

Prospects for Union Voice in Ireland

Reflections based on the UCD Working in Ireland
Survey (2021) and the
LEEF High-Level Working Group Report on
Collective Bargaining

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NERI Seminar, October 19, 2022.

The UCD Working in Ireland Survey, 2021

A nationally representative sample of 2,076 people of working age in paid employment across the country

Survey conducted between May and August 2021

Data weighted for age, gender, region and economic sector to agree with the then most recent population estimates as derived from the Labour Force Survey (Q1 2021).

The bleak picture with regard to union density

- In 2005 → 540,000 union members in RoI. Mid 2021 → 516,000
 - Continued fall occurred when total size of workforce increased by 350,000 over same period (2005 to 2021)
- Proportion of national workforce in unions – union density – has declined steadily and precipitously ‘because’ the organization rate fell behind employment growth
- Early 1980s → 60% of workforce were members. Now → one in four
 - Trend - decline is evident in both public and private sectors

Furthermore....

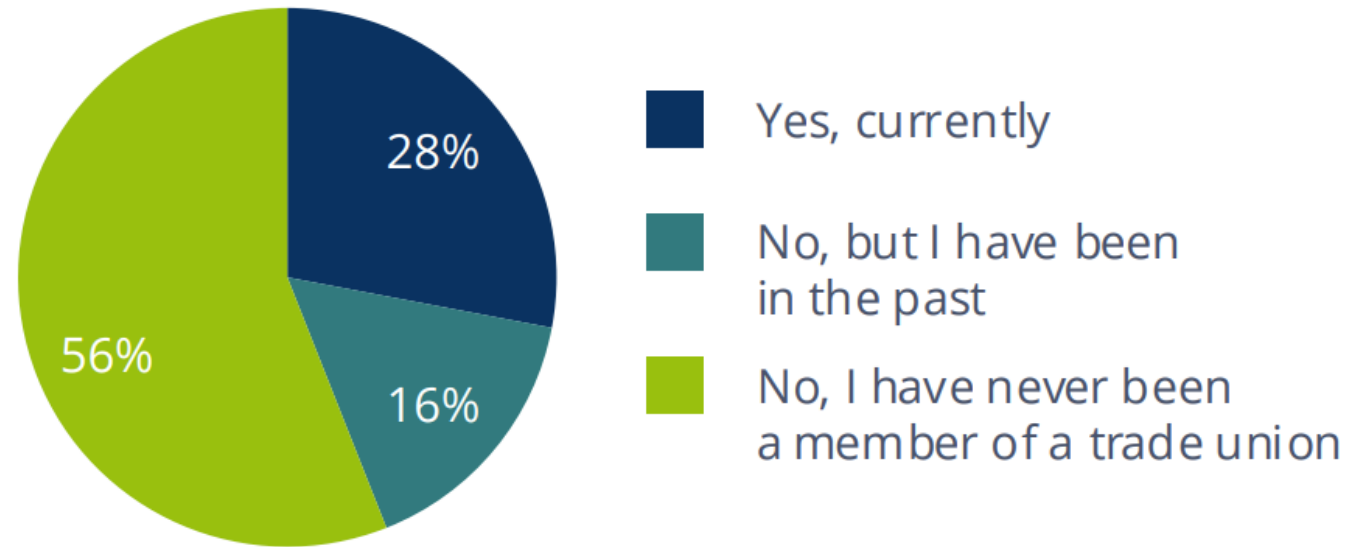
Formerly highly unionised sectors/occups – now comparatively low levels of union density

- manufacturing (13%)
- construction (19%)
- skilled crafts people (≈ 20%)

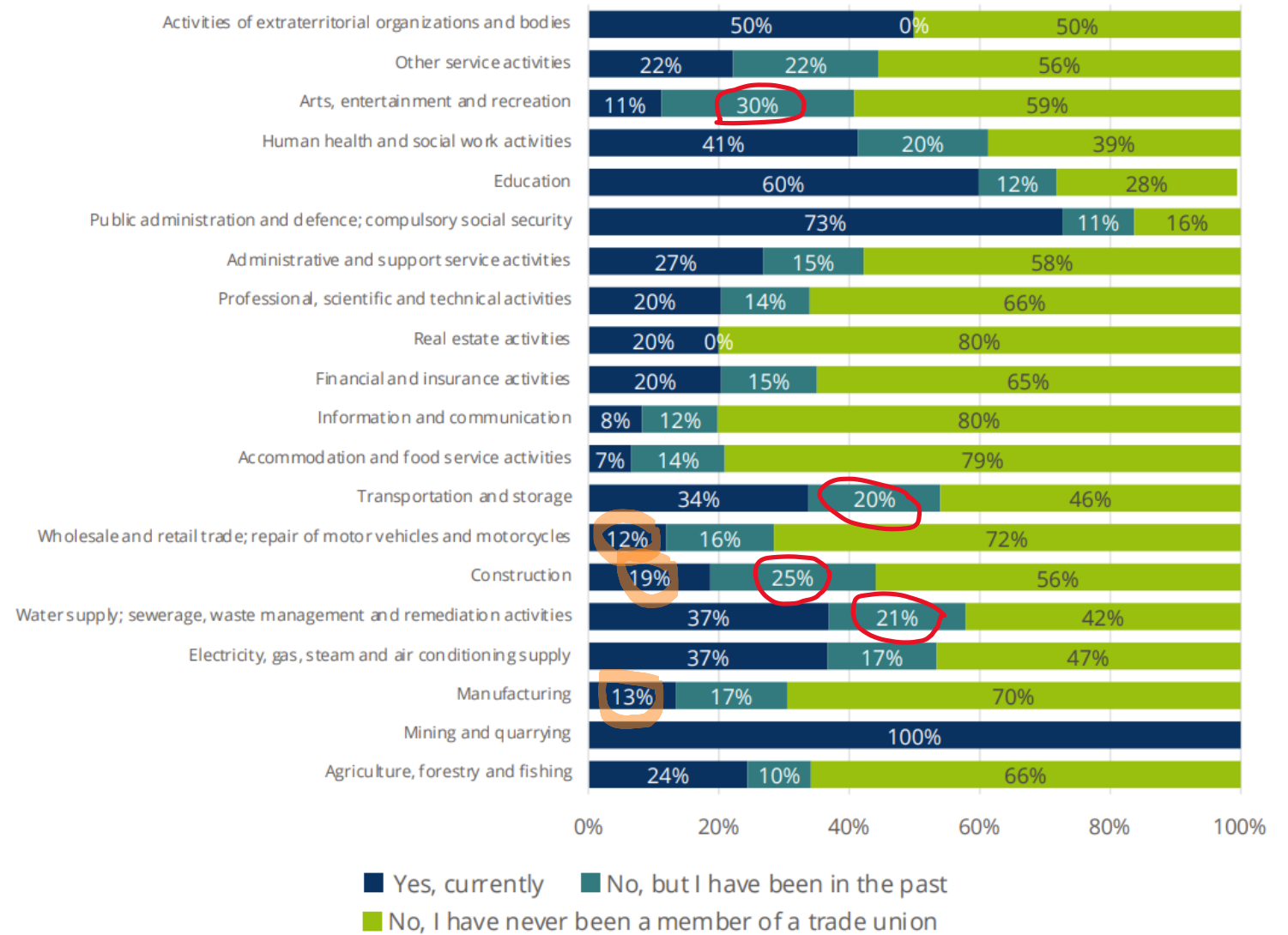
In new expanding sectors of economy, such as in high-tech and social media, unions are a minor presence or are completely absent

LAPSED MEMBERSHIP – 16% of the national workforce were union members in the past but are no longer (more pronounced among men)

Union Membership in RoI



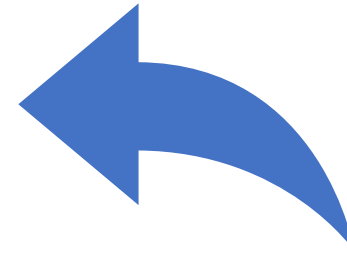
Union density by sector



Coverage of collective bargaining



Declined by 19% over a period of 18 years (53% in 2003 – 43% in 2021)



OECD estimate is even lower at 34% (2017)

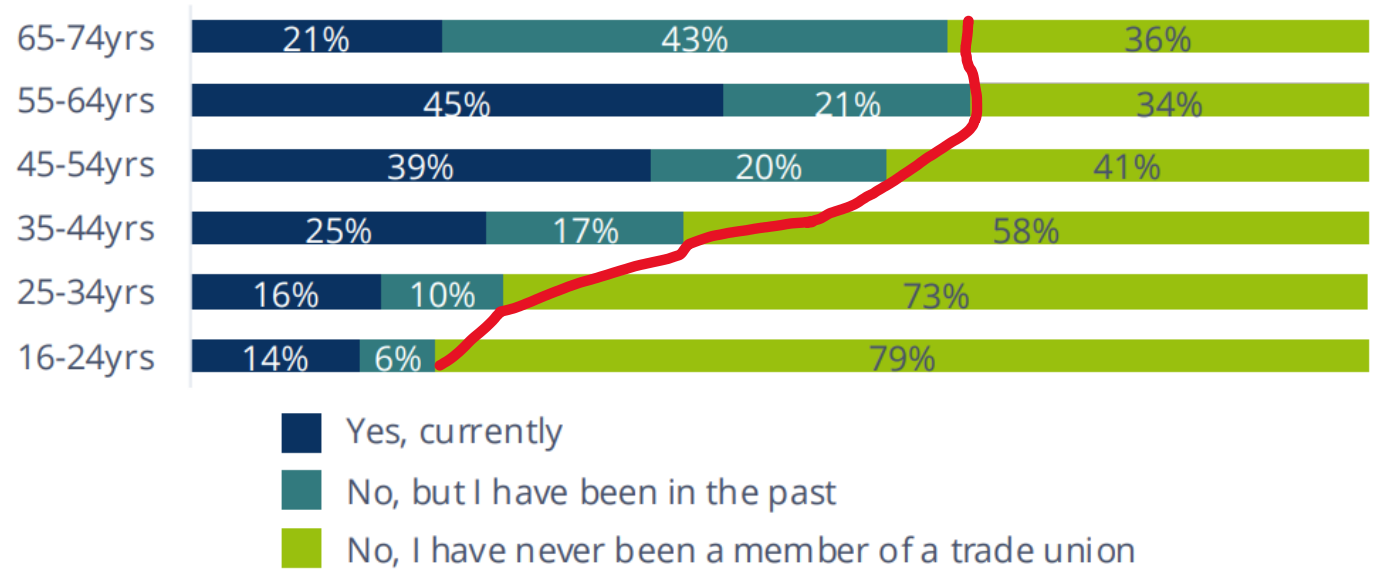
The positive picture

- Growth in female participation in the labour market is matched by growing numbers of women joining trade unions. Union membership is increasingly becoming a female phenomenon. There are now more women than men in trade unions (32% v. 25%)
- Union members are positively disposed towards union membership, value being members, and are generally committed to retaining union representation
- Many non-union members are also positively disposed towards union representation

The challenges and possible charges against unions

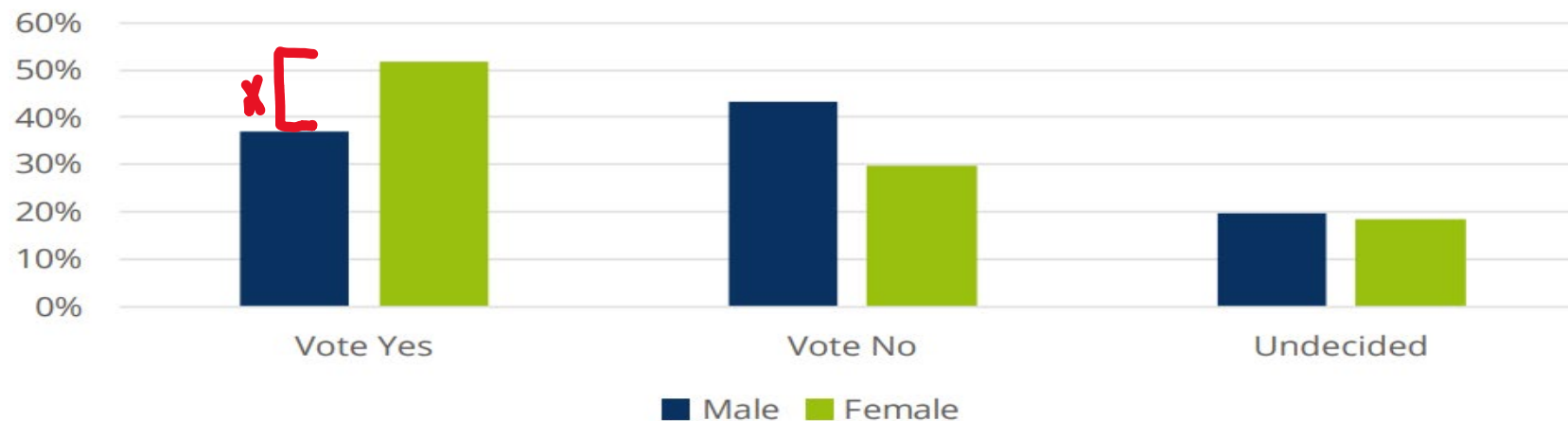
- Highest concentrations in public sector – unions are a public sector phenomenon – a ‘sectional interest’
- Concentrated among older aged cohorts (55 and 64 years of age = 45%; 45 and 54 years = 39%). Among those aged between 16 and 34 = 15% – ‘unions are out-dated’, ‘take care of insiders’
- Variations across occupations. Highest levels of unions density among those in professional positions (40%). Lowest in low skilled occupations in manufacturing and services – failing to represent those most disadvantaged in labour market. Unions advantage those already advantaged

Union density by age cohort

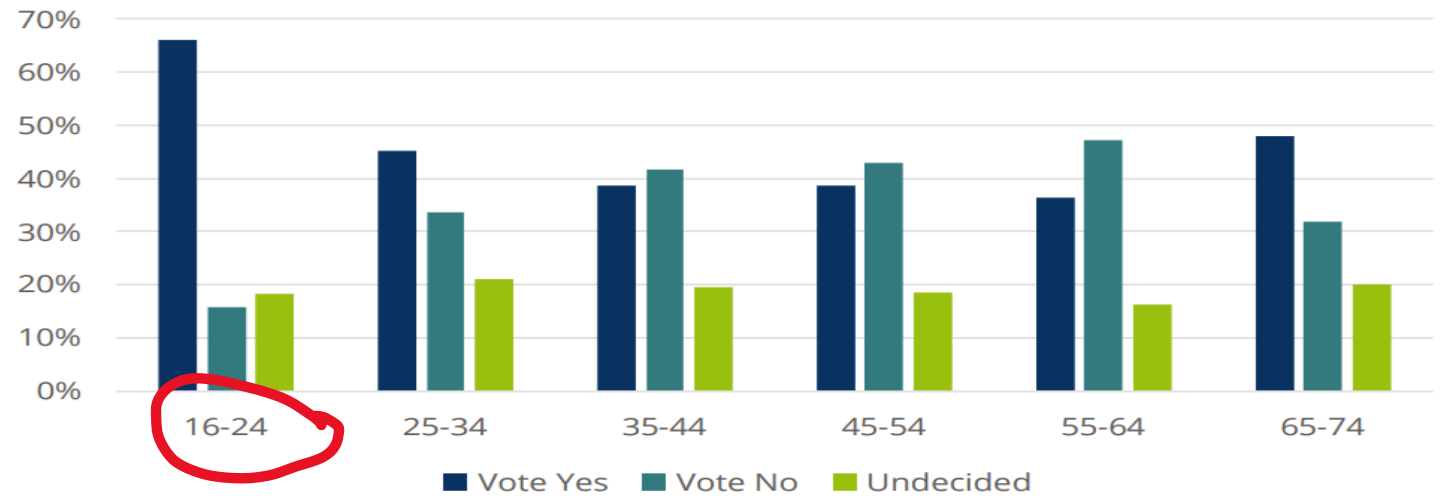


Opportunities

- Trade unions remain an **important means of representing employees** in Irish workplaces
- **Four out of every five unions members** would vote to **maintain the union** in their workplace
- Support for union representation among non-union employees – **four out of every ten non-union workers** would be willing to vote to establish a union in their workplace. More pronounced among females than males



Preference for union representation among non-union employers



Young workers are particularly well disposed to seeking union representation. Over two thirds of non-union members aged 16-24 would vote to establish a union in their workplace

→ There remains **a large representation gap or deficit** and a call for unions to represent workers

Possible reasons as to why young workers are well disposed to seeking union representation?

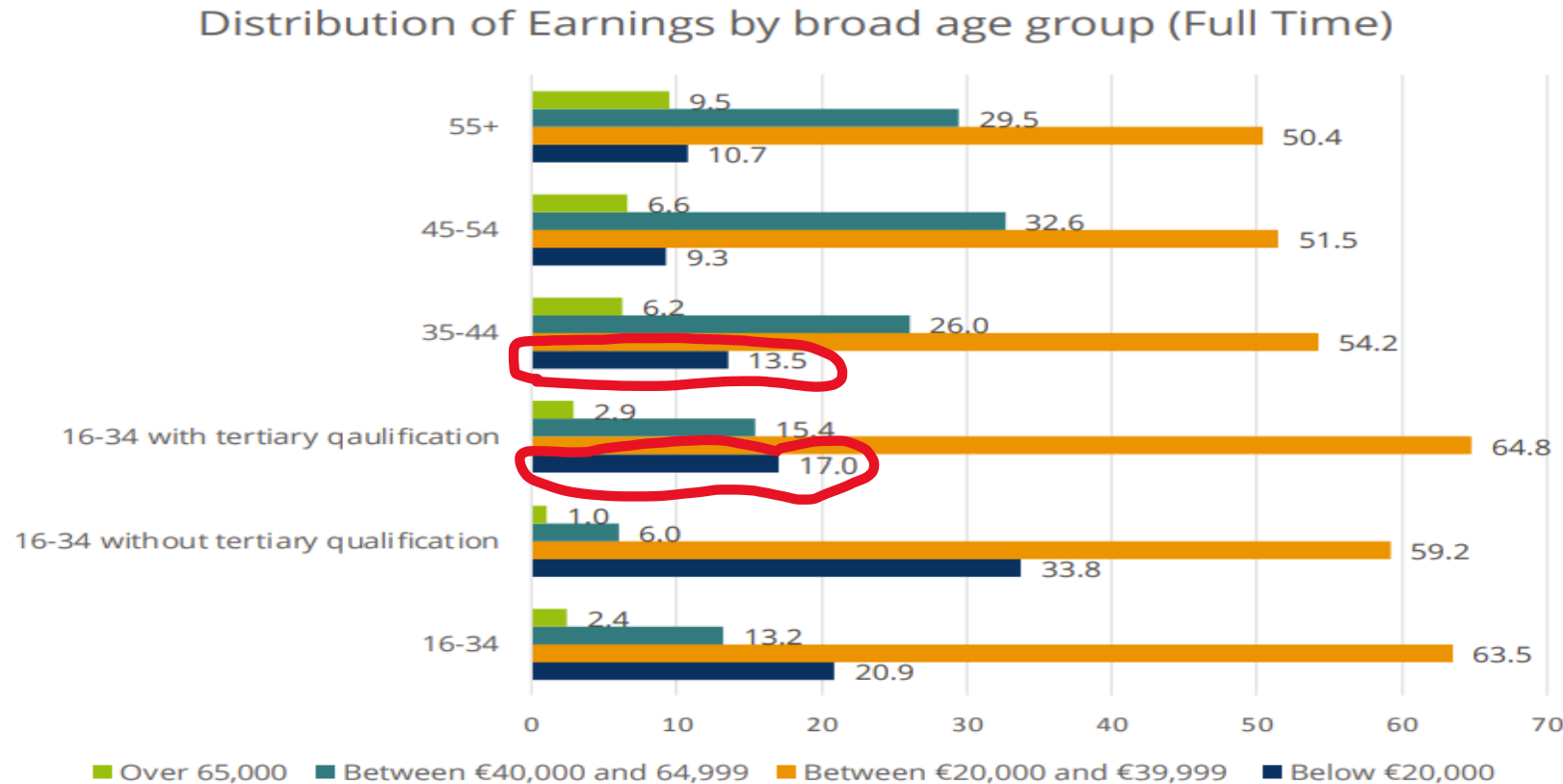
Low wages and insecurity

- Temporary work is relatively high (10%) for those aged 25-34, a group that includes recent graduates
- Young workers are significantly less secure and more anxious in their work than their older counterparts
 - one in five young workers are simultaneously worried about losing their job, a reduction in pay and their ability to secure a new job
 - half of the young workers aged 16 to 34 are worried about a reduction in pay
 - almost half of young workers are worried about their ability to find a new job
- More than 3 in 10 employees aged 16 to 34 earn less than 20k per annum.

Source: Gallagher, P. and Nugent, C. (2022), Temporary Employment, Low Paid Work and Job Security amongst Young Irish Workers –Evidence from the UCD Working in Ireland Survey, 2021, College of Business, University College Dublin.

<https://www.smurfitschool.ie/t4media/Precarious%20employment%20and%20low%20pay%20among%20young%20workers.pdf>

Why are younger workers well predisposed?



Source: Gallagher, P. and Nugent, C. (2022), Temporary Employment, Low Paid Work and Job Security amongst Young Irish Workers –Evidence from the UCD Working in Ireland Survey, 2021, College of Business, University College Dublin.

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Opportunity afforded by future legislative provision arising from the LEEF HLWG Report on CB

Promise of Report - statutory provision providing for good faith engagement at enterprise level with the proviso - if enacted.

It's significant because it:

- Compels an otherwise hostile or non-union employer to sit down with and listen to representatives (✓ fear of reprisal)
- Bestows legitimacy and public status on collective organisation and union representation = significant legal and socio-political supports
- Facilitates unions in their day-to-day role of defending and advancing workers' rights and interests
- Unions will now be working with the grain
- Will help to restore *some* dignity – workers cannot be “disregarded” or their “membership rendered nugatory”
→ More difficult to slam the door in workers and their representatives' faces
- It will help to sustain and create 'good jobs'

Various challenges remain however –

1. The extent of and limits to union voice

- To be clear the Report:
 - is not a provision for mandatory union recognition or CB
 - nor will it be possible legally to compel an outcome or to force an agreement
 - the view of the Report = it's up to the unions to persuade.... (and there are fines for employers who just refuse to engage).
- Legislation may afford workers and unions a voice – which is to be valued – but it does not ensure they'll be able to exercise effective influence on outcomes → there remains the risk of good faith engagement being a charade: “I have listened to you, and I appreciate what you are saying, but”

→ Remains the case that employees can be treated without dignity or respect in that the union can represent them but there's no compulsion on the employer “to reach any outcomes or agreement”

2. What of 'workers'?

- Confined to employees — Report refers only to circumstances where a clear and unequivocal employment relationship exists, and the employee is located within an enterprise – not surprising given EU law (non-employees cannot engage in collective bargaining under competition law)
- What then of workers especially those occupying peripheral or liminal labour market locations? Think of those in bogus self-employment - Ryanair pilots, Deliveroo riders, etc. If falsely declared self-employed – they might indeed come under remit of Report's proposals

3. Firms are born non-union

Workers will need to be:

- Organized (brought into a collectivity entity, structures, dialogue re: concerns and strategies) and/or mobilized (animated, enhance their capacity and 'willingness to act') – to act = ??
- Employees (likely = 10%?) will have to be brought into membership so that:
 - Unions can claim workers have an expressed wish to be represented by a union
 - A substantial proportion of employees can be shown to want to be represented by a trade union
- A worker/ workers will still have to put their hand up → protection against victimization is key

In sum = workers and unions will still be compelled to rely on their own internal power resources to establish an independent voice mechanism

4. The routes to mobilization and organisation

- Demand for union representation may come from workers – in which case union officers will have to respond
- Or the demand may have to be generated – union organizers will need training to help create workplace momentum, to protect and guide workers in how to mobilise, organize and seek representation – access?
- Threshold of 10% - to be seen by unions reps as a minimum or maximum? Power? Very pertinent, nota bene – Report negates access to industrial action while talks are in process
- Old tensions will remain and will likely be heightened under any new legislation: marshalling workers' agitation and oppositional repertoires will still have to be (re-)aligned with a bargaining function and a co-operative posture where an employer moves to co-operate with the union. UOs = “managers of discontent”
- Is the expertise there – the importance of the training fund envisaged in the Report

To conclude ...

- Necessity to organize and build momentum remains
- But the evidence from our survey is that the soil is fertile especially among female workers and young workers
- **And** there are fair winds (the Report + legislation + the support provided by the EU Dir to increase CB coverage) but all focused on win-win terms of exchange