

**09:00 WORKPLACE ISSUES**

15 minutes for discussion of workplace and course issues.

**09:15 PROJECT WORK**

Take feedback of individual progress / problems to date. Review project progress

**09:30 THE DEVELOPMENT OF TRADE UNION LAW IN THE UK**

Run through summary adding comments and taking debate.

Summary of Legal milestones:-

**1834** - First Factories Act to regulate H&S.  
The Toll Puddle Martyrs.

**1851** - Trade Unionist imprisoned for striking.

**1875** - First legal framework to protect trade unions; the Conspiracy and Protection of Properties Act.  
this took trade union disputes out of the criminal justice system.

**1876** - Judge holds in 'Bauld Case' picketing unlawful.

**1892** - First blacklist of strikers published. The courts ruled that this was not illegal.

**1896** - Trade unions publish a list of known blacklegs; this is deemed unlawful as 'conspiring to injure'.

**1901** - Taff Vale

**1906** - Trade Union Disputes Act (Liberal government) gave protection against being sued for damages.

**1910** - 'Osbourne Case' went to the House of Lords. - Using trade union funds for political activities  
deemed illegal.

**1913** - Trade Union Act legalises political funding.

**1926** - The General Strike is ruled illegal by a judge.

**1927** - Trade Disputes and Trade Unions Act outlaw certain forms of strike (Tory).

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## Trade Union Representatives Stage 2

**1946** - 1927 act repealed (Labour).

**1964** - 'Rook vs Bernard' House of Lords ruling introduced 'intimidation' as an illegal trade union activity.

**1965** - Trade Disputes Act gave back the right to strike (Labour).

'Stratford vs Lindley' Trade union held in breach of commercial contract.

**1968** - 'Donovan Commission' Employer organisations. Recommends that the 1965 act is overturned.

**1969** - Lord Deny - 'The Thistle Hotels Case' interfering with a commercial contract is illegal even if no loss actually occurs.

**1971** - Industrial Relations Act outlaws strikes by unregistered trade unions (Tory).

**1972** - 'Heaton Case' T&G fined £50,000 for not obeying an order to stop blacking. (contempt of court).

'Pentonville V' Dockers imprisoned for refusing to call off a picket.

**1973** - 'Conneck Case' Engineers section of the AEU fined £75,000 for being in contempt, £100,000 of assets frozen and ordered to pay £41,000 in damages.

'Shrewsbury III' 3 building workers imprisoned under the 1875 act for intimidation on a picket line. Warren received a 3-year term, Tomlinson 2 years and Jones 9 months.  
- Ricky 'my arse!' Tomlinson - the Royale Family

**1974** - Trade Union and Labour Relations Act (TULRA) re-establishes 1906 protection (Labour).

Health & Safety at Work Act

**1976** - TULRA amended to give added protection for interference.

**1980** - Jim Prior's Employment Act limits picket lines to 6 people.

Sympathetic action outlawed.

First attack on the closed shop - ballot held 80% had to be in favour.

Employers could decide whether or not to recognise unions.

Restrictions imposed regarding unfair dismissal and maternity leave.

**1982** - Norman Tebbit's Employment Act tightened the restrictions of the 1980 act.

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## Trade Union Representatives Stage 2

Changes to definitions of 'trade disputes' and 'own employer'.

Employers could sue trade unions for damages.

Closed shop - 5-year ballot - 80% vote to retain.

Non members given the right to compensation for dismissal resulting from closed shops.

Union labour clauses removed from contracts.

**1984** - Union's Executive Councils made to be elected by secret ballot every 5 years.

Industrial action must be preceded by a secret ballot.

Political fund must be voted on every 5 years.

**1986** - Truck Acts repealed.

Public Order Act new criminal offences in relation to picketing.

**1988** - Employment Act Trade unions cannot discipline blacklegs.

Compensation to be paid to aggrieved.

Members can seek injunction if no secret ballot takes place..

TU funds must be open to inspection.

Unions prevented from paying members / officials fines.

Post entry closed shop made unlawful.

Commission for Rights Of Trade Union Members (CROTUM) established.

**1989** - Tribunals - pre hearing review, £150 deposit.

Restrictions in the work of women and young workers removed.

Exemptions for small employers.

Restrictions for time off for trade union duties.

Written reasons for dismissals restricted 1yr, 2yr.

Redundancy rebates abolished.

**1990** - Attack on pre entry closed shop.

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## Trade Union Representatives Stage 2

All secondary action ruled unlawful.

Union officials became liable for action.

Selective dismissal of strikers in unofficial action legalised.

Extended powers for CROTUM.

**1992** - Trade Union Labour Relations Consolidation Act TULRCA brings past legislation into one document.

**1993** - TUR (ER) A commission for the protection against unlawful action.

7 days notice of ballot. Identification of those balloted required.

Desolves the Bridlington Agreement.

Written consent for checkoff required every 3 years.

**1995** - Disability Discrimination Act.

**1998** - Minimum Wage

Working Time Regulations

**2000** - Employment Rights Act

**10:20 BREAK**

Trade Union Representatives Stage 2

**10:40 THE LEGAL SYSTEM**

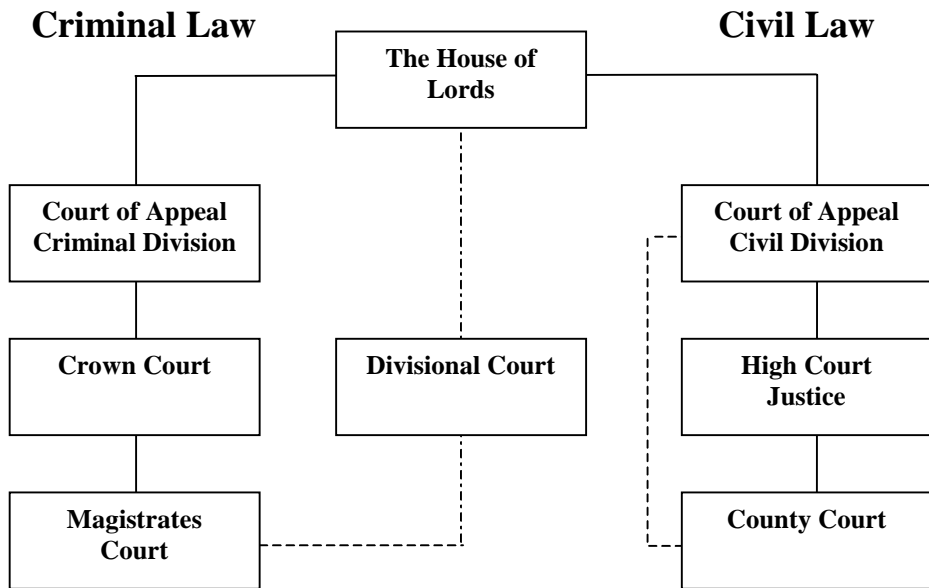
Working in groups, using the resources available in the room, the information in your workbooks and the library, produce a summary of the various bodies of the legal system and show how they relate together. It may be helpful to start with the headings:-

- UK Civil Law
- UK Criminal Law
- European Law

The groups for this activity are:-

Group 1	Group 2	Group 3	Group 4

**11:40 FEEDBACK**



**12:00 LUNCH**

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Trade Union Representatives Stage 2

**13:00 USING THE LAW**

*Activity - "Trade union attitudes to the law" - grey book page 2*

Work in pairs / threes to prepare a report back of your comments on the five statements in the activity.

The groups for this activity are:-


**13:30 FEEDBACK**

Take feed back from each group in turn for each point and then debate the statement.

**14:00 NEGOTIATION SESSION**

**14:20 BREAK**

**14:40 USING THE LAW cont.**

*Activity - "Using the Law" - grey book page 12*

Group 1	Group 2	Group 3	Group 4

**15:20 FEEDBACK**

**15:40 NEGOTIATIONS**