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Trade unions in 2017

Membership of trade unions increased in 2017, official figures show.

Around 6.2 million employees in the UK were trade union members in 2017, according to the annual statistics in *Trade unions in 2017*, published by the Department for Business, Energy & Industrial Strategy.

Overall, the number of union members increased slightly – by 0.3% or 19,000 on 2016. Nevertheless, current membership levels are well below the peak of over 13 million in 1979.

However, alongside the marginal rise in trade union membership levels, there was a sharper increase in the number of UK employees between 2016 and 2017. As a result, the proportion of employees who were trade union members – union density – fell to 23.2% in 2017, from 23.5% in 2016. This is the lowest rate recorded since 1995. Over this period, the proportion of employees who were trade union members in the UK has decreased 9.2 percentage points, from 32.4% in 1995.

A breakdown between the public and private sectors shows that private sector membership increased by 70,000 in 2017, following a decrease of similar scale in the previous year. Meanwhile, the downward

trend in trade union numbers in the public sector, which started in 2010 with the Conservative coalition government attack on public sector jobs, continued with membership levels falling slightly by 51,000 in 2017 on the previous year.

The gap between the union density stats for the two sectors is wide, with 51.8% density in the public sector against just 13.5% for the private sector.

Employees who worked in larger workplaces (with 50 or more staff) were more likely to be in a union and were more likely to have a union present in the workplace. Employees in larger workplaces were also more likely to have their pay directly affected by a collective agreement between their employer and a union.

The proportion of employees who belonged to a union in larger workplaces was 31% in 2017 (0.5 percentage points lower than in 2016), compared with 14.4% in the workplaces with less than 50 employees (0.2 percentage points lower than in 2016). Around two-thirds (65%) of employees in larger workplaces reported that a union was present in their workplace. This compares with three in 10 (29%) employees in workplaces of less than 50 employees reporting a union presence in their workplace.

The proportion of employees who had their pay directly affected by a collective agreement between their employer and a union was around 36.6% in

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larger workplaces, compared with 14% in workplaces with less than 50 employees.

Employees are more likely to have their pay directly affected by collective agreements between their employer and a union if they work in “public administration and defence” compared with the other sectors, in Northern Ireland compared to the other nations, and in the North East compared to the other regions.

The “union premium” – the percentage wage gap between the average gross hourly earnings of union members and with non-members – rose sharply from 14.5% in 2016 to 16.9% in 2017, in the public sector. But private sector union premium was 7.1% in 2017, down slightly from 7.6% in 2016.

For the public sector this amounts to a 2.4 percentage points increase when compared with 2016. A number of factors influence this figure, and the size of the premium is likely to be strongly influenced by other differences in the characteristics of unionised and non-unionised employees. It should also be noted that where pay is determined by collective agreements, these are likely to apply to both unionised and non-unionised employees in the bargaining unit.

www.gov.uk/government/statistics/trade-union-statistics-2017

Allow flexible working during World Cup

The TUC has called on employers to allow staff to work flexibly if they want to watch the World Cup during their normal working hours.

The TUC suggests that bosses:

- talk to their employees in advance about arrangements for key games;
- arrange for their staff to watch the game on the company's premises, if appropriate;
- allow staff to work from home;
- allow staff to work flexibly and to come in early or later to finish their shifts; and
- be as flexible as possible with annual leave requests.

TUC general secretary Frances O'Grady said: “The World Cup is a landmark sporting event. It's important employers do not score an own goal by acting like killjoys. To avoid problems they should try and let people who want to watch the games do so, either at work or at home – and then claim back their time afterwards.

“Whether it's major sporting events like the World Cup or watching your kids take part in their school sports day, allowing people more flexibility in how and when they do their work makes them happier and more productive.”

www.tuc.org.uk/news/let-footie-fans-work-flexibly-watch-world-cup-says-tuc

Trans discrimination rife among employers

A strong prejudice among UK employers towards transgender workers with one in three employers admitting they are “less likely” to hire a transgender person and over two in five unsure if they would recruit a transgender worker, according to a survey by employment lawyers Crosslands.

The survey identified the retail sector as having the highest proportion of businesses unlikely to employ a transgender person (47%), followed by IT (45%), leisure and hospitality (35%) and manufacturing (34%).

The financial services industry is most open to the idea of hiring transgender workers, but with only a third (34%) agreeable to the idea, along with the legal sector (33%) and construction and engineering a quarter (25%).

Just 3% of the 1,000 employers polled from a cross section of industries, have an equal opportunities policy that openly welcomes transgender people to apply for jobs, and out of the third of employers that would consider hiring a transgender person, just 8% think they should have the same rights to be hired for a job as everyone else.

Few feel their workplace is liberal enough to tolerate transgender workers, with only 4% declaring their workplace culture diverse enough for transgender people to “fit in”.

The survey also found a serious lack of trans-inclusive workplace policies among UK employers across all sectors and especially in the IT sector:

- 88% of all employers and 93% in the tech sector admitted to not having any policies specific for transgender workers;
- a mere 2% of employers offer a transitioning at work policy to support staff intending to go through gender transition;
- only 3% have an official support system for workers wishing to disclose their transgender status;
- just 12% have a zero-tolerance policy on transphobic bullying and harassment in the workplace;

- only 2% have gender neutral toilets; and
- an overwhelming 88% of employers disagree that public and work places should have unisex lavatories to accommodate transgender people.

Beverley Sunderland, managing director of Crosslands said the findings reinforce the view that trans-identity is more complex than the law currently recognises.

“What is clear is the need to change the law to protect not just those who are going through gender reassignment, but the wider transgender community such as non-binary workers,” she said.

Wales A transgender man has said he was forced to leave his job because of the “particularly cruel” treatment he faced at work while transitioning. James, 32, from Cardiff, said his manager forced him to keep his female birth name and wear a woman’s uniform.

Latest Stonewall Cymru figures show more than a third of LGBT+ workers in Wales hide their sexuality over fears of discrimination. For the transgender community this rises to 45%.

Stonewall director Andrew White said it shows that for some LGBT people in Wales, work is a place of abuse and discrimination.

“The fact that three in 10 trans people have faced transphobic behaviour from their own colleagues shows just how much we have to do until everyone can be themselves at work,” he said.

www.crosslandsolicitors.com/site/hr-hub/transgender-discrimination-in-UK-workplaces
www.bbc.co.uk/news/uk-wales-44836187

TUC calls for radical overhaul of family pay

One in four men who became dads in the last year didn’t qualify for paternity pay, according to the TUC.

From April 2017 to March 2018 there were just under 620,000 working dads around the UK with a child under one. However, nearly a quarter of them (23%) – more than 140,000 new fathers – did not qualify for the up to two weeks’ statutory paternity pay.

They missed out for two main reasons. Firstly, approximately 41,000 dads didn’t get paternity pay because they hadn’t been working for their employer for long enough. The law requires employees to have at least six months’ service

with their current employer by the 15th week before the baby is due to qualify for paternity pay.

Secondly, the fact that they are self-employed stopped just under 100,000 working dads from receiving statutory paternity pay. Unlike self-employed mums who may be eligible for maternity allowance, dads who work for themselves don’t get a similar paternity allowance. Many of these dads may be “bogus self-employed” – a tactic used by bad employers to deny staff basic rights at work.

TUC general secretary Frances O’Grady said: “We need a radical overhaul of family pay. The current system is too complicated, pays too little, and excludes too many workers.”

The TUC wants to see:

- a right to statutory paternity pay and shared parental pay for all workers from day one in the job, not just employees. Just as we want to see all mums entitled to statutory maternity pay from day one;
- increased paternity pay. The TUC wants the government to increase statutory paternity pay (as well as maternity pay and shared parental pay) to at least living wage levels (£7.83 an hour);
- a paternity allowance for dads who are not eligible for statutory paternity pay, similar to the maternity allowance some self-employed mothers can claim; and
- a shared parental leave/pay system that works.

www.tuc.org.uk/news/1-4-new-dads-missed-out-paternity-pay-over-last-12-months-says-tuc

Employment passport for Pimlico plumber

There have been two recent positives for those fighting for employment rights at work in the gig economy.

In a key case, the Supreme Court has decided that a plumber who brought a case against his former employer was in fact a “worker” and should therefore be entitled to holiday pay and other basic rights.

The court upheld the previous decision by the Court of Appeal that Gary Smith, who worked for Pimlico Plumbers, could be described by a worker despite signing an agreement with the company describing himself as self-employed, and filing tax returns to this effect.

However, while the decision is good news for Smith, the judgment does not lay down any new principles of law around worker status.

Meanwhile, a union has won the latest stage of a High Court battle with Deliveroo over the employment status of the company's riders.

Mrs Justice Simler gave the Independent Workers' Union of Great Britain (IWGB) permission for a judicial review of a decision that confirmed a group of Deliveroo riders were self-employed, as the company had said.

Last November, the Central Arbitration Committee (CAC), the body that deals with union recognition and collective bargaining cases, rejected the IWGB's application to represent riders.

The CAC ruled that Deliveroo riders were self-employed and therefore did not have a right to collective bargaining with the company.

However, the latest decision by the High Court is based on the IWGB's argument that Article 11 of the European Convention on Human Rights – the right to freedom of assembly and association – should apply to Deliveroo riders.

www.personneltoday.com/hr/pimlico-plumbers-worker-wins-supreme-court-battle/
www.independent.co.uk/news/business/news/deliveroo-riders-rights-job-employment-union-case-gig-economy-iwgb-a8400336.html

Apprenticeship starts down in 2017–18

The number of apprenticeship starts has fallen significantly since last year, calling into question the effectiveness of the apprenticeship levy.

Figures from the Department for Education show that there have been 261,200 apprenticeship starts between August 2017 and March 2018. This compares to 362,400 and 346,300 starts reported in the equivalent period in 2016-17 and 2015-16 respectively – 28% down on last year and 25% on the year before.

The new data raise doubt about the government's plans to create three million new apprenticeship starts by 2020.

The Association of Employment and Learning Providers (AELP) now estimates that 206,000 starts per quarter are now needed until the end of March 2020 in order for the government to achieve its three million starts manifesto commitment.

AELP chief executive Mark Dawe said: "With the government showing no intention of abandoning its three million target, start numbers are now so far behind the curve, action has to be taken now to reverse the falls. They are damaging to productivity, social mobility and the labour market response to Brexit."

www.gov.uk/government/statistics/apprenticeship-and-levy-statistics-june-2018
www.aelp.org.uk/news/news-articles/ministers-need-to-respond-to-latest-crash-in-apprenticeship-starts/

Forecasts for economy

There's been little overall change in forecasts between May and June, according to the latest *Forecasts for the UK economy* from the Treasury.

The fourth-quarter range for inflation under the Retail Prices Index remains at 2.4% up to 4.0% with a midpoint (median) figure of 3.1%. However, several forecasters expect inflation to be higher. Oxford Economics thinks it will be up to 3.5% rather than their previous forecast of 3.2%; and EY Item Club now thinks it will be 3.4% rather than 3.1%.

Against these increases, forecasters expect workers living standards to suffer as the prediction for growth in average earnings over the year has been cut to 2.5% by Oxford, while EY's forecast rise remains at 2.8%.

The range of forecasts for average earnings growth is from 2.3% up to 3.2%, with a median of 2.7%.

www.gov.uk/government/collections/data-forecasts#2018

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