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The political attack on workplace representation – a legal response

by Alan Bogg & K D Ewing

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NOW!**

The political attack on workplace representation – a legal response

by Alan Bogg & K D Ewing

As the authors of this timely report note in their opening sentence, “There is no shortage of laws protecting the right to be a trade union member and to take part in the activities of a trade union”. And yet, as the report goes on to analyse, there is daily evidence that a growing number of trade union representatives are suffering from blacklisting and victimisation. Moreover, this is happening against a backdrop of a sustained and vindictive campaign of attack from the government, the press and from right wing pressure groups aimed at silencing the union voice at work.

The authors – Alan Bogg and Keith Ewing – outline the political nature of these attacks, focusing on the victimisation of trade unionists by employers and on government proposals to restrict workplace facilities for union representatives. In both instances the authors consider the legality of the attacks with reference to UK administrative law, UK labour law and human rights law as established by the European Convention on Human Rights and developed by recent case law at the European Court of Human Rights. The authors conclude that the UK is “a rogue state” when measured against the “modest yard stick of international human rights law” and they finish by offering a “ten point manifesto as a blueprint for political action and legal reform.”

The publication opens with Forewords from Bob Crow, General Secretary of the transport union, RMT and from Mark Serwotka, General Secretary of the public services union, PCS. It concludes with a useful appendix on the rights of trade union representatives in other countries.

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