

# MANCHESTER INDUSTRIAL RELATIONS SOCIETY

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## **The impact of the Trade Union Act 2016 on strikes and industrial action: doing what it says on the tin?**

**Professor Gregor Gall**

**Leeds University Business School, University of Leeds**

6.00 pm 11<sup>th</sup> October 2018

Lecture Theatre LT33, Ground Floor,

Manchester Metropolitan University Business School,

All Saints Campus, Oxford Road, (near Oxford Road Railway Station)

The Trade Union Act 2016 came into force on 1 March 2017. Its key provisions with regard to strike and industrial action are: a) at least half of eligible union members are required to vote so a minimum turnout is established; and b) in a selection of 'essential' public services, there is also the requirement that at least 40% of all those entitled to vote must vote for action (meaning non-voters are treated as 'no' voters). The Act's other main measures concerning industrial action are reducing mandates' validity from being open ended to six months (unless extended to nine months with the agreement of the affected employer) and increasing the period of notice to employers of action from 7 days to 14 days.

This talk will examine the impact and outcome of these changes upon the behaviour of unions in terms of their actions and accompanying strategy and tactics relating to strikes and industrial action. These changes cover i) the marked absence of national strike ballots, but where the exceptions have been organised there is a greater use of prior consultative ballots; ii) the ability of unions to surpass the new thresholds in the vast majority of cases (especially where the double threshold exists), indicating a mixture of tactical choice and residual strength; iii) front-ending action whereby the tactic is to announce a large and far greater number of strike days in a highly truncated period than has been previously usual; iii) increased strike days per dispute with far less use of infrequent one-day strikes; and iv) the loss of only a small number of important ballots.

Does this amount to the 'revolution' the Conservatives wished for? The evidence is mixed to say the least. On the crucial quantitative issue of are there less strikes now than before, the government itself has not generated the data so that an answer cannot yet be given. Indeed, overall, it is noteworthy how relatively little change the Trade Union Act 2016 appears to have engendered and how well unions have risen to its challenges.

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