

# PAY & EMPLOYMENT RIGHTS SERVICE

PERS leaflet number 12

# TRADE UNIONS

What you need to know about:

WHAT THEY DO  
HOW THEY CAN HELP YOU  
HOW TO JOIN

*Community  
Legal Service*



**April 2008**

## LEGAL RIGHTS TO TRADE UNION MEMBERSHIP

Most workers have the legal right to join a trade union, whether you work part time or full time, in a small or large workplace, on a temporary or permanent contract, on a scheme or as an apprentice, or as a home worker. Membership fees are usually lower for part-time workers and trainees. Your employer must not dismiss or victimise you because you belong to a union, regardless of how long you have worked there or the number of hours you work. 'Victimisation' includes any action against an employee, short of dismissal, which is designed to prevent or deter union activity. Unions have a right to information they need for collective bargaining purposes. Union representatives (or 'shop stewards') have legal rights and protection to enable them to carry out their union duties.

## HOW CAN TRADE UNIONS HELP YOU AS AN INDIVIDUAL?

- \* **Free advice** on all matters relating to your pay, hours, working conditions, redundancy.
- \* **Representation** at grievance and disciplinary hearings and at Employment Tribunals.
- \* **Advice, representation and free legal assistance** on sex, race and disability discrimination, equal pay and other problems at work such as unfair dismissal.
- \* Advice and representation on **health and safety issues**.
- \* A range of **welfare benefits** - for instance, accident, incapacity and funeral benefits.
- \* Personal **financial services**, including help when you are **retired**.

## HOW CAN TRADE UNIONS HELP YOU COLLECTIVELY?

Trade unions try to negotiate with employers. When a trade union is recognised by an employer, it will aim to negotiate:

- \* Better **pay, overtime rates and holiday pay**.
- \* Better **access to training** and career development.
- \* **Equal opportunities** policies.
- \* Better **working hours, holidays, sick pay, maternity and redundancy pay**.
- \* Fair **grievance and disciplinary procedures** with union representation.
- \* Occupational **pensions**.
- \* Employers must **consult** with trade unions (or other worker representatives if no trade union is recognised) if they propose to make more than 20 employees redundant or when the business is being 'transferred'.

Employers have a statutory obligation to recognise a trade union if a majority of the workers vote for recognition in a recognition ballot. The rules on statutory recognition are complicated, and they only cover employers with 21 or more employees. Please contact the TUC or PERS for more details.

## HEALTH AND SAFETY

The workplace can be very dangerous. The number of people who are injured at work due to major accidents is increasing every year. Many people also suffer from industrial diseases. Trade unions provide training for safety representatives who can give you information and advice on health and safety. Unions can also help you get compensation if you are injured at work.

## EDUCATION

Trade unions, and the TUC Education Service, run a wide range of free courses for members, including rights at work, negotiating skills, health and safety, new technology and equal opportunities. These courses can help you as a negotiator and trade union representative, and improve your personal skills and confidence.

## NATIONAL AND INTERNATIONAL VOICE

If you join a union, you will become a member of a local trade union branch. This gives you a voice in the union. You can also vote for your union's local, regional and nationally elected members. As well as representing workers at the workplace, unions negotiate national agreements with employers in particular industries. They also try to influence the economic and social policies of governments and the European Union. Much of the legislation that benefits working people today has been the result of trade union pressure.

## HOW TO JOIN A TRADE UNION

First, enquire amongst your work mates to see if they belong to a union. If they do, it is probably the right one for you to join. You should be able to get an application form from your local union representative. If there is no union at your workplace, you should contact the **Yorkshire and Humberside Regional TUC on 0113 242 9696**. They can tell you which trade unions cover your job or industry.

**Confidentiality:** For some workers, involving a union can be very difficult. This may be because their employer is hostile to unions and other workers are frightened of joining; or because there are only a few people at the workplace. If you are in this situation, you should ensure any approach you make to a trade union is confidential. You can talk the matter over with staff at either the Regional TUC or PERS. They can probably put you in touch with a union officer who will also deal with your enquiry in confidence.

This leaflet is intended as a guide and is not a full statement of the law. Please seek advice before taking any action.

PERS has a complaints and comments procedure. Please contact us for a copy if you wish to make a complaint or comment about our services.

PERS has a Community Legal Service (CLS) Quality Mark - if you want to make a complaint to the CLS about our advice service, you can obtain a copy of their complaints leaflet from us.

# **PAY & EMPLOYMENT RIGHTS SERVICE**

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**[www.pers.org.uk](http://www.pers.org.uk)**

**Telephone advice is available from PERS at the following times:**

**Monday: 10am to 1pm**

**Tuesday: 10am to 4pm & 5.30pm to 7.30pm**

**Wednesday: 10am to 4pm**

**Thursday: 10am to 4pm**

**Friday: 10am to 1pm**

*Pay & Employment Rights Service is funded by*

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