

DRAFT Composite #19: Trade Union Freedom

(incorporating Motions 107, 108, 109)

Standing in the names of:

**South West/RTC RISC
North West/522 Merseyside Voluntary Sector Branch
Scotland/114 Loretto Care Branch
Health NISC**

Conference reconfirms its opposition to all restrictive anti-trade union legislation, and opposes all legal attempts to restrict the fundamental right to strike, or that prevent trade unions from having a political voice by affiliating to a political party.

We need abolition of the anti-trade union laws, which hamstring workers organising and taking action, and their replacement with strong legal workers' rights.

Conference commits Unite to step up the campaign against the Trade Union Act 2016 which sets undemocratic barriers to prevent legitimate strike action; allows the Government's Trade Union Commissioner unfettered interference in internal trade union affairs; and severely restricts the right for trade unions and their members to affiliate to the Labour Party and contribute to it financially.

Conference will be very aware that as trade unionists historically we have suffered attacks on us and this has never been more prevalent than now. The Trade Union Act is yet another attack.

An analysis of official figures by the University of Bradford, shows that allowing union reps time off to represent their members improves staff retention and boosts industrial relations. Facility time is not a cost – it's a benefit.

Our general secretary and officials have proved time and time again that they fight to protect union stewards/ reps. The time has come to ask Unite to further enhance that policy and further protect Unite stewards/ reps; we need to ask for stronger support, we have been tasked to grow our Unite family by 5%. That 5% in membership will only succeed if we are supported further in getting facility time to do recruitment and support our members.

The facts speak for themselves. At a time of economic instability and huge inequality, we need to build a stronger Unite.

In today's difficult climate, union stewards/representatives constitute a major resource: they contribute massively to the working lives of their fellow employees, as well as to the employer and improved productivity. The foreword from the CBI, BERR and TUC joint statement (2009, Reps in Action) is clear that "unions are an essential part of modern employer/employee relations". Even 57% of HR professionals responding to a 2007 TUC survey concluded the same.

Opponents of trade union facility time are not driven by evidence or fact; they consistently ignore BERR research, resort to misrepresentation of the truth and make no reference to the ACAS Code of Practice. They portray a false picture of trade union facility time. They are ideologically driven and opposed to trade unions and their representation of working people. They use information from the right wing Taxpayers Alliance and ignore the evidence published by BERR that trade union facility time is a business benefit.

Conference warmly welcomes Jeremy Corbyn's commitment to include in Labour's Manifesto the repeal of the Tories' Trade union Act 2016, and for new laws to fully protect trade union freedoms and the right to strike.

We applaud the 2017 Labour Party conference's unanimous call for repeal of not just the 2016 Trade Union Act, but also the "anti-union laws introduced in the 1980s and 90s" by the Tories and maintained after 1997; and for a "strong legal charter of workers' rights", "for unions to be effective workers need an effective right to strike".

This builds on the unanimous 2015 decision that the next Labour government should "legislate for strong rights to unionise, win recognition and collective bargaining, strike, picket and take solidarity action".

However Conference recognises we cannot leave the Labour Party to battle for our rights on its own. Conference therefore calls on Unite to:

- produce publicity materials outlining the case for strong trade unions and the importance of the fundamental right to strike
- step up the campaign to repeal the Trade union Act 2016 and previous Tory anti-union legislation in favour of new legislation guaranteeing trade union freedoms
- campaign for strong legal rights for workers to join, recruit to and be represented by a union; strike/take industrial action by a process, at a time and for demands of their own choosing, including in solidarity with any other workers and for broader social and political goals; and picket freely
- campaign to defend union facility time across all its sectors, with robust, adaptable and protective resources in place within 12 months from date of this conference; this campaign should take place in the workplace as a starting point, with a political focus on the Trade Union Act
- campaign for the right to reinstatement for workers found to have been sacked unfairly; the union must defend stewards/ reps who are attacked by their employers because of their trade union work
- campaign for a complete ban on dismissal for industrial action, however long it lasts. Full rights from day one of a job
- campaign for strong rights for unions to access workplaces, win recognition, and establish collective bargaining, including sector-wide bargaining
- campaign for unions' right to decide their own policies and activities, determine their own structures and rules, and spend their funds as they choose, free from state and employer interference, in line with ILO Conventions and the European Convention on Human Rights

- ensure this campaign remains high profile in the run up to, and during, the next General Election campaign.