

# MOTION C1

## OPPOSING THE TORY TRADE UNION ACT

GREEN PARTY AUTUMN CONFERENCE 2016



**Thanks to members who voted in the prioritisation ballot, we've got this issue to TOP PRIORITY for policy motions at this year's Autumn Conference!**

**Let's show working people everywhere that the Green Party is opposed to this draconian, anti-worker, and anti-democratic legislation.**

### **What is the Trade Union Act?**

In May this year, the Tories finally forced the Trade Union Act through Parliament, after huge opposition in the Commons and the Lords.

The most publicised aspect of the Trade Union Act is the new turnout thresholds for strike ballots. Once the Act comes into force, **strike ballots will only be valid if turnout reaches 40%**. Plus, in the public sector, over 50% of those eligible to vote must vote in favour (so in public-sector strike ballots, anyone who fails to vote in the ballot has effectively voted 'no'). There are doubts as to whether this will be permissible under, say, the EU Charter of Fundamental Rights.

The Tories say these new thresholds make strike ballots more democratic, but they won't apply the same rules to the selection of their own candidates. Zac Goldsmith was selected for Tory Mayoral candidate in London on a minuscule turnout of just 9,227 (out of an eligible population of several million). As for the new rules on public-sector strikes, the Tories would not apply the same logic to the election of MPs – many of whom were elected by a minority of the eligible electorate. According to the Electoral Reform Society, some 331 of 650 MPs were elected with less than 50% of the vote share, whilst 8 were elected with less than 35% of the vote.

The main reason that it is difficult to get strike ballot turnout up is that strike ballots are currently postal-only, by law. The Government refused to allow electronic balloting in the Trade Union Act – even though, once again, it was good enough for the selection of their London Mayoral candidate.

**Let's not fall into the Tory trap of thinking that legal strike ballots are there to protect the public. No Trade Union has ever, or would ever, call a strike without the full support of union members – to do so would simply lead to a strike with poor participation and leave union officials looking silly. Unions always carry out their own internal ballots for members before going through the onerous legal ballot process. The reality is that the Tories introduced legal strike ballots simply to put heavy legal and administrative burdens on Trade Unions, to prevent workers from exercising their fundamental, democratic right to strike.**

The Act goes much further than just the strike ballot thresholds. It creates needless financial and legal burdens for unions. For example, where union members in the public sector are paying their subs by 'check-off' (meaning, through the employer's payroll system), the employer will now be forced to make a deduction from this – even though public-sector employers were against this. The Act also imposes an obligation on unions to fund the Certification Officer, a Government body which keeps records of Trade Unions, even though the burden on the taxpayer is tiny.

### **What is the Green Party's position on the Trade Union Act?**

The Green Party policy already supports radical change to allow workers to exercise their right to strike (WR432). Our policy says we "recognise the right to take industrial action without being in breach of contract and without the threat of dismissal or discrimination, in accordance with ILO Convention 87 and the International Covenant on Economic, Social and Cultural Rights. We will ensure this right is protected in UK legislation." This long-established policy calls for a sweeping, fundamental change in the UK legislation on strikes.

That's why motion C1 will not change Green Party policy – there's no need. Motion C1 is simply a policy statement from the Green Party, to confirm that our party opposes this Act and would repeal it if in government. (This is just what the Record of Policy Statements is there for!)

The strongest opposition to the Act in Parliament came from our own **Caroline Lucas**, who called for direct action against the Act's provisions if it were to be passed. She said, "**The Government is pretending that the Trade Union Act is about democracy rather than being a vindictive attack on working people. I am prepared to join Trade Unionists and others in taking non-violent direct action to resist it.**" No other MP in Parliament called for such strong action against the Trade Union Act – so Motion C1 congratulates Caroline for her efforts on this.

## **Why support the motion?**

We now need to let Trade Unions and working people everywhere know that we are ready to stand with them and oppose the provisions of this Act when it comes into force.

The Green Party does more than any other to support members in dispute – on the picket lines, in the media and elsewhere. Whilst other parties pay lip service to supporting workers, the Green Party has genuinely been there.

The Green Party Trade Union Group will be going to TUC Congress next week (11<sup>th</sup>-14<sup>th</sup> September). We'll be promoting the great work of Caroline Lucas and many Green Party members, activists and elected politicians, not only in opposing the Trade Union Act, but also in supporting workers in many national and local disputes around the country. With this motion we can generate publicity and let Trade Unionists know that the Green Party fully supports them.

## **Full text of the motion**

To insert into the Record of Policy Statements:

The Green Party supports the right of working people to form and join free, democratic and self-governing trade unions, without restriction by employer or government. Our policies call for a legal framework which will enable workers to pursue legitimate trade disputes, with appropriate rights and protections in the law.

However, the Conservatives' Trade Union Act seeks to hamper the ability of Trade Unions to improve the pay and conditions of workers, at a time when wages are already suppressed and inequality rising. It raises additional legal barriers to the right to strike, on top of what was already the most complicated legislation on industrial action in the democratic world. It also attempts to impose a range of needless new financial and legal burdens on Trade Unions.

The Green Party congratulates Caroline Lucas on her efforts to oppose this Bill during its passage through Parliament, and in particular her call for direct action to resist it following its passage into law.

The Green Party calls on the UK Government to repeal the Trade Union Act, and calls on Green Party members and supporters to lend their support to their Trade Unions as they take action to defy it.

## **PLENARY DEBATE**

The plenary debate on this motion is on **SATURDAY, immediately after Deputy Leader's speech at 10:30.**