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Working with and around Voluntarism: Union Engagement with Environmental Sustainability in the UK

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Abstract

Drawing on documentary review and interview data, this paper examines the strategic repertoire used by UK unions over the last fifteen years to integrate environmental sustainability issues into workplace negotiation and bargaining. As we show, these strategies evidence efforts to work *with* (the promise) and *around* (the challenges of) the voluntarist industrial relations framework. While capacity building efforts work within the first dynamic, the power asymmetries currently characterising contemporary British industrial relations render the promise of voluntarism often an empty one in practice, despite the capacity that exists on the ground. Strategies of law reform and coalition building respond to the problem of power and the limitations it poses to voluntarist practice but do so with varying levels of success.

Keywords: unions; collective bargaining; environmental sustainability; voluntarism

1. Introduction

British unions have a long tradition of engaging with environmental protection and sustainability issues.¹ The ‘peak’ labour institution, the

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Trades Union Congress (TUC), has promoted this agenda since the 1980s along the twin tracks of capacity building and political campaigning for union representatives (reps) to have statutory rights for inspection, information, and training on environmental, pollution, and climate issues.² The period between 2005 and 2015, saw a particular effervescence in TUC activities on this front, with its constitutive unions following suit to develop their own policies, campaigns, and training modules to raise awareness and capacity among their ranks. These efforts have precipitated numerous workplace initiatives pertaining to environment/labour nexus,³ pointing to the potential for workers and unions to be influential environmental and climate actors,⁴ and for institutions of labour relations and collective bargaining to play an important role in ecological conversion of workplaces, and just transition.⁵

Drawing on research carried out under the umbrella of the project *Agreement*, this paper examines the strategies utilized by UK unions in relation to collective bargaining and negotiation on environmental and climate-change related issues, focusing on the 2005-2020 period. Our methodology involved extensive review of policy outputs of the TUC and unions in the public and private sectors, available through online resources or directly obtained from our union contacts and the Labour

¹ N. Räthzel, D. Uzzell, *Mending the Breach between Labour and Nature*, in *Trade Unions in the Green Economy. Working for the Environment*, Routledge, New York, 2013. As Räthzel and Uzzell note, however, this tradition is not entirely straightforward and unproblematic.

² P. Hampton, *Trade Unions and Climate Politics: Prisoners of Neoliberalism or Swords of Climate Justice?*, *Globalizations* vol. 15, n. 4, 2018, 473. As Hampton notes, TUC's early advocacy included calls for union reps to have statutory rights for inspection, information, and training on environmental, pollution, and climate issues. As we discuss here, the TUC still has the same demands today.

³ See LRD reports *Unions and Climate Change – The Case for Union Environmental Reps*, LRD, London, June 2009 and *Green Unions at Work 2012*, LRD, London, May 2012. A 2019 draft update of these reports is on file with authors.

⁴ P. Hampton, *Workers and Trade Unions for Climate Solidarity*, Routledge, New York, 2015.

⁵ See P. Tomassetti, *Labor Law and Environmental Sustainability*, *Comparative Labor Law and Policy Journal*, vol. 40, 2018-2019, 61 for supporting argument. However, the literature on union engagements along these lines shows a significant range of orientations, depending on the sectoral context, geographical location, and ideological or positional alignment vis-à-vis different social, economic and political forces/actors. See for example: Hampton 2015, 2018 *op cit.*; D. Snell and P. Fairbrother, *Unions as Environmental Actors, Transfer*, vol. 16 no. 3, 2010, 411-424; R. Felli, *An Alternative Socio-ecological Strategy? International Trade Unions' Engagement with Climate Change. Review of International Political Economy*, vol. 21, no. 2, 2014, 372-398; contributions to the special issue edited by D. Stevis, D. Uzzell, N. Räthzel, *The Labour-Nature Relationship: Varieties of Labour Environmentalism*, *Globalizations*, vol 15, no. 4, 2018, 439-453.

Research Department (LRD). In addition, we conducted qualitative, semi-structured interviews with 12 key informants, whom we identified through our preliminary research and the use of snowballing technique. Included in our selection were union officers at the national, regional and workplace levels, ex-union officers still involved in the labour movement and particularly active on the labour/environmental agenda, policy officers or managers of public and private sector organizations, and a Local Enterprise Partnership (LEP) officer.⁶ Everyone we interviewed played an active role or had a well demonstrated interest in attempting to foreground the relationship between labour and environmental issues in the context of labour relations. Many of the interviewees were policy officers at different levels within their unions or in the labour movement more broadly, who were charged with developing 'green' policies and managing 'green' portfolios. The managers we interviewed, as well as the LEP officer were also actively engaged with issues of sustainability and were known to some of our union-side interviewees. The main objective of these interviews was to supplement our documentary and policy analysis, and to better understand the apparent gap between the significant capacity building efforts undertaken by unions on the one hand, and the comparatively few reports of concrete collective bargaining agreements on sustainability issues on the other hand; a gap, which our research revealed early on. Among others, we wanted to learn whether our documentary research had failed to surface information about grounded practices, and to hear from those engaged on the ground about the possibilities and limits they navigated. The present paper draws primarily on the data obtained from our union-side policy analysis and interviews. The institutional context and the political-economic milieu in which unions operate present particular opportunities and impediments to action, including action on environmental and climate-related issues.⁷ The UK is an interesting case because the British voluntarist model of industrial relations does not in principle foreclose negotiations on any issue, leaving it to representatives of the recognized union and employers

⁶ These categories have been coded in the following way: UON, UOR, UOL, LA, M, LEP. Numbers assigned to these codes represent specific interviewees in each category.

⁷ See D. Stevis *Labour Unions and Green Transitions in the USA: Contestations and Explanations*, Working Paper #108, Adapting Canadian Work and Workplaces to Respond to Climate Change: Canada in International Perspective (ACW), 2019 on the role of micro, meso and macro dynamics in shaping union environmental sustainability and climate-related orientations and strategies.

to collectively determine the scope of negotiation.⁸ While this creates significant opportunities for expanding the scope of negotiable issues in line with emergent concerns, the quality of workplace relations and the relative power of the parties are significant factors. Given that union density has been undergoing steady decline since the late 1970s⁹ and collective bargaining has fallen and been decentralized,¹⁰ the balance of power in contemporary UK workplaces tends benefit the employers. The erosion of union power has been widely attributed to ongoing policy and regulatory interventions initiated during the Thatcher-era, and most recently continued by the Conservative government in 2016. Among others, these changes dismantled the institutional and policy supports for collective bargaining that facilitated voluntarist action at the height of collective laissez faire model,¹¹ and legislated new barriers to unionization. More recent reforms to the Trade Union and Labour Relations (Consolidation) Act 1992, including the limitations on the right to strike¹² and the law on picketing,¹³ have continued this trajectory, further constraining union power by limiting the repertoire of pressure tools they have at their disposal. Moreover, provisions related to the statutory recognition procedure, which has also been subject to unfavourable

⁸ Kahn-Freund characterized the British system of collective bargaining as ‘dynamic’ because of what he perceived as a capacity and openness of parties to, within fixed institutional and procedural framework, dynamically engage in norm creation through adaptation of existing standards to changing conditions: O. Kahn-Freund, *Intergroup Conflicts and their Settlement*, *The British Journal of Sociology*, vol. 5, no. 3, 1954, 193-227.

⁹ Union membership has halved since 1979 and dropped to 23.2% of the workforce in 2017 – although with important differences between the private (13.5%) and public (51.8%) sectors: Department for Business, Energy, and Industrial Strategy, *Trade Union Membership 2017: Statistical Bulletin*, 2017, 4.

¹⁰ W. Brown, *The Contraction of Collective Bargaining in Britain*, *British Journal of Industrial Relations* vol. 31, n. 2, 1993, 194-195; H.C. Katz, *The Decentralization of Collective Bargaining: A Literature Review and Comparative Analysis*, *Industrial and Labor Relations Review* vol. 47, 1993, 10.

¹¹ While voluntarism tends to be associated with the notion of state abstentionism, many contemporary commentators have challenged this understanding. Bogg, for example, argues that rather than being absent, the state has historically played a key facilitating function through institutionalizing and providing various auxiliary supports for the voluntary, autonomous ‘social regulation’ of the workplace: A. Bogg, *The Democratic Aspects of Trade Union Recognition* (Bloomsbury Publishing, 2009). See also, A. Bogg, *Representation of Employees in Collective Bargaining within the Firm: Voluntarism in the UK*. Report to the XVIIth International Congress of Comparative Law, July 2006.

¹² Sections 2 and 3, Trade Union Act 2016.

¹³ Section 10, Trade Union Act 2016.

changes,¹⁴ identify a narrow scope of possible negotiable issues that unions utilizing this procedure can pursue.¹⁵ While this scope, in principle, imposes no limits on bargaining practice for voluntarily recognized unions, in light of the broader realities of declining union power the statutory scope can act as a *de facto* baseline for negotiation in all workplaces. As such, coupled with the fact that the legislation and ACAS Code of Practice also narrowly approach the question of recognized and legislatively protected workplace actions for union representatives,¹⁶ the operation of statutory norms alongside voluntarist practice tend to militate against broad take up of non-traditional issues such as environmental matters in the negotiating agenda, even in workplaces where recognition is voluntary.

As we show here, the strategic repertoire adopted by UK unions, especially over the last fifteen years, evidence efforts to work *with* (the promise) and *around* (the challenges of) the voluntarist industrial relations framework. We describe and examine three sets of strategies that emerge from our review of union policy literature, namely: 1) those aimed at capacity building, training, and support of workplace negotiation; 2) those aimed at legal reform; and 3) those aimed at building coalitions with social movements. As we show in the following section, the first set of strategies has facilitated union action on environment/labour nexus by tapping into the opportunities that voluntarism presents. However, as our interview data and review of union outputs suggests, unions have also come across limits of voluntarist practice in a context of declining union power. The latter two strategies provide two different ways of responding to this problem. We look at these strategies in section three and follow with concluding discussion in section four.

¹⁴ Sections 16-21, Trade Union Act 2016, give wider powers to the Certification Officer.

¹⁵ This includes conditions of work (pay, hours, holiday), allocation of work duties, disciplinary matters, facility time for representatives and other trade union matters: See Section 178(2), Trade Union and Labour Relations (Consolidation) Act 1992.

¹⁶ Currently, two categories of union representatives are legally recognised: health and safety representatives, and union learning representatives: Regulation 4(2) of the Safety Representatives & Safety Committees Regulations; Section 168A, Trade Union and Labour Relations (Consolidation) Act 1992; ACAS, *Time Off for Trade Union Duties and Activities*, 2010.

2. Making the Most of Voluntarism?

a) Strategy 1: Capacity Building

Capacity building strategies have been long utilized by the TUC and its constitutive unions. These strategies include awareness raising, training and other forms of support that seek to prepare union members to proactively or reactively engage with employers on environmental sustainability and climate-change mitigation related workplace issues. The TUC publications such as *How to 'Green' Your Workplace – a TUC Guide*¹⁷, *Go Green at Work*¹⁸, *Greener Deals: Negotiating on Environmental Issues at Work*¹⁹, and *The Union Effect: Greening the Workplace*²⁰, set out UK labour movement's policy positions on a range of environmental issues, articulating the role for unions in taking action and engaging management in this realm, and providing practical advice for members seeking to get involved. These publications feature illustrative case studies derived from the TUC's GreenWorkplaces initiatives which were launched in two separate two-year cycles, in 2006 and 2008, with support from the Carbon Trust and the Union Modernization Fund.²¹ At the time these projects were running, the TUC also published a regular Green Newsletter and coordinated a network of Green Workplaces. Unions including PCS, Prospect, Unite, Unison, and UCU²² and others produced their own handbooks and guides to encourage members to engage in the action of workplace greening, and some, like PCS and UCU, maintain dedicated webpages where member resources are available. More recently, smaller unions such as the BFAWU, began to publish a monthly 'Green Stuff' newsletter to disseminate information and raise awareness among staff and union members.²³

¹⁷ TUC, *How to 'Green' Your Workplace – a TUC Guide*, 2007.

¹⁸ TUC, *Go Green at Work: A Handbook for Union Green Representatives*, 2008.

¹⁹ TUC and Unionlearn, *Greener Deals: Negotiating on Environmental Issues at Work*, 2010.

²⁰ TUC, *The Union Effect: Greening the Workplace*, Economic Report Series, 2014.

²¹ Department for Business Innovation and Skills, *TUC GreenWorkplaces – Greening the Work Environment*, 2010.

²² UCU, *Staff Organizing for Sustainability: UCU Environment Reps Handbook*, 2014; UCU, *Branch Guidance on Environment Reps*, 2015; Unison, *Greening the Workplace: Unison's Policy on Climate Change, the Environment and the Workplace*, 2013; Unison, *Steps Towards a Green Workplace: Evidence from Unison Branch Case Studies*, 2013; Prospect, *Getting Started – They Did!*, 2016.

²³ Interview UOR2.

In the interest of building capacity, the TUC and individual unions developed various tools (i.e., checklists, forms, surveys) to help members carry out workplace audits, conduct staff surveys and other types of information gathering exercises necessary to establish the baseline from which improvements and actions can be planned. For example, the TUC's *How to 'Green' Your Workplace* guide contains a workplace checklist of twenty questions designed to determine how green a workplace already is, while the *Go Green at Work* document provides a whole suite of resources on how to calculate carbon footprints and savings, advice on how to run a union 'green event', and a range of forms (e.g. sample survey, transport review, union green representative appointment form).²⁴ Likewise, Prospect published a range of guidance documents on specific issues such as zero carbon travel and transport, energy efficiency, and carbon management plans,²⁵ while PCS has produced a workplace environmental audit checklist that can be used to assess state of play in a range of areas (e.g. waste and recycling, energy efficiency, procurement, travel), to assist with development of a Workplace Environmental Action Plan.²⁶

Training has been another important aspect of unions' capacity building work. TUC working with the Trade Unions Sustainable Development Advisory Committee (TUSDAC) offered its first major training course *Environmental Education for Trade Unionists* in 2005 (a follow up from an earlier 2002 pilot)²⁷, and then ran two-day training courses in subsequent years. During the 2005-2015 period, PCS and UCU also offered training on environmental issues, as have Unite, Prospect and Unison. Since 2018, more training courses have been offered again by the UCU and Prospect,²⁸ while BFAWU carried a motion during the 2020 General Federation of Trade Unions general council meeting calling for GFTU to establish and provide training for environmental reps in order to support representatives from smaller unions that do not have resources to develop their own courses.²⁹

²⁴ TUC, *Go Green at Work*, *op. cit.*

²⁵ Prospect, Members Resource. *Workplace Bargaining: Carbon Management Plans*, 2016. Many of these resources have now been archived on Prospect's online library page and are not publicly available.

²⁶ LRD 2019 (unpublished draft, on file with the authors).

²⁷ Select Committee on Environmental Audit, Appendix 42 Memorandum from the Trade Union members of the Trade Union Sustainable Development Advisory Committee (TUSDAC), 2004.

²⁸ LRD 2019 (unpublished draft, on file with the authors).

²⁹ Interview UOR2.

The intention behind these various strategies seems to be that they would bolster member capacity to undertake actions at the workplace level, and the TUC's early position in *Go Green at Work* was that workers involvement on environmental issues should, where possible, take form of traditional negotiation and bargaining. Namely, TUC encouraged union members to pursue formal (standalone) agreements on environment and climate change along the TUC model³⁰, with provisions on joint consultation and negotiations structures, and recognition of dedicated environmental representatives.³¹ The union Community, for instance, proposed that members negotiate Sustainable Workplaces Framework Agreements encompassing joint commitments to improve environmental performance, while Unison encourages negotiation of 'green agreements' as one of its five steps to a green workplace.³² Likewise, Prospect has developed a sample text for Environmental (Sustainability) Charter or CSR policy it encourages members to negotiate. The union also issued bargaining advice related to 'carbon management plans'³³, which members are encouraged to co-produce with employers, or seek consultation rights on. PCS also produced an example of a Workplace Environmental Action Plan as a template for members seeking to form joint agreement with management.³⁴ As reported by LRD, transport union TSSA has recently produced a negotiating guidance for union organizers seeking to agree a sustainable framework agreement for non-core payments. The guidance includes: a wider brief for union representatives to include sustainable development in negotiations; giving reps the right to pursue environmentally friendly measures, such as energy saving, waste strategies and travel plans; and union involvement in environmental monitoring and management systems.³⁵

³⁰ TUC, *Go Green at Work*, *op. cit.*

³¹ Alternately, TUC advised members to integrate the latter within existing arrangements and recognition agreements. Specific unions have issued advice along the same lines.

³² Unison, *Steps Towards op. cit.*, 9-10.

³³ Prospect, for example, issued a bargaining guidance to its members in 2016, which considers how involvement in development of carbon management policies and plans (CMP) can benefit union members. CMPs are used by UK firms to facilitate compliance with carbon targets and budgets imposed by the Climate Change Act 2008: Prospect, *Workplace Bargaining*, *op. cit.*

³⁴ LRD 2019 (unpublished draft, on file with the authors).

³⁵ LRD 2019 (unpublished draft, on file with the authors).

b) Assessing Outcomes

All the activities and efforts to prepare members to engage with management outlined above rest on presumption that expansion of unions' workplace representation and negotiating agendas to include environment-related issues is possible within the voluntarist system. And indeed, there is much evidence that the strategy of capacity building has not only put environmental issues on members' radars, but also led to proliferation of environment-related actions at the workplace level.

The surveys conducted by the LRD in 2009³⁶ and 2012³⁷, as well as more recent union press releases, training materials, and other outputs we reviewed, report a growing awareness of and interest in environment-related actions. This interest is evidenced in part by the growing number of members who attended or requested training sessions, electing to become 'green' reps, and branches reporting discussions on environmental issues starting to take place within existing (typically, health and safety committees) or newly established joint consultation and negotiation structures such as 'green' forums or joint environment committees.³⁸ In some cases, unions managed to secure agreements, encompassing both, representation on a joint dedicated forum, and official recognition for environmental rep positions, with paid facilities time.³⁹

Union members also reported concluding agreements with management expressing the commitment to achieve certain jointly identified green goals and targets, or ones focused specifically on delivery of training events and one-off workplace initiatives either by the union or on a joint basis with employers.⁴⁰ Such initiatives include setting up and running

³⁶ LRD 2009, *op. cit.*

³⁷ LRD 2012, *op. cit.*

³⁸ According to the 2009 and 2012 LRD surveys, 16% and 46%, respectively, of workplaces that answered the survey reported that some union-management discussion on climate change and environmental issues was taking place within the context of established joint health and safety committees. The surveys also noted that reports of joint environment committees relayed by respondents went up from 6% to 28%.

³⁹ See for example, B. Hall, *Prospect Leads the Way on Workplace Environmental Sustainability at Davenport Royal Dockyard*, 25 November 2016, on the 2016 agreement between Prospect, GMB and Unite at the Davenport Royal Dockyard, or Unison, *Steps Towards* 2013, *op. cit.* on recognition agreements between UCU and South Thames College and between Unison, GMP and Unite and Bristol City Council. For more detail on different types of agreements see the UK Report for the project Agreement.

⁴⁰ Unison, *Steps Towards*, *op. cit.*, 6-8; TUC, *The Union Effect*, *op. cit.*, 16-22.

workplace programs and actions related to waste and recycling, reduction of energy consumption, monitoring and reduction of emissions, improvement of the work environment (i.e. through introduction of pollution-reducing plants), development of alternative transport options (cycling, electric, hydrogen, etc.), sustainable food and catering, curriculum development, various community-oriented initiatives and projects (i.e. tree planting, ecological restoration, etc.).

However, sustaining these engagements and turning them into bargaining issues and widespread practice has proven to be more challenging. Our interviewees told us, for example, that even when various workplace initiatives on environment are formally negotiated, they are often not incorporated into official written agreements,⁴¹ which can render them fragile. Moreover, management openness to initiatives of this nature is often “dependent on the good relations between union reps and the company,”⁴² as well as strength of the particular bargaining unit.⁴³ Absent those conditions (of good relations and/or strength), the leverage that unions and workers have around issues that are not traditionally – or legislatively – recognized as bargaining issues is more limited. As one interviewee observed: “[If] management don’t care about staff salaries/work conditions – why would they care about environment?”⁴⁴

Translating capacity and members’ enthusiasm into lasting action is especially challenging in those organizations where no formal channels for consultation on these issues have been established,⁴⁵ or where environment reps have not been officially recognized by the employer or provided with facility time and pay. Although in some cases unions have chosen to frame environmental issues as ones of health and safety to get around the problem of recognition, some of our interviewees have expressed concern that this strategy would likely keep environment “at the bottom of the priority list”.⁴⁶ Namely, some noted that given the resource (time and money) problems that even legally sanctioned union reps must contend with, environmental issues might be perceived by reps as

⁴¹ Interviews LA2, UON1, UOR2.

⁴² Interview LA1.

⁴³ Interview UOL2.

⁴⁴ Interview UOL1.

⁴⁵ Interview M1.

⁴⁶ Interview UON1.

competing with ‘bread and butter’ issues such as pay, working conditions, and health and safety, and be given less priority.⁴⁷

3. Working around Voluntarism

To what extent can the above noted challenges of translating capacity into even more widespread action in a voluntarist context be attenuated? As we outline here, law reform and coalition building are two strategies that unions have pursued alongside capacity building, albeit with variable levels of success.

a) Strategy 2: Law Reform

A number of our interviewees suggested that the current legal framework, especially the narrow legislative framing of the representative roles for union representatives, stands in a way of even more robust engagement with environmental issues in the workplace.⁴⁸ Indeed, TUC and union advocacy in relation to legislative recognition of environmental reps has sought to formalize roles that union members were being encouraged to take on, and thus address the problem of reliance on voluntary employer recognition of those union members who assumed these roles on their own time and on an unremunerated basis.

Currently, trade union representatives, who are “official[s] of an independent trade union recognised by the employer”⁴⁹, are legally entitled to “reasonable”⁵⁰ time-off for training purposes⁵¹, for carrying out their

⁴⁷ Indeed, it is not just at the workplace level that resource issues render environmental issues are fragile. As a number of interviewees related, austerity-related funding cuts, and shifting union priorities related the changing political landscape, government policy, and Brexit contributed to a significant loss of momentum in TUC and constitutive unions’ capacity building efforts and advocacy on environment. Our research revealed a significant information and engagement gap between 2016 and 2018, as TUC’s dedicated webpages ceased to exist or became more difficult to access (as they became archived, and many hyperlinks were not functioning). This was also the case for some individual unions’ online resources, policy support and training offerings. In the public sector, many trained environmental reps were lost to job cuts (Interview UON1)

⁴⁸ Interview LA2, UON1, UON2, M1.

⁴⁹ Section 168(1), Trade Union and Labour Relations (Consolidation) Act 1992.

⁵⁰ Section 168(3), Trade Union and Labour Relations (Consolidation) Act 1992.

⁵¹ Training should be approved by the TUC or by the independent trade union of which the employee is an official. See section 168(2), Trade Union and Labour Relations (Consolidation) Act 1992.

official duties, including negotiations⁵², and for taking part in any union (or related) activity⁵³. It is important to note that representatives are entitled to *paid* time off to carry out union *duties* – which covers collective bargaining⁵⁴ –, but only to *unpaid* time off to take part in union *activities*⁵⁵. Time off taken for training purposes will be paid⁵⁶. Currently, two categories of union representatives are legally recognised: health and safety representatives⁵⁷, and union learning representatives⁵⁸. Formal agreements regarding time off in relation to other sorts of duties than those covered by statute may be negotiated⁵⁹ but, again, this is voluntary. Against this backdrop, the TUC has campaigned for statutory recognition of environmental reps, including dedicated facility time to carry out union functions,⁶⁰ on the basis that it would have a “transformative effect in the area of the environment at work”⁶¹. Specifically, the following three areas were identified as pertinent: (1) sufficient time off for appropriate and relevant environmental training⁶²; (2) sufficient time to carry out an energy and environmental audit with management⁶³; and (3) by agreement with management, the option to establish a joint environment forum⁶⁴ for the purpose of consultation between green reps and management.⁶⁵ Review of TUC’s constitutive unions’ policies, resolutions and motions evidence that many have been making similar calls and commitments to

⁵² Section 168(1), Trade Union and Labour Relations (Consolidation) Act 1992.

⁵³ Section 170(1), Trade Union and Labour Relations (Consolidation) Act 1992.

⁵⁴ ACAS, 2010, *op. cit.*, 10.

⁵⁵ TUC, *Facility Time A TUC Guide to Defending the Right to Represent Members*, 2017, 4. For a full list of union duties and activities, please see the ACAS Code, *op. cit.*.

⁵⁶ See ACAS, 2010, *op. cit.*, 23.

⁵⁷ Regulation 4(2) of the Safety Representatives & Safety Committees Regulations.

⁵⁸ Section 168A, Trade Union and Labour Relations (Consolidation) Act 1992.

⁵⁹ ACAS, 2010, *op. cit.*, 32.

⁶⁰ TUC, *Go Green at Work*, *op. cit.*; also see TUC, *Greener Deals: Negotiating on Environmental Issues at Work*, (n.d.), 4; TUC, *The Union Effect*, *op. cit.*, 8.

⁶¹ TUC, *The Union Effect*, *op. cit.*, 8.

⁶² TUC, for example, has advocated for ten days of accredited training in the twelve months following reps’ appointment: *The Union Effect*, *op. cit.*; also see TUC, *Greener Deals*, *op. cit.*, 4; TUC, *Go Green at Work*, *op. cit.*, 13; UCU, *UCU Annual Environment Report 2016*, 2016, 7.

⁶³ TUC, *The Union Effect*, *op. cit.*, 9; and LRD, 2012, *op. cit.*, 48; see also UCU, *Environmental News*, n. 6, Feb 2009 for UCU’s work in this area.

⁶⁴ TUC, *The Union Effect*, *op. cit.*, 9.

⁶⁵ LRD, 2012, *op. cit.*, 48; TUC, *The Union Effect*, *op. cit.*, 9 and 46; TUC, *Greener Deals*, *op. cit.*, 4; and UCU, *Environmental News*, *opt. cit.*

lobbying government for legislative change⁶⁶, or to amend the ACAS Code of Practice on Time Off for Trade Union Duties.⁶⁷ To bolster their case for statutory recognition and furnish evidence of workplace practice, some unions also encouraged members to work on negotiating change with individual employers⁶⁸ or at a sectoral level,⁶⁹ and by encouraging branches to appoint reps and seek to negotiate joint agreements regardless of their legal status.⁷⁰ To support members willing to take on these roles, Prospect, for example, published a guide for environmental reps to help them negotiate formal recognitions agreement with employers⁷¹. However, this law reform strategy did not bear fruit so far. The revised ACAS Code of Practice does currently acknowledge the role of environmental rep as present in some UK workplaces, but ultimately leaves the questions of recognition, facility time and pay, to voluntary agreement between unions and management.

c) Strategy 3: Building Coalitions

Working in coalition with other unions, employers and social actors is another strategy that unions have drawn on to work around the challenges they encountered. Based on our research, such coalition-based work takes

⁶⁶ BFAWU, *BFAWU Environmental Strategy*, 2017; FBU, *Climate Change and Environmental Reps*, Resolution 79, 2007; PCS, *Motions to PCS 2015 Annual Delegate Conference*, 2015; PCS, *Motions to PCS 2016 Annual Delegate Conference*; PCS, *Call for Transition to Zero Carbon Economy*, 2016; PCS, *PCS Green Policies*; UCU, *UCU Guidance Leaflet, 'Energy Management – What role for the UCU?'*, 2010, 5; also see UCU Wales, *'A Sustainable Wales Better Choices for a Better Future: Consultation on Proposals for a Sustainable Development Bill'*, *UCU Response*, 2013, 3; UCU, *UCU Environment Reps Handbook*, 2014; Unison, *Green Jobs, Green Services, Green Workplace Reps, motion to the Local Government Service Group Conference*, 2010; Unison, *Greening the Workplace UNISON's Policy on Climate Change, the Environment and the Workplace*, 2013, 3; Unison, *Facility Time Guidance*, 2017, 3.

⁶⁷ Unison, *Greening Further Education*, motion to the Local Government Service Group Conference, 2009.

⁶⁸ For example, in 2009, UCU reps in South Thames College requested that the college formally recognise environmental reps: UCU Environmental News, *op. cit.* see also Unison, *'UNISON, Steps Towards, op. cit., 5; Community, 'Health, Safety, and the Environment'*.

⁶⁹ UCU Wales called in 2013 for the automatic recognition of environmental reps by public sector bodies: UCU, *A Sustainable Wales, op. cit., 3.*

⁷⁰ UCU, *Branch Guidance*, *op. cit., 1*; PCS 2018 Annual Delegate Conference adopted a policy underlined the importance of environmental reps in reaching local environmental agreements and action plans: PCS, *Environment Policy Agreed at PCS Annual Delegate Conference (ADC)*, 2018.

⁷¹ Prospect, *Getting Started, op. cit., 14.*

many forms but can be roughly classified as involving collaboration among unions acting in the same workplace or employer; wider localized or regional project-based coalitions involving unions, environmental and community groups, educational institutions, employers and business leaders; and integration with broad-based activism on climate justice.⁷²

The TUC has supported coalition building generally, and through specific coalition-based projects. For example, TUC Battersea and Wandsworth funded the Greener Jobs Alliance, to act as liaison between unions, educational organizations, community groups, and employers around issues related to 'green' skills development, as well as training⁷³ and education on climate change adaptation, carbon reduction and transitional justice. Also, TUC Yorkshire and Humber established the Low Carbon Task Force, a regional initiative which involves unions and regional employers from carbon-intensive sectors, as well as the Local Economic Partnership, and a range of local environmental groups and organizations involved in skills and training.⁷⁴ The Task Force has been charged with developing and coordinating a regional low carbon 'just transition' plan. As part of the undertaking the TUC Yorkshire and Humber have developed and run training courses for union representatives. Beyond specific project-based coalitions, unions have long engaged with environmentalists in the realm of the Campaign Against Climate Change (CACC). The CACC's dedicated Trade Union Group developed the One Million Climate Jobs campaign, engaged in climate strikes, and is actively campaigning on a range of environmental issues such as fracking, aviation expansion, and divestment.

To what extent do these coalition-based approaches deliver results? Review of the union surveys and publications reporting on environment-related actions and agreements suggests that while single unions managed to negotiate narrower agreements on recognition or stand-alone workplace actions, most of the more comprehensive or multi-faceted agreements that have been concluded in the last 15 years involved several unions negotiating collectively, at times involving also other actors. For example, the 2016 Davenport Royal Dockyard concluded by Prospect,

⁷² Our interviewees also spoke to the importance of such coalitions and many are actively engaged in this capacity: e.g. Interviews LA1, LA2, UOR2, UOR1, UON1, UON2, M1, M2.

⁷³ More recently, the Greener Jobs Alliance has developed and offered online courses for unionists on Climate Change Awareness, Air Pollution, and Just Transition at Work. See the [Greener Jobs Alliance website](#).

⁷⁴ TUC, *Low Carbon Task Force in Yorkshire and Humber*, 19 April 2018.

GMB and Unite with the Ministry of Defense, Interserve and Babcock Marine and Technology incorporated recognition of 35 environmental representatives and the unions' seat on the management's environment committee, energy efficiency group, and committees tasked with addressing waste and water management as well as new infrastructure and building projects on site. It also incorporated commitments on union participation in actions related to a wide range of environment related issues (e.g., energy consumption and efficiency, carbon reduction, resource use and optimization, clean transport strategy, identification of environmental risks and accident prevention).⁷⁵ Similarly, GMB, Unison and Unite reps worked together to negotiate an agreement at the Bristol City Council. There, the unions managed to negotiate facility time of two days per month for 12 environmental reps constituting a Green Reps Committee. The management also agreed to the work programme that the Green Reps Committee developed, and which included initiatives on waste and recycling, replacing large bottle water dispensers with filtered, cooled mains water, developing waste management policies for Council organized events and establishing an eco-driving scheme.⁷⁶

Beyond specific agreements, working in coalition with a range of other actors, including employers and the business community, appears also to be effective for building support to deal with longer-term local or regional initiatives related to climate change adaptation and just transition. As we learned from our interviewees, these broader multi-stakeholder coalitions and initiatives, such as the Furzedown Low Carbon Zone initiative, which was developed together with Greener Jobs Alliance as a union-college-community project,⁷⁷ or the Low Carbon Task Force, create the space for communication and exchange between management, labour, and other local players. The latter is particularly crucial in the policy context where labour and unions have been largely marginalized within institutional structures and in the dialogue on industrial strategy and economic development.⁷⁸

⁷⁵ Hall *op. cit.*, The Agreement is archived on Prospect's website.

⁷⁶ Unison, *Steps Towards op. cit.*

⁷⁷ TUC, *The Union Effect, op. cit.*, 30.

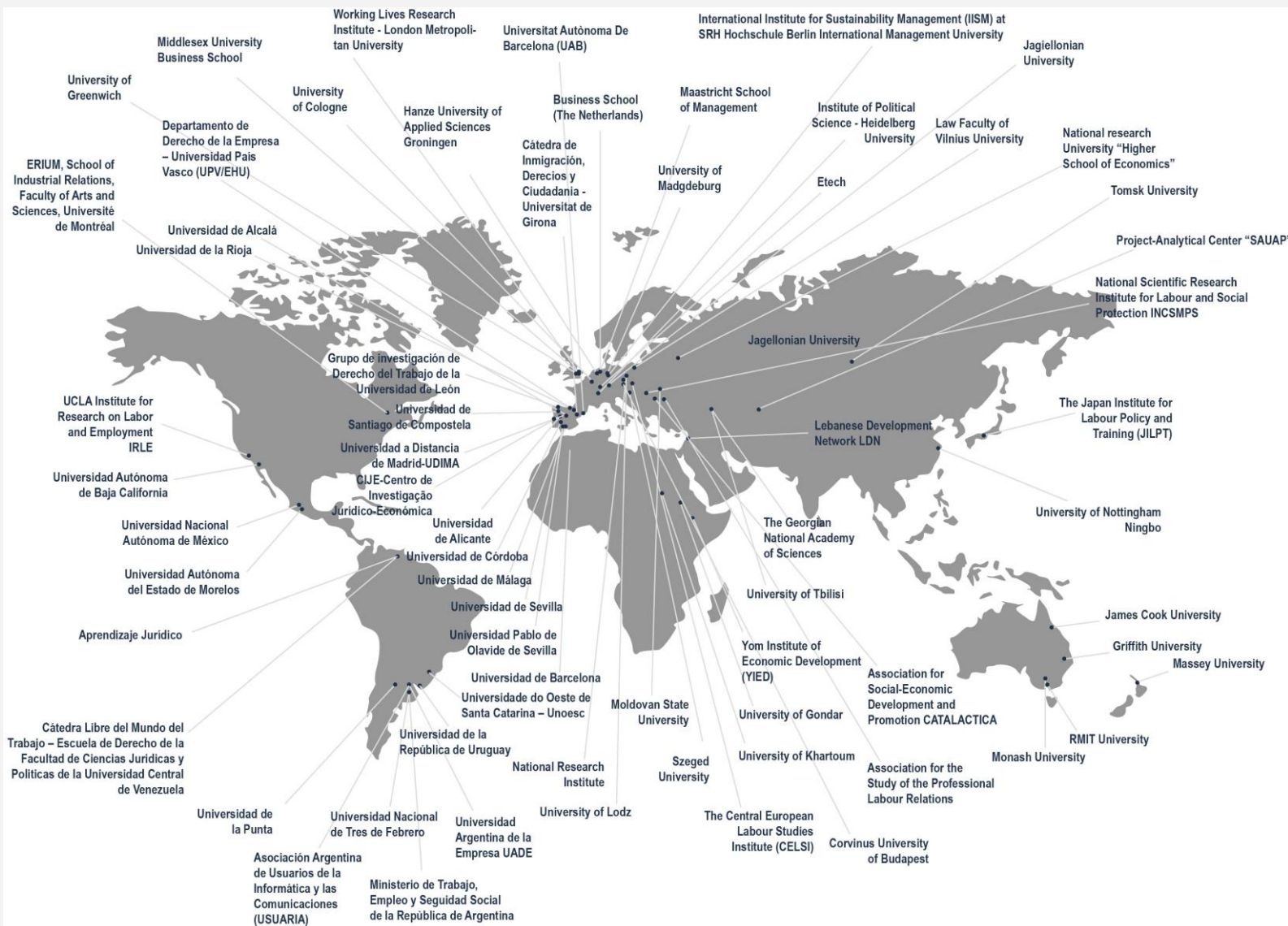
⁷⁸ Interviews UOR1, LEP1. While UK has signed and ratified the Paris Agreement and endorsed the Silesia Declaration, the industrial strategy adopted by the Conservatives in 2017 made no reference to either just transition or social dialogue, despite identifying clean growth as one of the four 'grand challenges' for the British economy. These omissions are unsurprising given longer-term tendency of UK governments to marginalize organized labour in the realm of policy development. As others have already shown, consultative tripartite bodies established by previous governments – Labour's

4. Concluding Discussion

Above, we outlined three types of strategy that unions in the UK have used to engage with environmental sustainability and climate-change related issues at work. While we presented and assessed the three strategies separately, in practice they clearly interact to each other. While the first set of strategies seeks to work *with* the possibilities inherent in voluntarist industrial relations, the latter two can be seen as working *around* the challenges that voluntarism poses by responding to the problem of power. Namely, the power asymmetries currently characterising contemporary British industrial relations render the promise of voluntarism – that ‘sky is the limit’ in negotiation, if parties agree – often an empty one in practice. Our qualitative interview data confirms that while there is interest and willingness amongst unions and workers to engage management on sustainability, issues of capacity, resources and the limits of law keep these issues in a fairly marginal position, especially when workplace relations and structures of consultation and negotiation at work are not conducive. Thus, union strategies aimed at legal reform seek to get around these problems, and the broader problem of power imbalance within the workplace, and to expand the scope of bargaining issues by bolstering rights of union representatives to put these issues on the agenda. The third set of strategies also aims at changing the balance of power. Specifically, the coalition route helps unions work around the limits of power by attenuating the power imbalance in the workplace (where several unions join together) but also bolstering union’s social power and legitimacy through working with and for the mutual benefit with allies in other organizations and local communities.

Forum on Just Transition (2009) and Coalition’s Green Economy Council (2010) – failed to institutionalize meaningful social dialogue on just transition, or much else: Hampton, 2015, *op. cit.*, 75-76.

ADAPT International Network



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