

Front Line

The journal for PCS members working in the Home Office group

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Under attack

The trade union bill sets out to further restrict British trade unions, already operating under the most restrictive laws in western Europe. The bill is undemocratic, vindictive, unfair and unnecessary.

The proposals apply to England, Wales and Scotland, but not Northern Ireland, where employment law is a devolved matter.

Thresholds

For most PCS members, ballots for industrial action would require a 50% turnout to be valid.

It is also worth noting that this threshold does not apply to any political election or for shareholder votes. In fact, the 50% threshold was not reached for the London mayoral election, the European Parliamentary elections or for most local government elections.

Time limits

Before unions ballot for industrial action, under the law a trade dispute must be established, setting out the issues that are in dispute. Unions can continue to take action as long as the trade dispute remains.

Under the proposals in the bill, ballot mandates will only extend for four months – meaning that unions will have to re-ballot members to continue an unresolved lawful trade dispute.

Ballot notification

Currently the law states that after the ballot result is announced the union must give the employer seven days' notice of intention to strike. The bill proposes to double this period to 14 days.

To further undermine strike action, the government is also proposing secondary legislation



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to allow employers to bring in agency workers to cover the work of strikers. This strike breaking activity is currently illegal.

Political Funds

Currently union members pay into a political fund unless they opt out. Political funds require an all-member ballot to be established and there is a legal requirement to re-ballot the full membership every ten years. Members are able to opt-out of the political fund when they join or at any point during their membership.

The bill proposes to shift from an opt-out system to an

opt-in, whereby each individual member would have to be signed up.

Facility time

PCS reps have already suffered significant cuts to facility time, and the bill makes provision for the government to set a limit on the proportion of time that any public sector worker can spend on union activities.

As we know, this is an attempt by the government to undermine trade unions, by restricting the contact between reps and members, and to make the union less effective in the workplace.

Regulation

Trade unions are currently regulated by the certification office (CO), and have to submit an annual return setting out finances, pay, membership and key officers.

The bill proposes a considerable extension of these regulatory requirements, and will compel unions to pay for

the cost of administering through a compulsory levy.

If unions are found to have not met the new reporting requirements, then the bill allows the CO to impose fines of up to £20,000.

And finally

The government's case for this bill is dressed up in the language of greater democratic mandate – just as the 1980s anti-union laws were too.

It was a deceit then and it is a deceit today: this is about driving down the ability of workers to argue for a pay rise, to defend pensions, save jobs and oppose privatisation.

As trade unions in the UK have been weakened, the share of national income has decreased, and in recent years workers' pay has stagnated or fallen in real terms. The decline of trade union strength has coincided with rising inequality and in-work poverty.

