

FINAL VERSION

'Exploring the potential of the union equality representative'

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Purpose

To report on a qualitative study of the views of a cross-section of union regional activists and officers on the potential of a newly developed equality representative role in promoting greater equality in the workplace.

Methodology

Findings are based on an analysis of interview data incorporating the views and experiences of 32 officers and activists currently promoting equality in a region of the UK.

Findings

Findings suggest that this is an equality initiative whose time may have come. This conclusion, however, is tempered by respondents' belief that the equality representative project can only fulfil its potential if the role is mainstreamed into branch structures, policies and processes and, crucially, that the same statutory recognition enjoyed by other union representatives is granted to the equality representative.

Limitations

The project is at an early stage of development. Therefore, findings are based on the views of significant proponents of union equality initiatives in the region of study. Further research is needed to assess the actual impact of the new representatives as they become active in their branches and organisations.

Implications

There are clear implications for management in terms of allowing representatives facility time and thus sharing the potential benefits of this new source of equality expertise. For the unions, the challenge is to mainstream the new role at all levels of the union and negotiate adequate facility time for the equality representative.

Originality

The research is one of the few studies focussing on this new union strategy for better addressing the equality needs of their members and offers a clear insight into its potential success.

Key words: Unions, equality, diversity, renewal strategy, legislation.

Paper type: Research paper.

Introduction

The immense challenge facing the British union movement in terms of devising a credible renewal strategy is well documented in contemporary employee relations literature (Ferne, 2005; Metcalf, 2005), as is the debate around the potential for developing an equality and diversity agenda that would appeal to new and existing members as part of that strategy (Lindsay et al., 2007). Furthermore, there has been much discussion, and no little disagreement, regarding the unions' current learning initiative centred on utilising union learning representatives to support members' training and development needs as a strategy for renewal (Wallis et al., 2005; McIlroy, 2008). With these debates central to its focus, this article explores two key research questions: What are the views of full-time officers and activists actively engaged in promoting equality in one region of the UK on the potential role of the new union equality representative as part of a strategy of renewal? To what degree does the strategy used for the development of a network of union learning representatives offer a useful template for the equality representative project? It is of note that, with the exception of Moore (2010) and Hoque and Bacon (2010), the role of the equality representative is currently an under-researched aspect of employee relations.

As Moore (2010) reports, the case for the equality representative was originally put by the TUC to the Women and Work Commission in 2005 and subsequently incorporated into their recommendations to government the following year. The TUC submission stressed the unique potential of the equality rep to be able to engage with other activists, members and employers in promoting fairness at work, as an advocate

for disadvantaged workers and in seeking to mainstream equality and diversity issues onto the bargaining agenda. Daly (2009) further argues that the rationale for the initiative's appearance now is: the changing demographics of society and the workforce, a substantial increase in equality legislation and, crucially, that 'changing legislation has often raised workers' expectations of their organisations and increased the workload of union representatives on equality issues. The TUC is convinced that the union equality representatives..[will]..enormously enhance the work done by employers and unions to achieve equality and diversity' (ibid.: 4).

It could be argued that this is not a wholly new concept, in that writers have long recognised the role of equality officers and activists within the union movement particularly in the context of gender issues (Heery and Kelly, 1988; Ledwith and Colgan, 1996: 175). Similarly, a number of unions already have a constitutional role for a branch equality officer. The NUJ, for instance, has had a rulebook provision for the role of equality rep since the 1980s (Calvert, 2008) and other unions, such as UNITE and UNISON, are in the process of making such rule changes (Daly, 2009). Furthermore, the need for better representation for all members in the union movement has long been a focus for critical writers (Cunnison and Stageman, 1995), and has seen the development of self organising groups (SOGs) in most unions tasked with promoting and representing the interests of different sections of disadvantaged workers (Parker, 2006). Crucially, it is the link to current union modernisation fund (UMF) projects that suggests that it may be an initiative that has re-emerged to fulfil its potential. The purpose of the UMF is to support projects that enable unions to improve their organisational effectiveness, including equality initiatives, and to

disseminate the results of those projects widely across the union movement (Stuart et al., 2009).

Furthermore, the coming into force of the new Equality Act in October 2010 suggests that this is an opportune time for the emergence of a new equality player in the workplace. The Act brings together current law covering all equality strands in the UK within one piece of legislation. In addition, under the new Act the equality duties incumbent on public organisations to positively promote the rights of disadvantaged groups will be extended to all equality strands as recognised by law from April 2011, and will also include the category of social class (Government Equalities Office, 2010).

The research reported on in this study was part of a project undertaken for the TUC and is based on 32 semi-structured interviews with respondents chosen to reflect a cross-section of union officers and regional activists with a sound knowledge of current and proposed union equality projects in the region, and who had been or would be involved in their implementation. To that end, the chair of each of the TUC regional equality fora for gender, race, age, disability, LGBT and retired members was interviewed, as were a number of active members of those groups. Six senior TUC officers were interviewed to further establish regional equality strategies. The senior co-ordinators for the four main TUC education centres in the region were also interviewed, in order to gather data in terms of training delivery. Given the early stage of the equality representative initiative, the views and experiences were sought from all four national TUC officers involved in the project. This was then supplemented by

interviews with all the key national officers from the UNISON, UNITE and PCS UMF projects currently recruiting or planning to recruit equality reps in that region.

The paper commences with a review of the relevant literature in order to consider the key current debates on: the role and heritage of unions in promoting equality in the workplace, the current union learning agenda, and their links to strategies for union renewal. A section follows on the methodology chosen for the research project. Utilising models and concepts identified in the literature review, the paper then turns to the analysis of respondents' views on the role of the equality representative. The paper closes with a review of the main findings.

The key findings suggest that this is an equality initiative whose time may have come, in terms of the equality rep's potential as a new activist able to engage positively with members, employers and other partners in promoting equality in the workplace. Furthermore, the respondents' reflections on the introduction of the ULR also offer a useful insight into the delivery of a new specialist union role. This conclusion, however, is tempered by respondents' belief that the equality representative project can only fulfil its potential if the role is mainstreamed into branch structures, policies and processes and, crucially, that the same statutory recognition enjoyed by other union representatives is granted to the equality representative.

Literature review

The decline in the membership of trade unions in the UK in recent decades is well documented, falling from a peak of over 13 million members in 1979 to its current level of around 7 million today (Cully et al., 1999; Kersley et al., 2006). Similarly, the reasons behind that decline have been the focus of much scholarly enquiry and debate, with key factors identified as: the changing nature of the labour market, the role of the state and legislation, business trends, employer and employee attitudes and trade union strategy itself (Blyton and Turnbull, 2004). Add to this the changing employment trends from large to smaller undertakings, manufacturing to the service sector, and traditional full-time to part-time and self employment then, as Hyman remarks, ‘work relations no longer seem to generate a natural and spontaneous collectivism (2009: 37). For many commentators this trend highlights the fundamental challenge facing the British trade union movement today: whether they continue to manage an orderly and dignified decline or put into place a credible strategy for consolidation and growth (Curran, 2008; Daniel and McIlroy, 2009). In short, the question facing British unions today is one of ‘resurgence or demise?’ (Ferne, 2005). This dilemma poses a further question for some scholars of British trade unionism. Could a greater focus on promoting equality and diversity in the workplace be part of a new strategy for union resurgence? (Kirton and Greene, 2005a). In the context of these questions, and the potential role of the equality representative in that strategy, this section reviews the relevant literature on: the tradition and legitimacy of trade unions as vehicles for pursuing greater equality and social inclusion; what this has meant in terms of a ‘trade union equality agenda’; the development of the union learning representative as a potential model of activism that may be part of a strategy for renewal in the workplace.

The unions have a long tradition of achieving fairness for workers and promoting social justice in the workplace (Metcalf et al., 2001) and, as Flanders (1972) rightly recognised, collective bargaining is a fundamental aspect of this function of the unions in terms of negotiating the rules for managing the employment relationship. However, for Flanders, this was not just about protecting the terms and conditions of workers but ‘equally their security, status and self-respect – in short their dignity as human beings’ (ibid.:21). Crucially, Flanders saw two roles for the trade union. Firstly, ‘self protection’ through collective bargaining in order to maintain their negotiating power in the labour market and to defend individuals against ‘arbitrary treatment by management’ (1968:77) and, secondly, to wield ‘a sword of justice’ (cited in Metcalf, 2005) to defend their broader social interests. As Metcalf observes, despite the unions’ reduced influence in terms of collective bargaining, ‘they still wield the sword of justice in the workplace. Unions narrow the distribution of pay and promote equal opportunities and family friendly policies’ (2005: 15). Research has also indicated that unionised organisations are more likely to have clearly defined equality and diversity policies and practices (Kersley et al., 2006).

Thus, contemporary employee relations writers are increasingly focussing on the role of trade unions in seeking greater equality rights and opportunities for their members (Ledwith and Colgan, 1996; Kirton and Greene, 2005b, 2006). A key element of this literature is the degree to which trade unions are successful vehicles for also delivering greater internal equality in terms of the democratic participation and representation of all of its members. Similarly, a long established section of this literature is the conceptualisation of the role of women in the union (Cockburn, 1991;

Cunnison and Stageman, 1995; Colgan and Ledwith, 1996; Colgan and Ledwith, 2002). Dickens (1999), in particular, usefully conceptualises the development of equality and diversity theory and practice through her ‘three prongs’ metaphor to portray the social justice, legal and business case arguments for changes in the workplace and society.

Fundamentally, she argues that there is a moral imperative for society to ensure fairness and equality for all of its members. Secondly, there is a legal case for equality to ensure that all organisations and individuals adhere to equality legislation. Finally, the business ‘prong’ of Dickens’ model recognises the growth of a ‘managing diversity’ agenda for equality in the workplace that is also said to offer ‘bottom line’ benefits. This latter conceptualisation of equality and diversity has had its critics, particularly if seen as a stand-alone strategy (Dickens, 1999; Dickens, 2006; Cassell, 2006). However, it remains a key potential driver, perhaps, for persuading more recalcitrant employers of the value of equality and, in the context of this study, may become an important tool for the fledgling equality reps if set against a collectivist agenda. Greene and Kirton (2004) have usefully devised a conceptual framework that contrasts individualistic versus collectivist approaches to managing diversity and equality in the workplace. It captures the key differences between ‘mainstream’ managing diversity arguments and a more collectivist conceptualisation of ‘diversity management’, which articulates the moral and legal arguments and is utilised in the discussion that follows. Significantly, Dickens suggests that ‘trade unions may play a role in promoting equality action’ (1999: 14), in that, ‘positive developments can be seen in union organising, governance and representation structures which can be

expected to help foster a preparedness on the part of unions to initiate and engage in equality bargaining' (ibid.: 16).

Many commentators, however, have also recognised the limitations to this aspect of union strategy. As Kirton rightly argues, 'historically union efforts to recruit women into membership and participation have not been concerted enough, because they have until recently actively chosen to focus on male-dominated occupations and industries and privilege male workers' bargaining priorities' (2005: 388). Lindsay et al. (2007) further qualify this criticism and argue that 'sameness' rather than 'difference' remain the key criteria for distinguishing, or not, the needs of a membership that in reality has very diverse equality needs and aspirations.

Furthermore, whilst proponents of greater equality have argued for it to be achieved through collective bargaining, Hyman paradoxically highlights the current limitations of this mechanism for union influence. He argues that it, 'tends to reflect and reinforce inequalities among employees themselves, the weak and vulnerable are commonly marginalized or excluded. More fundamentally still, the very agenda of collective bargaining is itself narrowly confined by broader structures of power [which are, for him, inherent in our current system of free market Capitalism]' (2009: 40). Kirton and Greene (2005a) concur, stressing that social equality tends to be seen purely as a class issue. Therefore, whilst exploitation of workers is a key focus of the union movement, this focus is sometimes at the expense of the interests of the disadvantaged individuals and groups who make up that workforce.

This insight has also been utilised by Kirton and Greene (2006) in considering ‘the discourse of diversity’ in terms of how trade union officers view the traditional moral and legal arguments of equal opportunities against the more business focussed rhetoric of managing diversity. Similarly, recent work studying the role of union activists as one of four groups of ‘equality and diversity actors’ within ‘industrial relations’ (Healy and Oikelome, 2007) offers sound theoretical foundations on which to base the analysis of the potential of the equality representative

It is of note in the context of this paper that Hoque and Bacon’s (2010) review of the TUC UMF project and Moore’s (2010) study of the UNISON UMF project are currently two of the few pieces of research undertaken on the role of the equality representative. Hoque and Bacon’s research on the views and experiences of the initial group of equality representatives trained up by the TUC found that they were making a positive initial impact in terms of representing members through advice and guidance, promoting good practice and taking up harassment and discrimination cases. Furthermore, one of Moore’s key findings was that ‘the equality rep role is..[also].. providing new routes to activism for UNISON members’ (ibid.:3) from a diversity of backgrounds. This goal is shared with another key union innovation, the union learning representative.

The union learning representative

Arguably, one of the more successful recent initiatives by the union movement has been the development of a network of union learning representatives (ULR) trained to give advice and guidance to employees and employers in areas of training and development and lifelong learning (Unionlearn, 2007; Mustchin, 2007). It is an

initiative that has arisen partly in the context of the continuing pressure on the UK government and employers to find supply-side solutions to the increasing demand for the new and updated skills needed to remain globally competitive (Stuart, 2007). Conversely, it is as a result of being able to work with a government more sympathetic to the contribution that unions through partnership with employers can make towards economic success (Forrester, 2004). As part of this government sponsored strategy for learning partnerships, dedicated union learning funds for Scotland, England, Northern Ireland and Wales were also set up for unions to bid for resources to initiate and run learning projects (Findlay, P. et al., 2006: Stuart and Wallis, 2007; Wales TUC, 2010). In reality, however, this strategy has not been without its problems in terms of both delivery and, it is argued, 'the weaknesses inherent in a supply-side strategy for vocational training and skill development' (Stuart and Cooney, 2008: 347). Furthermore, for some commentators, a partnership strategy built around learning consigns unions to a more junior role in terms of the balance of power with employers. McIlroy, for instance, is highly critical of the notion of workplace learning in its current form as a means of union revitalisation. He argues that the evidence available suggests rather that the TUC is reduced to the role of 'state agent' for learning (2008: 288), and the notion of social partnership is mere rhetoric whilst any legal requirement for training remains absent from the collective bargaining agenda (ibid.: 297).

The extent to which the ULR role can specifically revitalise trade unions has also attracted critical comment in the literature. Hoque and Bacon (2008) counsel caution in overestimating the influence of the ULR. Their study found only a weak link between ULR activity and recruitment of new members. Other writers have

questioned the extent to which ULRs contribute towards better branch organisation in terms of attracting new members and also the development of new general activists (Donnelly and Kiely, 2007). In contrast, a recent and extensive survey suggests that ‘the achievements of union learning reps should not be underestimated’ (Hollinrake et al., 2008: 407) and offers evidence that ULRs ‘represent a substantial boost to union workplace activity’ (ibid.). Similarly, whilst Warhurst et al. report that some new ULRs were attracted to the role, ‘believing it to involve less confrontation’ (2007:19), they also report that ‘there was evidence of ULRs going on to take up other, broader representational roles’ (ibid.).

Likewise in terms of renewal, recent research suggests that the learning agenda is allowing the unions to build up new partnerships with different bodies and establish some degree of collective bargaining over learning objectives (Stuart and Wallis, 2007). Similarly, the research by both Shelley (2007) and Perrett and Martinez Lucio (2008) highlight the potential of union co-ordinated learning centres as catalysts for greater engagement with local communities. However, they also stress the vulnerability of this initiative for revitalisation in terms of its dependency on employer support and, crucially, long-term funding. Nevertheless, having gained statutory rights in 2002 (Wallis et al, 2005) the ULR is now well established at union branch level, and strategies for recruiting, training, organising and supporting ULRs may provide a valuable insight into how the role of the equality rep could develop.

A review of the current literature has highlighted the contemporary debate on the challenges for British unions in terms of establishing a credible agenda for renewal,

and how equality initiatives may figure within that strategy. In addition, consideration has been given to the growing literature on the role and efficacy of the union learning representative as an example of a union strategy for growth. In closing this section, it is of note that Dickens acknowledges that, ‘the positive potential of unions is recognized to some extent in the government’s adoption of a recommendation of the Women and Work Commission to prioritise capacity building for trade union workplace equality representatives’ (2007: 484). In the context of this observation and her ‘three prongs’ framework, and utilising a number of models and concepts identified in the literature review, the discussion focuses on two key questions:

- What are the respondents’ views on the potential role of the union equality rep in terms of a strategy for addressing equality and diversity issues in the workplace?
- To what degree does the strategy used for the development of a network of union learning representatives offer a useful template for the equality rep project?

Research methods

The research was part of a project undertaken for the TUC in a region of the UK and is based on 32 semi-structured interviews with respondents chosen to reflect a cross-section of union officers and regional activists with a sound knowledge of current equality issues in that region. To that end, the chair of each of the TUC regional equality fora for gender, race, age, disability, LGBT and retired members was interviewed, as were a number of active members of those groups. In order to gain an

insight into TUC regional strategy, six senior full-time officers were also interviewed. Not all affiliates regularly send delegates to the fora. Therefore, UCU, as a typical example of an absentee, provided four regional equality activists to gauge their views on the project. Conversely, not all unions have regional spokespeople on equality. So it was also of value to speak to the Community and NUJ national officers in order to get those unions' views on the initiative. The initiative's potential impact with regard to training delivery was sought through interviews with the senior co-ordinators for the four main TUC education centres in the region.

The union equality representative project, in terms of strategy and practice, remains in the early part of its development (Daly, 2009). Therefore, the views and experiences were sought from all four national TUC officers involved in the overall project. This was supplemented by interviews with key national officers involved in the UMF projects currently recruiting or planning to recruit equality reps in that region for UNISON, UNITE and PCS. It is acknowledged that the choice of respondents does have clear limitations. However, it was felt that the regional union representatives chosen would be best placed to speak on current equality strategy and practice in the region, and the potential impact the equality rep project might have on that strategy. Similarly, national officers who had experience of the initial impact of the equality rep in terms of their UMF projects, and what they felt the impact would be when their respective projects were rolled out in the region under study, was seen, given the early stage of the initiative, as a reasonable criteria for the choice of respondents. Nevertheless, in the context of the discussion that follows, it is important to also acknowledge two further issues that must be considered in any study of the equality agenda within the union movement. Firstly, the risk that the development of a

specialist equality representative could detract from the necessity to see equality and diversity issues as key concerns for all union representatives. Secondly, that by its nature the pursuit of equality, and what that means in practice, has and remains a contentious element of British trade union strategy and practice.

The interviews were conducted between March 2008 and May 2009 and interviews averaged one hour in duration. The interview data were analysed through template analysis of the transcripts (King, 2004). This process entailed construction of an initial template from the interview schedule. Whereby early categorisation could be made based on the initial questions put to the respondents. The interview schedule included four key sections covering respondents':

- General experience and perceptions (What is your role in promoting equality? What are your views on current equality initiatives?).
- Views on union strategy (What is your view of TUC regional policy for equality and diversity? What is your view on the equality and diversity strategy of your union?).
- Views on the equality representative initiative (What is your view on the equality representative? Who might they support? How should they be trained? What type of tasks should they undertake?).
- Reflections on the efficacy of the union learning rep initiative (What had gone well? What failings have there been? What could be learnt from the ULR project that could inform the implementation of the equality rep initiative?).

The template analysis then allowed additional themes to be developed. For instance, working with other stakeholders was not a specific question in the original schedule. However, subsequent analysis highlighted this as a key issue for the interviewees and became a category within the analytic template. The findings from that analysis are presented in the following section.

The potential role of the union equality representative

When asked their views on the role that the equality representative might take up within the union, respondents offered a number of key functions that the new activist could undertake. Working with other stakeholders was seen as a key aspect of trade union strategy. A number of respondents saw a role for the equality rep in terms of unions engaging more with local communities, particularly Black, Asian, Minority Ethnic (BAME) communities. Specific reference was made to a report commissioned by the TUC on strategies for closer engagement between unions and BAME communities in the region (Martinez Lucio and Perrett: 2007) and the role of the equality rep. Where, for instance, for a number of respondents, the report's call for greater sharing of information on successful strategies of engagement could be achieved through an equality reps' network. Similarly, the identification of common aims and a willingness of many voluntary organisations to want to work with the unions were seen as potential opportunities for equality reps to raise their profile. A specific example was the work currently undertaken by a regional activist and law

specialist who, in response to Martinez Lucio and Perrett's recommendations, was seeking to fill 'a practical gap' they identified by setting up employment law clinics in the community run in partnership with the unions (Sharpe, 2007). This initiative also had resonance with the use of learning centres to engage more closely with the local community (Shelley, 2007: Perrett and Martinez Lucio, 2007). She saw the equality rep as an ideal person to support and promulgate the services of employment centres that offered advice on employment issues, learning opportunities and how to join a union. In this context, she saw the role of the equality rep:

'As a promoter of the legal service but also getting feedback from members of the community on what employment issues they are having, how effective is the legal service, how effective is the union, the issues around employment and equality that unions need to focus on'.

This aspect of the role resonates with Healy and Oikelome's (2007) call for unions to identify and work more closely with other 'diversity actors' and Parker's (2008) findings on national TUC policy and strategy to build greater alliances in civil society. The Community Union's national equality officer also supported this type of strategy. He saw the role of the equality rep as understanding how the workplace links with the community and ideally building relationships between companies and the community.

Unsurprisingly, the perceived role of the equality rep and the training they'd need were closely linked. Two UCU reps in higher education offered their 'contribution list' for the equality rep which reflected many of the respondents' views of what would be required of the new reps: researching equality cases at the university,

monitoring grievances, supporting members, contacting the regional officer and finding out what is going on at other universities, sharing experiences and information within the branch and monitoring approaches to stewards on equality issues. Interestingly, with respect to gaining knowledge of how to make the ‘legal case’ (Dickens, 1999) to employers, UNISON officers reported that a third of their initial equality rep training was dedicated to the law.

Other activists and officers working in the public sector also cited the need to use the ‘equality duties’ legislation’ as a tool to engage with employers. They saw the equality reps as well placed to monitor employers’ equality schemes and to carry out an impact assessment when management propose a change in the workplace. A PCS project worker made a persuasive ‘business case’ (ibid.) for equality reps to undertake branch audits that would establish ‘not just how representative the branch was of the workforce’ but equally critical ‘how representative the employer was of its local community’. The UNISON national officer in charge of their UMF project on equality reps saw it as a strategic role. Their aim is to train and support an equality rep in every organisation where the branch has members. They would work with management on equality projects and analyse the effects of initiatives. The network would be co-ordinated by the branch equality officer. Interestingly branch structure may determine slightly different strategies, where the goal for PCS, in contrast, is an equality officer/equality rep in every branch. Nevertheless, where possible, intelligence gained from the equality reps in either structure is subsequently used by the branch negotiation team in discussion with the employer. All respondents also felt it crucial that it was made clear to branch colleagues, members and equality reps themselves what was expected off them. As one TUC regional officer stressed, ‘we do

not want to set up our equality rep only to fail through unrealistic expectations'. Similarly, all respondents felt that the potential contribution of the equality rep to the unions' organising agenda needed to be fully understood.

To this end, it was recognised by the majority of respondents that if the equality rep initiative was going to be successful, it was important that the branches were fully on board. As the chair of the LGBT forum remarked, 'it will not be successful if it is seen solely as top down'. Respondents stressed the need to fully involve the branches in the process from the start. It was essential that existing officers and reps in the branch saw the value of this new role. A potentially important way of 'selling' the new role of the equality rep and taking up the equality and diversity agenda generally, was succinctly captured by one UNISON national officer in a rhetoric of both 'diversity management' (Greene and Kirton, 2004) and a pragmatic 'business case' (Dickens, 1999):

'They (branch reps) have a lot going on, fire fighting and being reactive, versus the proactive of equality. We say when you look at your casework, you'll find that 50% are equality issues, for example, bullying and harassment. So if you are more proactive around equality issues you can reduce your case work'.

Concluding this powerful and practical 'selling point', she argued that 'we need to change culture'. This view was echoed by many of the activists and officers interviewed. One TUC officer argued that 'we need to embed equality and the role of the equality rep in the branch structure'. The danger for many respondents was that it was seen as 'an add on' or 'someone who can now do all the equality case work'

Clearly, a key part of the challenge will be to change the culture of the branches. The example in the previous section of UNISON's planned strategy of working with branches can offer a way forward here. These views support the findings of Moore (2010) who reports that the UNISON regional officers in her study saw the role of equality rep as 'an ear in the workplace', identifying issues which could subsequently be taken up by the branch.

The view of a number of respondents also supported the findings of Healy and Oikelome (2007) who argue that often equality networks are 'inward looking' and not wholly integrated into the union structure and organisation. A number of regional activists felt that the equality rep would be an ideal member of the TUC regional fora and would help address the perceived disconnection between these bodies and affiliates within the region. Similarly, one PCS national officer felt that the initiative would help to increase the communication of equality information across the union and enable the equality rep to 'act as a conduit between a whole lot of different groups, regionally, activists from different backgrounds – breaking down the silos'.

Other practical challenges were articulated with respect to successfully implementing the equality rep project. One concern was suspicion on the part of branch activists. As one UNISON national education officer commented, 'we need to overcome the view of some branches who are concerned about a proliferation of specialist representative roles and equality is seen as just one more'. Many activists cited the tightening on facility time as being a major barrier and the danger of already busy reps taking on a new role in which they will have difficulty to do it justice. Conversely, officers and activists did think that there were potentially new activists

‘out there’. The challenge was to show that the role had status and that they could make a difference.

Crucially, the majority of officers and activists felt that for the equality rep to be effective the role needed the same legal status as the ULR or even the health and safety rep. They needed sufficient facility time to undertake training and to then carry out their duties. The need for legal recognition was a key finding from the research. Despite vigorous lobbying by the unions reported by all TUC national officers they were not able to secure this objective as part of the new Equality Act that came in force in 2010. Therefore, this presents the unions with clear issues around time off for the equality rep. The views of the respondents in this research support the findings of Moore (2010) that if an equality rep already held a post facility time should not be an issue. However, this presents a major barrier for the recruitment of new reps. As Wallis et al (2005) suggest, the granting of statutory recognition for the ULR in 2003 was potentially a significant contribution to attracting new reps in that role. The lessons learnt from previous developments of new activist roles are considered further below. The national TUC officers did report that a small number of recognition agreements had been negotiated with employers across the pilot projects. However, as one UNITE national officer remarked, in the meantime a more practical interim solution, ‘was to make all of our equality reps shop stewards so that they automatically got the facility time’.

Templates for success: Making the ‘social case’ for equality in the workplace

As noted earlier, a key component of Dickens’ model (1999) was the potential of the unions to make the social case for equality and diversity. For many respondents, there were two potential templates for successfully rolling out a new cohort of equality activists, the disability at work champion and the union learning representative. However, these precedents of new union roles also offered key learning points in how to better manage the process.

The disability at work champions’ (DC) initiative, which ran until December 2007, focussed on training dedicated union reps over a four-year period in order to support members with disabilities in the workplace. It was part-EU funded and was a collaborative partnership between Amicus (UNITE) and TUC Unionlearn (Parr, 2008). Given its background it seemed particularly relevant to the equality rep project, and a number of the respondents saw the DC training as the first stage of training for the new equality rep. As a TUC tutor and the former worker on the project explained, course material was ‘written in such a way that after five days the reps hit the floor running’. His reflection on their subsequent role in the workplace also had resonance with the business and legal cases in that:

‘Some managements said how they were pleased that somebody was taking the role of making sense of the Disability Discrimination Act and its requirements’.

Similarly, a TUC tutor from another unit in the region commented that, ‘the disability champion course is very rewarding to deliver and DCs in the field are

delivering. I've seen this from subsequent discussion with other reps on our courses'. The TUC regional education officer also saw it as a 'flagship' course.

Conversely, for one UCU activist who had recently undertaken the training, and had found it very useful, 'taking this 'anything is possible' feeling from the course and transferring it to the workplace' could still present barriers. He came back empowered from the course, 'but back in the workplace you are on your own'. Rather than a criticism of the disability at work champion, it is perhaps a good example of how, when the project was fully funded and had project workers in support, some champions might feel less isolated. This was also a key point made by respondents in relation to learning outcomes from the ULR initiative. In that the new equality rep network would very much benefit from similar ongoing support from their union as enjoyed by ULRs. Many respondents felt that trained DCs would logically offer the first target group to be identified for equality rep training. Given that 325 DCs were trained during the four-year project, 91 of who were from the region under study (Parr, 2008), the potential for developing these reps looks well founded.

The majority of respondents saw the union learning representative as a potential model for the implementation of the equality rep initiative. However, this was also qualified by the perceived lessons that could be learnt from the ULR phenomenon. Paradoxically, if the equality rep project gets the funding that most respondents think that it needs to succeed, there was another concern by some officers that it will lead more to a focus on the numbers trained rather than the quality of delivery.

As one union officer commented,

“If we look at learner reps .. and my fear is that the equality rep will be the next ‘quick let’s get 10000 of them’. Which sort of what happened with learner reps and is still sort a like happening. A massive focus on meeting a numerical target because that is what we are funded on and I’m not criticising that but when you chase solely targets then the danger is that quality is affected”.

The research suggests that there are important lessons to be learnt for the equality rep initiative from how the ULR programme was rolled out, particularly with respect to their role in the branch. As Moore (2009) notes, ULRs have often developed outside the core structure of the branch and that can raise issues in terms of coherent branch policy and practice.

Furthermore, Moore’s (2010) study of UNISON’s equality rep project is in accord with the findings of this research in that respondents also had concerns that the equality rep might develop like the ULR as a separate entity within the branch. The views of two PCS officers reflect these feelings well:

“It is important that we don’t fall into the same trap with the equality reps. That is they [should] see themselves firstly as PCS reps that happen to have a particular role in equality. That is going to be really important” (Regional organiser).

“I went to some early meetings of the ULRs and it was being marketed as it’s different to the rest of the union. So people weren’t going through the branches, almost self-selected, ‘I’ll volunteer’. So you had a lot of learning reps who consider themselves to be learning reps and didn’t think that they had any link with PCS and, by the same token, the branches didn’t see that it was anything to do with them” (Regional officer).

Critically, for one UNITE officer, ‘we learnt from this resistance – you’re not elected and therefore you’re not eligible’. Consequently the union policy has been that to attend a course the person must be an existing rep or a newly elected equality rep. In this way, the officer felt that the equality rep is better integrated into branch structure and practice.

Nevertheless, in closing this section it is of note that national officers involved in the initial national UMF projects reported a positive take up of the role and highlighted its potential contribution to union organisation. One UNISON project worker felt that, ‘FTOs, branches and SOGs all get it and are very positive, members are keen to do the training and we are attracting new people’. Despite the lack of legal status, all project officers were pleased with the take up of courses and, in terms of supporting branch organisation, the view of one PCS officer captured their belief that, ‘FTOs and organisers like this new person who is [potentially] able to get underrepresented groups into the union’.

Conclusion

Utilising two research questions derived from a review of the current employee relations literature, the focus of this article has been on the potential of the equality representative to enable unions to better address equality issues in the workplace, and the extent to which this initiative can also contribute towards a union renewal strategy. An analysis of the data revealed general support for the initiative, for instance, as a means of closer engagement with disenfranchised members of BAME communities in the region. A clear role was also envisaged for the new rep in terms of taking up members' cases, carrying out equality audits, raising awareness and acting as a source of advice and information to the branch negotiators and members. Conversely, this was qualified by a perceived need to ensure that branches are fully engaged in the process so that it is not seen as a top down initiative and, furthermore, that branches, reps and members are clear on what the role can practically achieve. Crucially, a key theme for all respondents was the need to attain the same legal status for the role as that enjoyed by the ULR. This finding supports the conclusion of Jaffe et al. in their strategy for pursuing equal pay in the public sector. They cite the success of the ULR and the health and safety representative's 'vital role in making workplaces safer' (2008:40) as templates for the development of the equality representative. However, as they rightly caution, this success 'has come about arguably because of health and safety representatives' rights to carry out inspections and demand documents. Equality representatives grafted on top of the current shaky framework would be unable to play such a transformative role' (ibid.) without that same legal authority.

With respect to the second research question, the findings support to some extent the criticism of the ULR initiative identified in the literature review, certainly in terms of their developing outside the core structure of the branch (Moore, 2009). Nevertheless, respondents saw both the disability at work champion and the ULR as legitimate models for the equality rep initiative.

It can be argued that the discussion in this paper about the different types of specialist roles raises two key issues. Firstly, the union's role in promoting greater equality on behalf of all of its members must be a fundamental aspect of any contemporary union strategy for both recruitment and organising. There is evidence from the findings of the potential for the equality rep to deliver on both of these agendas. It is an opportunity to develop a specialist activist able to engage more with new and existing members in terms of key elements of their individual employment rights. Furthermore, it is also an opportunity to strengthen 'the sword of justice' (Metcalf, 2005) role of the unions in promoting, protecting and delivering for the members collectively in terms of their fundamental social rights across all equality strands, none the least through the greater utilisation of new and existing government legislation. As Kirton and Greene rightly argue, in terms of defending the rights and interests of all working people, 'in a changed and changing labour market, trade unions can no longer position themselves solely or even primarily as class-based organizations' (2005a: 145). They must respond to the issues facing members as employees from across the many equality strands of society (ibid.).

Secondly, respondents' views on the ULR initiative offer practical organisational guidance on how the equality rep can contribute to a more strategic approach to

equality within a renewal agenda. The discussion highlighted that there are clear lessons to be learnt from how the ULR initiative was introduced and developed. The general feeling was that equality rep's activities and objectives must be far more mainstreamed into overall branch structure, policy and practice.

In closing, further research is needed to more fully understand local activists' and officers' views and expectations of the union equality rep role and, crucially, the views and experiences of the equality reps themselves as the programme is rolled out regionally and nationally. The findings of this research suggest that the potential does exist for the equality representative to better enable unions to address the equality needs of their members. However, attaining the same status for the equality rep enjoyed by other specialist union reps for time off to undertake that role remains the key challenge facing the unions, if that potential is to realise any significant gains within an agenda for renewal in the near future.

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Bibliography

Blyton, P. and Turnbull, P. (2004), 3rd Ed. *"The Dynamics of Employee Relations"*, Palgrave Macmillan, Basingstoke, UK.

Calvert, L. (2008), *"Equality for all: Workplace and freelance equality reps project"*, National Union of Journalists Publications, London.

- Cassell, C (2006), "Managing diversity", Redman, T and Wilkinson (Ed.), *Contemporary Human Resource Management*, Pearson Education Ltd., Harlow, England.
- Cockburn, C. (1991), *"In the Way of Women: Men's Resistance to Sex Equality"*, Macmillan, London.
- Colgan, F. and Ledwith, S. (2002), *"Gender, Diversity and Trade Unions: International Perspectives"*, Routledge, Abingdon, London
- Cully, M., Woodland, S., O'Reilly, A. and Dix, G. (1999), *"Britain at Work: As depicted in the 1998 Workplace Employee Relations Survey"*, Routledge, London.
- Cunnison, S. and Stageman, J. (1995), *"Feminizing the Unions"*, Avebury, Aldershot.
- Curran, K. (2008) *"Organising to win: A programme for trade union renewal"*, available at www.compassonline.org.uk (accessed 22 February 2010).
- Daly, T. (2009), *"TUC equality reps project report: April 2008 – March 2009"*, TUC Publications, available at www.unionlearn.org.uk/education/learn-2879-f.cfm (accessed 8 July 2009).
- Daniels, G. and McIlroy, J. (2009), "An anatomy of British trade unionism since 1997: Strategies for revitalization", Daniels, G. and McIlroy, J. (Eds), *Trade Unions in a Neoliberal World*, Routledge, Abingdon, Oxon.
- DfCLG (2006), *"Government Action Plan: Implementing the Women and Work Commission recommendations"*, September 2006, Department for Communities and Local Government.
- Dickens, L. (1999), "Beyond the business case: A three-pronged approach to equality action", *Human Resource Management Journal*, Vol. 9, No. 1, pp. 9-19.
- Dickens, L. (2006), "Re-regulation for gender equality: From 'either/or' to 'both'", *Industrial Relations Journal*, Vol. 37, No. 4, pp. 299-309.

- Dickens, L. (2007), "The road is long: Thirty years of equality legislation in Britain", *British Journal of Industrial Relations*, Vol. 45, No. 3, pp. 463-494.
- Donnelly, E. and Kiely, J. (2007), "Learning representatives in the UK: Helping unions organise or not?", *International Journal of Employment Studies*, Vol. 15, No. 1, pp. 69-88.
- Fernie, S. (2005), "The future of British unions: Introduction and conclusions", Fernie, S. and Metcalf, D. (eds), *Trade Unions: Resurgence or Demise?*, Routledge, Abingdon, Oxon.
- Findlay, P., Stewart, R., Dutton, E. and Warhurst, C. (2006), "Evaluation of the Scottish Union Learning Fund", available at <http://www.scotland.gov.uk/Publications/2006/05/23131735/0> (accessed 24 April 2010).
- Flanders, A. (1968), "*Trade Unions*", Hutchinson Publishers, London.
- Flanders, A. (1972), "What are trade unions for?", W.E.J. McCarthy (Ed.), *Trade Unions*, Penguin Books, Harmondsworth, England.
- Forrester, K. (2004), "The quiet revolution? Trade union learning and renewal strategies", *Work, Employment and Society*, Vol. 18, No. 2, pp. 413-420.
- Government Equalities Office (2010), "*Equality Act 2010*", available at www.equalities.gov.uk/equality_bill.aspx (accessed 26 April 2010).
- Greene, A and Kirton, G. (2004), "Views from another stakeholder: Trade union perspectives on the rhetoric of 'managing diversity'", *Warwick Papers in Industrial Relations*, No 74, June 2004, IRRU, Warwick University.
- Healy, G. and Oikelome, F. (2007), "Equality and diversity actors: A challenge to traditional industrial relations?", *Equal Opportunities International*, Vol. 26, No. 1, pp. 44-65.

- Heery, E. and Kelly, J. (1988), “Do female representatives make a difference? Women full-time officials and trade union work”, *Work Employment and Society*, Vol. 2, No. 4, pp. 487-505.
- Hollinrake, A., Antcliff, V. and Saundry, R. (2008), “Explaining activity and exploring experience – Findings from a survey of union learning representatives”, *Industrial Relations Journal*, Vol. 39, No. 5, pp. 392-410.
- Hoque, K. and Bacon, N. (2008), ‘Trade unions, union learning representatives and employer-provided training in Britain’, *British Journal of Industrial Relations*, Vol. 46, no. 4, pp. 702-731.
- Hoque, K. and Bacon, N. (2010), “*The TUC union equality representatives survey 2009*”, TUC Unionlearn, TUC, London.
- Hyman, R. (2009), “Why industrial relations?”, in *What’s the Point of Industrial Relations: In Defence of Critical Social Science*, Darlington, R. (Ed.), British Universities Industrial Relations Association.
- Jaffe, M., McKenna, B. and Venner, L. (2008), “*Equal pay, privatisation and procurement*”, The Institute of Employment Rights, Liverpool.
- Kersley, B., Alpin, C., Forth, J., Bryson, A., Bewley, H., Dix, G. and Oxenbridge, S. (2006), “*Inside the Workplace: Findings from the 2004 Workplace Employment Relations Survey*”, Routledge, Abingdon, England.
- King, N. (2004), “Template analysis”, in Cassell, C.M. and Symon, G. (Eds), *Essential Guide to Qualitative Methods in Organizational Research*, Sage Publications, London.
- Kirton, G. (2005), "The influences on women joining and participating in unions", *Industrial Relations Journal*, Vol. 36, No. 5, pp. 386-401.

- Kirton, G and Greene, A. (2005a), "Gender, equality and industrial relations in the New Europe: An introduction", *European Journal of Industrial Relations*, Vol. 11, No. 2, pp. 141-149.
- Kirton, G. and Greene, A. (2005b), "*The Dynamics of Managing diversity: A Critical Approach*", Butterworth and Heinneman, Oxford.
- Kirton, G. and Greene, A. (2006), "The discourse of diversity in unionised contexts: Views from trade union equality officers", *Personnel Review*, Vol. 35, No. 4, pp. 431-448.
- Ledwith, S. and Colgan, F. (1996), "*Women in Organisations*", Macmillan, Basingstoke.
- Lindsay, C., Munro, A. and Wise, S. (2007), "Making equalities work? Scottish trade unions' approaches to equal opportunities", *Equal Opportunities International*, Vol. 26, No. 5, pp. 465-481.
- Martinez Lucio, M. and Perrett, R. (2007), "*Social inclusion and representation strategies in the workplace and community: Black and Minority Ethnic (BME) workers and innovative trade union responses*", TUC Publications, London.
- Metcalf, D., Hansen, K. and Charlwood, A. (2001) "Unions and pay systems, pay inequality, pay discrimination and low pay", *National Institute Economic Review*, 176, 61.
- Metcalf, D. (2005), "*British unions: Resurgence or perdition?*", Provocation Series, Vol. 1, No. 1, The Work Foundation, London.
- McBride, A. and Mustchin, S. (2007), "Lifelong learning, partnership and modernization in the NHS", *International Journal of Human Resource Management*, Vol. 18, No. 9, pp. 1608-1626.

- McIlroy, J. (2008), "Ten years of New Labour: Workplace learning, social partnership and union revitalisation in Britain", *British Journal of Industrial relations*, Vol. 46, No. 2, pp. 283-313.
- Moore, S. (2009), "Integrating union learning and organising strategies: Case studies of good practice", *Unionlearn Research Paper No. 8*, London, TUC
- Moore, S. (2010) forthcoming, "An ear in the workplace: The developing role of the union equality reps", T. Wright and H. Conley (eds.), *Gower Handbook of Discrimination at Work*, Gower Publications, Farham, Surrey.
- Munro, A. and Rainbird, H. (2004), "Opening doors as well as banging table: UNISON/employer partnerships on learning in the UK public sector", *Industrial Relations Journal*, Vol. 35, No. 5, pp. 419-433.
- Mustchin, S. (2007), "Union involvement in learning and union renewal strategies", *Paper given to the Work, Employment and Society Conference*, University of Aberdeen, September 2007.
- Parr, D. (2008), "*Disability Champions@Work: Final Project Report*", TUC Unionlearn, London.
- Parker, J. (2006), "Trade union women's groups and their effects on union goals and strategies", *Human Resource Management Journal*, Vol. 16, No. 4, pp. 411-431.
- Parker, J. (2008), "The Trades Union Congress and civil alliance building: Towards social movement unionism", *Employee relations*, Vol. 30, No. 5, pp. 562-583.
- Perrett, R. and Martinez Lucio, M. (2008), "The challenge of connecting and co-ordinating the learning agenda: A case study of a trade union learning centre in the UK", *Employee Relations*, Vol. 30, No. 6, pp. 623-639.

Sharpe, N. (2007), “*Report for the TUC: The provision of free legal advice centres and trade union resource centres within the Black, Asian and minority ethnic communities*”, Thompsons Solicitors, England.

Shelley, S. (2007), ‘Multiple partnerships in trade union learning’, Shelley, S. and Calveley (Eds), M. *Learning with Trade Unions: A Contemporary Agenda in Employment Relations*, Ashgate Publishing Ltd., Aldershot, England.

Stuart, M. (2007), “Introduction: the industrial relations of learning and training: A new consensus or a new politics?”, *European Journal of Industrial Relations*, Vol. 13, No. 3, pp. 269-280.

Stuart, M. and Wallis, E. (2007), ‘Integrating learning into workplace bargaining: Case studies of evolving trade union learning agreements’, Shelley, S. and Calveley, M. (Eds), *Learning with Trade Unions: A Contemporary Agenda in Employment Relations*, Ashgate Publishing Ltd., Aldershot, England.

Stuart, M. and Cooney, R. (2008), “Editorial: Training and the limits of supply-side skill development”, *Industrial Relations Journal*, Vol. 39, No. 5, pp. 346-353.

Stuart, M., Martinez Lucio, M. and Charlwood, A. (2009), “Union Modernisation Fund – round one: Final evaluation report”, *Employment Relations Research Series No. 104*, Department for Business, Innovation and Skills, London.

Unionlearn (2007), “*One year on: Unionlearn Annual Report*”, TUC Unionlearn, London.

Warhurst, C., Findlay, P. and Thompson, P. (2007), “Organising to learn and learning to organise”, *Unionlearn research paper No. 2*, TUC, London.

Wales TUC Learning Services (2010), “Celebrating union learning together”, available at www.wtuclearn.org (accessed 23 April 2010).

Wallis, E., Stuart, M. and Greenwood, I. (2005), "Learners of the workplace unite!: An empirical examination of the UK trade union learning representative initiative", *Work Employment and Society*, Vol. 19, No. 2, pp. 283-304.