of 213 recognition cases was established, a letter was sent to the person in the organisation responsible for employee relations. In a minority of cases the name and address of this person had been supplied by the trade union officer in a short self-completion questionnaire sent to respondents in Stage One. In most cases the name of the appropriate respondent was established through a telephone call to the company. Letters were sent to the respondent in July 2004 outlining the aims and objectives of the research and describing how the sample was obtained. It explained that respondents would be contacted by the WLRI researchers and asked to participate in a telephone survey.

The telephone interviews were based upon a questionnaire designed in consultation with DTI officials (Appendix 1). The questionnaire aimed to establish that the details of union recognition provided by the TUC/LRD survey were correct and, if so, whether the organisation still recognised the union. If this was the case, the interview moved on to organisational details and explored the bargaining relationship. The interviews were conducted by two research assistants and each lasted approximately 20 minutes. Interviewing took place between July and August 2004, with a small number of independent schools contacted following the end of the school holiday in September 2004. If a respondent refused to participate in a telephone interview, they were asked if they would be prepared to complete a postal questionnaire. This was based upon the telephone interview schedule, and once again, designed in consultation with DTI officials (Appendix 2).

### **Response rate**

By mid-September 2004 telephone calls had been made to 203 of the 213 employer representatives. Of the remaining ten, in three cases, despite extensive efforts, it had not been possible to trace the workplace (which may have closed) and in seven it emerged that the workplace had closed since recognition. In all other cases a minimum of three telephone calls were made to the employer representative. Table 2.1 overleaf shows that 101 telephone interviews were achieved, with a further six postal questionnaires returned – an overall response rate of 50 per cent<sup>2</sup>.

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<sup>2</sup> A 'refusal' is defined as where the interviewer spoke to the respondent and she or he declined to be interviewed; in most cases the respondent said that they were too busy to spare time to be interviewed; in some they said the company had a policy of not participating in research. A 'telephone non-response' is defined as where the interviewer was not able to speak to the named respondent despite making at least three telephone calls (although in some cases they spoke to an intermediary); there was no actual refusal to participate in the research.

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## 2.1. Responses to the employer survey

	Number (%)
Telephone response	101 (47.4)
Postal response	6 (2.8)
Refusal	31 (14.6)
Telephone non-response	58 (27.2)
Postal non-response	7 (3.3)
Workplace closed	7 (3.3)
Untraceable	3 (1.4)
Total	213 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Sample of 213 agreements

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Table 2.2 below shows the distribution of the employer survey sample and the achieved responses by the year in which the new recognition deal appeared in the TUC/LRD survey. This suggests that the distribution of responses broadly reflected both the distribution of the sample upon which the employer survey was based and the original sample (Volume one, Table 3).

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## 2.2. Responses to employer survey by year of notification of agreement

Year	Response (%)	Sample (%)
1998	6 (5.6)	14 (6.6)
1999	21 (19.6)	34 (16.0)
2000	20 (18.7)	35 (16.4)
2001	31 (29.0)	74 (34.7)
2002	29 (27.1)	56 (26.3)
Total	107 (100.0)	213 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Sample of 213 agreements

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### *Industrial classification*

Table 2.3 overleaf illustrates the distribution of the agreements by the major divisions of the Standard Industrial Classification 2003 (SIC03). Three of the sub-groups within the manufacturing division (food manufacture; the manufacture of paper and paper products; and printing and publishing) are shown separately since they contained a substantial number of agreements. The distribution of responses in the employer survey reflects the sample, in that just under half of employer representatives interviewed (46 per cent) represented organisations in manufacturing compared to half (50 per cent) of all the agreements in the sample. Similarly, approaching one-in-five (18 per cent of the sample and 15 per cent of respondents) were in the printing and publishing sector. Overall, approaching two-thirds of both the sample (63 per cent) and respondents (62 per cent) fell into just two industrial divisions – manufacturing and transport.

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### 2.3. Industry – employer survey

Major Industrial group	Respondents (%)	Sample (%)
Mining & quarrying	1 (0.9)	1 (0.5)
Manufacturing	20 (18.7)	42 (19.7)
Manufacture of food, beverages & tobacco	6 (5.6)	11 (5.2)
Manufacture of paper & paper products	7 (6.5)	14 (6.6)
Printing & publishing	16 (15.0)	39 (18.3)
Electricity, gas & water supply	2 (1.9)	2 (0.9)
Construction	-	4 (1.9)
Wholesale & retail trade	4 (3.7)	9 (4.2)
Transport, storage & communication	17 (15.9)	28 (13.1)
Financial intermediation	5 (4.7)	10 (4.7)
Real estate, renting & business activities	6 (5.6)	13 (6.1)
Public administration	2 (1.9)	2 (0.9)
Education	6 (5.6)	11 (5.2)
Health & social work	12 (11.2)	21 (9.9)
Other community, social & personal service activities	3 (2.8)	6 (2.8)
Total	107 (100)	213 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Sample of 213 agreements

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#### *Bargaining units*

In terms of broad standard occupational classification (SOC 2000) Table 2.4 overleaf shows that just under half of agreements in the employer survey sample (47 per cent) and the responses (43 per cent) covered process, plant and machine operatives. In just over one-in-ten agreements in the sample (13 per cent), but 17 per cent of responses, the bargaining unit covered by the recognition agreement represented more than one occupational group. In 14 per cent of the employer survey sample, but 17 per cent of responses, recognition covered all workers below senior management.

As with the original sample from the TUC/LRD survey, only a minority of bargaining units comprised either only professional; personal services; administrative; professional or associate professional and technical workers. None were based upon managerial staff only, and only one case in the sample covered skilled workers, although this may be due to coding and the limited descriptions of the bargaining unit provided in the agreements.

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## 2.4. Occupational group – employer survey

Major Occupational group	Respondents (%)	Sample (%)
Managers and senior officials	-	-
Professional occupations	8 (7.5)	21 (9.9)
Associate professional and technical	4 (3.7)	8 (3.8)
Administrative and secretarial	2 (1.9)	3 (1.4)
Skilled trades	-	1 (0.5)
Personal services	7 (6.5)	13 (6.1)
Sales and customer services	4 (3.7)	11 (5.2)
Process, plant and machine operatives	46 (43.0)	99 (46.5)
All workers below senior management	18 (16.8)	30 (14.1)
More than one group	18 (16.8)	27 (12.7)
Total	107 (100)	213 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Sample of 213 agreements

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### *The unions*

The sample upon which the employer survey was based included agreements concluded by 25 different unions. The achieved telephone interviews covered recognition agreements signed by 23 different unions. As with the original sample from the TUC/LRD survey, three unions dominated, representing two-thirds (67 per cent) of the employer survey sample. Three-fifths (60 per cent) of the employer respondents were party to agreements signed by these unions.

### **The respondents**

The interviews were conducted with the person in the organisation primarily responsible for dealing with the union. Table 2.5 below shows that the largest group of respondents were human resources specialists - in most cases the head of human resources or employee relations within the organisation. In one-in-seven cases the interview was with the managing director. In just over one-in-five cases the interview was with another manager within the organisation. In most cases this was a general or operational manager, but in others the head or director of finance or administration or support services and in one case the company secretary. In the case of a newspaper, the respondent was an editor. The 'other category' covered two headteachers of independent schools.

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## 2.5. Job title – employer survey

	Number (%)
Head of Human Resources/Employee Relations	44 (41.1)
Managing Director	14 (13.1)
Other Human Resources/employee relations staff	24 (22.4)
General/operational manager	23 (21.5)
Other	2 (1.9)
Total	107 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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As might be expected, interviews with human resources specialists were more likely in larger, multi-site organisations (71 per cent of interviews in multi-site organisations were conducted with a human resources specialist) than interviews with managing directors or other managers (21 per cent). The median number of UK employees in organisations where a specialist was interviewed was substantially higher than in organisations where a managing director or manager was interviewed (530 employees compared to 123).

Respondents were asked if they were employed by the organisation prior to recognition and whether they were employed at the time when recognition occurred. Table 2.6 shows that just under two-thirds (64 per cent) of respondents were employed by the organisation prior to recognition, with slightly more employed at the point when recognition took place (68 per cent). Those that were not employed prior to, or at the point of, recognition were less able to answer the questions on the situation within the organisation at these points in time, but the majority felt that they did have the knowledge to do so.<sup>3</sup>

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## 2.6. Respondent employment – employer survey

	Prior to recognition (%)	At recognition (%)
Employed by the organisation	68 (63.6)	73 (68.2)
Not employed by the organisation	33 (30.8)	27 (25.2)
Don't know	-	1 (0.9)
No recognition	6 (5.6)	6 (5.6)
Total	107 (100)	107 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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## The verification and survival of recognition

Respondents were firstly asked to confirm whether the information provided by the TUC/LRD survey was correct; that is whether the organisation had recognised the union for the bargaining unit specified in the year recorded by the survey. In five cases (five per cent) the respondent stated that the information was incorrect. In one case, although the recognition was recorded as taking place in 2002, the agreement had not actually been concluded until 2004. In the case of a bus company it was reported that there had always been recognition, the respondent surmised that the new recognition may have referred to a change in ownership. Similarly, in the case of an airline, the company had a long-term relationship with the union and the respondent suggested that the reported new recognition may have been a new partnership agreement signed by the parties. In the case of a large catering company with contracts with the public sector, the employer representative reported that the agreement was a memorandum of understanding only,

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<sup>3</sup> In Tables 3.10, 3.12, 3.14, 3.15, 3.16, 3.17 and 3.18 between three per cent and 21 per cent of those not employed prior to, or at the point of, recognition were unable to answer the questions.

which allowed for union recognition in operating companies if necessary, although this did not appear to have happened. In a packaging company the Human Resources manager stated that recognition had been agreed in 2002, but there had been a deterioration in relations as the 'unions do not recognise the commercial realities faced by the firm'. As a result, the agreement was not signed, so recognition did not occur. In the case of a charitable magazine publisher the Director of Human Resources only joined the organisation in 1999 and thought that the union was recognised, but had never found an agreement. For this reason she was uncertain whether the union should be recognised, but was aware that the editor would be happy to do so.

Respondents were asked whether the organisation still recognised the union for the bargaining unit specified. In four cases (four per cent) the employer representative reported that although recognition had occurred, this was no longer the case. In one case involving agricultural workers at a college the employer representative reported that the workers in the bargaining unit had been transferred onto a new grade which took them outside of the orbit of the union/ bargaining unit of the union. In the case of a company responsible for newspaper distribution, the operational manager was not sure if the union was still recognised. He reported that an agreement had been signed, but the union had 'died a death' because the leading activist who had been the key driving force had left and that the company had had no contact with the union for over a year. In the case of a healthcare trust the group of workers covered by the bargaining unit had been transferred to a primary care trust. In only one case was there formal derecognition of the union. The managing director of a printing firm reported that he was 'not happy' about the proposed merger of the union with another and so he gave six months notice of derecognition when union membership fell below 50 per cent. This threshold of 50 per cent membership reflects the requirement for majority membership and/or support, enshrined in the statutory recognition procedure.

In the vast majority of cases (93 per cent) the union was still recognised by the employer. Where the employer representative stated that there was no recognition arrangement the interviewer ended the telephone interview – this occurred in six cases leaving 101 cases for further analysis.

#### *Copies of recognition agreements*

One aim of the telephone survey was to explore how far bargaining reflected the content of the recognition agreement. In Stage One of the research, copies of the recognition agreement were supplied for 91 per cent of the sample of 253, with the trade union officer unable to provide a copy in eight per cent of cases. In two per cent of cases it was unclear whether the document provided matched the bargaining unit or workplace recorded in the TUC/LRD survey, and so these were excluded from the content analysis. Similarly, in Stage Two of the research, amongst the achieved telephone interviews where it was established that there was recognition, in 90 per cent of cases an agreement had been provided in Stage One of the research, with no agreement supplied in seven per cent

of cases; in a further three per cent it was unclear whether the document matched the details originally reported in the TUC/LRD survey (Table 2.7).

### *The depth of recognition*

Stage One, based on the analysis of the text of the recognition agreements, found that in just over eighty per cent of cases recognition provided for collective bargaining and in less than one-in-ten was limited to either consultation or collective representation (nine per cent). Table 2.7 shows that a similar proportion of management respondents reported that collective bargaining took place as was indicated by the written agreements collected for these bargaining units in Stage One. Around three-quarters (76 per cent) of the recognition agreements concluded for organisations where managers were interviewed as part of the employer survey provided for collective bargaining, with one-in-twelve (eight per cent) confined to representation or consultation only. As noted above, the employer survey included ten cases where a copy of the recognition agreement was not provided at Stage One and where the depth of recognition as stated in the agreement was thus not known.

### **2.7. The depth of recognition comparing the survey of written agreements with the employer survey**

Type of recognition	Survey of written agreements (%)	Survey of employers (%)
Representation only	6 (2.8)	3 (3.0)
Consultation only	14 (6.6)	5 (5.0)
Terms & conditions covered by national or industry bargaining	14 (6.6)	5 (5.0)
Workplace or employer collective bargaining	175 (82.2)	77 (76.2)
Unspecified	2 (0.9)	1 (1.0)
No agreement provided	-	7 (6.9)
Unclear whether agreement provided was correct	-	3 (3.0)
Missing	2 (0.9)	-
Total	213 (100)	101 (100)

Source: Survey of voluntary recognition agreements based on the TUC/LRD database (2003). Survey responses from sample of 213 agreements

### *The scope of recognition*

The examination of written agreements in Stage One provided an analysis of the extent to which they conformed to the statutory model in terms of specifying and restricting the issues for collective bargaining. This analysis showed that around one-in-five (22 per cent) mirrored the statutory model by confining the scope of negotiations to pay, hours and holidays, whereas in over half (56 per cent) bargaining coverage was defined in general terms as over 'pay and conditions' or 'terms and conditions'. Table 2.8 overleaf shows that amongst the achieved telephone interviews, where an agreement had been supplied for the bargaining unit in question as part of Stage One, the scope of bargaining was similar, with the

employer survey showing a slightly lower proportion confined to core issues (17 per cent) and slightly more defined in general terms (58 per cent).

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## 2.8. Conformity to the statutory model comparing the survey of written agreements with the employer survey

Scope of the agreement where the agreement provides for collective bargaining	Survey of written agreements (%)	Employers' survey (%)
Bargaining generally defined as covering 'terms and conditions'	98 (56.0)	45 (58.4)
Restriction of bargaining to one or more core issues only	38 (21.7)	13 (16.9)
Bargaining defined as over one or more core issues plus specified non-core issues	16 (9.1)	9 (11.7)
Bargaining defined as including core and non-core issues	16 (9.1)	8 (10.4)
Bargaining issues unspecified	7 (4.0)	2 (2.6)
Total	175 (100)	77(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements.

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# 3. The organisational context of new recognition

Stage One of the research focussed on the scope and content of recognition agreements which provided only limited information on the context within which recognition took place. An important focus for Stage Two was to provide more detailed information on the organisations themselves and on the organisational context of new recognition agreements.

## **Sector**

Excluding the six cases where it transpired that there had been no recognition or there was no longer recognition, the base for the analysis was 101 bargaining units. The 101 respondents represented 99 different employers, with two employers appearing twice for separate bargaining units. One large logistics company had concluded agreements for two separate workplaces. In the other case, the original TUC/LRD survey had recorded two recognition agreements, one at a bank and one at an insurance company but these had subsequently amalgamated following a merger involving a number of other organisations to create a large financial institution.

Tables 3.1 and 3.2 overleaf provide a breakdown by sector and nationality of ownership by employers (rather than bargaining units). Table 3.1 shows that the majority of interviews (79 per cent) were conducted with employer representatives from organisations in the private sector, with the majority of these being publicly listed companies (PLC) (54 per cent). Around one-in-ten organisations were defined as part of the public sector (11 per cent) and the same proportion as part of the voluntary or 'not for profit' sector (10 per cent). In comparison with the 1998 Workplace Employee Relations Survey the private sector was over-represented. However, this was to be expected since existing national union recognition agreements cover large parts of the public sector, although privatisation and contracting-out has led to recognition being transferred to the private sector.

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### 3.1. Ownership – employer survey

	Number (%)
PLC	53 (53.5)
Private sector other	25 (25.3)
Public sector	11 (11.1)
Not for profit/voluntary sector	10 (10.1)
Total	99 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### Ownership

Table 3.2 shows that the majority of organisations in the private sector (69 per cent) were UK-owned. In one-in-seven (14 per cent), ownership was based in another European country and one-in-twelve (eight per cent) were US-owned. In a minority of cases the employer representative reported that the organisation was not predominantly owned by any one nationality and was 'multi-national'. The proportion of foreign-owned organisations appears slightly above the proportion reported in the Workplace Employee Relations Survey (where 13 per cent were partly or predominantly foreign-owned).

Two organisations categorised as public sector were in fact banks owned by Asian governments.

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### 3.2. Nationality of private sector employers – employer survey

	Number (%)
Predominantly UK-owned	54 (69.2)
Predominantly European-owned	11 (14.1)
Predominantly US-owned	6 (7.7)
Multi-national	2 (2.6)
Other	5 (6.4)
Total	78 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### *Changes in ownership*

As Table 3.3 overleaf shows, just over one-in-five (22 per cent) employer representatives from the private sector reported that there had been a change of ownership since recognition. Publicly listed companies (PLCs) were slightly more likely (23 per cent) than other private companies to report such a change (20 per cent). The case studies carried out during Stage One of the research suggested that a change in ownership or the prospect of a change in ownership could provide a stimulus to new union recognition.

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### 3.3. Whether the ownership of the organisation has changed since recognition – employer survey

Issue	Yes (%)	No (%)	Total (%)
PLC	12 (22.6)	41 (77.4)	53 (67.9)
Private sector other	5 (20.0)	20 (80.0)	25 (32.1)
Total	17(21.8)	61 (78.2)	78 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### Size of bargaining unit

The bargaining units covered by the agreements represented over 41,000 workers. These ranged from four to 5,000 workers, with a median of 108 and average of 415. CAC figures suggest that the bargaining units in statutory recognition cases may be smaller than for voluntary recognitions (possibly because it may be more difficult to secure a statutory award for multi-site organisations); the average size of the bargaining unit in statutory recognition cases in 2003 was 203 workers, while for 2002 it was just 74. Table 3.4 below shows the distribution of bargaining units by size, showing a fairly even dispersal and a higher proportion of larger bargaining units than may have been expected.

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### 3.4. Size of bargaining unit – employer survey

	Number (%)
Under 25 workers	12 (11.9)
25 – 49 workers	14 (13.9)
50 – 99 workers	18 (17.8)
100 – 199 workers	16 (15.8)
200 – 499 workers	18 (17.8)
500 – 999 workers	11 (10.9)
1,000 or more workers	9 (8.9)
Don't know	3 (3.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### *Single and multi-site organizations*

Table 3.5 illustrates that approaching three-quarters (71 per cent) of bargaining units were based at one site, with under a third (29 per cent) covering more than one site. As might be expected the median size of bargaining units based upon more than one site was higher (260) than those on one site (90).

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### 3.5. Whether the bargaining unit is based on one site – employer survey

	Number (%)
One site	72 (71.3)
More than one site	29 (28.7)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Overall just over two-thirds (68 per cent) of employers were based on more than one site and a third (33 per cent) on one site (Table 3.6). In some cases the situation was confused because the organisation was part of a larger parent or group; for example a number of newspapers were part of large media organisations. These were generally described by employer representatives as single-site organisations and were treated as such because they appeared to be separately managed.

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### 3.6. Whether the organisation is based on one site – employer survey

	Number (%)
One site	32 (32.3)
More than one site	67 (67.7)
Total	99 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Table 3.7 shows that in one-third (33 per cent) of cases the bargaining unit was based in a single-site organisation; in just under two-fifths (39 per cent), the bargaining unit was based on one site in a multi-site organisation and in approaching one-third (29 per cent) the bargaining unit was based on more than one site within a multi-site organisation.

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### 3.7. Whether the bargaining unit is based on one or more sites in a single or multi-site organisation – employer survey

	Number (%)
Single-site organisation	32 (31.7)
Single-site in multi-site organisation	40 (39.6)
More than one site in multi-site organisation	29 (28.7)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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## Number of employees

Table 3.8 overleaf shows how many workers were employed overall by the organisation in the UK. Once again this is based on the 99 employers represented in the survey. Overall the responses cover more than 219,000 workers with a median of 351. As expected the proportion of small organisations is low (nine per cent employed under 50), with one-in-five (21 per cent) employing between 50 and 199 employees and over a third (36 per cent) between 500 and 999. Acas data on the number of recognitions, with which their conciliators had been involved, in the period September 1999 to the end of 2002, showed that almost 50 per cent had between 50 and 199 employees, with nearly 30 per cent having between 200 and 999. Compared with Acas figures and the 1998 Workplace Employee Relations Survey, Table 3.8 suggests that larger workplaces (employing over 1,000 employees) may be over-represented in the employer survey (28 per cent).



### 3.8. Number of employees in UK – employer survey

	Number (%)
Under 25 workers	4 (4.0)
25 – 49 workers	5 (5.1)
50 – 99 workers	12 (12.1)
100 – 199 workers	9 (9.1)
200 – 499 workers	25 (25.3)
500 – 999 workers	11 (11.1)
1,000 or more workers	28 (28.3)
Don't know	5 (5.1)
Total	99 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

Table 3.9 below shows the number of employees in the bargaining unit as a proportion of all UK employees. This distinguishes between organisations where other groups of employees were recognised at the time of recognition, either in the same or other workplaces and organisations where there was no recognition for other workers. As might be expected, bargaining units represented a smaller proportion of the workforce where there was recognition elsewhere in the organisation. Overall, however, just under half (47 per cent) of bargaining units represented over half the workforce, and just under one-in-five (19 per cent) represented the whole workforce (presumably with the exception of senior management). Perhaps surprisingly, bargaining units were just as likely to cover the whole workforce in multi-site as in single-site organisations.

### 3.9. Proportion of all UK workers covered by bargaining unit – employer survey

	No recognition for other groups /sites at time of recognition (%)	Recognition for other groups /sites at time of recognition (%)	Don't know	Total
Under 5 per cent	1 (1.6)	9 (26.5)	-	10 (9.9)
5 - 9 per cent	2 (3.3)	3 (8.8)	-	5 (5.0)
10 – 24 per cent	9 (14.8)	7 (20.6)	2 (33.3)	18 (17.8)
25 – 49 per cent	13 (21.3)	1 (2.9)	-	14 (13.9)
50 – 74 per cent	13 (21.3)	4 (11.8)	2 (33.3)	19 (18.8)
75 – 99 per cent	6 (9.8)	2 (5.9)	1 (16.7)	9 (8.9)
100 per cent	12 (19.7)	7 (20.6)	-	19 (18.8)
Missing	5 (8.2)	1 (2.9)	1 (16.7)	7 (6.9)
Total	61 (100)	34 (100)	6 (100)	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

## The situation prior to recognition

### *Previous recognition*

Employer representatives were asked if a trade union representing the bargaining unit, or a similar bargaining unit, had previously been recognised. Table 3.10 overleaf shows that in just under a quarter (24 per cent), or 24 cases, employers reported that there had been recognition. In nine cases (nine per cent) the employer representative was not sure.

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### 3.10. Whether the organisation previously recognised unions for a similar bargaining unit – employer survey

	Number (%)
Previous recognition	24 (23.8)
No previous recognition	68 (67.3)
Don't know	9 (8.9)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Table 3.11 below shows that in just over two-fifths of the cases where there had been a previous recognition (42 per cent), or ten cases (one-in-ten of all cases), there had been derecognition of a similar bargaining unit. Six of the ten derecognitions were in the print and publishing sector, where there was extensive derecognition of unions representing printworkers and journalists in the 1980s and early 1990s. One employer representative stated that derecognition took place when legislation 'favoured employers' and allowed them to derecognise the journalists union in the 1980s. Another employer recalled that the union had been derecognised in order to facilitate restructuring and the company had then re-recognised due to the new statutory recognition legislation. In all, five employers (one in five of those where there had been previous recognition) cited 'legislation' as influencing the decision to re-recognise. In all but one case where there had been recognition, it appeared that the same union was re-recognised.

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### 3.11. Why did recognition cease – employer survey

	Number (%)
Derecognition	10 (41.7)
Recognition was formalisation of existing relationship	5 (20.8)
Union membership collapsed	3 (12.5)
Merger	2 (8.3)
Other	4 (16.7)
Total	24(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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In five of the 24 cases where there had been previous recognition, the new recognition agreement represented the formalisation of an existing relationship. In two other cases recognition had previously ceased because of the collapse of union membership.

#### *Employee representation*

Just over two-fifths (41 per cent) of employer representatives reported that prior to recognition there had been a formal body or bodies (for example a works council) covering employees in the bargaining unit for informing and consulting employees (Table 3.12). However, in four of these 41 cases recognition was the result of the transfer of staff to the organisation through a business transfer under TUPE and it appears that the employer representative was referring to a body with union representation covering the bargaining unit in a previous organisation. Just under a half (49 per cent) of employer representatives stated there was no formal body prior to recognition. In another four cases (four per

cent) the question was not applicable because the bargaining unit was not previously in existence. In seven cases the employer representative was not sure if there had been a formal body prior to recognition.

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### 3.12. Whether there was a body for informing and consulting employees in the bargaining unit – employer survey

	Number (%)
Yes	41 (40.6)
No	49 (48.5)
Bargaining unit not in existence	4 (4.0)
Don't know	7 (6.9)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Where there was a formal body, Table 3.13 below shows that representatives to it were elected in approaching two-thirds of cases (63 per cent) and volunteered in over a quarter (27 per cent). In one case it was reported that they were both elected and volunteered. No representatives were appointed, but in three cases (or seven per cent) the employer representative did not know what the mechanism for selection was.

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### 3.13. Where there was a formal body whether representatives were elected – employer survey

	Number (%)
Elected	26 (63.4)
Volunteered	11 (26.8)
Elected and volunteered	1 (2.4)
Appointed	-
Don't know	3 (7.3)
Total	41 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### *Pay determination*

Table 3.14 overleaf shows that prior to recognition two-fifths (40 per cent) of employers unilaterally introduced changes to pay. In around one-in-ten cases (nine per cent) there was consultation with individual workers: in some cases this may have involved individual contracts; in others performance-related pay; other employer representatives may have been referring to direct communication with individual workers about pay increases. In just under one-in-ten cases (nine per cent) pay was determined by national, industry or company level bargaining.

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### 3.14. Pay determination prior to recognition – employer survey

	Number (%)
Management unilaterally introduced changes	40 (39.6)
Management introduced changes following consultation with a body representing workers	31 (30.7)
Management introduced changes following consultation with individual workers	9 (8.9)
National, industry or company level bargaining	9 (8.9)
Bargaining unit not previously in existence	4 (4.0)
Don't know	8 (7.9)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Just under one-third (31 per cent) of employers said that prior to recognition changes in pay followed consultation with a body representing workers. Unsurprisingly this was more likely where a formal body had existed prior to recognition (65 per cent of cases where changes in pay followed consultation compared to 38 per cent where management unilaterally introduced changes). However, in 12 of the 31 cases there had been a previous relationship with trade unions. In five cases changes to pay had been negotiated by the union in a previous organisation (in four, recognition had followed a TUPE transfer, and in another it had followed a merger). In another five cases the employer representative reported that the recognition formalised an existing relationship with the union and they had previously been consulted on pay. In a further case the employer had consulted with a different union that had been recognised and in one case recognition represented an extension of a previous arrangement. In the cases where there was no previous relationship between the employer and a union, just under one-in-five (19 per cent) of employer representatives reported that they consulted with a body representing employees.

#### **The situation at the time of recognition**

Table 3.15 below shows that just under a quarter (24 per cent) of employer representatives reported that the organisation recognised trade unions for other groups of employees on the site(s) covered by the bargaining unit at the time of recognition. In over two-thirds (68 per cent) no other groups were recognised. In six per cent of cases the employer representative did not know if other groups were recognised and in two per cent the recognition applied to a specific contract, so the question was not applicable.

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### 3.15. Whether unions were recognised elsewhere on the site at the time of recognition – employer survey

	Number (%)
Yes	24 (23.8)
No	69 (68.3)
Bargaining unit not in existence	6 (5.9)
Missing	2 (2.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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As Table 3.16 reveals, in multi-site organisations 43 per cent of the organisations recognised unions for other groups of employees in other workplaces in the UK: in just over half (51 per cent) they did not and in six per cent the employer representative did not know. Thus 60 per cent of organisations had no formal collective union representation at the point when recognition took place, with just over a third (34 per cent) having an existing recognition arrangement (the 60 per cent is the proportion of cases where there were no other unions recognised for sites covered by the bargaining unit *and*, in multi-site organisations, where there were no other unions recognised on any other sites).

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### 3.16. Whether unions were recognised in other workplaces in the UK at the time of recognition – employer survey

	Number (%)
Yes	29 (43.3)
No	34 (50.7)
Bargaining unit not in existence	4 (6.0)
Total	67 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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#### *The Transfer of Undertakings (TUPE)*

Over one-in-ten employer representatives (12 per cent) reported that recognition came about following the transfer of staff to the organisation through a business transfer under TUPE (Table 3.17).

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### 3.17. Whether recognition followed the transfer of staff following a business transfer – employer survey

	Number (%)
Yes	12 (11.9)
No	88 (87.1)
Don't know	1 (1.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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In most cases where recognition had emerged from TUPE it was likely that the recognition arrangement had applied because a union had been recognised in the transferred entity. Thus there had been previous recognition for the bargaining unit, but recognition was new to the organisation. One new recognition had arisen from the transfer of a

bargaining unit from one company where the union had been recognised in 1996, to another where there was no union recognition, and here the recognition agreement transferred. In the case of a large charitable organisation, 600 workers were transferred from the local authority, and recognition followed. Other staff could join the union, but had no rights to representation. In a small number of cases TUPE may be a stimulus to union recognition in organisations that were previously non-unionised. In the case of a housing association the employer representative reported that staff had been transferred under TUPE and the arrangements were formalised and subsequently extended to other occupations and workplaces.

### Changes since recognition

Just over one-third of employer representatives (34 per cent) said that there had been significant changes to the size of the bargaining unit following recognition, whilst almost two-thirds (65 per cent) said there had not (Table 3.18). Where change was reported Table 3.19 shows that 59 per cent said the bargaining unit had increased in size and just over two-fifths (41 per cent) that it had decreased. In at least one case where there had been a contraction in the bargaining unit it was reported that this was due to voluntary severance or redundancies.

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#### 3.18. Whether there were changes to the size of the bargaining unit following recognition – employer survey

	Number (%)
Yes	34 (33.7)
No	66 (65.3)
Don't know	1 (1.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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#### 3.19. Whether the bargaining unit has increased, decreased or stayed the same since recognition – employer survey

	Number (%)
Increased	20 (58.8)
Decreased	14 (41.2)
Total	34 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Tables 3.20 and 3.21 overleaf reveal that in one-in-sixteen cases (six per cent) the bargaining unit had been extended to other occupational groups and in one-in-seven (14 per cent), to other workplaces. In all cases where this had happened the bargaining unit had increased. In six cases employer representatives reported that this was due to mergers or acquisitions. In other cases the company itself had expanded. For example in the case of an organisation providing care services, other nursing homes had been opened; another healthcare organisation had established further hospices. A company operating a mobile phone network, where recognition had been the result of a TUPE transfer, had opened more shops, which had been included in the bargaining unit. In

other cases the bargaining unit had been extended to include other occupational groups. For example in a food packaging company the bargaining unit had been extended to skilled workers, encouraged by the prospect of a merger between the union representing these workers and the recognised union. In a bus company the bargaining unit had been extended from bus drivers to include cleaning staff. There were also indications that recognition had encouraged some organisation to extend representation to other bargaining units, although this was not specifically asked.

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**3.20. Whether the bargaining unit has been extended to other occupational groups following recognition – employer survey**

	Number (%)
Yes	6 (5.9)
No	95 (94.1)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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**3.21. Whether the bargaining unit has been extended to other workplaces following recognition – employer survey**

	Number (%)
Yes	14 (13.9)
No	87 (86.1)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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# 4. The scope of collective bargaining

The second main aim of the study was to establish employers' perceptions of the scope and depth of trade union recognition and to gauge the extent to which it mirrors, goes beyond or falls short of what was set out in the recognition agreement.

## The depth of recognition

Employer representatives were first asked whether since recognition they had had any formal discussions with the union or its representatives on the three core bargaining topics – pay, hours and holidays and the three non-core topics – pensions, training and equal opportunities plus sick pay and redundancy. At this point the term 'discussion' was not defined (and so did not imply negotiation, consultation or the provision of information). Table 4.1 shows that employers reported that they had engaged in discussions with trade unions on a range of issues. In ninety two per cent of cases there had been dialogue on pay, with a majority of employers reporting having discussions on hours (72 per cent), holidays (67 per cent), training (67 per cent), and redundancy (66 per cent) and to a lesser extent sick pay (57 per cent). There was less likely to be discussions on equal opportunities (53 per cent) and pensions, but even here just under half (45 per cent) reported that there had been engagement.

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### 4.1. Issues on which there were discussions following recognition – employer survey

Issue	Yes (%)	No (%)	Don't know (%)
Pay	93 (92.1)	8 (7.9)	-
Hours	72 (71.3)	25 (24.8)	4 (4.0)
Holidays	68 (67.3)	28 (27.7)	5 (5.0)
Training	68 (67.3)	29 (28.7)	4 (4.0)
Redundancy	63 (66.3)	28 (29.5)	4 (4.2)**
Sick pay	54 (56.8)	36 (37.9)	5 (5.3)**
Equal opportunities	53 (52.5)	43 (42.6)	5 (5.0)
Pensions	45 (44.6)	51 (50.5)	5 (5.0)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

\*\* Excludes the six postal questionnaires where the question was not asked

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### *The nature of discussions*

Employers were also asked whether the discussions they had with the union for each of the core and non-core issues would be best characterised as negotiation, consultation or information. Here, negotiation was defined as where there were discussions with the full-time or local trade union officer which resulted in an agreement (or failure to agree); consultation as where the issue was discussed in advance with the



trade unions and their views taken into account by management; and information as where employees (and trade unions) were informed as, or after, management decisions were taken. Table 4.2 below shows that the issue most likely to be the subject of negotiation was pay (in two-thirds of cases), followed by holidays (59 per cent) and hours (54 per cent). For employer representatives, at least, the non-core issues were much less likely to be a subject of negotiation and more likely to be dealt with through consultation or the provision of information. Sick pay was the non-core issue most likely to have been the subject of negotiation (41 per cent), although discussions were more often defined in terms of consultation (32 per cent) or information (22 per cent). Training was the most likely of the non-core issues to have been discussed following recognition, but employers defined the nature of discussions in terms of consultation (54 per cent) rather than negotiation (18 per cent). While pensions were less likely than training to be discussed, where they were, employers were slightly more likely to define discussions as negotiation (24 per cent) although once again employers were more likely to say that they had consulted (38 per cent) or just informed the union (33 per cent). It is, perhaps, noteworthy that in line with legal requirements redundancy was the issue that was most likely to be the subject of consultation (60 per cent compared to 25 per cent defining discussions as negotiation). Equal opportunities was similarly a subject for consultation (57 per cent) rather than negotiation (19 per cent). In just over one-in-ten cases (11 per cent) there were either no discussions on any of these issues or discussions on pay only.

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#### 4.2. The nature of discussions following recognition - employer survey

Issue	Negotiation	Consultation	Information	National/ Industry level	Total
Pay	61 (65.6)	14 (15.0)	7 (7.5)	11 (11.8)	93 (100)
Holidays	40 (58.8)	15 (22.1)	6 (8.8)	6 (8.8)	68** (100)
Hours	39 (54.2)	20 (27.8)	6 (8.3)	7 (9.7)	72 (100)
Sick pay	22 (40.7)	17 (31.5)	12 (22.2)	3 (5.6)	54 (100)
Redundancy	16 (25.4)	38 (60.3)	5 (7.9)	3 (4.8)	63** (100)
Equal opportunities	10 (18.9)	30 (56.6)	11 (20.8)	2 (3.8)	53 (100)
Training	12 (17.6)	37 (54.4)	16 (23.5)	3 (4.4)	68 (100)
Pensions	11 (24.4)	17 (37.8)	15 (33.3)	2 (4.4)	45 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

\*\* Includes a missing case

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Tables 4.3 to 4.10 indicate how far the discussions reported by employers reflected the provisions of the actual recognition agreement. They show the findings from the survey of employers and compare the perceptions of the employers as to the nature of the discussions with the definition of the depth of bargaining set out in the text of the recognition agreements for each of the core and non-core issues<sup>4</sup>.

#### 4.3. Depth of recognition on pay comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	53 (71.6)	2 (28.6)	-	6 (75.0)	61 (65.6)
Consultation	10 (13.5)	2 (28.6)	1 (25.0)	1 (12.5)	14 (15.0)
Information	5 (6.8)	1 (14.3)	1 (25.0)	-	7 (7.5)
National/ industry-level	6 (8.1)	2 (28.6)	2 (50.0)	1 (12.5)	11 (11.8)
Total	74 (79.6)	7 (7.5)	4 (4.3)	8(8.6)	93 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.4. Depth of recognition on hours comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	34 (59.6)	1 (12.5)	-	4 (100)	39 (54.2)
Consultation	14 (24.6)	4 (50.0)	2 (66.6)	-	20 (27.8)
Information	5 (8.8)	1 (12.5)	-	-	6 (8.3)
National/ industry-level	4 (7.0)	2 (25.0)	1 (33.3)	-	7 (9.7)
Total	57 (79.2)	8 (11.1)	3 (4.2)	4(5.6)	72 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

<sup>4</sup> These comparisons are based upon the content analysis of the recognition agreements undertaken in Stage One of the research (where agreements were provided). Where the text of the agreement dictated that bargaining was confined to the core issues only (pay, hours and holidays), non-core issues (pensions, training, equal opportunities, sick pay and redundancy) have been defined as items for consultation unless otherwise stated in the text of the agreement.

#### 4.5. Depth of recognition on holidays comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	36 (64.3)	-	1 (50.0)	3 (75.0)	40 (58.8)
Consultation	11 (19.6)	3 (50.0)	-	1 (25.0)	15 (22.1)
Information	5 (8.9)	1 (16.6)	-	-	6 (8.8)
National/ industry-level	3 (5.4)	2 (33.3)	1 (50.0)	-	6 (8.8)
Missing	1 (1.8)	-	-	-	1 (1.5)
Total	56 (82.4)	6 (8.8)	2 (2.9)	4(5.9)	68 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.6. Depth of recognition on sick pay comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	20 (52.6)	1 (8.3)	-	1 (50.0)	22 (40.7)
Consultation	8 (21.1)	8 (66.7)	1 (50.0)	-	17 (31.5)
Information	9 (23.7)	1 (8.3)	1 (50.0)	1 (50.0)	12 (22.2)
National/ industry-level	1 (2.6)	2 (16.7)	-	-	3 (5.6)
Total	38 (70.4)	12 (22.2)	2 (3.7)	2 (3.7)	54 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.7. Depth of recognition on redundancy comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	9 (23.7)	3 (16.7)	1 (33.3)	3 (75.0)	16 (25.4)
Consultation	26 (68.4)	10 (55.6)	1 (33.3)	1 (25.0)	38 (60.3)
Information	2 (5.3)	3 (16.7)	-	-	5 (7.9)
National/ industry-level	-	2 (11.1)	1 (33.3)	-	3 (4.8)
Don't know	1 (2.6)	-	-	-	1 (1.6)
Total	38 (60.3)	18 (28.6)	3 (4.8)	4(6.3)	63 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.8. Depth of recognition on equal opportunities comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	8 (22.9)	-	1 (100)	1 (33.3)	10 (18.9)
Consultation	21 (60.0)	8 (57.1)	-	1 (33.3)	30 (56.6)
Information	6 (17.1)	4 (28.6)	-	1 (33.3)	11 (20.8)
National/ industry-level	-	2 (14.3)	-	-	2 (3.8)
Total	35 (66.0)	14 (26.4)	1 (1.9)	3 (5.7)	53 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.9. Depth of recognition on training comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	7 (15.2)	1 (6.3)	2 (66.6)	2 (66.6)	12 (17.6)
Consultation	27 (58.7)	10 (62.5)	-	-	37 (54.4)
Information	12 (26.1)	3 (18.8)	-	1 (33.3)	16 (23.5)
National/ industry-level	-	2 (12.5)	1 (33.3)	-	3 (4.4)
Total	46 (67.6)	16 (23.5)	3 (4.4)	3 (4.4)	68 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.10. Depth of recognition on pensions comparing the employer survey with the written agreement

Nature of discussion as defined by employer	Depth of recognition as set out in recognition agreement				Total
	Collective bargaining	Consultation/ representation	National/ industry level bargaining	No agreement provided	
Negotiation	10 (31.2)	1 (12.5)	-	-	11 (24.4)
Consultation	11 (34.4)	3 (37.5)	1 (33.3)	2 (100)	17 (37.8)
Information	10 (31.2)	3 (37.5)	2 (66.6)	-	15 (33.3)
National/ industry-level	1 (3.1)	1 (12.5)	-	-	2 (4.4)
Total	32 (71.1)	8 (17.8)	3 (6.7)	2 (4.4)	45 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

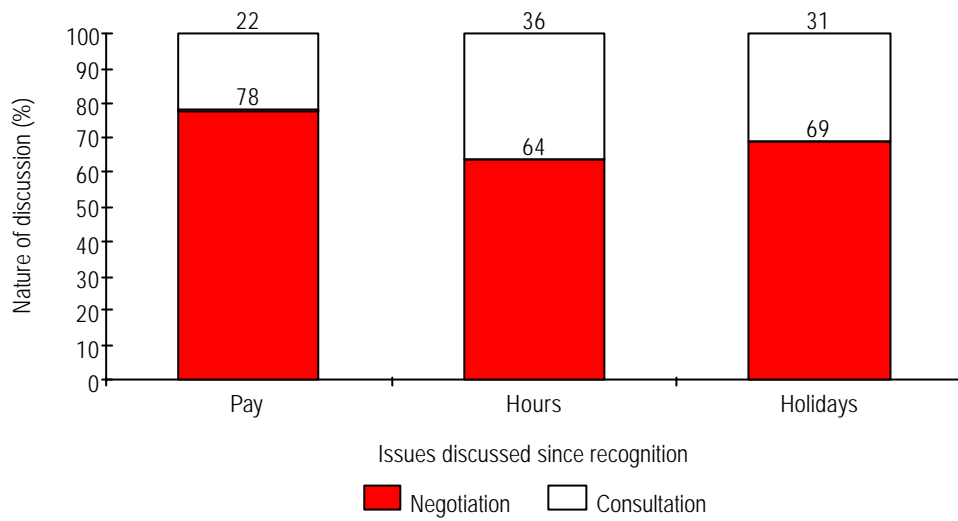
These findings show that for both the core and non-core issues there were clear differences between employers' reports of the depth of recognition with what was set out in the text of the original recognition agreement. Thus on all issues there were a proportion of discussions where employers reported that although set out in the text of agreements for negotiation, in practice they had been the subject of consultation or information only.

Charts 1 and 2<sup>5</sup> overleaf illustrate that this was most likely to be the case for non-core issues; training, equal opportunities, redundancy and pensions. It was less likely for the core issues of pay, hours and holidays, but even in the case of pay more than one in five (22 per cent) of employers defined discussion on pay as consultation or information, where the text of the agreement suggested it was a collective bargaining issue. Notwithstanding, for all issues except holidays and equal opportunities, there were cases where the opposite prevailed; namely, that the employers reported that there had been negotiation with the union, whereas in the written agreements they appeared to be designated as subjects for consultation or information only.

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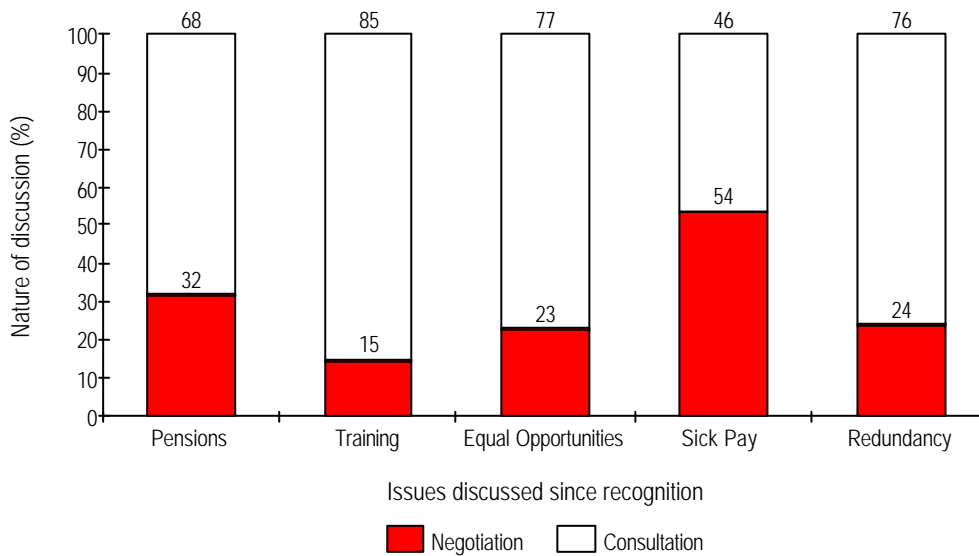
<sup>5</sup> Charts 1-4 exclude cases where no copy of the agreement was provided or where agreements or discussions were defined as national or industry-level.

**Chart 1. The nature of discussions on core issues where agreement specifies issues for collective bargaining- employer survey**



Source: TUC/ LRD database of voluntary union recognition agreements (2003)

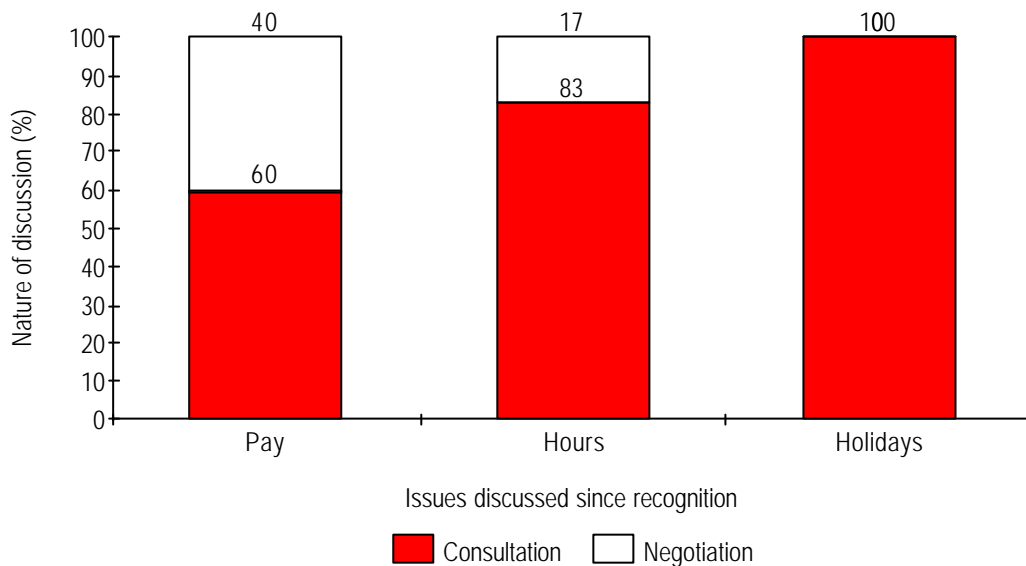
**Chart 2. The nature of discussions on non-core issues where agreement specifies for collective bargaining- employer survey**



Source: TUC/ LRD database of voluntary union recognition agreements (2003)

Chart 3 below and 4 overleaf illustrate that, with the exception of pay, the proportion of such cases was much smaller than where the opposite had occurred. In 40 per cent of cases, which the agreement suggested that pay was for consultation, employers reported that they had actually negotiated, the equivalent figure for training was only seven per cent.

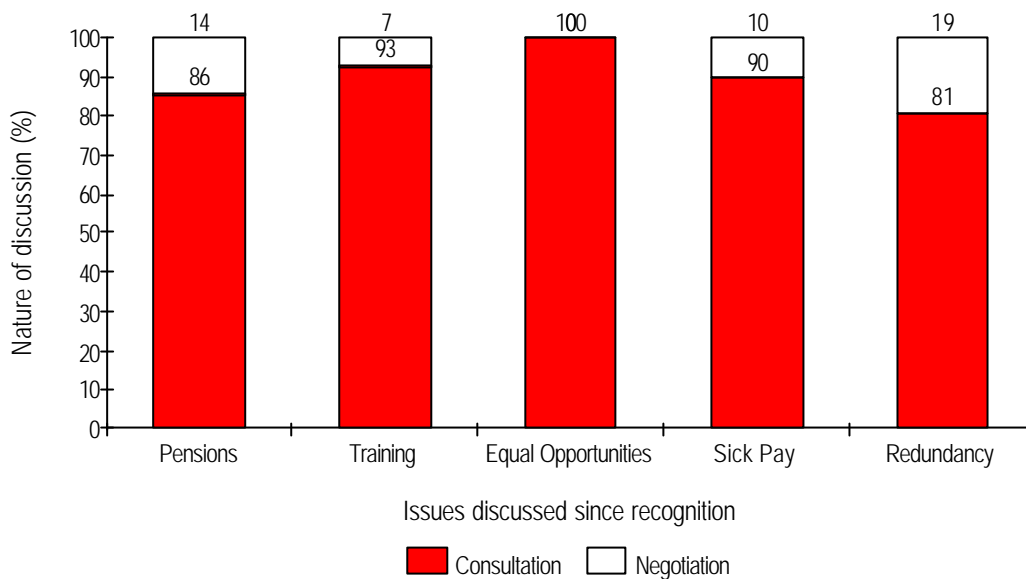
**Chart 3. The nature of discussions on core issues where agreement specifies issues for consultation- employer survey.**



Source: TUC/ LRD database of voluntary union recognition agreements (2003)

These findings, as noted in the introduction, are not surprising in the light of Stage One of the study where the analysis of agreements showed that while the terms 'negotiation', 'consultation' and 'representation' were freely used within the text of agreements they were rarely defined. Also, the case studies illustrated that, in practice, there were instances where management and trade union representatives differed in their perception of the depth of the bargaining relationship.

**Chart 4. The nature of discussions on non-core issues where agreement specifies issues for consultation- employer survey**



Source: TUC/ LRD database of voluntary union recognition agreements (2003)

The differences between management perceptions of the depth of the bargaining relationship compared with what was set out in the text of the written agreement can, in part, be explained by the terminology - the content analysis of the agreements undertaken in Stage One showed that in over half the agreements the topics for bargaining were defined in general terms, for example, as over 'pay and conditions' or 'terms and conditions'. It was not, therefore, possible to conclude from the text whether the scope of bargaining would include specific core or non-core issues.

When interpreting the findings on whether there were discussions on issues it is important to remember that the absence of discussion may be because bargaining or decision-making takes place at a higher level. For example, in four cases where pay had not been discussed, this was because nationally negotiated increases were applied. It is possible that these, or similar, reasons explained why, in some cases, there were no discussions on hours and holidays. It was less clear whether such agreements would automatically cover sick pay, redundancy, equal opportunities, training and pensions. Also, national or industry agreements may not completely discount the need for local discussions. Similarly the case studies undertaken in Stage One of the research, suggested that decisions on issues such as pensions could take place at parent company level, effectively excluding them from the local bargaining agenda.

*Had the union raised the issue?*

If there had been no discussions on an issue, the employer representative was asked if the union had raised the topic. Overall, in only four cases did



an employer representative recall that the union had raised any of these issues, but there had been no discussions. In one of the eight cases where pay had not been discussed the union had approached the employer, but the agreement did not allow for negotiations. In another case the union had raised the issue of training, but this was not in the scope of the agreement. In two cases the union had wanted discussions on pensions but the topic was excluded from the scope of recognition. One was a further education college where pensions were part of a national scheme so did not fall within the remit of the local recognition agreement, although the employer said there were informal discussions from time to time. With these exceptions there were no indications that unions were raising issues which employers were refusing to discuss. Although this was the view of the employer only, these results were consistent with the findings of the case studies where managers had expressed surprise that unions did not raise more issues in bargaining. In some cases this may have reflected the inexperience of union representatives and the fact they had not received training. In others, union representatives stated their intention was to first establish a relationship with the employer with a view to developing the bargaining agenda over time.

#### *The scope of bargaining*

Where employer representatives' reported there had been no discussions on an issue they were then asked whether it would be within the scope of recognition. Table 4.11 below summarises the findings for both core and non-core issues. These show that for hours (62 per cent), sick pay (63 per cent), holidays (59 per cent) and to a lesser extent, redundancy (53 per cent) and equal opportunities (53 per cent), most employers reported that these issues were within the scope of the agreement. For the other non-core issue of training, just under half (49 per cent) reported that it would be within the scope of the agreement. For pensions the proportion reporting that it would have been in scope was just over a third (34 per cent), with nearly half (48 per cent) reporting firmly that this would have been out of scope.

#### **4.11. Whether issues not discussed are within the scope of the recognition agreement - employer survey**

Issue	Yes (%)	No (%)	Don't know (%)	Total (%)
Pay	4 (50.0)	3 (37.5)	1 (12.5)	8 (100)
Hours	18 (62.1)	4 (13.8)	7 (24.1)	29 (100)
Holidays	19 (59.4)	4 (12.5)	9 (28.1)	32 (100)
Sick pay	26 (63.4)	4 (9.8)	11 (26.8)	41 (100)**
Redundancy	17 (53.1)	9 (28.1)	6 (18.8)	32 (100)**
Equal opportunities	25 (53.2)	12 (25.5)	10 (21.3)	47 (100)
Training	16 (48.5)	8 (24.2)	9 (27.3)	33 (100)
Pensions	19 (33.9)	27 (48.2)	10 (17.9)	56 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

\*\* excludes the six postal questionnaires where the question was not asked

Once again it should be noted that the fact that issues are considered to be within, or out of, the scope of the agreement, may be because bargaining or decision-making takes place at a higher level.

### *The breadth of bargaining potential*

Where an issue had not been discussed since recognition, but was reported as being included in the scope of the agreement, employer representatives were asked whether, if raised, it would have been the subject of negotiation, consultation or representation. Table 4.12 shows that the majority of these employers would have accepted that hours, holidays, sick pay, redundancy and training were open for negotiation. Once again equal opportunities and pensions were less likely to be the subject of negotiations and more likely to be for consultation or information. With the exception of pay, for all issues the proportion where the employer representative reported that the agreement allowed for negotiation was higher than the proportion of actual discussions that were defined as negotiation (Table 4.2). This suggests that trade unions may not be fully exploiting the potential for bargaining. It may reflect the union's intention to consolidate the bargaining relationship in the early stages of recognition by focussing upon developing a consensual approach based on consultation rather than pressing for full negotiation.

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#### **4.12. Breadth of bargaining potential where no discussions have taken place - employer survey**

Issue	Negotiation	Consultation/ representation	National/ industry level bargaining	Don't know	Total
Pay	3 (75.0)	-	1 (25.0)	-	4 (100)
Hours	15(83.3)	1 (5.6)	2 (11.1)	-	18 (100)
Holidays	14 (73.7)	1 (5.3)	2 (10.5)	2 (10.5)	19 (100)
Sick Pay	19 (73.1)	1 (3.8)	2 (7.7)	4 (15.4)	26 (100)
Redundancy	12 (70.6)	1 (5.9)	2 (11.8)	2 (11.8)	17 (100)
Equal opportunities	13 (52.0)	7 (28.0)	2 (8.0)	3 (12.0)	25 (100)
Training	11 (68.8)	1 (6.3)	2 (12.5)	2 (12.5)	16 (100)
Pensions	10 (52.6)	5 (26.3)	2 (10.5)	2 (10.5)	19 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### **The influence of the statutory model**

Tables 4.13 to 4.17 below show the scope of recognition for the non-core issues (pensions, equal opportunities, training, sick pay and redundancies) as set out in the recognition agreement, compared to the depth of recognition as reported from the employers' survey. Although the numbers involved are small, these findings suggest that where recognition agreements limited the scope of bargaining to core issues only, in practice the scope of bargaining generally had not yet extended beyond this to include non-core issues (although there was one case each for training and sick pay and two cases for redundancy where it had done so). This is not, perhaps, surprising since it might be expected that employers concluding such agreements were clearer in their intent than employers concluding agreements where the scope of bargaining was left open.

#### 4.13. Scope of recognition on pensions as set out in the agreement compared with findings from the employers' survey

Scope of recognition as set out in the agreement	Nature of discussions since recognition			National/industry level bargaining	Total
	Negotiation	Consultation	Information		
Restriction of bargaining to one or more core issues only	-	1 (20.0)	3 (60.0)	1 (20.0)	5 (11.1)
Bargaining generally defined as covering 'terms and conditions'	5 (22.7)	8 (36.4)	8 (36.4)	1 (4.5)	22 (48.9)
Bargaining defined as over one or more core issues plus specified non-core issues	2 (40.0)	2 (40.0)	1 (20.0)	-	5 (11.1)
Bargaining defined as including core and non-core issues	3 (75.0)	1 (25.0)	-	-	4 (8.9)
Bargaining issues unspecified	-	-	1 (100)	-	1 (2.2)
National/industry bargaining	-	1 (33.3)	2 (66.7)	-	3 (6.7)
Consultation/representation only	1 (33.3)	2 (66.7)	-	-	3 (6.7)
No agreement provided	-	2 (100)	-	-	2 (4.4)
Total	11 (24.4)	17 (37.8)	15 (33.3)	2 (4.4)	45 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

**4.14. Scope of recognition on equal opportunities as set out in the agreement compared with findings from the employers' survey**

Scope of the agreement	Nature of discussions since recognition			National/industry level bargaining	Total
	Negotiation	Consultation	Information		
Restriction of bargaining to one or more core issues only	-	3 (42.9)	3 (42.9)	1 (14.3)	7 (13.2)
Bargaining generally defined as covering 'terms and conditions'	5 (19.2)	17 (65.4)	4 (15.4)	-	26 (49.1)
Bargaining defined as over one or more core issues plus specified non-core issues	2 (28.6)	3 (42.9)	2 (28.6)	-	7 (13.2)
Bargaining defined as including core and non-core issues	1 (33.3)	2 (66.7)	-	-	3 (5.7)
National/industry bargaining	1 (100)	-	-	-	1 (1.9)
Consultation/representation only	-	4 (66.7)	1 (16.7)	1 (16.7)	6 (11.3)
No agreement provided	1 (33.3)	1 (33.3)	1 (33.3)	-	3 (5.7)
Total	10 (18.9)	30 (56.6)	11 (20.8)	2 (3.8)	53 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.15. Scope of recognition on training as set out in the agreement compared with findings from the employers' survey

Scope of the agreement	Nature of discussions since recognition				Total
	Negotiation	Consultation	Information	National/industry level bargaining	
Restriction of bargaining to one or more core issues only	1 (11.1)	5 (55.6)	2 (22.2)	1 (11.1)	9 (13.2)
Bargaining generally defined as covering 'terms and conditions'	5 (15.6)	19 (59.4)	8 (25.0)	-	32 (47.1)
Bargaining defined as over one or more core issues plus specified non-core issues	1 (12.5)	5 (62.5)	2 (25.0)	-	8 (11.8)
Bargaining defined as including core and non-core issues	1 (16.7)	2 (33.3)	3 (50.0)	-	6 (8.8)
Bargaining issues unspecified	-	1 (100)	-	-	1 (1.5)
National/industry bargaining	2 (66.7)	-	-	1 (33.3)	3 (4.4)
Consultation/representation only	-	5 (83.3)	-	1 (16.7)	6 (8.8)
No agreement provided	2 (66.7)	-	1 (33.3)	-	3 (4.4)
Total	12 (17.6)	37 (54.4)	16 (23.5)	3 (4.4)	68 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.16. Scope of recognition on sick pay as set out in the agreement compared with findings from the employers' survey

Scope of the agreement	Nature of discussions since recognition			National/industry level bargaining	Total
	Negotiation	Consultation	Information		
Restriction of bargaining to one or more core issues only	1 (12.5)	5 (62.5)	1 (12.5)	1 (12.5)	8 (14.8)
Bargaining generally defined as covering 'terms and conditions'	13 (46.4)	8 (28.6)	6 (21.4)	1 (3.6)	28 (51.9)
Bargaining defined as over one or more core issues plus specified non-core issues	5 (71.4)	-	2 (28.6)	-	7 (13.0)
Bargaining defined as including core and non-core issues	2 (66.7)	-	1 (33.3)	-	3 (5.6)
Bargaining issues unspecified	-	1 (100)	-	-	1 (1.9)
National/industry bargaining	-	1 (50.0)	1 (50.0)	-	2 (3.7)
Consultation/representation only	-	2 (66.7)	-	1 (33.3)	3 (5.6)
No agreement provided	1 (50.0)	-	1 (50.0)	-	2 (3.7)
Total	22 (40.7)	17 (31.5)	12 (22.2)	3 (5.6)	54 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

#### 4.17. Scope of recognition on redundancy as set out in the agreement compared with findings from the employers' survey

Scope of the agreement	Nature of discussions since recognition					Total
	Negotiation	Consultation	Information	National/industry level bargaining	Don't Know	
Restriction of bargaining to one or more core issues only	2 (20.0)	5 (50.0)	2 (20.0)	1 (10.0)	-	10 (15.9)
Bargaining generally defined as covering 'terms and conditions'	4 (14.8)	21 (77.8)	2 (7.4)	-	-	27 (42.9)
Bargaining defined as over one or more core issues plus specified non-core issues	2 (40.0)	3 (60.0)	-	-	-	5 (7.9)
Bargaining defined as including core and non-core issues	3 (60.0)	2 (40.0)	-	-	-	5 (7.9)
Bargaining issues unspecified	-	1 (50.0)	-	-	1 (50.0)	2 (3.2)
National/industry bargaining	1 (33.3)	1 (33.3)	-	1 (33.3)	-	3 (4.8)
Consultation/representation only	1 (14.3)	4 (57.1)	1 (14.3)	1 (14.3)	-	7 (11.1)
No agreement provided	3 (25.0)	1 (75.0)	-	-	-	4 (6.3)
Total	16 (25.4)	38 (60.3)	5 (7.9)	3 (6.5)	1 (1.6)	63 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

Stage One of the research found that over half of agreements defined bargaining in general terms as covering 'terms and conditions' or 'pay and conditions', and that it was not possible to infer from this whether non-core issues were included. Notwithstanding this, the findings presented in these tables show that employer representatives reported negotiations over non-core issues in a small proportion of cases where agreements were defined in such terms, most notably sick pay where approaching half (46 per cent) of agreements so defined had led to negotiations. The figures were smaller for other non-core subjects; in just under a quarter (23 per cent) of agreements where bargaining was generally defined there had been negotiations on pensions (19 per cent for equal opportunities, 16 per cent for training, and 15 per cent for redundancy). These findings are consistent with those from the case studies, presented in Volume one of this study that it is thus not possible to state conclusively whether or not agreements defined in general terms include or exclude non-core issues.

##### *Pensions, equal opportunities and training*

The analysis of the written agreements carried out in Stage One showed that pensions were specifically excluded as the subject of negotiation in just under one-third, and explicitly included in less than one-in-ten, cases. The findings from the employer survey show that although pensions had

been discussed in just under a half of cases (46 per cent), they were only negotiated in under a quarter of them (24 per cent). Here, the scope and depth of bargaining may have been constrained by the regulations governing the status of pension funds, which exist as separate legal entities, generally run by a board of trustees (which may or may not include union representation). The findings from the case studies in Stage One suggested that pensions were often excluded from negotiations, sometimes on the basis that the pension scheme was under the control of a parent company, whilst the closure of final salary schemes and their replacement by money purchase or stakeholder schemes has changed the bargaining agenda for unions. Workplace union representatives often appeared to have neither the experience nor the training to negotiate on pensions. The findings from the employer survey showed that where there had been 'negotiations' on pensions, eight-out-of-ten employer representatives reported that there were formal discussions with the union once a year, and just under one-in-five (18 per cent) reported that discussions took place less frequently. In no cases did employers report that formal discussions took place more than once a year.

The analysis of the written agreements showed that both training and equal opportunities were just as likely as pensions to be specifically excluded from the bargaining agenda (31 per cent of cases); in just under one-in-ten cases they were explicitly included. In the employer survey equal opportunities was discussed in around 53 per cent of cases and in 19 per cent this was referred to as negotiation. One employer reported that although discussions with unions on equal opportunities were defined as consultation and information, terms and conditions that may incorporate an equality element were always negotiated. The findings from the case studies undertaken in Stage One suggested that union representatives were sometimes content for the employer to take the lead on equal opportunities, regarding it more as an issue for legal compliance than a bargaining issue, although this may be a reflection of the largely male manual bargaining units represented by the case studies.

Training has not traditionally been an area for collective bargaining (Rainbird, Sutherland, Edwards, Holly and Munro, 2003). Interestingly, the findings from the employer survey suggest that training was the non-core issue most likely to be discussed by managers and unions (66 per cent) and was as likely to be the subject of discussion as holidays, with only pay and hours more frequently discussed. However, discussions were also more likely to be defined by employers as consultation rather than negotiation (54 per cent compared to 18 per cent).

### **Pay determination since recognition**

The findings from Stage One suggested that, not surprisingly, the primary topic for recognition was pay bargaining. This was confirmed by the findings of the employer survey. In over three-quarters (77 per cent) of cases employers reported that pay negotiations had taken place since recognition (Table 4.18). However, in under a quarter of cases (23 per cent) there had been no negotiations. Of these 23 cases, in seven this was because pay was determined at national or industry level. Table 4.19 overleaf shows that in the vast majority of cases (97 per cent), where there were negotiations on a pay settlement, this was agreed between



management and the union. In one case (one per cent) a settlement was agreed following the intervention of a third party. In another there was a failure to agree and existing pay arrangements remained in place.

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#### 4.18. Whether there have been pay negotiations since recognition – employer survey

	Number (%)
Yes	78 (77.2)
No	23 (22.8)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003) \*Survey responses from sample of 213 agreements

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#### 4.19. The outcome of the pay round – employer survey

	Number (%)
Settlement agreed	76 (97.4)
Settlement following third party intervention	1 (1.3)
Failure to agree and existing arrangements in place	1 (1.3)
Total	78 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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# 5. Procedures and institutions

The analysis of written recognition agreements undertaken in Stage One of the research showed the extent to which they incorporated procedural and institutional arrangements. The case studies suggested that the agreements did not necessarily reflect the full extent of the procedural and institutional arrangements actually in place. The fact that agreements made no mention of disciplinary, grievance or other procedures did not mean that they did not exist, or were excluded from the bargaining agenda, whilst employee consultative structures may be introduced alongside bargaining machinery post recognition. The employer survey provided an opportunity to explore these issues in more detail.

## **Disciplinary and grievance procedures**

The analysis of written agreements showed that on recognition new grievance and disciplinary procedures may be adopted or existing procedures adapted, incorporated or amended. The telephone survey of employers found that the vast majority of organisations (98 per cent) had a written disciplinary or grievance procedure in place (Table 5.1). Table 5.2 below shows that in all but two cases (two per cent) the union representative had a formal role in these procedures. This might be expected, since the change in the law under Section 10 of the Employment Relations Act, which gives workers the right to be accompanied by a full-time union official if they are called to a disciplinary hearing. In workplaces with recognition the worker can be accompanied by a workplace union representative.

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### 5.1. Whether there is a formal disciplinary or grievance procedure – employer survey

	Number (%)
Yes	99 (98.0)
No	2 (2.0)
Total	101(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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## 5.2. Whether the union has a formal role in the disciplinary or grievance procedure – employer survey

	Number (%)
Yes	97 (98.0)
No	2 (2.0)
Total	99(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

Table 5.3 below confirms that in all cases the union representative was entitled to accompany the employee to meetings and observe proceedings. In just over nine-out-of-ten cases (91 per cent) the representative could make a statement on the employee's behalf though in six per cent they could not, and in three per cent the employer representative was not sure whether this was possible. In 87 per cent of cases the union representative could ask questions on the employee's behalf, though in ten per cent they could not and in three per cent the employer representative was not sure of the situation. A slightly lower proportion (69 per cent) of union representatives were entitled to answer questions on the employee's behalf and in around one-quarter (27 per cent) there was no such entitlement and in four per cent of cases the employer representative was not sure. As might be expected in cases where there had been recent recognition, overall the findings show that in the majority of cases disciplinary and grievance procedures went beyond the statutory minimum right to accompany and provided the right of representation. However, there remains a proportion (31 per cent) where provision can be defined as limited to the right to accompany.

## 5.3. The role of the union representative in the disciplinary or grievance procedure – employer survey

Which of the following is the union rep entitled to do?	Yes (%)	No (%)	Don't know (%)	Total (%)
Accompany the employee to meetings and observe proceedings	97 (100)	-	-	97 (100)
Make a statement on the employees' behalf	88 (90.7)	6 (6.2)	3 (3.1)	97 (100)
Ask questions on the employee's behalf	84 (86.6)	10 (10.3)	3 (3.1)	97 (100)
Answer questions on the employee's behalf	67 (69.1)	26 (26.8)	4 (4.1)	97 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

## Disputes procedures

In the employers' survey just over half (52 per cent) of employer representatives reported that there was a written collective disputes procedure covering the bargaining unit. Just over two-fifths of bargaining units (44 per cent) had no such procedure and five per cent of employer representatives did not know (Table 5.4).

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#### 5.4. Whether there is a written collective disputes procedure – employer survey

	Number (%)
Yes	52 (51.5)
No	44 (43.6)
Don't know	5 (5.0)
Total	101(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Table 5.5 shows that in just under three-quarters (73 per cent) of these cases the procedure provided for conciliation, in a fifth (21 per cent) it did not and in six per cent of cases the employer representative did not know. Around seventy per cent provided for arbitration (71 per cent), a fifth (21 per cent) did not and eight per cent did not know. Sixty-two per cent of these procedures provided for mediation, just under one-third (31 per cent) did not, and eight per cent of employer representatives were not sure whether it did.

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#### 5.5. Where there is a disputes procedure whether it provides for conciliation, arbitration or mediation – employer survey

Which of the following does the disputes procedure provide for?	Yes (%)	No (%)	Don't know (%)	Total (%)
Conciliation	38 (73.1)	11 (21.2)	3 (5.8)	52 (100)
Arbitration	37 (71.2)	11 (21.2)	4 (7.7)	52 (100)
Mediation	32 (61.5)	16 (30.8)	4 (7.7)	52 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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The vast majority (81 per cent) of disputes procedures stated that industrial action should not take place until the procedure was exhausted, just less than one-in-five (17 per cent) did not, while two per cent did not know (Table 5.6).

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#### 5.6. Whether the procedure includes provision for no industrial action – employer survey

	Number (%)
Yes	42 (80.8)
No	9 (17.3)
Don't know	1 (1.9)
Total	52(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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The findings from the telephone survey of employers are consistent with the analysis of written agreements undertaken in Stage One. This similarly found that just over half of agreements in the sample (52 per cent) provided for some form of collective disputes resolution procedure. In just over one third (35 per cent) this was a specific disputes resolution procedure; in six per cent) it took the form of a collective grievance procedure; and, in one-in-ten (ten per cent), a negotiating procedure that contained a dispute resolution process. In around one-in-five agreements

(22 per cent) there was no disputes procedure, although in eight per cent there was reference to a procedure set-out elsewhere.

### **Information and consultation**

The analysis of written agreements showed that around one-in-seven (15 per cent) employers had already introduced a separate consultative body covering all employees in the workplace or organisation, and not just those in the bargaining unit. The case studies suggested that the emergence of a dual channel of communication was in some instances a response to employer dissatisfaction with formal union channels of representation and/or anticipation of Information and Consultation legislation. The findings from the employer survey showed that in one-in-seven (12 per cent) cases employers reported that a new consultative body had been established; in nine-out-of-ten bargaining units (88 per cent) this was not the case (Table 5.7). One quarter of employers (25 per cent) reporting a new consultative body said that a formal body for informing and consulting staff had been in existence prior to recognition; for three quarters of bargaining units (75 per cent) there had been no such body.

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#### **5.7. Whether employers have introduced a separate consultative body following recognition – employer survey**

	Number (%)
Yes	12 (11.9)
No	89 (88.1)
Total	101(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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# 6. Union organisation, influence and industrial relations

This chapter looks at the development of union organisation in the workplace following recognition. It considers the provision of training for both union and employer representatives, enabling them to fulfil new roles in a unionised workplace – an environment which may be new to them. The interaction between the parties is explored along with employer perceptions of union influence in the workplace and the nature of industrial relations emerging from union recognition.

## Union membership

The employers' survey provided an opportunity to follow-up the development of trade union organisation post recognition. Employers were asked if they thought that the proportion of union members in the bargaining unit had changed, since recognition. Table 6.1 reveals that while around two-fifths (42 per cent) of employers said that they did not know if membership had changed, around one-in-five (21 per cent) said that it had decreased, around one-in-seven (12 per cent) said that it had increased and in just over one-quarter (26 per cent) that it had stayed the same. In four of the 12 cases where a rise in membership was reported there had also been an increase in the size of the bargaining unit. In three of the cases where union membership was said to have declined, there had also been a decrease in the size of the bargaining unit, but in five cases the bargaining unit had expanded.

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### 6.1. Whether the proportion of union members in the bargaining unit has changed since recognition – employer survey

	Number (%)
Increased	12 (11.9)
Decreased	21 (20.8)
Stayed the same	26(25.7)
Don't know	42 (41.6)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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## Union representation

Employers were also asked whom from the union they generally dealt with. In just under two-thirds of cases (65 per cent) they reported that they dealt with both full-time officers and workplace representatives, depending on the issue (Table 6.2). Just under one-in-five (18 per cent)

said that they dealt with workplace representatives only, a slightly lower proportion (15 per cent) reported that they dealt with the full-time officer only. This latter figure suggests that it is only in a minority of workplaces that the union has not been able to find a workplace representative to deal with management on, at least, some domestic issues post-recognition.

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## 6.2. Who from the union the employer generally deals with – employer survey

	Number (%)
Full-time officer only	11 (14.1)
Workplace representatives only	12 (15.4)
Full-time officer and workplace representatives	55(70.5)
Total	78 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Employers were also asked how many workplace union representatives the union was entitled to, and how many there were in post. In half of all cases (51 per cent) the employers' representatives said that they did not know what the entitlement was, although in some of these cases they reported that it was not specified in the agreement. Where they did know, employers reported that the median entitlement was three representatives. The median number of representatives in post was two. Table 6.3 below shows that where the employer did know what the entitlement was, in two-thirds of cases (66 per cent) it was reported that there were workplace representatives in all the posts the union was entitled to. In just over one-in-seven (16 per cent) under half the posts were filled and in just under one-in-five cases (18 per cent) between half and 99 per cent of posts were filled.

---

## 6.3. Proportion of workplace representatives in post (where manager is aware of entitlement) – employer survey

% of entitlement in post	Number (%)
None	3 (3.0)
1-49	5 (5.0)
50-99	9 (18.0)
100 +	33 (66.0)
Total	50(100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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Table 6.4 overleaf shows that in one-quarter (25 per cent) of cases the ratio of union representatives to employees in the bargaining unit (as opposed to union members) was less than 25:1; in a slightly smaller proportion (23 per cent) it was between 25:1 and 49:1; in 24 per cent it was between 50:1 and 99:1; in one-in-seven (15 per cent) there was only one union representative to more than 100 employees in the bargaining unit.

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#### 6.4. Ratio of workplace union representatives to number in bargaining unit – employer survey

Ratio	Number (%)
Under 25:1	25 (24.8)
Between 25:1 and 49:1	23 (22.8)
Between 50:1 and 99:1	24 (23.8)
100:1 and above	15 (14.9)
Missing	14 (13.9)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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#### *Union representative training*

The case studies undertaken in Stage One of the research suggested that bargaining outcomes were influenced by the character and experience of the union representatives and whether or not they had received training. In some of the case studies new union representatives had received little or no training from the union. Table 6.5 below provides information on union representative training from the employer survey. These findings show that eight-out-of-ten (83 per cent) employer representatives believed that the workplace representatives had undergone union training. In just under one-in-ten cases (eight per cent), however, the employer representatives did not think that there had been training; in a similar proportion (nine per cent) they did not know.

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#### 6.5. Whether employer representatives believe that workplace representatives have received union training – employer survey

	Number (%)
Yes	84 (83.2)
No	8 (7.9)
Don't know	8 (7.9)
No representatives in place	1 (1.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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As Table 6.6 overleaf demonstrates, from the perspective of the employer, training was not necessarily adequate. In just over one-quarter (28 per cent) of cases the employer representative felt that the workplace representatives were not sufficiently trained to perform their role, and in eight-out-of-ten of these cases they had been trained (82 per cent). In just over forty-per cent of all cases (43 per cent), however, employers thought the representatives sufficiently trained. In nearly a quarter (24 per cent) representatives were considered both sufficiently and insufficiently trained. This may vary according to the issue involved or because there is more than one representative.



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## 6.6. Whether employer representatives believe workplace representatives are sufficiently trained - employer survey

	Yes (%)	No (%)	Don'tknow (%)	Total (%)
Sufficiently trained	39 (90.7)	2 (4.7)	2 (4.7)	43 (42.6)
Not sufficiently trained	23 (82.1)	2 (7.1)	3 (10.7)	28 (27.7)
Both sufficiently and insufficiently trained	19 (79.2)	3 (12.5)	2 (8.3)	24 (23.8)
Don't know	3 (60.0)	1 (20.0)	1 (20.0)	5 (5.0)
Total	84 (83.2)	8 (7.9)	8 (7.9)	100 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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## Meetings between the parties

### *Local representatives*

The employer representatives were asked how often they met with local representatives. Table 6.7 below shows that over half of employers (54 per cent) met with them on at least a monthly basis. In some cases employer representatives distinguished between formal and informal meetings – the figures include both. Just under one-third (30 per cent) of employers met union representatives less than quarterly. In two of the six cases where the employer representatives had not met with the union representatives, there were no representatives in post.

---

## 6.7. Frequency of meetings between management and local representatives – employer survey

	Number (%)
Daily	3 (3.0)
Weekly	18 (17.8)
Fortnightly	10 (9.9)
Monthly	23 (22.8)
Every three months	21 (20.8)
Less than every three months	9 (8.9)
Ad hoc basis	11 (10.9)
Never	6 (5.9)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### *Full-time officers*

Management met with full-time officers on a less frequent basis than with workplace representatives. Table 6.8 overleaf shows that in one-third (33 per cent) of cases they met either between two and four times a year. In approaching one-third (29 per cent) they met annually – the case studies undertaken in Stage One suggested that full-time officers were generally involved in annual pay negotiations. In one-quarter of cases the parties met between twice a year and quarterly. In one-in-seven (16 per cent) cases the parties meet more frequently, that is on a monthly, fortnightly or weekly basis.

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## 6.8. Frequency of meetings between management and the full-time officer – employer survey

	Number (%)
Weekly/fortnightly	5 (5.0)
Monthly	11 (10.9)
Every three months	23 (22.8)
Every six months	10 (9.9)
Yearly	29 (28.7)
Never/not since recognition	11 (10.9)
Ad hoc basis	10 (9.9)
Don't know	2 (2.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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## Union influence

### *Organisational change*

Employer representatives were asked whether there had been any significant change or organisational event since recognition that had affected the bargaining unit. Table 6.9 below shows that in 56 cases, or over half (55 per cent), it was reported that such a change had occurred. In well over half of the cases (57 per cent) where there was change there were redundancies, workplace closures or staff reductions through natural wastage. In a further four cases there was a merger and in three, some relocation. Four employer representatives reported organisational expansion since recognition. In a further five organisations the significant change was the introduction of new working practices.

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## 6.9. Whether there has been significant change or a significant organisational event since recognition – employer survey

	Number (%)
Significant change	56 (55.4)
No significant change	45 (44.6)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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In nearly four-fifths of cases where the employer representatives reported that redundancies had occurred there were discussions with the union (79 per cent excluding the six postal questionnaires where respondents were not asked). In nearly half (48 per cent) of these cases there were negotiations over redundancies and in the same proportion consultation.

In the vast majority (88 per cent) of cases where there was organisational change following recognition the employer perceived that the union had some influence over the process or outcome of change (Table 6.10). In just under two-fifths (38 per cent) it was perceived that the union had 'significant influence' and another third (30 per cent) 'some influence'. In only just over one-in-ten cases (13 per cent) did the employer representatives say that the union had 'no influence', and in one-in-five (20 per cent) only a 'little influence'.

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#### 6.10. Whether the union had any influence on the process or outcome of change – employer survey

	Number (%)
No influence	7 (12.5)
A little influence	11 (19.6)
Some influence	17 (30.4)
Significant influence	21 (37.5)
Total	56 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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#### *Unions and change*

Employer representatives were asked if they thought recognition for unions for the bargaining unit in question had helped to facilitate change, hindered change, or neither helped or hindered. Table 6.11 below shows that approaching three-fifths (59 per cent) thought the union had facilitated change; one-in-seven (14 per cent) that it had hindered change; and nearly a quarter (24 per cent) that it had neither facilitated nor hindered change. A further three per cent of employers believed that the union had both hindered and facilitated. Interestingly employers were more likely to express the view that unions had facilitated change where there had been organisational change (66 per cent compared to 51 per cent where there had been no change). However, this was not the case where there had been redundancies. Where employers felt the union both hindered and facilitated change or did neither, they reported either that it depended upon the issue or upon the individual representatives.

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#### 6.11. Whether the union facilitated or hindered change – employer survey

	Number (%)
Facilitated	60 (59.4)
Hindered	14 (13.9)
Neither	24 (23.8)
Both	3 (3.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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#### **Industrial action**

Table 6.12 overleaf presents findings on whether the union had threatened industrial action; balloted for industrial action or taken industrial action. In line with national statistics the incidence of industrial action was low; in only two cases (two per cent) had the union taken such action, in 97 per cent it had not. In only one case did the employer report that the union had taken industrial action without a ballot, which occurred when the company went into receivership. In the other case industrial action took the form of an overtime ban over changes in working practices, the union threatened a strike, but 'pulled back'.

## 6.12. Industrial action – employer survey

	Number (%)
Threatened industrial action but did not ballot or take industrial action	15 (14.9)
Balloted for industrial action but did not take industrial action	15 (14.9)
Took industrial action	2 (2.0)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

In one-in-seven cases (15 per cent) the union had balloted workers in the bargaining unit for industrial action, but had not gone on to actually take action. In a similar proportion of cases (15 per cent) the union had threatened the employer with industrial action, but had not balloted the workers or taken any action. Thus in nearly a third of cases (32 per cent) the union had challenged the employer since recognition and had at least considered mobilising its membership in support of its position, suggesting that the union was pursuing an active bargaining agenda.

## Industrial relations

### *Management and union*

Employers were also asked to rate the relationship between management and the full-time officer, management and union representatives and management and the employees in the bargaining unit. Table 6.13 below shows that nearly three-quarters (73 per cent) of employer representatives considered their relationship with both the union full-time officer and union representatives 'good' or 'very good'. One-third perceived the relationship with both the full-time officer and workplace representatives as 'very good' (33 per cent), with slightly more rating the relationship with union representatives as 'very good' (35 per cent).

## 6.13. Rating of relationship between management and union officer; management and union representative and management and employees – employer survey

	Full-time union officer (%)	Union reps (%)	Employees (%)
Very good	33 (32.7)	35 (34.7)	20 (19.8)
Good	41 (40.6)	39 (38.6)	66 (65.3)
Neither good nor bad	15 (14.9)	15 (14.9)	13 (12.9)
Bad	4 (4.0)	4 (4.0)	1 (1.0)
Very bad	2 (2.0)	2 (2.0)	1 (1.0)
Not met/don't know	6 (5.9)	6 (5.9)	-
Total	101 (100)	101 (100)	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements.

Less than one-in-ten said that relationships with the full-time officer or union representatives were 'bad' or 'very bad'. In one case the officer was seen as having no understanding of the members and 'promising the earth' and not delivering. In another, relationships were improving until the appointment of a new officer 'more aggressive and traditional and not interested in partnership'. In one case poor relationships were seen as a

result of union disorganisation and management wanted more union representatives and regular meetings.

Overall the secondary analysis suggested that there were no significant differences between ratings depending on whether the respondent was a human resources specialist or a managing director or a general manager<sup>6</sup>.

### *Management training*

Training in employment relations, negotiating, and the manifold issues and topics related to trade union recognition is not just an issue for union representatives since in new recognition situations many managers may have had no experience of, or only very limited exposure to, trade unions. Employer representatives were thus asked whether the organisation had provided any specific training for management representatives to deal with trade unions. In just over two-fifths (42 per cent) of all cases the organisation had trained management representatives, but in over half (55 per cent) it had not made any provisions (Table 6.14).

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#### **6.14. Whether there has been training for management to deal with trade unions – employer survey**

	Number (%)
Training	42 (41.6)
No training	55 (54.5)
Don't know	4 (4.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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### *Joint training*

Research on recognition in cases where Acas officers were involved (McKay and Moore forthcoming 2005) has suggested that joint training for both management and trade unions plays an important role in cementing relationships following recognition. Table 6.15 below shows that, from the employer survey, in a third (31 per cent) of organisations there was some joint training in dealing with workplace issues and problems. It appeared that employers were less likely to perceive relations with union officers and representatives as poor if there was some joint training.

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#### **6.15. Whether there has been joint training for management and trade unions - employer survey**

	Number (%)
Joint training	31 (30.7)
No joint training	67 (66.3)
Don't know	3 (3.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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<sup>6</sup> Ninety-four per cent of HR specialists rated relations between management and the full-time officer as good or very good compared to 90 per cent of managing directors or general managers.

### *Management and employees*

Table 6.13 shows that in over eight-out-of-ten cases (85 per cent) the employer rated the relationship between management and employees in the bargaining unit as 'good' or 'very good' and was less likely to consider it as 'neither good nor bad', 'bad' or 'very bad' compared to the relationship with union representatives or officers. It is noteworthy that employers were more likely to regard the relationship with the union officer and representatives as 'very good' than that with employees.

### *Changing relationships*

Table 6.16 below shows that in two-fifths of cases (40 per cent) the employer representative thought that the relationship between management and employees in the bargaining unit had improved since recognition. In nearly half (45 per cent) of all cases employer representatives reported relationships had stayed the same and in one-in-seven (13 per cent) that they had worsened since recognition – change, was not, however, always attributed to union recognition.

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#### **6.16. Whether the relationship between management and employees improved, worsened or stayed the same after recognition – employer survey**

	Number (%)
Improved	40 (39.6)
Worsened	13 (12.9)
Stayed the same	45 (44.6)
Don't know	3 (3.0)
Total	101 (100)

Source: TUC/LRD database of voluntary union recognition agreements (2003). Survey responses from sample of 213 agreements

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# 7. Conclusions

Stage One of the research emphasised that union recognition is a dynamic and fluid relationship that develops over time, and that bargaining outcomes and the nature of relationships cannot be assumed from the content of formal agreements. This was confirmed by the employer survey. When the nature of discussions was examined, the analysis revealed a clear gap between the proportion of cases where the text of the agreement appeared to define the depth of bargaining as negotiation and the proportion of cases where employers defined the discussions they had with unions as negotiation. The gap between the text of agreements and the reality of bargaining was, perhaps not surprisingly, higher for non-core issues. This may be simply because in the content analysis undertaken in Stage One it was considered that agreements which defined collective bargaining in general terms may include non-core issues. Whilst the employer survey showed that it is not possible to state conclusively whether or not agreements defined in general terms include or exclude non-core issues, in reality employer representatives were more likely to regard subjects like training, equal opportunities and redundancy as topics for consultation rather than negotiation. However, even within the core subjects of pay, hours and holidays, a proportion (between 22 and 36 per cent) of discussions were not defined by employers as negotiation when the recognition agreement clearly defined them as a subject for collective bargaining.

Cully et al., (1998) reporting findings from the 1998 Workplace Employee Relations Survey (WERS98) concluded that 'union recognition cannot be directly equated to joint regulation'. WERS98 found that managers in workplaces with union recognition and worker representatives reported that negotiations on pay and conditions occurred in less than half of all workplaces, with a slightly lower proportion reporting no union involvement and smaller proportion, consultation or information. Cully et al., noted that managements in workplaces that are part of wider organisations may not have complete discretion over decision-making, and joint regulation may occur away from the workplace. This may also be the case in the employer survey; although it did take account of national or industry-level bargaining, there may be inconsistencies in how employers define workplace discussion on pay and conditions in such cases. The case studies conducted as part of Stage One of this study found that where the parties were constrained in discussions because policies were set by a higher level of management, this may also have had the effect of shifting the process from negotiation to consultation. WERS98 demonstrated, however, that accounting for managerial autonomy at the workplace did not substantially alter the picture of bargaining and similar conclusions can be drawn from the employer survey.

The findings of the employer survey reported here are limited to the perceptions of employer representatives. It is possible that in some cases following recognition employers may have been reluctant to concede that

workplace governance had changed, particularly in cases where the employer was disinclined to recognise the union, or recognised on the basis that it would make no substantive difference to the company. Employers may thus have been inclined to define discussions as consultation rather than negotiation. In addition the case studies conducted for Stage One found that the line between negotiation, consultation and information sharing was often blurred, and that the perceptions of the parties often differed. In the absence of a survey of union representatives it is not possible to draw conclusions as to how far employer definitions of the nature of discussions were shared by the union. However, Cully et al showed that when identical questions about the pattern of negotiation, consultation and information-sharing were asked of union representatives, the account they provided broadly concurred with that of management. Similarly Rainbird et al's., (2003) study of employee voice and training, which also drew upon WERS98, concluded that there was no bias in management reports on the extent of union involvement in training and emphasised the rarity of negotiation on training.

One factor influencing bargaining relationships post-recognition was employer intent. The gap between the content of the recognition agreement and the reality of bargaining following recognition was smaller where agreements reflected the statutory model. The analysis of written agreements found that one-in-five mirrored the statutory model of bargaining in restricting collective bargaining to pay, hours and holidays only. The findings from the employer survey showed that in these cases generally actual bargaining following recognition had not as yet moved beyond this to cover non-core issues. Bargaining thus mirrored the text of the agreement which was perhaps indicative of employer determination, when conceding recognition, to limit the scope of bargaining.

However, Cully et al., also suggested that another factor influencing joint regulation was the strength of the union and it found that the higher union density, the more likely management were to consult and negotiate over workplace matters. The case studies reported in Stage One of the research confirmed that bargaining was influenced by the strength of the union and the experience and character of the workplace representatives. It was apparent that union representatives were sometimes inexperienced and in many cases had received limited or no training. The employer survey suggested some variability between workplaces. In most cases the employers believed that representatives had received training, although they also judged that a substantial proportion had not received sufficient training to perform their role. In most cases the employer met with workplace representatives regularly, but again in a proportion, meetings appeared to be less frequent. In some cases there appeared to be dependence upon full-time officer support.

In the case studies undertaken in Stage One of the research some employers expressed surprise about the limited scope of the union's bargaining agenda. This was corroborated by the interviews with union officers and workplace representatives which revealed that unions were often cautious in trying to extend the bargaining agenda, expressing an intention first to establish a sound relationship with the employer, and to



develop a bargaining agenda over time. The employer survey confirmed that unions were not raising issues which employers were refusing to discuss. Discussions following recognition, therefore, tended to reflect the union, as much as the employer, agenda (and the limitations of that agenda). Similarly, the nature of discussions may have reflected the union's aspirations. In aiming to firstly establish a relationship unions may have been reluctant to challenge the employer at an early stage in the recognition and to ensure that discussions were consensual. Consequently discussions may have been employer-led and employers may have treated them as consultation rather than negotiation. This might be further reflected in the fact that in the employer survey the employers' perceptions of the relationship with the union were overwhelmingly positive. Actual industrial action was confined to a tiny minority of cases, although a higher proportion had balloted and not taken action, or threatened action and neither balloted or taken action. Where there had been significant organisational change, unions were generally thought to have played an influential role and to have facilitated rather than hindered change. This lends itself to a picture of the union role as representative and consultative, rather than pursuing material goals. This is resonant of the case studies concluded in Stage One of the research where interviews with union representatives emphasised that for them the importance of recognition lay in the provision of a voice, and the restraint on management prerogative in the workplace, as much as in the pursuit of material gains.

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# Appendix 1– Telephone survey of employers questionnaire

## THE COVERAGE AND CONTENT OF VOLUNTARY TRADE UNION RECOGNITION AGREEMENTS 1998-2002

### Employer's representative

Telephone Questionnaire

#### RESEARCH OBJECTIVE

To establish the extent to which, in practice, the core issues of pay, hours and holidays and the non-core issues of pensions, training and equality are perceived by the principal parties to be subject to collective bargaining, consultation or the provision of information

#### INTERVIEWER: READ OUT

**'Good Morning / Afternoon. I am calling from the Working Lives Research Institute at London Metropolitan University. We wrote to you recently to explain that we have been commissioned by the Department of Trade and Industry to carry out research on the content and coverage of new voluntary trade union agreements concluded between 1998 and 2002 and to ask you if you would be willing to participate in a telephone survey – the interview will last about 20 minutes'**

A.

{FILTER - ALL}

QA1. Can I check, are you the person primarily responsible for dealing with employee relations here on a day-to-day basis?

1. Yes  ➔ GO TO QA3
2. No  ➔ GO TO QA2

---

{FILTER: INCORRECT CONTACT ONLY}

QA2. Please tell us the name, address and telephone number of the person who has most dealing with employee relations

INTERVIEWER: RECORD FULL NAME AND ADDRESS NUMBERING POSTCODE AND TELEPHONE NUMBER

**[READ OUT]** 'Thank you for your assistance...'

➡ END INTERVIEW

---

{ALL}

QA3. Could I just check your job title?

INTERVIEWER: RECORD VERBATIM RESPONSE AND CODE LATER

---

{ALL}

QA4. Have you seen the letter we sent you?

- |        |                          |   |                  |
|--------|--------------------------|---|------------------|
| 1. Yes | <input type="checkbox"/> | ➡ | <b>GO TO QA7</b> |
| 2. No  | <input type="checkbox"/> | ➡ | <b>GO TO QA5</b> |
- 

{FILTER – LETTER NOT SEEN}

QA5. Would you like me to fax / email a copy of the letter to you?

- |        |                          |   |                  |
|--------|--------------------------|---|------------------|
| 1. Yes | <input type="checkbox"/> | ➡ | <b>GO TO QA6</b> |
| 2. No  | <input type="checkbox"/> | ➡ | <b>GO TO QA7</b> |
- 

{FILTER – WANT COPY OF LETTER}

QA6. Please let me have your fax / email address.

INTERVIEWER: RECORD FAX NO AND / OR EMAIL ADDRESS

---

{ALL – CORRECT CONTACT}

QA7. Are you willing to be interviewed over the telephone now?

- |     |                          |   |                   |
|-----|--------------------------|---|-------------------|
| Yes | <input type="checkbox"/> | ➡ | <b>GO TO QA12</b> |
| No  | <input type="checkbox"/> | ➡ | <b>GO TO QA8</b>  |
- 

{FILTER: IF NOT WILLING TO BE TELEPHONED NOW}

QA8. Is it possible to arrange another time for us to call back?

- |        |                          |   |                   |
|--------|--------------------------|---|-------------------|
| 1. Yes | <input type="checkbox"/> | ➡ | <b>GO TO QA9</b>  |
| 2. No  | <input type="checkbox"/> | ➡ | <b>GO TO QA10</b> |
- 

{FILTER: WILLING TO BE CALLED BACK}

QA9. Please let me know when is a convenient time to call back.

INTERVIEWER: ARRANGE DATE AND TIME TO CALL BACK

**[READ OUT]** 'Thank you for your assistance...'

**➡** END INTERVIEW

---

{FILTER – NO TO TELEPHONE INTERVIEW}

[THIS SHOULD BE SEEN AS A LAST RESORT]

QA10. Would you be willing to complete the survey questionnaire and post it to me?

1. Yes  **➡** **GO TO QA11**
2. No

**[READ OUT]** 'Thank you for your assistance...'

**➡** **END INTERVIEW**

---

{FILTER: WILL COMPLETE QUESTIONNAIRE BY POST ONLY}

QA11. Could I check your name and address and I will arrange for it to be sent.

INTERVIEWER: RECORD FULL NAME AND ADDRESS AND NUMBERING POSTCODE

[READ OUT] 'Thank you for your assistance...'

**➡** **END INTERVIEW**

---

{ALL}

QA12. We understand that the organisation recognised <UNION NAME> for <BARGAINING UNIT>. Is this correct?

INTERVIEWER: IF WE DO NOT HAVE DETAILS OF THE BARGAINING UNIT HERE ASK WHAT OCCUPATIONS THE BARGAINING UNIT COVERED

1. Yes  **➡** **GO TO QA14**
2. No  **➡** **GO TO QA13**
9. DON'T KNOW  **➡** **GO TO QA14**
- 

{FILTER – IF DETAILS ARE NOT CORRECT}

QA13. Is there any reason you can think why our records suggest that there was union recognition for this group of employees?

[PROMPTS] 'So the organisation has not had a recent relationship with a union for this or a similar group of employees...'

'Might the recognition have happened before you worked here?'

'Was the union trying to get recognition here?'

INTERVIEWER: RECORD VERBATIM RESPONSE

INTERVIEWER: IF IT IS CLEAR THAT THERE WAS NO RECOGNITION

[READ OUT] 'Thank you for your assistance...'

➡ **END INTERVIEW**

---

{FILTER: IF DETAILS CORRECT}

QA14. Does the organisation **still** recognise <UNION> for BARGAINING UNIT>?

- |    |            |                          |   |                   |
|----|------------|--------------------------|---|-------------------|
| 1. | Yes        | <input type="checkbox"/> | ➡ | <b>GO TO QB</b>   |
| 2. | No         | <input type="checkbox"/> | ➡ | <b>GO TO QA15</b> |
| 9. | DON'T KNOW | <input type="checkbox"/> | ➡ | <b>GO TO QB</b>   |
- 

{FILTER: NO RECOGNITION ONLY}

QA15. Why does this organisation no longer recognise this <UNION NAME> for <BARGAINING UNIT>?

INTERVIEWER: RECORD VERBATIM RESPONSE

[READ OUT] 'Thank you for your assistance...'

➡ **END INTERVIEW**

---

B. ORGANISATIONAL DETAILS

INTERVIEWER: READ OUT

'I would like to ask you some questions about your organisation.'

{ALL}

QB1. Is this organisation a single or multi-site operation?

INTERVIEWER: CODE ONE

- |    |             |                          |
|----|-------------|--------------------------|
| 1. | Single-site | <input type="checkbox"/> |
| 2. | Multi-site  | <input type="checkbox"/> |
| 9. | DON'T KNOW  | <input type="checkbox"/> |
-

{ALL}

QB2. Could you describe briefly the main activity of this organisation?

INTERVIEWER: RECORD VERBATIM RESPONSE AND CODE ONE LATER

---

{ALL}

QB3. How would you describe the formal status of the organisation, is it privately or publicly owned or a not for profit or voluntary organisation?

**[PROMPT]** 'Is it a PLC?'

INTERVIEWER: CODE ONE

- |    |                                 |                          |   |                  |
|----|---------------------------------|--------------------------|---|------------------|
| 1. | Private sector company (PLC)    | <input type="checkbox"/> | ➔ | <b>GO TO QB4</b> |
| 2. | Private sector other            | <input type="checkbox"/> | ➔ | <b>GO TO QB4</b> |
| 3. | Public Sector                   | <input type="checkbox"/> | ➔ | <b>GO TO QB7</b> |
| 4. | Not for profit/voluntary sector | <input type="checkbox"/> | ➔ | <b>GO TO QB7</b> |
| 9. | DON'T KNOW                      | <input type="checkbox"/> | ➔ | <b>GO TO QB7</b> |
- 

{FILTER: ALL PRIVATE SECTOR}

QB4. Is this organisation solely or predominantly UK owned or controlled?

INTERVIEWER: CODE ONE

- |    |            |                          |   |                  |
|----|------------|--------------------------|---|------------------|
| 1. | Yes        | <input type="checkbox"/> | ➔ | <b>GO TO QB6</b> |
| 2. | No         | <input type="checkbox"/> | ➔ | <b>GO TO QB5</b> |
| 9. | DON'T KNOW | <input type="checkbox"/> | ➔ | <b>GO TO QB6</b> |
- 

{FILTER: NOT PREDOMINANTLY UK OWNED}

QB5. Is this organisation predominantly European, US or other owned or controlled?

INTERVIEWER: CODE ONE

- |    |                              |                          |
|----|------------------------------|--------------------------|
| 1. | Predominantly European owned | <input type="checkbox"/> |
| 2. | Predominantly US owned       | <input type="checkbox"/> |
| 3. | Other owned: specify         | <input type="checkbox"/> |
-

{ALL PRIVATE SECTOR}

QB6. Has ownership of the organisation changed since recognition?

INTERVIEWER: CODE ONE

- 1. Yes
  - 2. No
  - 9. DON'T KNOW
- 

{ALL}

QB7. How many employees are there in the bargaining unit?

INTERVIEWER: READ OUT

'What we mean by bargaining unit is the group of employees covered by recognition.'

INTERVIEWER: RECORD VERBATIM RESPONSE

➡ IF SINGLE-SITE GO TO QB10

---

{FILTER: IF MULTI-SITES}

QB8. Is the bargaining unit based on one site?

INTERVIEWER: CODE ONE

- 1. Yes  ➡ **GO TO QB10**
  - 2. No  ➡ **GO TO QB9**
  - 9. DON'T KNOW  ➡ **GO TO QB10**
- 

{FILTER: IF BARGAINING UNIT COVERS MORE THAN ONE SITE}

QB9. How many employees are there altogether on these sites (i.e. the sites covered by the bargaining unit)?

INTERVIEWER: RECORD VERBATIM RESPONSE

---



{ALL}

QB10. How many employees in total are there in the UK as a whole?

INTERVIEWER: RECORD VERBATIM RESPONSE

---

C. PRIOR TO RECOGNITION

INTERVIEWER: READ OUT

'I will now be asking you questions about what happened before this recognition.'

{ALL}

QC1. Firstly, could I check whether you were employed by the organisation prior to this recognition?

INTERVIEWER: CODE ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

{IF NOT EMPLOYED PRIOR TO RECOGNITION}

INTERVIEWER: READ OUT

'You may not be able to answer the next few questions – if you can't please say so'

---

{ALL}

QC2. Prior to this recognition, did the organisation ever previously recognise trade unions for employees covered by this (or similar) bargaining unit?

INTERVIEWER: CODE ONE

- 1. Yes  **➔ GO TO QC3**
  - 2. No  **➔ GO TO QC4**
  - 9. DON'T KNOW  **➔ GO TO QC4**
-

{FILTER: PREVIOUS RECOGNITION ONLY}

QC3. Why did this earlier recognition cease?

INTERVIEWER: RECORD VERBATIM RESPONSE

---

QC4. Prior to recognition were there a formal body or bodies (e.g. works council) covering employees in the bargaining unit for informing and consulting employees?

INTERVIEWER: CODE ONE

- |               |                          |          |                  |
|---------------|--------------------------|----------|------------------|
| 1. Yes        | <input type="checkbox"/> | <b>➔</b> | <b>GO TO QC5</b> |
| 2. No         | <input type="checkbox"/> | <b>➔</b> | <b>GO TO QC6</b> |
| 9. DON'T KNOW | <input type="checkbox"/> | <b>➔</b> | <b>GO TO QC6</b> |
- 

QC5. Were representatives to this formal body or bodies appointed or elected or simply volunteers?

INTERVIEWER: CODE ALL THAT APPLY

- |               |                          |
|---------------|--------------------------|
| 1. Appointed  | <input type="checkbox"/> |
| 2. Elected    | <input type="checkbox"/> |
| 3. Volunteers | <input type="checkbox"/> |
| 9. DON'T KNOW | <input type="checkbox"/> |
- 

QC6. Prior to recognition how was pay determined for employees in the bargaining unit?

INTERVIEWER: CODE ONE

- |   |                          |
|---|--------------------------|
| 1. Management unilaterally introduced changes to pay  | <input type="checkbox"/> |
| 2. Management introduced changes to pay following consultation with a body representing employees | <input type="checkbox"/> |
| 3. Management introduced changes to pay following consultation with individual employees          | <input type="checkbox"/> |
| 4. Other – please specify   | <input type="checkbox"/> |
| 9. DON'T KNOW   | <input type="checkbox"/> |
- 

D. AT THE TIME OF RECOGNITION

INTERVIEWER: READ OUT

'I will be asking you questions about the situation around the time when this recognition took place.'

{ALL}

QD1. Firstly, could I check whether you were employed by the organisation at the time of this recognition?

INTERVIEWER: CODE ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

{IF NOT EMPLOYED AT THE TIME OF RECOGNITION}

INTERVIEWER: READ OUT

'Again, you may not be able to answer the next few questions – if you can't please say so'

---

{ALL}

QD2. At the time of recognition for this bargaining unit did the organisation recognise trade unions for other groups of employees on this site (or sites covered by the bargaining unit)?

INTERVIEWER: CODE ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

➡ IF SINGLE-SITE AND NO OTHER BARGAINING UNIT RECOGNISED GO TO QD5

➡ IF SINGLE-SITE AND ANOTHER BARGAINING UNIT RECOGNISED GO TO QD4

---

{IF MULTI-SITE ONLY}

QD3 At the time of recognition for this bargaining unit did the organisation recognise trade unions for other groups of employees in other workplaces in the UK?

INTERVIEWER: CODE ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

➡ IF THERE IS NO RECOGNITION FOR ANY OTHER GROUPS OF EMPLOYEES IN THE ORGANISATION GO TO QD5

{FILTER: WHERE MORE THAN ONE BARGAINING UNIT RECOGNISED}

QD4. Was this recognition for this (more recent) bargaining unit given on the basis of single table bargaining (i.e. where you negotiate with unions representing more than one group of employees at the same time)?

INTERVIEWER: CODE ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

---

{ALL}

QD5. Did recognition come about following the transfer of staff to the organisation through a business transfer?

INTERVIEWER: CODE ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

---

E. THE CURRENT STATE OF RECOGNITION

INTERVIEWER: READ OUT

'I will now be asking you questions about the current recognition situation.'

{ALL}

QE1. Have there been any significant changes to the size of the bargaining unit since recognition?

INTERVIEWER: CODE ONE

- 1. Yes  **➔ GO TO QE2**
- 2. No  **➔ GO TO QE3**
- 9. DON'T KNOW  **➔ GO TO QE3**

---

{FILTER: SIGNIFICANT CHANGES TO SIZE OF BARGAINING UNIT ONLY}

QE2. Has the number of employees in the bargaining unit increased, decreased or stayed the same?

INTERVIEWER: CODE ONE

- 1. Increased
  - 2. Decreased
  - 3. Stayed the same
-

{FILTER: ALL}

QE3. Has the bargaining unit been extended to other occupational groups?

INTERVIEWER: CODE ONE

- 1. Yes
  - 2. No
  - 9. DON'T KNOW
- 

{FILTER: ALL}

QE4. Has the bargaining unit been extended to other workplaces?

INTERVIEWER: CODE ONE

- 1. Yes
  - 2. No
  - 9. DON'T KNOW
- 

{FILTER: IF BARGAINING UNIT EXTENDED EITHER TO OTHER OCCUPATIONAL GROUPS OR TO OTHER WORKPLCES ONLY}

QE5. How has it been extended?

INTERVIEWER: RECORD VERBATIM RESPONSE

---

{ALL}

QE6. Has the proportion of union members in the bargaining unit changed, since recognition, has it increased, decreased or stayed the same?

INTERVIEWER: CODE ONE

- 1. Increased
  - 2. Decreased
  - 3. Stayed the same
  - 9. DON'T KNOW
- 

{ALL}

QE7.1 I am now going to read out a number of subjects often covered by collective bargaining. Could you say whether, since recognition was agreed, you have had any formal discussions with the union or its representatives on any of the following topics?

[Note to interviewer: you will need to go through each item separately. For some of the items you may need to provide definitions].

INTERVIEWER: CODE YES OR NO FOR EACH ON GRID

Pay

Working Hours

Holidays

Sick Pay

Redundancy

Equal Opportunities

Training

Family friendly policies

Flexible working

Health & Safety

Pensions

---

{FILTER: IF ITEM DISCUSSED ONLY}

QE7.2 Would you categorise these as being discussions for negotiation, consultation or information?

(INTERVIEWER: READ OUT THE FULL DESCRIPTION OF WHAT IS MEANT BY NEGOTIATION, CONSULTED OR INFORMED)

Negotiation is where there are discussions with the full-time or local trade unions which result in an agreement or failure to agree;

Consultation is where the trade unions are consulted in advance and their views taken into account by management;

Information is where employees (and trade unions) are informed of management policy or changes in practices

INTERVIEWER: CODE YES OR NO FOR EACH ITEM DISCUSSED ON GRID

---

{FILTER: IF ITEM NOT DISCUSSED}

QE7.3 Has the union raised the topic?

INTERVIEWER: CODE YES OR NO FOR EACH ITEM NOT DISCUSSED ON GRID

---

{FILTER: IF ITEM NOT DISCUSSED}

QE7.4 Is this issue within the scope of the recognition agreement?

INTERVIEWER: CODE YES OR NO FOR EACH ITEM NOT DISCUSSED ON GRID

---

{FILTER: IF ITEM NOT DISCUSSED}

QE7.5 How would you categorise the sorts of discussions, which the union would be entitled to under the agreement? Would these be categorised as negotiation, consultation or information?

INTERVIEWER: CODE YES OR NO FOR EACH ITEM NOT DISCUSSED ON GRID

---

{FILTER: IF PENSIONS NEGOTIATED}

QE8. How frequently have you had formal discussions with the union about pensions?

INTERVIEWER: CODE ONE

1. Once every year
  2. Less than once a year
  3. More than once a year
- 

#### F. INSTITUTIONS AND STRUCTURES

{ALL}

QF1. Do you have a written disciplinary or grievance procedure covering this bargaining unit?

INTERVIEWER: CODE ONE

1. Yes  **➔** **GO TO QF2**
  2. No  **➔** **GO TO QF4**
  9. DON'T KNOW  **➔** **GO TO QF4**
- 

{FILTER: IF DISCIPLINARY OR GRIEVANCE PROCEDURE}

QF2. Does the union representative have a formal role in these disciplinary and grievance procedures?

INTERVIEWER: CODE ONE

1. Yes  **➔** **GO TO QF3**
  2. No  **➔** **GO TO QF4**
  9. DON'T KNOW  **➔** **GO TO QF4**
-

{FILTER: IF FORMAL ROLE IN DISCIPLINARY OR GRIEVANCE PROCEDURE}

QF3. Which of the following things is the union representative entitled to do as part of this role?

INTERVIEWER: CODE ALL THAT APPLY

1. Accompany the employee to meetings and observe proceedings
  2. Make a statement on the employee's behalf
  3. Ask questions on the employee's behalf
  4. Answer questions on the employee's behalf
  9. DON'T KNOW
- 

{ALL}

QF4. Do you have a written collective disputes procedure covering this bargaining unit?

INTERVIEWER: CODE ONE

1. Yes  **➔ GO TO QF5**
  2. No  **➔ GO TO QF7**
  9. DON'T KNOW  **➔ GO TO QF7**
- 

{FILTER: THOSE WITH COLLECTIVE DISPUTES PROCEDURE ONLY}

QF5. Does it specifically provide for conciliation, arbitration and/or mediation where there is a collective dispute?

INTERVIEWER: CODE ALL THAT APPLY

1. Conciliation
  2. Arbitration
  3. Mediation
  9. DON'T KNOW
- 

{FILTER: THOSE WITH COLLECTIVE DISPUTES PROCEDURE ONLY}

QF6. Does it include a provision for no industrial action until the procedure is exhausted?

INTERVIEWER: CODE ONE

1. Yes
  2. No
  9. DON'T KNOW
-



{ALL}

QF7. Who from the union do you generally deal with?

INTERVIEWER: CODE ONE:

1. Full-time Officer only
2. Workplace representative(s) only
3. Full-time officer and workplace representatives depending on the issues

---

{ALL}

QF8. How many workplace union representatives are the union entitled to and how many are there at the moment?

INTERVIEWER: RECORD VERBATIM RESPONSE

1. Entitlement

\_\_\_\_\_

2. Number in post

\_\_\_\_\_

➡ IF NONE GO TO QF12

---

{FILTER: THOSE WITH UNION REPRESENTATIVES IN POST ONLY}

QF9. Is there a senior or leading local or workplace trade union representative at the moment?

INTERVIEWER: CODE ONE

1. Yes  ➡ **GO TO QF10**
2. No  ➡ **GO TO QF11**
3. Other Please Specify  ➡ **GO TO QF10**
9. DON'T KNOW  ➡ **GO TO QF12**

---

{FILTER: THOSE WITH SENIOR OR LEADING WORKPLACE REPRESENTATIVE IN POST ONLY}

QF10. Is it possible for you to provide me with their name, address and telephone number?

INTERVIEWER: RECORD FULL NAME AND ADDRESS NUMBERING POSTCODE AND TELEPHONE NUMBER

---

{FILTER: THOSE WITH UNION REPRESENTATIVES IN POST ONLY}

QF11. How often do you meet the local representative(s)?

INTERVIEWER: RECORD VERBATIM RESPONSE AND CODE ONE

1. Daily
  2. Weekly
  3. Fortnightly
  4. Less than monthly, but at least once every 3 months
  5. Less than every 3 months
  7. Never
- 

{ALL}

QF12. How often do you meet the Full-Time officer?

INTERVIEWER: RECORD VERBATIM RESPONSE

1. Weekly
  2. Fortnightly
  3. Monthly
  4. Less than monthly, but at least once every 3 months
  5. Once every six months
  6. Yearly
  7. Never
- 

{ALL}

QF13. Since recognition, have there been any new formal bodies covering employees in the bargaining unit for informing or consulting employees?

INTERVIEWER: CODE ONE

1. Yes
  2. No
  9. DON'T KNOW
- 

#### G. PAY DETERMINATION SINCE RECOGNITION

{ALL}

QG1. Has there been a pay negotiations round since recognition?

INTERVIEWER: CODE ONE

1. Yes  **➔ GO TO QG3**
  2. No  **➔ GO TO QG2**
  9. DON'T KNOW  **➔ GO TO QG3**
-

{FILTER: THOSE WHERE THERE HAS BEEN NO PAY ROUND ONLY}

QG2. Why have there been no pay negotiations round since recognition?

INTERVIEWER: RECORD VERBATIM RESPONSE



GO TO QG4

---

QG3. In the latest pay round, which of the following best characterises the outcome?

INTERVIEWER: CODE ONE

1. A settlement was agreed between management and union
  2. A settlement was agreed following the intervention of a third party
  3. There was a failure to agree and management imposed its pay offer
  4. There was a failure to agree and existing pay arrangements remained in place
  9. DON'T KNOW
- 

{ALL}

QG4. Has there been any significant change or organisational event since recognition that has affected this bargaining unit?

**[PROMPT]** 'For example, collective redundancies, relocation, or the introduction of new working methods'.

INTERVIEWER: CODE ONE

1. Yes  ➔ **GO TO QG5**
  2. No  ➔ **GO TO QG7**
  9. DON'T KNOW  ➔ **GO TO QG7**
- 

{FILTER: THOSE WHERE THERE HAS BEEN A SIGNIFICANT ORGANISATIONAL EVENT ONLY}

QG5. Please briefly describe the most recent significant change or organisational event that affected this bargaining unit?

INTERVIEWER: CODE VERBATIM RESPONSE

---

{FILTER: THOSE WHERE THERE HAS BEEN A SIGNIFICANT ORGANISATIONAL EVENT ONLY}

QG6. How much influence would you say the union had in influencing the process or outcome of this change?

INTERVIEWER: CODE ONE

1. No influence

2. A little influence
  3. Some influence
  4. Significant influence
- 

{ALL}

QG7. Since recognition, has the union for this bargaining unit either a) threatened industrial action, b) balloted for industrial action or c) taken industrial action since recognition?

INTERVIEWER: CODE ALL THAT APPLY

1. Threatened industrial action but did not ballot or take industrial action
  2. Balloted for industrial action but did not take industrial action
  3. Took industrial action
  4. None
  9. DON'T KNOW
- 

#### H. TRADE UNION INFLUENCE SINCE RECOGNITION

QH1. Generally, has recognition of trade unions for this bargaining unit helped to a) facilitate change, b) hinder change or c) made no difference to change within the organisation?

INTERVIEWER: CODE ONE

1. Facilitate change
  2. Hinder change
  3. Neither
- 

{ALL}

QH2. How would you rate the relationship between management and the full-time union officer now?

INTERVIEWER: CODE ONE

1. Very good
  2. Good
  3. Neither good nor bad
  4. Bad
  5. Very bad
- 

{FILTER: IF THERE IS A LOCAL REPRESENTATIVE ONLY}

QH3. How would you rate the relationship between management and the local representative now?

INTERVIEWER: CODE ONE

1. Very good
  2. Good
  3. Neither good nor bad
  4. Bad
  5. Very bad
- 

{ALL}

QH4. How would you describe the relationship between management and employees in the bargaining unit now?

INTERVIEWER: CODE ONE

1. Very good
  2. Good
  3. Neither good nor bad
  4. Bad
  5. Very bad
- 

{ALL}

QH5. Has the relationship between management and employees in the bargaining unit improved, worsened or stayed the same since the recognition?

INTERVIEWER: CODE ONE

1. Improved
  2. Worsened
  3. Stayed the same
- 

I. TRAINING

INTERVIEWER: READ OUT

'Finally, I would like to ask you some questions about training.'

{ALL}

Q11. Since recognition, has the organisation provided any specific training for management representatives to deal with trade unions?

INTERVIEWER: CODE ONE

- 1. Yes
  - 2. No
  - 9. DON'T KNOW
- 

{ALL}

Q12 Has there been any joint training for management and trade unions in dealing with workplace issues and problems?

INTERVIEWER: CODE ONE

- 1. Yes
  - 2. No
  - 9. DON'T KNOW
- 

{ALL}

Q13. To the best of your knowledge have the workplace representatives undergone any training provided by the Union?

INTERVIEWER: CODE ONE

- 1. Yes
  - 2. No
  - 9. DON'T KNOW
- 

{ALL}

Q14. Do you think the workplace representatives are sufficiently trained to perform their role?

INTERVIEWER: CODE ONE (the 'both' option covers where respondents say they are sufficiently trained in some areas but not others)

- 1. Sufficiently trained
  - 2. Not sufficiently trained
  - 3. Both sufficiently and insufficiently trained
  - 9. DON'T KNOW
- 

THANK RESPONDENT AND CLOSE INTERVIEW

# Appendix 2 – Postal survey of employers

## THE COVERAGE AND CONTENT OF VOLUNTARY TRADE UNION RECOGNITION AGREEMENTS 1998-2002

Thank you for agreeing to complete this questionnaire as part of the research we are undertaking for the Department of Trade and Industry on the content and coverage of new voluntary trade union agreements concluded between 1998 and 2002. The main purpose of the questionnaire is to establish the reality of bargaining following trade union recognition. All information will be treated in strict confidence and neither participating employers nor individuals will be identifiable in the resulting report. If the details of the recognition are incorrect please complete question QA2 and then return the questionnaire. If you would like more information about the research please get in touch with Dr Sian Moore, Telephone number: 0207 133 4236; E-mail address: Sian.Moore@londonmet.ac.uk. We would be grateful if you could complete the questionnaire as soon as possible and return it in the pre-paid envelope provided.

### A. RECOGNITION

QA1. We understand that the organisation recognised <UNION NAME> for <BARGAINING UNIT>. Is this correct?

PLEASE TICK ONE

1. Yes  ➡ **GO TO QA3**
2. No  ➡ **GO TO QA2**
- 

QA2. Is there any reason you can think why our records suggest that there was union recognition for this group of workers?

Please provide your answer in the box below

➡ **GO TO QJ1, page 35**

---

QA3. Does the organisation **still** recognise <UNION> for <BARGAINING UNIT>?

PLEASE TICK ONE

1. Yes  ➡ **GO TO QB1**
2. No  ➡ **GO TO QA4**

---

QA4. Why does this organisation no longer recognise this <UNION NAME> for <BARGAINING UNIT>?

Please provide your answer in the box below

**➡ GO TO QB1**

---

B. ORGANISATIONAL DETAILS

QB1. Is this organisation a single or multi-site operation?

PLEASE TICK ONE

- 1. Single-site
- 2. Multi-site

**➡ GO TO QB2**

---



QB2. Could you describe briefly the main activity of this organisation?

Please provide your answer in the box below

**➡ GO TO QB3**

---

QB3. How would you describe the formal status of the organisation, is it privately or publicly owned or a not for profit or voluntary organisation?

PLEASE TICK ONE

- |    |                                 |                          |          |                  |
|----|---------------------------------|--------------------------|----------|------------------|
| 1. | Private sector company (PLC)    | <input type="checkbox"/> | <b>➡</b> | <b>GO TO QB4</b> |
| 2. | Private sector other            | <input type="checkbox"/> | <b>➡</b> | <b>GO TO QB4</b> |
| 3. | Public Sector                   | <input type="checkbox"/> | <b>➡</b> | <b>GO TO QB7</b> |
| 4. | Not for profit/voluntary sector | <input type="checkbox"/> | <b>➡</b> | <b>GO TO QB7</b> |
- 

QB4. Is this organisation solely or predominantly UK owned or controlled?

PLEASE TICK ONE

- |    |     |                          |          |                  |
|----|-----|--------------------------|----------|------------------|
| 1. | Yes | <input type="checkbox"/> | <b>➡</b> | <b>GO TO QB6</b> |
| 2. | No  | <input type="checkbox"/> | <b>➡</b> | <b>GO TO QB5</b> |
-

QB5. Is this organisation predominantly European, US or other owned or controlled?

PLEASE TICK ONE

- 1. Predominantly European owned
- 2. Predominantly US owned
- 3. Other owned (please specify)

Please provide an answer in the box

**➡ GO TO QB6**

---

QB6. Has ownership of the organisation changed since recognition?

PLEASE TICK ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

**➡ GO TO QB7**

---

QB7. How many employees are there in the **bargaining unit**? (i.e. the group of employees covered by this recognition)

Please provide an answer in the box

**➡ IF THE ORGANISATION IS MULTI-SITE  
GO TO QB8**

**➡ IF THE ORGANISATION IS SINGLE-SITE  
GO TO QB10**

---

QB8. Is the bargaining unit based on one site?

PLEASE TICK ONE

- 1. Yes  **➡ GO TO QB9**
  - 2. No  **➡ GO TO QB9**
- 

QB9. How many employees are there altogether on these sites (i.e. the sites covered by the bargaining unit)?

Please provide an answer in the box

**➡ GO TO QB10**

---

QB10. How many employees in total are there in the UK as a whole?

Please provide an answer in the box

**➡ GO TO QC1**

---

C. PRIOR TO RECOGNITION

Questions in Section C are based on what happened prior to recognition.

QC1. Were you employed by the organisation prior to this recognition?

PLEASE TICK ONE

1. Yes
2. No

**➡ GO TO QC2**

---

QC2. Prior to this recognition, did the organisation ever previously recognise trade unions for employees covered by this (or a similar) bargaining unit?

PLEASE TICK ONE

1. Yes  **➡ GO TO QC3**
2. No  **➡ GO TO QC4**
9. DON'T KNOW  **➡ GO TO QC4**
- 

QC3. Why did this earlier recognition cease?

Please provide an answer in the box below

**➡ GO TO QC4**

---

QC4. Prior to recognition were there a formal body or bodies (e.g. works council) covering employees in the bargaining unit for informing and consulting employees?

PLEASE TICK ONE

- 1. Yes  ➔ **GO TO QC5**
  - 2. No  ➔ **GO TO QC6**
  - 9. DON'T KNOW  ➔ **GO TO QC6**
- 

QC5. Were representatives to this formal body or bodies appointed or elected or simply volunteers?

PLEASE TICK ALL THAT APPLY

- 1. Appointed
  - 2. Elected
  - 3. Volunteers
  - 9. DON'T KNOW
- ➔ **GO TO QC6**
- 

QC6. Prior to recognition how was pay determined for employees in the bargaining unit?

PLEASE TICK ONE

- 1. Management unilaterally introduced changes to pay
- 2. Management introduced changes to pay following consultation with a body representing employees
- 3. Management introduced changes to pay following consultation with individual employees
- 4. Other (please specify)

Please provide your answer in the box

- 9. DON'T KNOW

➔ **GO TO QD1**

---

**D. AT THE TIME OF RECOGNITION**

Questions in Section D are based on what happened at the time of recognition.

QD1. Were you employed by the organisation at the time of this recognition?

PLEASE TICK ONE

1. Yes
2. No

➡ **GO TO QD2**

---

QD2. At the time of recognition for this bargaining unit did the organisation recognise trade unions for other groups of employees on this site (or sites covered by the bargaining unit)?

PLEASE TICK ONE

1. Yes
2. No
9. DON'T KNOW

➡ IF THE ORGANISATION IS MULTI-SITE **GO TO QD3**

➡ IF THE ORGANISATION IS SINGLE-SITE AND THERE IS NO RECOGNITION FOR ANY OTHER GROUP OF EMPLOYEES **GO TO QD5**

➡ IF THE ORGANISATION IS SINGLE-SITE AND THERE IS RECOGNITION FOR ANOTHER GROUP OF EMPLOYEES **GO TO QD4**

---

QD3. At the time of recognition for this bargaining unit did the organisation recognise trade unions for other groups of employees in other workplaces in the UK?

PLEASE TICK ONE

1. Yes
2. No
9. DON'T KNOW

➡ IF THERE IS RECOGNITION FOR ANY OTHER GROUPS OF EMPLOYEES IN THE ORGANISATION **GO TO QD4**

➡ IF THERE IS NO RECOGNITION FOR ANY OTHER GROUPS OF EMPLOYEES IN THE ORGANISATION **GO TO QD5**

---

QD4. Was this recognition for this (more recent) bargaining unit given on the basis of single table bargaining (i.e. where you negotiate with unions representing more than one group of workers at the same time)?

PLEASE TICK ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

➡ **GO TO QD5**

---

QD5. Did recognition come about following the transfer of staff to the organisation through a business transfer?

PLEASE TICK ONE

- 1. Yes
- 2. No
- 9. DON'T KNOW

➡ **GO TO QE1**

---

#### E. THE CURRENT STATE OF RECOGNITION

Questions in Section E are based on what has happened since recognition.

QE1. Have there been any significant changes to the size of the bargaining unit since recognition?

PLEASE TICK ONE

- 1. Yes  ➡ **GO TO QE2**
  - 2. No  ➡ **GO TO QE3**
- 

QE2. Has the number of workers in the bargaining unit increased, decreased or stayed the same?

PLEASE TICK ONE

- 1. Increased
- 2. Decreased
- 3. Stayed the same

➡ **GO TO QE3**

---

QE3. Has the bargaining unit been extended to other occupational groups?

PLEASE TICK ONE

- 1. Yes
- 2. No

➡ **GO TO QE4**

---

QE4. Has the bargaining unit been extended to other workplaces?

PLEASE TICK ONE

- 1. Yes
- 2. No

➡ IF THE BARGAINING UNIT HAS BEEN EXTENDED **GO TO QE5**

➡ IF THE BARGAINING UNIT HAS NOT BEEN EXTENDED TO OTHER OCCUPATIONAL GROUPS OR WORKPLACES **GO TO QE6**

---

QE5. How has it been extended?

Please provide your answer in the box below

➡ **GO TO QE6**

---

QE6. Has the proportion of union members in the bargaining unit changed, since recognition, has it increased, decreased or stayed the same?

PLEASE TICK ONE

- 1. Increased
- 2. Decreased
- 3. Stayed the same

➡ **GO TO QE7**

---

QE7. Could you say whether, since recognition was agreed, you have had any formal discussions with the union or its representatives on any of the following topics and if so, would you categorise these as being discussions for negotiation or consultation or information?

By negotiation, consultation and information, we mean the following. Please use these definitions when answering questions 7A to 7F.

*Negotiation is where there are discussions with the full-time or local trade unions which result in an agreement or failure to agree;*

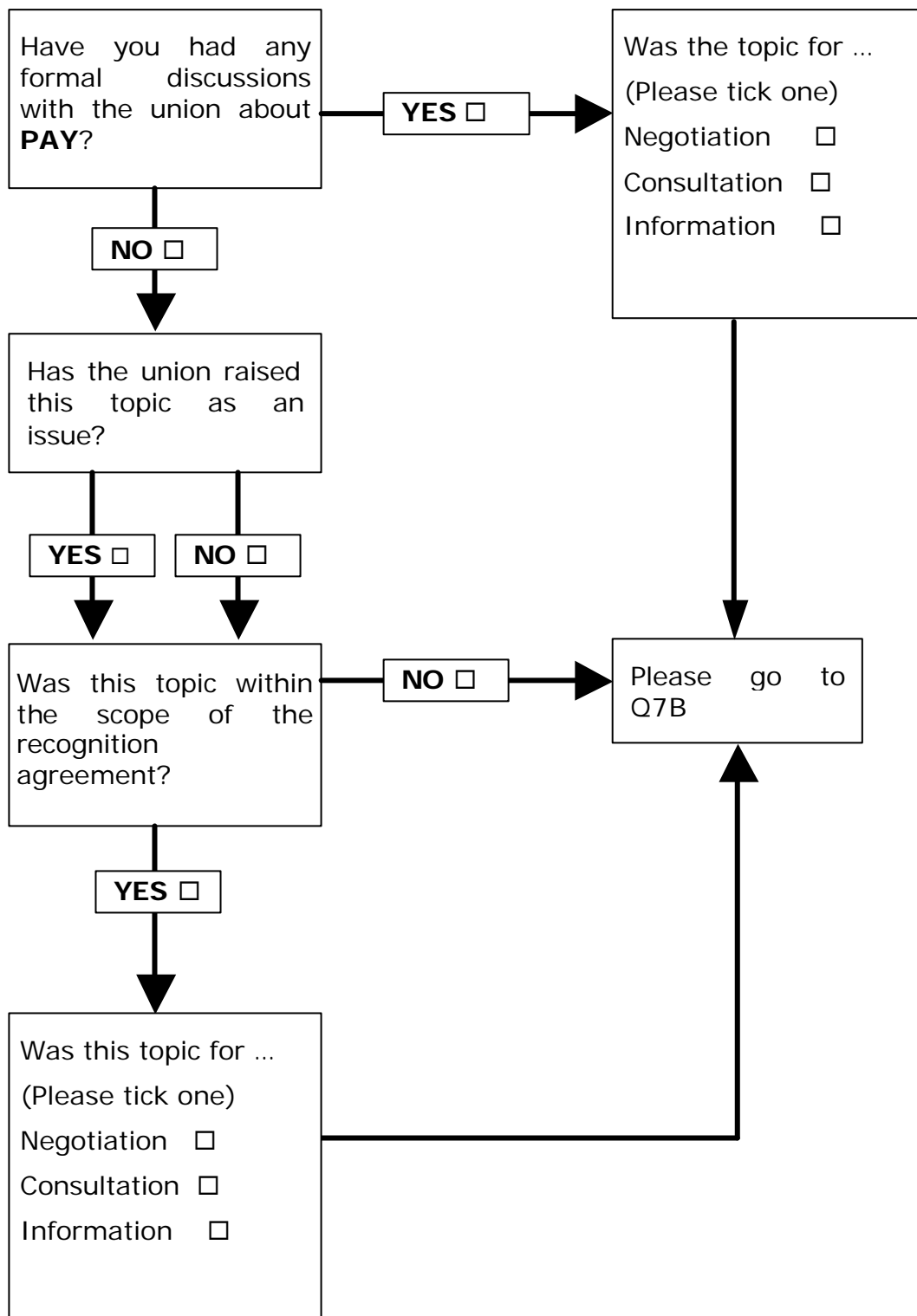
*Consultation is where the trade unions are consulted in advance and their views taken into account by management;*

*Information is where employees (and trade unions) are informed of management policy or changes in practices.*



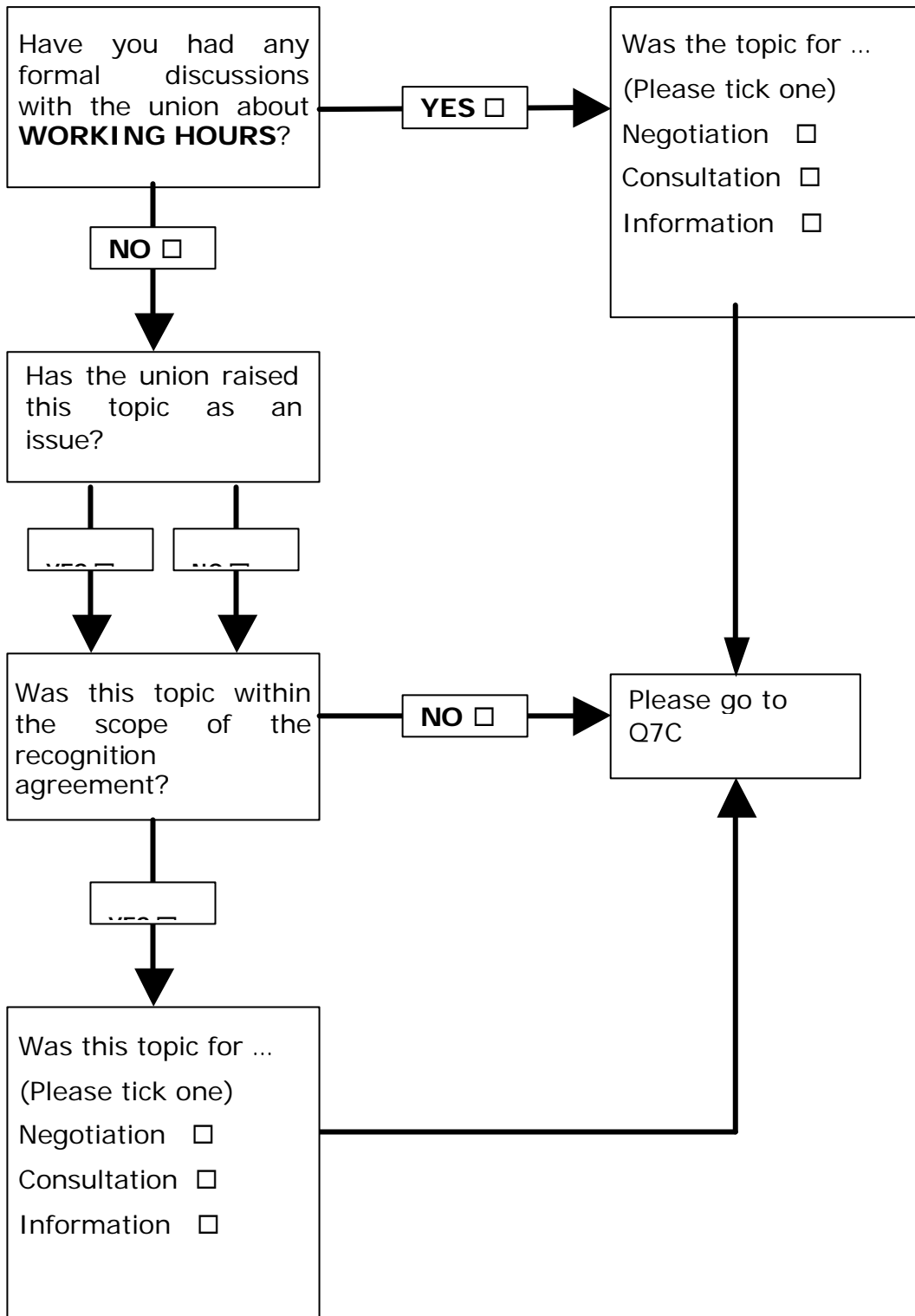
QE7A. Discussions with the Union on **PAY**...

(Please tick your answer to every question)



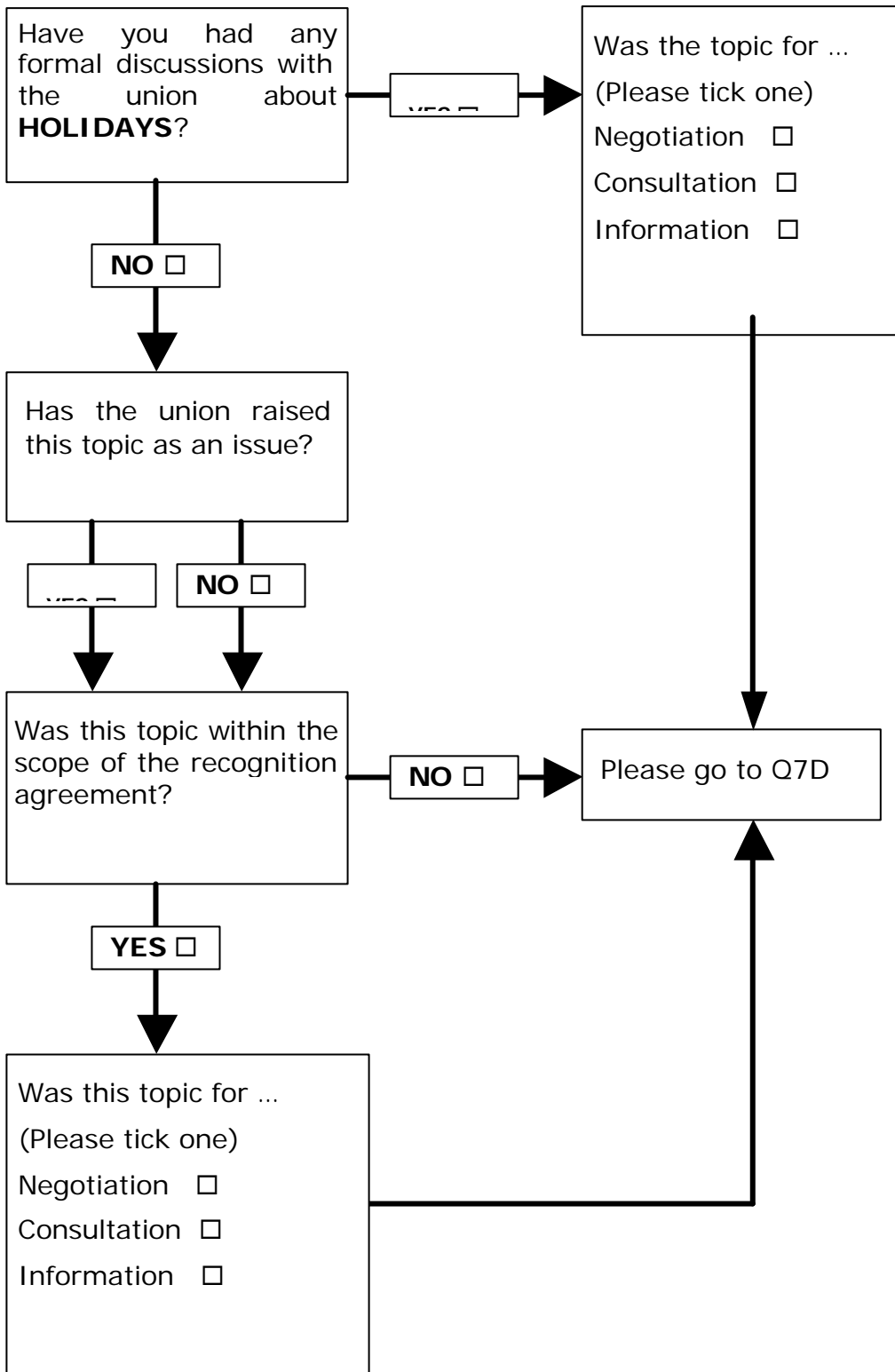
QE7B. Discussions with the Union on **WORKING HOURS** ...

(Please tick your answer to every question)



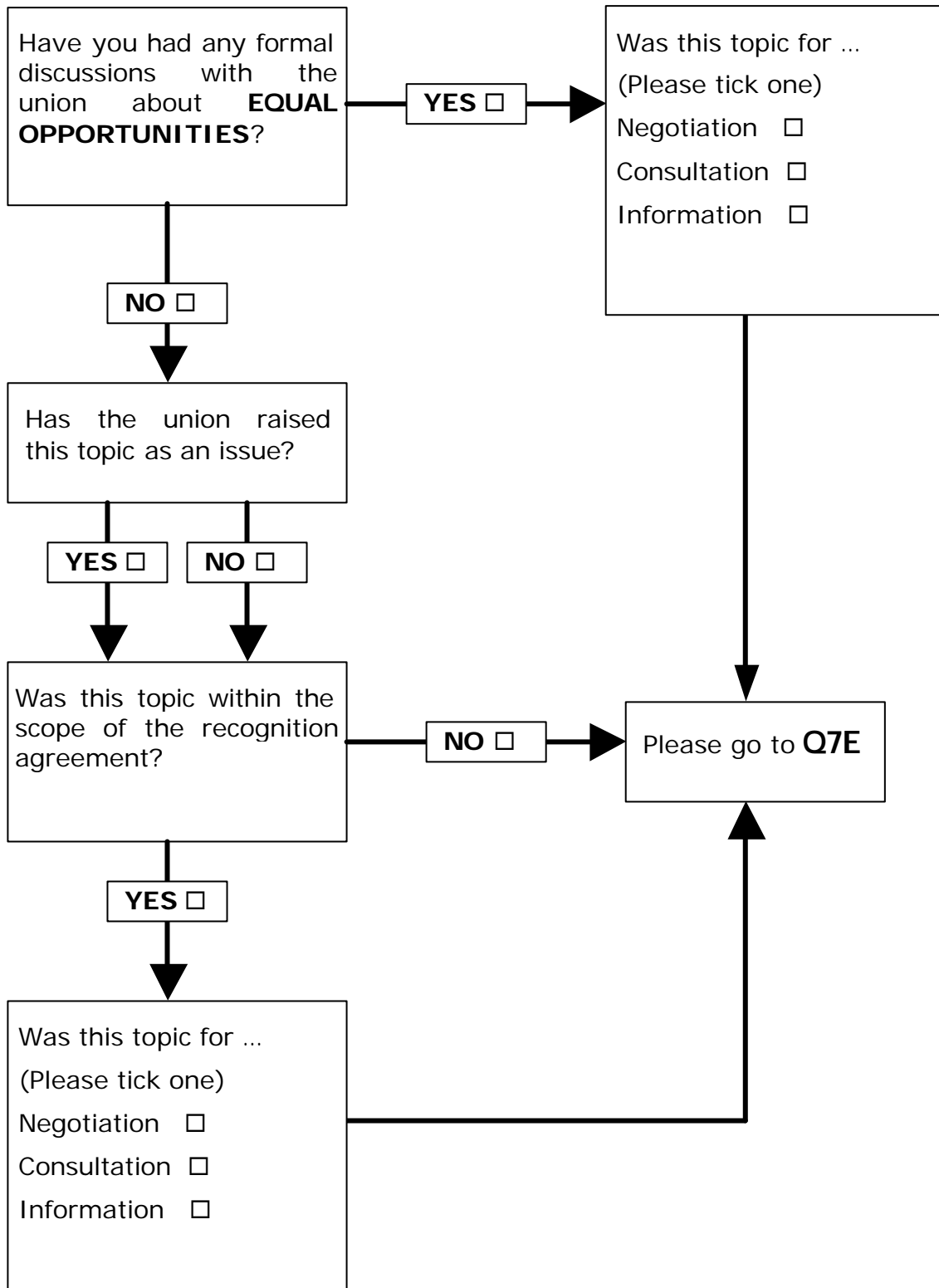
QE7C. Discussions with the Union on **HOLIDAYS** ...

(Please tick your answer to every question)



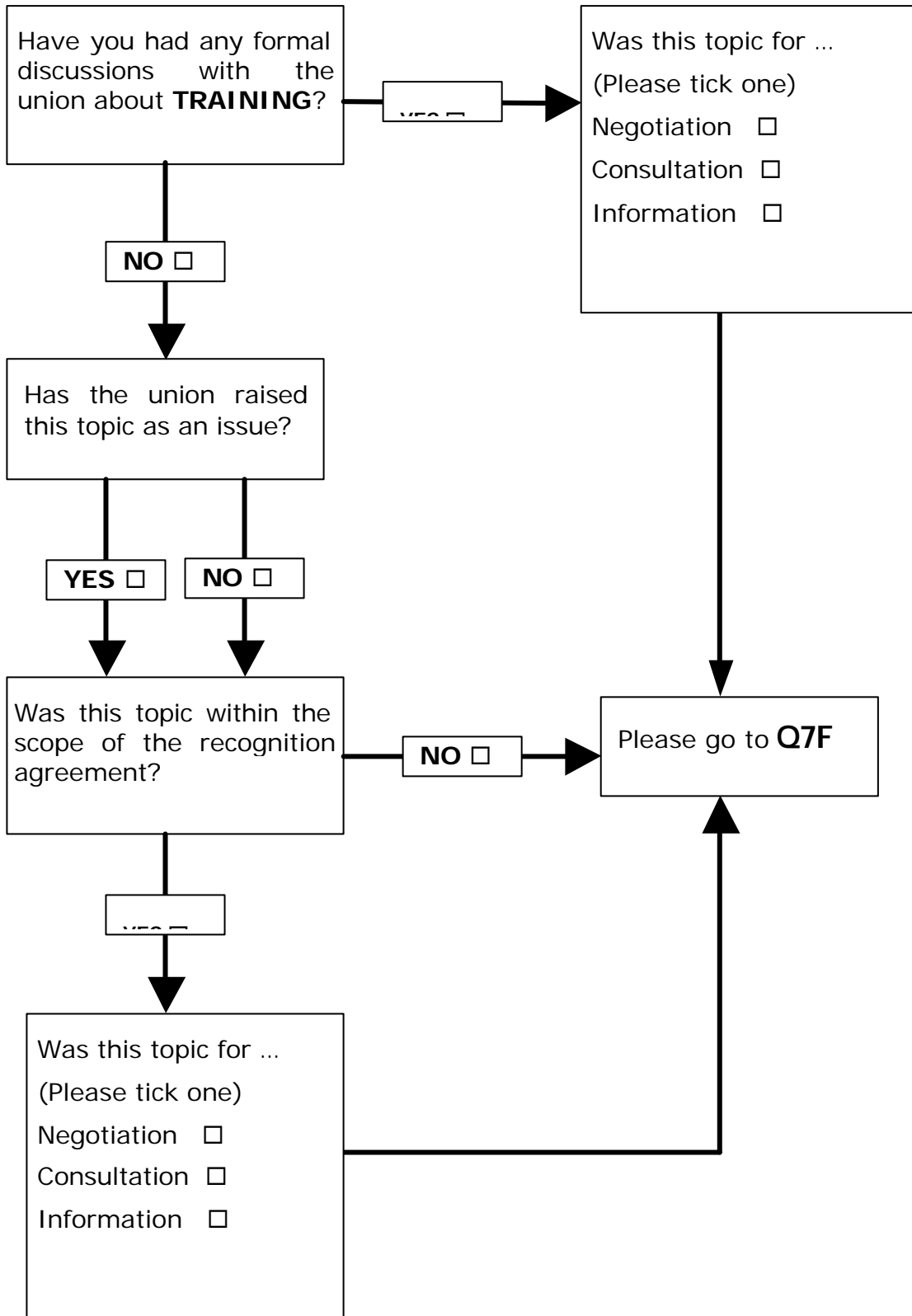
QE7D.Discussions with the Union on **EQUAL OPPORTUNITIES** ...

(Please tick your answer to every question)



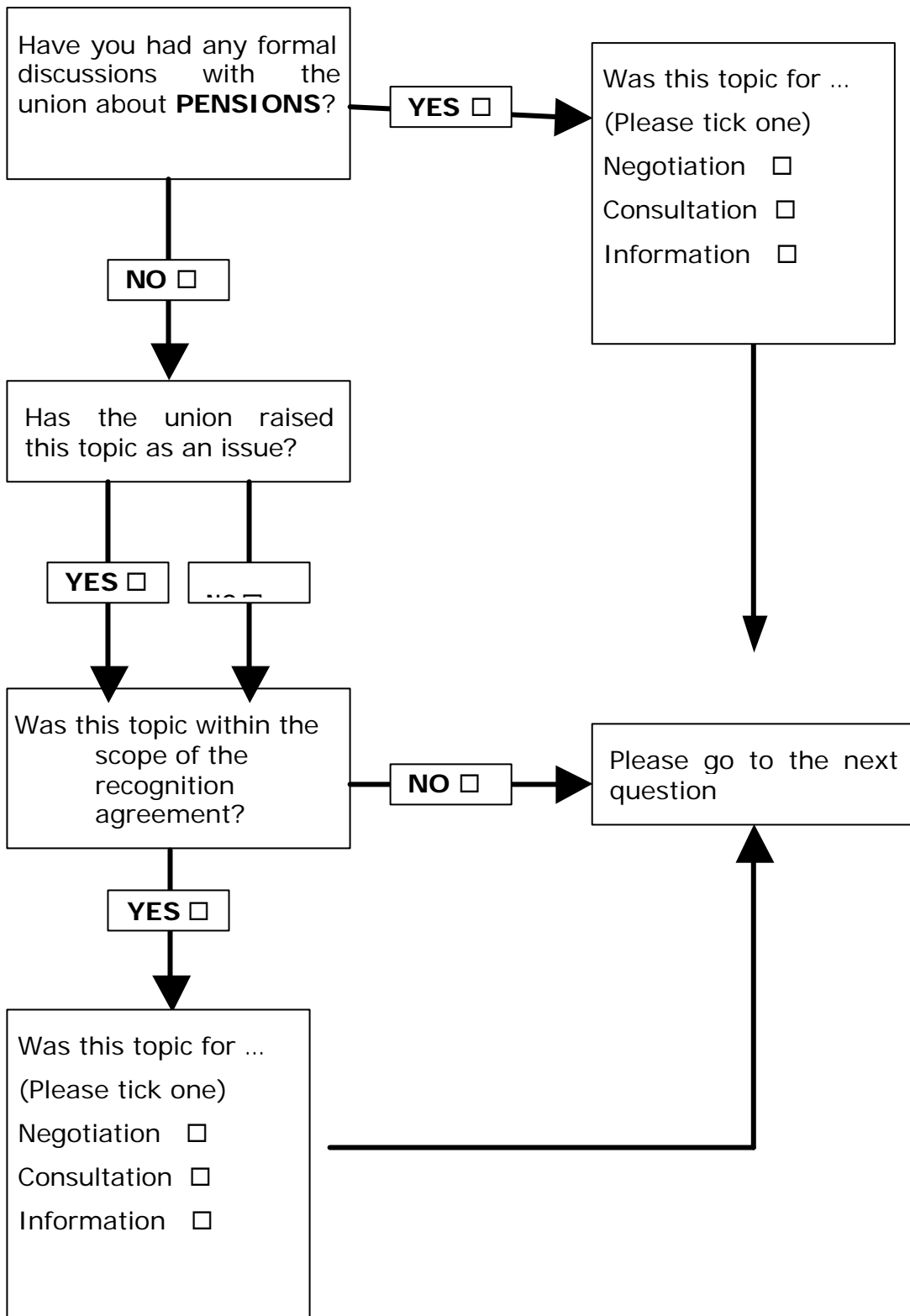
QE7E. Discussions with the Union on **TRAINING**...

(Please tick your answer to every question)



QE7F. Discussions with the Union on **PENSIONS**...

(Please tick your answer to every question)



➡ If pensions **ARE** negotiated **GO TO QE8**

➡ If pensions are **NOT** negotiated **GO TO QF1**

---

QE8. How frequently have you had formal discussions with the union about pensions?

PLEASE TICK ONE

1. Once every year
2. Less than once a year
3. More than once a year

➡ **GO TO QF1**

---

#### F. INSTITUTIONS AND STRUCTURES

QF1. Do you have a written disciplinary or grievance procedure covering this bargaining unit?

PLEASE TICK ONE

1. Yes  ➡ **GO TO QF2**
  2. No  ➡ **GO TO QF4**
- 

QF2. Does the union representative have a formal role in these disciplinary and grievance procedures?

PLEASE TICK ONE

1. Yes  ➡ **GO TO QF3**
  2. No  ➡ **GO TO QF4**
-

QF3. Which of the following things is the union representative entitled to do as part of this role?

PLEASE TICK ALL THAT APPLY

1. Accompany the employee to meetings and observe proceedings
2. Make a statement on the employee's behalf
3. Ask questions on the employee's behalf
4. Answer questions on the employee's behalf

➡ **GO TO QF4**

---

QF4. Do you have a written collective disputes procedure covering this bargaining unit?

PLEASE TICK ONE

1. Yes  ➡ **GO TO QF5**
  2. No  ➡ **GO TO QF7**
- 

QF5. Does it specifically provide for conciliation, arbitration and/or mediation where there is a collective dispute?

PLEASE TICK ALL THAT APPLY

1. Conciliation
2. Arbitration
3. Mediation

➡ **GO TO QF6**

QF6. Does it include a provision for no industrial action until the procedure is exhausted?

PLEASE TICK ONE

1. Yes
2. No

➡ **GO TO QF7**

---

QF7. Who from the union do you generally deal with?

PLEASE TICK ONE

1. Full-time Officer only
2. Workplace representative(s) only
3. Full-time officer and workplace representatives depending on the issues

➡ **GO TO QF8**



---

QF8. How many workplace union representatives are the union entitled to and how many are there at the moment?

1. Entitlement  
Please provide an answer in the box

2. Number in post  
Please provide an answer in the box

➡ **IF NONE GO TO QF12**

➡ **GO TO QF9**

---

QF9. Is there a senior or leading local or workplace trade union representative at the moment?

PLEASE TICK ONE

1. Yes  ➡ **GO TO QF10**
2. No  ➡ **GO TO QF11**
3. Other (please specify)  ➡ **GO TO QF10**

Please provide an answer in the box

➡ **GO TO QF10**

---

QF10. Is it possible for you to provide me with their name, work address and telephone number?

If so, please provide an answer in the box below

➡ **GO TO QF11**

---

QF11. On average how often have you met the local representative(s) formally and informally, over the past year?

PLEASE TICK ONE		Formally	Informally
1.	Daily	<input type="checkbox"/>	<input type="checkbox"/>
2.	Weekly	<input type="checkbox"/>	<input type="checkbox"/>
3.	Fortnightly	<input type="checkbox"/>	<input type="checkbox"/>
4.	Monthly	<input type="checkbox"/>	<input type="checkbox"/>
5.	Every 3 months	<input type="checkbox"/>	<input type="checkbox"/>
6.	Less than every 3 months	<input type="checkbox"/>	<input type="checkbox"/>
7.	Never	<input type="checkbox"/>	<input type="checkbox"/>

➔ **GO TO QF12**

---

QF12. On average how often have you met the Full-Time officer formally or informally over the past year?

PLEASE TICK ONE		Formally	Informally
1.	Weekly	<input type="checkbox"/>	<input type="checkbox"/>
2.	Fortnightly	<input type="checkbox"/>	<input type="checkbox"/>
3.	Monthly	<input type="checkbox"/>	<input type="checkbox"/>
4.	Every 3 months	<input type="checkbox"/>	<input type="checkbox"/>
5.	Every six months	<input type="checkbox"/>	<input type="checkbox"/>
6.	Once	<input type="checkbox"/>	<input type="checkbox"/>
7.	Never	<input type="checkbox"/>	<input type="checkbox"/>

➔ **GO TO QF13**

---

QF13. Since recognition, have there been any new formal bodies covering employees in the bargaining unit for informing or consulting employees?

PLEASE TICK ONE

1.	Yes	<input type="checkbox"/>
2.	No	<input type="checkbox"/>

➔ **GO TO QG1**

---

G. PAY DETERMINATION SINCE RECOGNITION

QG1. Has there been a pay negotiations round since recognition?

PLEASE TICK ONE

1. Yes  **➔ GO TO QG3**
2. No  **➔ GO TO QG2**

---

QG2. Why have there been no pay negotiations round since recognition?

Please provide your answer in the box below.

**➔ GO TO QG4**

---

QG3. In the latest pay round, which of the following best characterises the outcome?

PLEASE TICK ONE

- A settlement was agreed between management and union
- A settlement was agreed following the intervention of a third party
- There was a failure to agree and management imposed its pay offer
- There was a failure to agree and existing pay arrangements remained in place

**➔ GO TO QG4**

---

QG4. Has there been any significant change or organisational event since recognition that has affected this bargaining unit (i.e. collective redundancies, relocation, or the introduction of new working methods)?

PLEASE TICK ONE

1. Yes  **➔ GO TO QG5**
2. No  **➔ GO TO QG7**
-

QG5. Please briefly describe the most recent significant change or organisational event that affected this bargaining unit?

Please provide your answer in the box below

➡ **GO TO QG6**

---

QG6. How much influence would you say the union had in influencing the process or outcome of this change (or changes)?

PLEASE TICK ONE

1. No influence
2. A little influence
3. Some influence
4. Significant influence

➡ **GO TO QG7**

---

QG7. Since recognition, has the union for this bargaining unit either a) threatened industrial action, b) balloted for industrial action or c) taken industrial action since recognition?

PLEASE TICK ALL THAT APPLY

1. Threatened industrial action but did not ballot or take industrial action
2. Balloted for industrial action but did not take industrial action
3. Took industrial action
4. None

➡ **GO TO QH1**

---

#### H. TRADE UNION INFLUENCE SINCE RECOGNITION

QH1. Generally, has recognition of trade unions for this bargaining unit helped to a) facilitate change, b) hinder change or c) made no difference to change within the organisation?

PLEASE TICK ONE

1. Facilitate change
2. Hinder change
3. Neither

**➔ GO TO QH2**

---

QH2. How would you rate the relationship between management and the full-time union officer now?

PLEASE TICK ONE

- 1. Very good
- 2. Good
- 3. Neither good nor bad
- 4. Bad
- 5. Very bad

**➔ IF THERE IS A WORKPLACE REPRESENTATIVE IN PLACE GO TO QH3**

**➔ IF THERE IS NO WORKPLACE REPRESENTATIVE IN PLACE GO TO QH4**

---

QH3. How would you rate the relationship between management and the local representative(s) now?

PLEASE TICK ONE

- 1. Very good
- 2. Good
- 3. Neither good nor bad
- 4. Bad
- 5. Very bad

**➔ GO TO QH4**

---

QH4. How would you describe the relationship between management and employees in the bargaining unit now?

PLEASE TICK ONE

- 1. Very good
- 2. Good
- 3. Neither good nor bad
- 4. Bad
- 5. Very bad

**➔ GO TO QH5**

---

QH5. Has the relationship between management and employees in the bargaining unit improved, worsened or stayed the same since the recognition?

PLEASE TICK ONE

1. Improved
2. Worsened
3. Stayed the same

➡ **GO TO QI 1**

---

#### I. TRAINING

QI1. Since recognition, has the organisation provided any specific training for management representatives to deal with trade unions?

PLEASE TICK ONE

1. Yes
2. No

➡ **GO TO QI 2**

---

QI2. Has there been any joint training for management and trade unions in dealing with workplace issues and problems?

PLEASE TICK ONE

1. Yes
2. No

➡ **GO TO QI 3**

---

QI3. To the best of your knowledge have the workplace representatives undergone any training provided by the Union?

PLEASE TICK ONE

1. Yes
2. No

➡ **GO TO QI 4**

---

QI4. Do you think the workplace representatives are sufficiently trained to perform their role?

PLEASE TICK ONE

1. Sufficiently trained
2. Not sufficiently trained
3. Both sufficiently and insufficiently trained

➡ **GO TO QJ1**

---

QJ1. Please provide your name, job title, organisation, phone number and email address in the box below.

Name	
Job Title	
Organisation	
Telephone Number	
E-Mail	

---

MANY THANKS FOR TAKING TIME TO COMPLETE THIS QUESTIONNAIRE.  
PLEASE RETURN IT IN THE FREE POST ENVELOPE PROVIDED OR TO  
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