

**‘QUICK NOTE’, MAY 2016**

**Unions and Europe:**

**what are the choices?**

**Gregor Gall, professor of industrial relations, University of Bradford**

**Introduction**

It has become evident that the referendum on 23 June this year is a referendum on whether Britain’s membership of the European Union should be maintained regardless of the deal David Cameron struck with the EU member countries on 19 February 2016 (on freezing on in-work benefits for EU citizens working in Britain; stopping all payments of child benefit going to children living outside Britain; safeguarding to protect countries outside the eurozone against regulation made by those inside it; and not being covered by deeper EU integration). This is, therefore, not the referendum Cameron intended to have. He sought to narrow the referendum question posed by the terms of his agreement. As such, the questions facing unions and their members are even more profound and searching than could have been expected. Boycotting, active abstention or not taking a position (as some unions did in the Scottish independence referendum) are not then quite so credible options in this referendum as the contours of the debate are clearly only about ‘in’ or ‘out’ *per se* with the choice faced being one of working out which is the least worst option.

Compared to the referendum on Scottish independence, the referendum in 2014 at least gave a greater element of choice where the independence option offered the prospect – no matter how contested – that some degree of social progress could be made in Scotland after it became independent. The starkness of the binary choice where the options for unions are about which one is least worse has merely added to the difficulties unions face in deciding what approach to take when it has been evident for many years that the tone and terrain of the debate as well as the call for a referendum itself has been set by the right (and specifically an ideological struggle within the Conservative Party). In other words, unions have not called for this referendum, and certainly would not have chosen these as the terms for debate. Indeed, the starkness of the binary choice has made debate concerning reforming the EU very much an ‘also ran’. Nonetheless, the political reality forced upon unions is that they have to play the cards that have been dealt to them. This paper first of all outlines the way different unions have chosen to respond and then poses some challenges to those advocates of stay or leave.

**For and against**

The Trades Union Congress (TUC) and Scottish Trades Union Congress (STUC) along with the three largest unions, Unite, UNISON and the GMB, have declared their intention to use their resources to campaign for a ‘yes’ vote in the referendum on Britain’s continued membership of the European Union (EU) on 23 June. In addition a larger number of smaller unions like the construction union UCATT, the Musicians’ Union, the USDAW retail workers’ union, the CWU communications’ union, the FBU fire fighters’ union, and the transport TSSA union have also declared their opposition to leaving the EU. By contrast, only three unions so far – the ASLEF and RMT specialist transport unions and BFAWU bakers’ union – have stated they will campaign to leave the EU. Only, the NUT teachers’ union decided to not take a position and the PCS union will decide its position at the end of May at its annual conference). How these unions will campaign remains to be seen in terms of whether they will seek to have involvement in campaigns which are separate and independent from the mainstream, right-wing stay and leave campaigns.

All the unions declaring support for the ‘remain’ camp have made their support critical and conditional upon arguing for a return of the social dimension of the EU so that the advance of neo-liberalism and deregulation, it is hoped, can be halted and reversed. Moreover, these unions fear that if Britain was to leave the EU a number of workers’ rights would be lost as the political forces set to benefit from a vote to leave would be those favouring the ending of various social rights (like parental leave, paid holidays, protection for part-timers, collective consultation on redundancies, health and safety regulations and limits on excessive working hours). In other words, the forces of neo-liberalism would be strengthened, these being the right wing of the Conservative Party and the UK Independence Party (UKIP).

Thus, TUC General Secretary, Frances O’Grady, argued: ‘Working people have a huge stake in the referendum because workers’ rights are on the line. It’s the EU that guarantees workers their rights to paid holidays, parental leave, equal treatment for part-timers, and much more. These rights can’t be taken for granted. There are no guarantees that any government will keep them if the UK leaves the EU. And without the back-up of EU laws, unscrupulous employers will have free rein to cut many of their workers’ hard-won benefits and protections. The current government has already shown their appetite to attack workers’ rights. Unions in Britain campaigned for these rights and we don’t want them put in jeopardy. The question for everyone who works for a living is this: can you risk a leap into the unknown on workplace rights?’.[[1]](#footnote-1) Meanwhile, the FBU put it this way: ‘A vote to remain should not be taken as an endorsement of the current EU, but recognition that the organised labour movement is not currently in a position to replace it with something better. A vote to remain does not mean the union supports the way business and its friends have crafted European unity, nor does it mean we support the way they mould their project’.[[2]](#footnote-2)

By contrast, those handful of unions campaigning to leave cite that the social dimension of the EU has already been made worthless by the tightening grip of neo-liberalism within the EU and the only way to break out of its control is to leave the EU. They cite the pressure to privatise public services, the enforcement of austerity programmes (especially in regard of Greece) and the undermining of the right to strike amongst these, and state that the vast majority of workers’ rights in Britain exist separately from those provided by the EU, namely, that they are national laws derived from developments separate from the EU.

The way unions have decided their positions has varied. UNISON engaged in a membership consultation to arrive at its position while other unions debated the issue at their annual conferences and/or national executives. In its consultative survey, almost four in five (78%) of UNISON’s health, local government, education, energy and police branches wanted the union to take a stance in the EU referendum. Of these, the overwhelming majority (95%) wanted UNISON to campaign for the UK to stay in Europe.

So whilst most unions have, thus, chosen to argue for a ‘remain’ position, there are different degrees of enthusiasm in doing so. Of those unions that have decided to campaign for remaining, those on the left have taken the position of ‘holding their noses’ and voting for the least worst option, especially in terms of the dangers that leaving the EU may open up. Those on the right tend to find more positive reasons for staying in terms of the rights afforded by the social dimension of the EU.

**The challenges for stayers and leavers**

The challenge for unions arguing for a ‘yes’ or ‘no’ vote will be three-fold. First, to get their voices heard amongst their own members and those of their families and friends given the awarding of official campaign ‘yes’ and ‘no’ status to groups dominated by business interests and the resources these groups have. Second, and following the outcome of the referendum, to try to hold the victors to the reasons why union members voted for a particular outcome given that both leave and remain camps comprise groups with different and divergent reasons for achieving the same result in the referendum. Third, the debate on employment and the economy will be restricted in practice to whether there are more or less jobs available if Britain leaves or stays rather than any discussion about the quality of these jobs, their pay or whether they are unionised or nor.

But underlying this is a much more fundamental challenge for both sides – this is to explain how voting one way or the other will strengthen the rights of workers when the victors, whether the result is stay or leave, will be the right wing political forces that are hostile to workers and their unions. The needs explaining because it is patently obvious that neither those in the unions favouring staying nor those leaving are in a sufficiently powerful position to influence the respective campaigns and camps nor help determine the political settlements after 23 June no matter which way the vote goes. Thus, if there was to be a leave vote, neo-liberalism and the neo-liberal state would not be weakened for those forces that would be dominant from the 24 June onwards are in favour of further deregulation of the labour market with the exception of migration controls and legislation to further weaken unions. If there was to be vote to stay, Cameron, Osborne *et al.* would be boosted in their project to shrink the state and social wage along with opening up more opportunities for businesses and implementing the components of the *Trade Union Bill*. Given this, unions should start their consideration of the EU by recognising that

i) the terms of debate about what best way forward for capitalism in Britain (not just British capitalism) vis-à-vis profitability and control of labour costs and labour and where neo-liberalism has captured the EU so that the EU now predominantly exists to promote capital and its interests and has dropped its semblance of a social dimension (epitomised by the social chapter or social charter)

ii) by looking at their constitutions and the aims contained therein, unions should determine whether in having policy like seeking ‘a socialist united states of Europe’, they should favour a position of working with other unions throughout Europe to seek an alternative EU and whether this must come through staying or leaving. In other words, is another Europe possible, what would it look like, and where do the forces lie to bring this about?

iii) the free movement of labour (as part of the political settlement of the free movement of capital, goods and services within the EU) cannot be made a shibboleth for unions because whether unions are for or against the free movement of labour should depend on whether it strengthens or weakens their positon in the labour market (in terms of the supply and demand for labour). The immediate industrial purpose of unions is to regulate the supply of labour in order to bid up the price for the sale of that labour. Given that there are times when it is in the interests of capital to saturate the labour market - by having more supply than demand - in order to drive down the price of labour, unions should adopt a flexible, contingent view on the matter and not make a political principle out of the issue.

iv) any debate on the EU for unions must also be set in the context of a debate whether the EU helps to furnish or impede establishing international links and mobilising collection action across borders. Here, borders and supra-national institutions cannot be fetishized (in either positive or negative ways) for the practice of collective collaboration and mobilisation are based upon working out common interests and ways to best pursue them. And, it is to be noted that while the majority trade by Britain is with the EU and United States, thus, creating the potential links and levers for unions to use, economic globalisation means that these countries alone cannot be the focus of union’s attentions.

**Conclusion**

Advocates of a‘lexit’ (left exit) must face up to the hard question of how being outside of the EU will allow unions to be more influential than they presently are in order to pursue their aims and policies. For example, as the EU is not the source of privatisation *per se* it is hard to see how much easier it would be to resist privatisation and gain the return to public ownership if Britain was outside the EU. By the same token, those that advocate remaining must be able to lay out a credible answer to how staying will allow unions to make progress in their economic, social and political aims. Trying to stop things from getting any worse, as many union voices do in arguing to remain, may reflect the adverse political situation unions are in but it also shows a poverty of aspiration if unions’ horizons are merely formed by such a limited set of objectives.

1. TUC press release, 25 February 2016, <https://www.tuc.org.uk/international-issues/europe/employment-and-social-policy/eu-referendum/tuc-report-outlines-workers%E2%80%99> [↑](#footnote-ref-1)
2. FBU Executive Council statement, 17 March 2016 <https://www.fbu.org.uk/publication/ec-policy-statement-european-referendum-conference-2016> [↑](#footnote-ref-2)