

# Union Learning Representatives as a Tool for Workforce Development (and Unionization) in the UK Public Services

TOM WILSON  
*Trades Union Congress*

## Abstract

Learning and unions go hand in hand. The old slogan *Educate, Agitate, Organise* is as relevant today as it was when the Trades Union Congress (TUC) was founded in 1868. Unions have always sought better training for their members and better national education systems for working people and their families.

In recent years there has been a major new development in UK trade unionism—the growth of “Union Learning Representatives” (ULRs). There are now 22,000 ULRs in the UK spread across all sectors of the economy. Their role is to help and encourage union members to find out about training and enroll in courses and to press employers to invest more (and more fairly) in training their workers. This paper is about trade unionism in the UK public sector and the ways ULRs are helping to upskill and thus improve public sector employment and revitalize public sector unions. The paper aims to help U.S. unions consider the value of the UK ULR model, building on the AFL-CIO 2008 resolution calling for government to “assist employers and unions in developing subsidized on-site learning representatives who can help employees with career counselling and access to training needs.”<sup>1</sup>

First I look at the UK public sector and its pattern of trade union organization. Then I look at ULRs and in particular their development in the public sector—which reflects the pattern of union organization. Finally I conclude with some thoughts on how ULRs can improve public sector employment and the key issues—and possible actions—for U.S. unions.

## Background: Unions and the UK Public Sector

One in five of the UK workforce is employed in the public sector, which includes central and local government, the National Health Service, prisons, education, the armed forces, and a range of public corporations, including the Royal Mail and British Nuclear Fuels. The workforce is a highly diverse group, and its boundaries are blurred. Many public services are now contracted out to the private sector (typically cleaning, catering, and security, with a total of 1 million [M] workers<sup>2</sup>), and some areas of the public sector have substantial private sector involvement (such as Academy schools). Many recently privatized areas, such as the railways, buses, and energy and water industries, still retain a strong public service ethos. There are many<sup>3</sup> self-employed, short-term (under 12 months) contract and agency workers who count as public sector employees but might not see themselves as part of the public sector. Equally, many contracted employees (particularly those who previously were directly employed by the public sector) would see themselves as part of the public sector, though they count as private.

Latest figures<sup>4</sup> show a total of 5.76 M public sector employees in the UK by head count, or 19.6% of all 29.38 M employees. Around 30% work part-time, so the full-time equivalent (FTE) figure is 4.65 M. Within that total, these are broad figures:

Central government	2.5 M (including 1.5 M in the National Health Service)
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Author’s address: TUC Congress House, Great Russell Street, London WC1B 3LS, United Kingdom

Local government	2.9 M (including 1.4 M in education)
Other (e.g., Pub Corps)	0.35 M

The national civil service totals 520,000, within which the largest departments are the following:

Defense	78,000 (administrators, not the armed forces)
Revenue and customs	93,000 (national and local tax offices and staff at locations including ports and airports)
Justice	86,000 (includes administrators and court and prison staff)
Department of Work and Pensions	116,000 (national and local offices administering such services as unemployment benefits)

A different way of cutting the figures is to analyze by industrial sector:

Construction	53,000
HM forces	195,000
Police	288,000
Education	1.4 M (includes all school and college staff; there are about 600,000 teachers and an equal number of support staff, many of whom are classroom assistants)
NHS	1.54 M
Other health and social work	380,000
Other public sector	736,000 (including the Royal Mail)

In other words, it is a pretty confusing picture. Arguably, what distinguishes “the public sector” is not so much any industrial coherence but a) political choices reflecting a history of central or local government employment; b) a public service “ethos”; c) distinctive bargaining arrangements; and d) much higher union density than the private sector. It is worth looking at these in turn.

### The Public Sector: History

Different areas of the public sector have different histories, but most of them effectively came under public ownership and/or control after a perceived market failure under their previous owners. Thus the competing private railway companies were nationalized after the Second World War to create a coherent national integrated railway system. Local authorities took over or set up their own gas and electricity systems before the war, and these were then integrated into a “national grid” system. The National Health Service was created after the war from the patchwork of private, charity, and semipublic hospital and health services. Coal and steel were nationalized to provide reliable supplies of such strategically vital resources. Interesting exceptions are the Royal Mail, prisons, and the armed forces, which have always been under central national control, though there are now moves to privatize part of the Royal Mail, and some private prisons already exist. The national school system dates from around 1870, when government introduced basic education, later extended, notably after the war with the abolition of secondary school fees (partly as a result of TUC campaigning), though private schools (confusingly called public schools in the UK) continue alongside state schools, and universities are a very mixed case. National and local governments grew up alongside these developments, both to manage such new public services and deliver the postwar welfare state (e.g., unemployment and housing benefits).

In the 1960s and ’70s this postwar settlement began to change in some contradictory ways. Steel was privatized, but many local authorities developed their own “direct labour organizations” to, for example, maintain or build social housing more efficiently than by relying on local private building contractors. In the ’70s, elements of the car and shipbuilding industries were nationalized to avoid their collapse. In the ’80s, under Margaret Thatcher, there was a concerted drive to reduce the size of the public sector and introduce “market discipline” to what remained. Rail, telecommunications (which had been part of the Post Office, alongside Royal Mail), energy, and other utilities were all sold off. Local authorities were forced to dismantle and downsize their operations in favor of delivering services through private contractors. Buses and many other services were “deregulated” to allow private contractors to enter the market.

This new settlement was continued under Tony Blair from 1997 and continues today under Gordon Brown, albeit with a greater awareness of the need to maintain good quality, provide decent services to users, and work with unions where possible. The initial ideological assertion that market/private systems work best has been tempered by experience that they often don't. So today's UK public sector is one where almost every area has experience of proving it provides "best value," or where services have been "market tested" or subject to "contestability." In the end the core of the basic postwar framework has survived for the reason it evolved in the first place: it has become clear that the private market either could not or would not provide a better service—"better" meaning not just cost effective but also one that meets societal requirements, such as the obligation to provide an NHS that is free at the point of use, schools that offer a comprehensive and equally good standard of education to all irrespective of ability to pay, or the universal postal service obligation to send a letter for the same price to any address in the UK. None of those societal requirements would survive exposure to a marketized system. In other words, the shape and size of the public sector is largely defined by political choices expressed through the ballot box. The public sector, particularly the NHS, is always a major issue in elections.

### **The Public Sector: Ethos**

The ethos of the public sector can be seen as comprising three overlapping elements: a) the idea that public service workers have a strong sense of duty to provide a high-quality service, often to the needy and disadvantaged; b) a sense of altruism, in contrast to the self-interested private sector motivation of seeking profit; and c) fairness and openness, emphasizing the fact that the public sector exists to provide social objectives and is subject to local or national democratic control.

Of course, whether the reality of an ethos lives up to the claim is hotly contested. Much of the Thatcherite attack on public services was driven by claims that, in reality, public services were worse than private and that public sector workers were simply "featherbedded," hiding behind the rhetoric of a so-called ethos. While that thinking lives on, the debate has now shifted. It is widely recognized that having such an ethos would be a good thing and should be supported, not derided. Many private contractors claim to be strongly motivated by it. Debates on improvements to public services now focus as much on supporting and encouraging an ethos of commitment to delivering quality services as on market mechanisms—and working with unions to achieve change.

As the debate has matured, so have public sector management and union responses. More attention has been paid to the factors that encourage and support such an ethos—an open management style, attention to quality as well as price, listening to the views of users and front-line workers, and a strong sense of accountability.

### **The Public Sector: Distinctive Bargaining Arrangements**

National arrangements of one kind or another cover the vast majority of the public sector. Pay review bodies<sup>5</sup> (PRBs) exist for teachers, the NHS, the armed forces, senior civil servants, and judges. National collective bargaining exists for national government (i.e., the civil service) and local government, school support staff (who have just won a statutory national bargaining body, thereby moving 600,000 of the most low paid, often women and part-time workers, from a patchwork of local rates to a far stronger national system, analogous to that of teachers), and the public corporations. Police and prison staff have a quasi-PRB system. Throughout the public sector, unions play a strong role, whether in direct bargaining or in putting evidence to PRBs, or in subsequent bargaining to implement PRB awards.

All that is very different from the private sector, where the norm is that pay is not bargained at all; it is often decided locally and can be individualized. However, it is a very mixed picture, as depicted in Table 1.<sup>6</sup>

Estimates of collective bargaining coverage vary (depending on the definitions of "collective bargaining" and "coverage," but currently it is around 80% in the public sector. In private sector services it is 20% and in private sector manufacturing and extraction around 40% (Brown, Bryson, and Forth 2008). It is worth quoting the analysis of Brown, Bryson, and Forth on the impact of privatization in the '80s and '90s:

Providing trade unions could maintain their organisational strength—as they could, for example, with the railways, but not with many outsourced civil service operations—they could maintain collective bargaining coverage. A private sector natural Monopoly is potentially at least as vulnerable as a public sector one to being paralysed by a well-organised union. There are, consequently, many privatised firms where collective bargaining flourishes. Their aircraft pilots, train drivers, dockers, power station workers, refinery technicians, filter-bed staff, telephone engineers, and so on remain highly unionised. Their pay and working conditions continue to be fixed by collective bargaining, although mostly by a form of collective bargaining less all embracing than when their predecessors were nationalised. In summary, the uneven fortunes of collective bargaining in the wake of privatisation reflects the uneven success of privatisation in eliminating natural monopolies (Brown, Bryson, and Forth 2008:18–19).

TABLE 1  
Percent of Workplaces with 25 or More Employees  
Recognizing Unions, 1980–2004

	1980	1984	1990	1998	2004
All	64	66	53	41	38
Public sector	94	99	87	87	87
Private sector	50	48	38	24	22

Source: Workplace Employment Relations Survey series.

In other words, while privatization almost invariably reduced collective bargaining coverage, it did not do so evenly; much depends on union organization and strength. Within the public sector, while it is true that collective bargaining coverage and arrangements have remained high, this has not been simple either. Various efforts to introduce performance pay, individualized pay, or regional or local pay arrangements or to dilute the impact of collective bargaining, such as through a universal 2% pay policy (government policy since 2007), have all been resisted with varying degrees of success. Union organization remains very important in defending public sector collective bargaining.

### The Public Sector: Union Density

Going alongside collective bargaining coverage, union density is far higher, overall, in the public than the private sector, but with big variations. Table 2 below shows the following:

- Overall public sector density is 57.2%, compared with 15.4% in the private sector.
- The highest densities are among professional (45%) and associate professional (39%) staff, very many of whom work in the public sector (teachers, health professionals, etc.).
- Electricity, gas, and water supply are still relatively highly unionized at 42%, despite now being in the private sector.
- Public administration and defense (55%), education (54%), and health and social work (42%) are all relatively high, and the great majority of their union members would work in the public sector.
- Overall, there is little difference between men and women, though there are some differences by occupation.
- There are substantial differences between full-time and part-time densities.

Other research (e.g., the 2004 Workplace Employment Relations Survey) shows that density rises with educational level, age, and length of time with an employer—all of which would be higher, on average, for the public sector—partly because many of the low-paid, low-skilled, high-turnover jobs such as cleaning,

catering, and security have been privatized. Many of the teacher or health unions would say that being in the public or private sector makes little difference to union density—far greater differences are due to local organization, management hostility, and workplace size. It is well known that there are very wide variations in union density between different local authorities (generally higher in urban areas) and hospitals and schools.

In other words, the aggregate figures in Table 2 give only a rough approximation. All the public sector unions would argue that they need to organize and work hard to maintain their membership, that being in the public sector is no “soft option” even if they are generally starting from a higher base. At the same time it is true that, while there are many hostile public sector managers and employers, in general there is a more positive climate of employee relations than in the private sector. Many managers will themselves have been activists and are likely to remain in membership. The existence of national agreements (including on union reps’ facilities) and procedures for handling individual and collective disputes is a major asset.

TABLE 2  
Percent of All UK Employees Who Are Union Members, 2007

	All	Gender		Full-time / part-time status	
		Male	Female	Full-time	Part-time
<b>All employees</b>	26.6	25.1	28.1	28.6	20.9
<b>Age bands</b>					
16 to 24	9.2	8.7	9.8	12.3	3.8
25 to 34	21.0	18.2	24.3	21.3	19.7
35 to 49	31.9	30.2	33.5	33.0	28.4
50 plus	33.7	33.3	34.0	37.9	24.4
<b>Workplace size</b>					
Less than 50	16.6	13.1	19.6	18.1	13.6
50 or more	35.7	34.6	37.0	36.6	32.1
<b>Sector</b>					
Private	15.4	17.8	12.3	17.4	9.4
Public	57.2	59.4	56.1	62.8	45.1
<b>Occupation</b>					
Managers and senior officials	16.5	15.3	18.8	16.9	12.3
Professional occupations	45.2	35.2	57.3	43.9	51.8
Associate professional and technical occupations	39.0	32.9	44.4	37.9	43.9
Administrative and secretarial occupations	21.1	26.0	19.8	22.8	17.7
Skilled trade occupations	23.3	24.2	14.5	24.4	9.7
Personal service occupations	29.3	33.3	28.5	33.3	24.6
Sales and customer service occupations	11.8	8.5	13.3	14.1	10.0
Process, plant and machine operatives	28.9	30.0	21.8	31.1	8.5
Elementary occupations	19.6	22.3	16.2	25.9	12.3
<b>Managerial status</b>					
Manager	28.2	23.1	35.9	27.9	31.2
Foreman or supervisor	35.2	30.9	39.9	34.8	36.9
Not manager or supervisor	24.3	25.0	23.7	27.6	18.0
<b>Industry</b>					
Agriculture, forestry and fishing	8.3	*	*	*	*
Mining and quarrying	26.5	27.9	*	26.5	*
Manufacturing	20.6	24.1	11.1	21.8	7.9
Electricity, gas and water supply	42.2	45.6	31.9	44.3	*
Construction	14.9	15.6	10.8	15.8	*
Wholesale, retail and motor trade	10.9	9.7	12.0	11.6	9.8
Hotels and restaurants	4.4	3.3	5.4	5.6	3.4
Transport, storage and communication	39.7	43.8	27.5	41.9	24.4
Financial intermediation	21.0	16.4	26.1	19.4	29.9
Real estate and business services	9.2	9.6	8.7	9.5	7.9
Public administration and defence	54.8	58.5	51.5	57.0	45.4
Education	53.7	57.5	52.4	63.5	39.1
Health & social work	41.7	42.1	41.6	46.8	33.4
Other services	17.6	21.4	14.1	21.0	10.9

Source: Labour Force Survey, Office for National Statistics.

\* excludes members of the armed forces.

\* sample size too small for a reliable estimate.

From Trade Union Membership 2007, BERR, Sally Mercer and Richard Notley.

## The Public Sector: Summary

The purpose of that brief overview was to outline the UK public sector and to show the limitations of using public/private sector status as an explanation of union (including ULR) activity. Just as important, if not more so, are the history and character of a particular area of the public sector. For example, the NHS retains far more popular support than the national civil service; civil service has suffered major pay and job cuts and has a history of combative (certainly at the lower pay levels) employment relations—unlike the NHS. Schools are more popular than most other areas of local authority services and tend to be funded and supported better than, for example, most town hall staff. Labour local authorities will in general (but not always!) be less keen on privatization and more willing to work with unions than Conservative authorities—and so on.

The nature of the public sector product or service is also crucial; for example, adult social care (which is mainly the provision of residential and other support for the elderly or other adults) is highly fragmented, poorly funded, and delivered through a myriad of small care homes and local companies, so union density is very low despite the fact that adult social care is overseen (and sometimes delivered by) the local authority. Conversely, hospitals are increasingly high-tech, high-capital, high-skill, very large employers—where unions are generally well organized, even when the hospital is in the private sector.

The concentration of professionals, semiprofessionals, and managers in the public sector is also important—albeit only because many lesser-paid jobs have been privatized. The wage premium for union membership in the public sector is 22.5% (£13.05 compared with £10.66 for nonmembers), much higher than the 9.1% in the private sector (£11.64 compared with £10.67).<sup>7</sup> Some would say this simply shows the much higher density among the higher paid (e.g., professionals) and those with longer service in the public sector; others would argue that union membership among the higher paid is the result of decades of hard union work and organization, so the premium is quite legitimate.

What all this means for union learning activity in the public sector is the subject of the next section. But first, a brief introduction to ULRs.

## Union Learning Reps

Unionlearn is the arm of the TUC that delivers training and supports ULRs. It excellently summarizes<sup>8</sup> the role of ULRs as follows:

The key functions undertaken by ULRs are set out in the Employment Act 2002. ULR statutory functions are:

- identifying learning or training needs
- providing information and advice about learning or training
- arranging learning or training
- promoting the value of learning or training
- consulting the employer about carrying out such activities
- preparing to carry out any of the above activities

In the past, many ULRs have had difficulty obtaining time off from employers to carry out their duties and train for them. That is why the TUC and its unions persuaded the government to introduce statutory recognition that gives learning reps similar rights to union representatives as a whole. The Employment Act 2002 gives rights to paid time off to ULRs, provided:

- They are in independent unions—such as those affiliated with the TUC.
- They are in workplaces where unions are recognized by the employer for collective bargaining purposes.

Statutory rights for ULRs and union members:

- Union learning representatives are entitled to reasonable paid time off for training and for carrying out their duties.

- Union members are entitled to unpaid time off to consult their learning representative, as long as they belong to a bargaining unit for which the union is recognized.

Union members needing to access their ULR have the right to do this in work time, but the employer is not legally obliged to pay them during this time. The way these rights can be implemented is set out in the national Advisory Conciliation and Arbitration Service (ACAS) Code of Practice on Time Off for Union Representatives. The union needs to give notice to the employer in writing of the name of the appointed ULR.

- The ULR needs to be sufficiently trained to carry out his or her duties either at the time of the notice or in normal situations within six months.
- Whether training is “sufficient” is determined by the union and should cover the functions set out in the Employment Act. It need not lead to a qualification, although that would be desirable. The employer has to pay for the time that the ULR is being trained.
- The union/ULR should inform the employer of the training either undergone or to be undertaken.
- Once the employer is notified of the ULR’s past training or intention to train, the employer is obliged to recognize the ULR by providing paid time off to carry out the duties and for any required further training.

The amount and frequency of the time off has to be “reasonable” in all circumstances. For example, when a ULR arranges to have a meeting with members, it must be at a time that does not undermine the safety and security of other workers in the production process. Employers also need to be reasonable and ensure that ULRs are able to engage with hard-to-reach groups, such as shift workers, part-time staff, and those employed at dispersed locations. ULRs should provide management with as much notice as possible of the purpose of the time off and the location, timing, duration, and content of any training course. Employers should consider making available facilities necessary for ULRs to perform their functions, such as rooms for meetings/interviews, office space, and the use of electronic access to the Internet and e-mailing. When a union feels that an employer is being unreasonable and refusing to grant paid time off for ULR duties or training or enabling union members to access ULR services, the union can relay a complaint to an employment tribunal.

### **Union Learning Fund**

To support the statutory basis for ULRs, the government set up a Union Learning Fund (ULF). Initially set at around £2M per year and administered by civil servants, it has now grown to some £15M and is administered by unionlearn itself. Unions bid for ULF funding and use it to, for example, employ staff to promote learning and support ULRs. There is some debate on the degree of reliance on this funding, and it is true that very few unions employ learning staff through their own resources. Unionlearn itself is also funded by government. On the other hand, many unions argue that this should not be seen as any indication of a lack of core support since, at a time when union funds are extremely stretched, it would be folly to turn down government funding.

Partly fueled by this government funding, there is a wider debate about the extent to which union learning is simply an arm of the state—or whether winning such funding represents a major gain for the union movement.<sup>9</sup> Again, this is a complex area with different views in different unions but no clear public/private split.

### **Union Learning Centers**

In many workplaces there is a learning center, which can range from a fully equipped room with computers, desks, and books to a corner of the canteen with a few books and a couple of laptops. The best learning centers are jointly run by management and union. Often they allow workers to undertake courses on site, sometimes in a negotiated mixture of their own and employer time, such as at the end of a shift. Sometimes the center will be run by a local college or by “Learndirect,” a government-funded national e-learning organization. Unionlearn oversees some of these learning centers that have formed into a networked

partnership. There are also some 80 further education colleges (very roughly equivalent to community colleges) that have trade union education units that train reps in, for example, employment or equality law. Some of those units and other colleges also deliver learning at the workplace.

### ULRs in the Public Sector

How union learning is applied in practice presents a varied and fascinating picture. Some of the key issues are these:

- Is there a learning committee (e.g., comprising ULRs and managers) to support the ULR?
- Is there a learning agreement (e.g., covering in more detail the ULR role and facilities, and more rarely also covering employer investment in training)?
- How much employer support does the ULR have? (Often senior managers who see the overarching longer-term need to upskill will be more supportive than line managers coping with daily pressures such as trying to arrange cover for the absent ULR.)
- Does the union include the ULR on the local (branch) committee? Does it encourage ULRs to take on other roles?
- Does the union have a strategy for using ULRs to help with organizing and for organizers to get involved in learning?
- Does the ULR, in practice, get reasonable paid time off and support from line management and from union members?
- How much training has the ULR had?
- What is the union “vision” for learning? (Is learning seen, for example, as something “soft and fluffy” not related to “real” union concerns over pay and jobs, as a much-needed service to members, or as a means of organizing or opening up a new bargaining front over employer investment in skills?)

For the reasons discussed earlier, on almost none of these is there any clear distinction in practice between the public and private sector.

### Is There a Difference Between Public and Private Sector ULRs?

Unionlearn conducts a major survey of ULRs every 2 years. The most recent covers 2007. The survey and analysis were conducted by a noted academic in the field, Nick Bacon. He found that “detailed statistical analysis showed there were no significant differences between the experiences of ULRs based on the sector they work in.”<sup>10</sup> Nor are there any significant differences in the characteristics of ULRs. Across both public and private sectors they are 58% male, 61% aged 41 to 60, 93% white; 64% have another union role. Around 36% of ULRs are new to union activism; 47% were women, 42% under 42, and 44% new to any form of union activism. (Interestingly, the proportion of ULRs who are new to activism is rising. In many unions the majority of their ULRs are new activists—perhaps attracted by a union role that appears to be newer and less combative than some traditional roles are perceived to be.) Looking at what they do, 85% give advice, 59% arrange training courses, and 47% conduct learning needs analyses; 37% spend under an hour a week on the job (i.e., are pretty inactive), but 20% spend 2 to 5 hours, 13% 5 to 10 hours, and 11% over 10 hours a week. (All figures are from the 2007 survey.) On the other hand, there are big differences in numbers of ULRs between the sectors. In 2000 there were some 4,000 ULRs, 28% in the public sector and 72% in the private. By the 2007 survey the total had grown to 18,000 (it is now estimated at 22,000 at the end of 2008), but the proportions had reversed: 71% public sector and 29% private sector. The current overall 71/29 split is very similar to that for health and safety reps, a broadly analogous type of rep that has been in existence since the 1970s. Distribution of ULRs by industry helps explain this pattern<sup>11</sup>:

Public administration and defense	26%
Transport, storage, and communications	16%
Health and social work	15%
Manufacturing	15%



Education	10%
Other services	8%
Wholesale, retail, and motor trade	5%
Electricity, gas, and water	1%
Finance	1%
Construction	1%
Real estate and business services	1%

More than half of all ULRs work in public administration, health, and education, of course very largely in the public sector. It seems that over time, as with health and safety reps, the distribution of ULRs has settled into the 70/30 public/private pattern and is likely to remain there. As in the U.S., the total number of union members is roughly equal between the sectors but, as the public sector is much smaller, membership density is far higher. For ULRs (like health and safety reps), high density, the presence of established collective agreements, and comparatively supportive management are key issues.<sup>12</sup> These factors reflect broader differences between the sectors for all reps. The 2004 Workplace Employment Relations Survey found the following:

Trade union representatives in the public sector were more likely than those in the private sector to dedicate five or more hours per week to representatives' responsibilities (49 percent compared with 33 per cent). One tenth (10 per cent) of the lay representatives surveyed worked as a representative on a full-time basis. Full-time representatives were almost wholly trade union representatives (93 per cent), with most (85 per cent) working in the public sector, particularly the Health sector.

However:

Union Learning Representatives have an officially-recognised role in providing training and learning opportunities to fellow union members at their workplace. The Cross-Section Survey of Managers indicated that six per cent of all on-site lay representatives were designated Union Learning Representatives at the time of the survey. In the Survey of Employee Representatives, one in seven senior union representatives (14 per cent) were designated Union Learning Representatives. There were no differences between designated Union Learning Representatives and other senior union representatives in the amount of time spent on representative duties, or the likelihood of receiving paid time off from their employer.<sup>13</sup>

It is a complex picture where it would be unwise to attempt generalizations. However, it does seem that while ULRs may spend the same amount of time as other reps on union work and be equally likely (or unlikely) to receive paid time off, there are simply more reps in the public sector. The public/private split for *all* reps is closer to 60/40, so it does seem that there are also proportionately more ULRs, within the rep total, in the public sector. Moreover, the factors that help or hinder ULRs (having supportive employers and managers, operating in a supportive employment relations framework, and having a clear learning agreement) are not limited to the public sector but are more likely to be found there, particularly in health and education.

In other words, while there may be no difference between the sectors in the characteristics or experiences or activities of ULRs, the comparatively warmer public sector environment may explain their proportionately greater numbers.

### **What ULRs Do**

ULRs are unlikely to be the "shock troops" that carry the union organizing message into new territory. If they tend to rely on the preexistence of supportive attitudes and agreements, then they may be seen as "consolidators" and "expanders" of the union role. Again, this is a complex area where there are different views and interpretations of the research.<sup>14</sup> Much depends on the particular nature of the workplace, union support, and management attitude. For example, while all unions without exception now strongly support union learning (which is a change from some earlier union views that it was a diversion from the

union's core business), suspicions may well persist at the regional or local level. Unionlearn has compiled several case studies that show a range of experience. Presented here are brief summaries of some of them<sup>15</sup> that provide a flavor of the issues, both in learning and organizing, together with the voices of union officers and reps themselves.

*Some Case Studies*

**Unite** (*Amicus section, which has about 900,000 members*). Union Learning Fund (ULF) staff are called regional learning organizers rather than project workers or learning coordinators. They attend an organizing skills course and are responsible to the head of the National Learning Department rather than to regional secretaries, although they are expected to work closely with them. Organizing is a key theme of the union's new ULF project: "It is about embedding learning into union structures and showing that the learning agenda has an impact on the ability of the union to effectively organize, in terms of recruiting new members, but also in rejuvenating union activity." Learning appears to be attracting younger activists: the union's Young Reps Project, which develops and strengthens networks of young reps, says over half of around 140 people attending seminars have expressed a desire to become ULRs. At the Unite (Amicus section) branch at NHS Tayside in Scotland, learning has been linked to organizing around skills at work. The Knowledge and Skills Framework (KSF) is part of the NHS Agenda for Change—a development review process across the NHS that aims to ensure staff have the skills to do their jobs and develop. Concerns raised about KSF among the workforce have provided the impetus for rebuilding the branch. "We needed to build a strong branch at Tayside first, and rather than trying to impose a lifelong learning programme from outside we linked it to KSF," said the regional learning organizer.

The branch arranged training on KSF at which branch organization was discussed. The branch secretary decided to produce training profiles for the representatives based on a 30-minute chat with each, with the aim of identifying training and skills needs and the type of courses needed. The branch secretary has circulated an online learning needs survey to which around a third of staff have responded. "You have to look at what members are worried about. At another workplace, for example, pensions was a big issue, and a lot of people felt they didn't understand them. So the lifelong learning programme organized a pensions course for shop stewards. Lifelong learning isn't just some funny thing; it's about demonstrating real relevance, so you need to devolve all of that down to workplace level and deliver what members say they need. It's a key to rebuilding the union: building strong workplace structures and making sure you have reps on the ground."

**ATL** (*a 140,000-strong teachers union*). "We are an education union—learning is what we are, and if we're skillful, then better organising will be the result." The learning and organizing teams are both part of the Recruitment and Organisation Department at ATL, with staff from both teams supporting each other in the field. Union learning project workers are called learning organizers and are permanent members of staff. Around half of the union's 120 ULRs were not active in the union previously, and a number have gone on to take on other union roles, including branch secretary. There are examples of support staff who have taken on the position of school representative and also of student activists who have organized events within universities. ULRs are more representative of the membership in terms of ethnicity.

Learning is particularly significant in ATL because of its history as a professional association and the importance of continuing professional development (CPD) to its members and potential members: "ATL has really taken on board that learning motivates teachers. It's what pushes buttons." One activity began with bereavement counseling and training in dyslexia awareness and is linking learning to the renewal and regeneration of the union in London. "We were looking for the quirky, the CPD, that schools didn't do." The joint secretary, a retired teacher and branch secretary, said, "Union learning is not just about teaching new craft, it's about making you a bigger person—and who you are is really important for the kids you teach, far more than the subject because who you are is what they remember."

**CWU** (*the 260,000-strong postal and telecomms union*). Learning is part of CWU's Education Department and separate from the organizing departments, although learning and organizing are moving closer together and a new post is being created to promote best practice and focus on the grassroots level. Because learning is located in the Education Department, the union is able to ensure that there is a learning element in all activist training as well as an organizing element in ULR courses. There is particular focus on emphasizing that ULRs are part of the union structure: "We're saying to branches that the best way forward is to ensure that you've

got a learning rep on your branch committee. In that way, your learning rep is aware of the industrial issues that are going on, and your industrial reps are aware of what's going on through the learning activity." Learning also provides opportunities for retention and recruitment. And it has been used in call centers to open dialogue with new employers and to roll out learning into new areas of companies where the union previously had no representation. "Put a business case together. Work out solutions to problems first so that you can give reasons why you need a learning agenda on site and what facilities could be used and how they can be funded, rather than allowing management to put obstacles in the way." "There's a lot of people who want to learn but don't know which avenue to go to find the level of learning that they need. The learning centre and the union putting on education and getting people on board, it's fantastic, absolutely fantastic."

The CWU has a unique project on gaining around learning. It is aimed at agency staff—often considered difficult to recruit—many of whom are migrant workers. A British Telecoms (BT) learning center was set up three years ago, and the union has arranged for the agency workers to use it. They are providing courses in English for Speakers of Other Languages (ESOL), information technology, numeracy, literacy, languages, and healthy living. The union has an agreement with BT to match learning time put in by the workers themselves and this agreement has been extended to agency staff. Recognizing its benefits, the agency is keen for its workers to use the learning center and has approached the union about signing a learning agreement. The CWU has also recruited many nonagency staff through learning: "I think they see that there's a way forward for them. We have a high volume of turnover, but the ones who have been there for a while or think they're going to be there for a while are the ones that come on board." For the ULR himself, union learning and education have supported his wider political development: "If I wasn't in the union I couldn't have gone on any courses. So I've had the opportunity to go forward and learn more about how the union movement has developed. It's changed my attitude completely. I studied black history, since I've been on these courses, and it gave me the incentive to think yes, there is a body out there who understand racism, harassment, abuse. And there's people out there that are willing to stand up and say 'That's not right, and we need to make a change.'"

**FDA** (18,000 members at top government and NHS level). In FDA union learning has been developed as part of the union's response to the Professional Skills for Government (PSG) program, which aims to provide civil service staff with the appropriate skills to develop their careers. Learning is closely linked to professional development: "Professionalism is really the issue, for members to have a quality of career, promotion, it's about the quality of their career, giving them something that can fulfill them." The union also sees learning as part of the organizing agenda, bringing in activists and building the union's presence across the civil service. The Union Learning Fund project worker sits on the union's organizing team. The FDA now has 40 ULRs covering 15 departments. "We know it helps the union's reputation because it already has employers coming to us. It's a reason for joining and staying in."

Civil Service Live was a government road show for civil servants based around the government skills strategy. FDA had a presence at the event, which led to 18 members signing up on the spot. "I'm hoping that people will feel that they're getting a pretty good service from the union and that it will mean they will happily continue their input. People will hear about it, become interested and think, 'They're getting really good advice or good help, and maybe I should think about becoming a member as well.' I'm hoping that it will raise our profile." Although the project focuses on career development and helping members get the most out of the government skills framework, it also aims to access learning and skills opportunities to meet wider personal development. It aims to help identify skill gaps, such as support for dyslexia, dyspraxia, and similar conditions, as well as literacy or numeracy—although FDA members are in senior positions, the ever-changing requirements in jobs and responsibilities mean that members need constantly changing skills. The union is also considering offering coaching for new parents, as well as languages. "So actually, we would want to look a little bit outside the box."

**PCS** (300,000 lower and middle ranking civil servants). PCS has had one department covering learning, union education, and organizing since 2002, with an Organising and Learning Services Committee covering both learning and organizing. Learning has two functions—something to offer members, particularly in the changing labor market, and an opportunity for the union to recruit and organize. The main work is carried out at the regional level, and regional learning services officers and learning project workers work closely with organizers, in such endeavors as helping with recruitment events and identifying learning needs. For PCS the

key task regionally is to build union organization through identifying representatives and building the representative base. The union has 1,500 ULRs and believes at least a third have not previously been union representatives. Initially union learning was organized nationally, with ULRs trained through the head office. ULRs could nominate themselves, which meant they existed separately from branch structures. PCS now aims to promote integration, and ULRs have to be nominated by branches. A new branch learning coordinator role has been created to link the learning agenda more closely to the branch agenda. “Union learning has encouraged new activists, who are more representative of union members in terms of gender and ethnicity. You need committed people on the project. Your energy and commitment will rub off on the members. Read as much as you can so that you know your stuff; that way people feel more at ease speaking to you.” This also gives the members more confidence. “I’m hoping that we can educate those more traditional union reps that the role of the ULR is not separate from other union activity; we are contributing to building active branches and recruiting and involving members. We are doing traditional union work. And ULRs are finding out more about union business, so it’s a two-way thing.”

In 2004 PCS launched a Union Learning Fund project at the Department of Work and Pensions (DWP) to promote learning at work. And because the project has directly addressed the issue of integration, a new layer of activists has emerged who have given a DWP branch a new lease of life and revived organization in areas where it was weak. “Crucially, the branch has learned lessons about the barriers to union activism and taken small but important steps to remove these.” The result is that its complement of ULRs has mushroomed from around 60 in 2004 to 340, despite civil service job cuts. Learning and training has been brought into the departmental trade union side as a negotiating issue, dealt with by the branch negotiating officers—and this has also revived training as a bargaining issue. “You need to explain it to ULRs, they need to know where they fit in, and they need to know that they’re part of the branch.”

*Unite (IGWU section; 750,000 general union members).* Unite (IGWU section) has learning project workers, called Union Learning Organizers, in each of its eight regions who are fundamental to bringing the agenda into core union business. The union also has national union learning organizers, based in the national education department, who work closely with the Organising Department.

Unite’s ULRs (IGWU section) are younger and more likely to be from black or minority ethnic backgrounds, and at least half are women. The organizing model is built into ULR courses, and ULRs may also attend the union’s Overcoming Barriers to Organising course. The union engages with companies nationally and has umbrella agreements on lifelong learning, but details are then worked out at workplace level. It aims to ensure workers have time off to learn in their contract of employment, and learning is then part of the collective bargaining agenda and subject to annual negotiations. “If members are more involved in education then they’re more likely to get involved with trade union business and more likely to support shop stewards.” Unite brokers courses in ESOL. “If you have migrant workers whose first language is not English this course is essential. It makes it easier for people to communicate and will help to break down barriers between staff. It also gives you the opportunity to organize and recruit some of the most vulnerable people in the workplace.”

The Learning for Justice Campaign of Unite (IGWU section) among migrant and other vulnerable workers is based in the cleaning sector at Canary Wharf, the Tube, and the City of London. It’s a joint project run by the union’s organizing and learning departments. It builds on its organizing campaign, Justice for Cleaners, which has achieved improvements in pay and conditions but also promoted respect for low-paid workers. So far, the union at Canary Wharf has won pay increases for around 2,000 workers employed by five cleaning contractors in at least 11 banks. The union is beginning to sign learning agreements with the major contractors, who are recognizing the benefits of education, particularly ESOL, for their workforces. There is a recognition that learning provision can address high staff turnover. Learning for Justice aims to put lifelong learning at the heart of the organizing agenda by providing migrant workers with access to the learning they need and the confidence to build their union. ESOL classes are organized on Saturday mornings on union premises around work-based and trade union issues as well as skills for life. “Once people get into learning, they start to feel a bit more confident in themselves and they have a better understanding of the workplace, its politics, and how things work.” Charles is the first formally recognized ULR among the cleaners; he had been a union member when living in Ghana, but not an activist. He has become enthusiastic about union learning, reporting that cleaners find it difficult to go back into education and cannot afford to do so; there is

a particular issue for African workers, whose qualifications are not recognized in the UK. Union learning allows people to get accreditation.

**UNISON** (1.4 M public sector members). Union learning in UNISON comes under one of its four national objectives, one of which is “recruiting, organising, representing and retaining members,” and is situated in the Learning and Organising Department. Union learning project workers are called regional learning and development organizers—a strategic decision, since their role is organizing around learning. The union has made them permanent; they are managed by regional heads of organizing and are part of the organizing teams in their region. From the outset UNISON has seen learning as an integral part of union branch activity: “It’s always been our strategy that learning has to be part of ordinary branch activity, so we have to show branches that learning is part of their day-to-day business.” A key measure of learning activity is the number of branch education teams. “Evidence suggests that the union has recruited members through learning, with 60% of ULRs becoming new activists. The ULR role is now defined in the rulebook, and branches have elected lifelong learning co-coordinator posts (an elected branch officer who leads on learning and organizing). When starting a learning project try to target managers who have a ‘people style’ of management skills, as they tend to be more receptive and approachable, which helps break down a lot of barriers.”

A number of UNISON branches have been transformed by engagement with the learning agenda. For staff at Exeter University, this was reflected in setting up a “learning partnership group,” with ULRs from each union sitting down with university staff in personnel training and development to discuss learning needs. The branch secretary had begun to develop some “taster courses” with other branches in the region, including recognizing and dealing with stress, personal finance, job skills, and assertiveness for women. “We came up with something totally different to what they normally roll out through the region, because the courses are not academic, they’re for everyday life. That’s why they’re so popular, because it doesn’t sound like you’re going to study. For instance, to learn about personal finance is great; everybody’s got an interest in their savings and mortgage. It’s good too that none of the courses takes place at work.” The fact that participants were from different UNISON branches in different service sectors, including higher education, the police, health, and local government, meant they were very mixed, and this added interest. “People wanted to meet up afterward, the social side of things.” The courses have been so successful that there are waiting lists. Although the ULRs make sure that there are membership recruitment forms at every event, they believe that union learning can also play a key role in the retention of members: “At the end of the day some of the people who attended the taster days may have been thinking that UNISON wasn’t doing anything for them, and in that way we’ve retained them.” “Learning has had a very big impact because what we had at the branch before was very much an old fashioned way. . . . It’s brought new life into the branch.”

### **Employer, Management, and Government Support**

There is a remarkable breadth of support for ULRs. For example, from government, here is Learning Minister Sion Simon replying to a question in Parliament (October 16, 2008):

Mrs. Hodgson: To ask the Secretary of State for Innovation, Universities and Skills what plans he has to promote and develop the union learning representatives programme.

Mr. Simon: Union learning representatives have a key role to play in raising the demand for learning and skills, especially for workers with low skill levels and those with literacy and numeracy problems. With their real-life experience and credibility in the workplace, union learning reps inspire trust and foster ambition in others, giving them the confidence to seek new ways to improve their skills.

That is why we will continue to support the Union Learning Fund and unionlearn, the TUC’s learning and skills organisation, to develop and promote the work of union learning reps. We have increased the funding for union learning from £2 million in 1998 to over £21 million in 2008—so that by 2010 there will be 22,000 trained union learning reps helping over 250,000 workers into learning each year.

There is some speculation on whether a Conservative Government would withdraw or reduce government support (e.g., to the ULF), but after a recent visit organized by unionlearn to a bus garage with an active union learning center, the Opposition Learning spokesperson Alan Duncan wrote to the *Financial Times* to say that he had been very impressed by his visit and that “99% of what unions do is good”—a marked change from the Conservative view of unions under Thatcher.

The current Labour Government has also set up the “Public Services Forum,” a body that brings together the public sector trade unions and the heads of all central government departments and the NHS. It in turn set up a Learning and Skills Task Group that jointly agreed to a range of recommendations aimed at promoting skills in the public sector, particularly apprenticeships.<sup>16</sup> This could have a major impact and will certainly help public sector unions’ learning activities.

Employer support is, apparently, equally strong. Here is an extract from a speech by Richard Lambert, director general of the Confederation of British Industry (the main UK employer body), on September 11, 2007, to the TUC annual congress:

But we still have a lot of work to do, particularly in the area of skills and training—where our record does not compare as well as it needs to with those of our main international competitors. And here I’d like to pay tribute to those many union-learning reps who do great work up and down the land in helping their colleagues to gain new skills and experiences. Just last week, I visited First Group, the transport company, and heard how representatives from the Transport and General Workers Union were working with managers to refresh existing skills and bring new ones to the workplace, with tailored courses ranging from computer literacy to conversational Spanish. The programme, I was told, now has a momentum of its own, and has brought a new sense of partnership to the workplace. Right now, around three-fifths of First Group’s 20,000 bus drivers have access to the scheme. Next year, they all will. It sounds like a model. And the fact is that there are many other good stories like this to be told. . . . It’s important to remember that in big picture terms we do have vital common interests. About the need for high employment levels, and a skilled workforce. About the importance of creating a fair and competitive society, with opportunities for those who can grasp them and support for those who, for one reason or another, cannot.

And support is also strong in the 25 Sector Skills Councils (SSC), which are bodies set up by the Labour Government to bring together employers (with minority union representation) in particular sectors to reach a common view on their skill needs. Here is an extract from the Asset Skills agreement, the SSC for facilities management, housing, property, planning, cleaning and parking. It is typical of most:

Issue	Action	Timescale
1. The role and contribution of trade unions as partners in promoting a culture of workplace learning	Asset Skills to actively promote the role of trade unions as partners in progressing the skills agenda through: <ul style="list-style-type: none"> <li>• explicitly acknowledging the extent and value of trade union involvement, both in the Sector Skills Agreement (SSA) and in all related publicity materials</li> <li>• including trade union representation in all boards</li> <li>• giving due prominence to trade union partners at relevant conferences and training events and in associated literature</li> <li>• encouraging employers who recognize trade unions to engage with them on the sector skills and workplace learning agenda, and to liaise with all workplace representatives on issues relating to workplace learning.</li> </ul>	Short, medium, and longer term
2. Employer/union Workplace	Asset Skills to work with trade unions to <ul style="list-style-type: none"> <li>• encourage employer/union Workplace Learning Partnership</li> </ul>	Medium and longer term

Learning Partnership Agreements	<p>Agreements as mechanisms to assist delivery of the SSA, based on industry best practice.</p> <ul style="list-style-type: none"> <li>• collate, and disseminate, using a range of media, good practice examples of Workplace Learning Partnerships, showing the beneficial effects of ULR activity in encouraging skills and personal development.</li> <li>• develop guidance and a model Workplace Learning Partnership Agreement which draws on existing best practice, and demonstrates examples of             <ul style="list-style-type: none"> <li>○ employer support for ULRs, including facilities, with the ACAS code provisions as a minimum</li> <li>○ release time for staff training and development</li> </ul> </li> </ul>
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Clough, in an authoritative survey<sup>17</sup> of the growth of ULRs summarizes the picture as follows:

Under New labour, unions have had to adapt to a so-called post-voluntarist system. . . . It is this model that the government has seen ULRs as being able to dovetail into. They have been increasingly recognised as “trusted intermediaries” that can engage with “hard to reach” employees and help stimulate and meet their demand for learning and skills. . . . The role of ULRs is very much framed by a partnership approach. It is an integrative rather than distributive model based on cooperative rather than adversarial relationships between unions and management.

But to work well, this new approach needs far more employer support in practice, not just words and exhortation. Very often the experience of ULRs in the workplace is that middle and line managers either do not understand the union learning role or are hostile. One third of ULRs have no facility time at all, and only half have a Learning Agreement.<sup>18</sup> Employers rarely provide the investment to match their words. Clough goes on to argue, as would the TUC, that of course unions want more. Unions want a stronger statutory framework for union learning that, for example, would provide them the right to negotiate on training. To be fair, the Labour Government is introducing a statutory “right to request time to train” for all workers. This may sound pretty weak (employers can of course refuse—though they must provide a good reason for refusal), but the experience of a similar right to request flexible working was that 9 out of 10 requests were granted and over a million workers gained new flexible working arrangements. ULRs could have a new role accompanying and supporting workers making training requests. While that is welcome it is unlikely to achieve the major change needed if the UK skills landscape is to be transformed and union learning to reach its full potential. Nonetheless the current degree of employer support is welcome and critical to ULR success.

### **What Impact on Workplace Learning Have ULRs Achieved?**

It is still early in the development of union learning. While creating 22,000 ULRs in the six years since the 2002 Act (though some existed before then) is no small achievement, ULRs are still only a small fraction of all 200,000 union reps, and they cover only a small fraction of workplaces. Nonetheless they have had a significant impact. Stuart and Robinson summarize the impact of union learning as revealed through the 2004 Workplace Employment Relations Survey:<sup>19</sup>

In union-recognised workplaces negotiation over training nearly trebled between 1998 and 2004, an increase from 3.3 per cent to 9.2 per cent. . . . ULRs were reported in just over 12 per cent of union-recognised workplaces. Where ULRs are present, the extent of employee representation with regard to training appears to be far higher. Negotiation over training was reported in 13.1 per cent of cases, and consultation in 61.4 per cent of cases. ULR active workplaces are the most likely overall to be classified as employee-involved workplaces. In such establishments, management chose to not inform unions at all with regard to training decisions in just 7.6 per cent of cases. Care must be taken in interpreting these findings: the ULR role is so recent an innovation that it is too early to argue with

authority that their presence per se accounts for higher levels of union involvement in training. Self evidently, ULRs are more likely to be present in establishments with well developed structures of union organisation and, we would argue, a legacy of union involvement with regard to training. . . .

The findings show a clear and statistically significant difference between the levels of training incidence in recognised and non-recognised workplaces. These effects are most marked among higher training workplaces (those providing 10 days or more training) and, at the other extreme, no training at all. Thus, where a trade union is not recognised, 22.87 per cent of management respondents reported that no time had been spent on training, compared to just 5.86 per cent with their union recognised counterparts. . . . These findings are suggestive of a ‘trade union effect’ on training incidence. . . . Our argument is that it is consistently the case that establishments with recognised unions are likely to report higher levels of training provision than a benchmark workplace with no employee representation over training. . . .

The analysis reveals positive findings for the trade union movement. In simple terms, union recognition makes a difference in terms of the extent to which employees’ receive training, or not, and the amount of training that is received.

If we extrapolate from our findings the key indicators of activity at what we have labeled “high training workplaces”—where employees receive 10 or more days training a year—three are of obvious interest to the union movement. First, high training workplaces are union recognised workplaces. Second, they tend to have some sort of representational structure, be that a traditional union representative or, perhaps of more interest given recent union innovation, a trade union learning representative. Third, in addition to recognition, management directly negotiate over training matters. . . . The findings presented here suggest grounds for optimism for increased trade union interest and involvement in the spheres of training and learning. But more than that, the findings show the potential benefits that British workers can accrue from direct negotiation between unions and management over training.

Since the 2004 survey the number of ULRs has doubled to today’s 22,000. Activity around union learning has spread to every TUC-affiliated union—not least through the creation by the TUC of unionlearn—and the depth of learning activity has become much more embedded within unions, such as through recognition in union rule books. Government funding to the ULF has risen by 50% and employer support strengthened, for example, through SSC agreements. So the trends outlined above—the union effect on training—are likely to be much stronger today.

### **ULRs and the Public Sector Workforce Challenge: Attracting Public Servants**

The above outline has illustrated several ways ULRs can help improve public sector employment:

- *Improving job, personal and professional skills.* The public sector faces all the normal challenges across the whole economy of needing to upskill to meet the challenges of globalization, demographics, and new technology. But it also faces the added pressures of operating in a highly political environment, subject to public pressure for high quality services, controlled by strict regulatory regimes (Ofsted, Postcom, Ofwatch, Ofgem, etc., etc. in the UK) and with often volatile and inadequate funding. All of that imposes major pressures on the workforce not just to upskill but also to acquire broader skills, such as coping with change, working with user groups, or operating in complex multi-stakeholder environments. ULRs can play a big role in helping workers gain both immediate job-related skills but also these wider skills, which often go unrecognized. ULRs can also make the case for wider personal development—such as help with language or higher-level continual professional development. Managers are often fearful that this is either not relevant to work or will enable workers to leave. Neither scenario is generally true, as ULRs can help demonstrate.



- *Supporting the public sector ethos.* ULRs are motivated by a desire both to help their fellow workers and to help them do their jobs better, the kind of altruism and concern for quality services that is at the heart of public service. Some of the case studies described above show how front-line public sector workers often know their training needs better than their managers—and training that is jointly designed and organized with committed participants will be far more effective, precisely because it reflects workers' commitment to the public service ethos, than a program imposed from above.
- *Strengthening equality.* Inequality and discrimination affect the public sector as much as the private sector, but there may be more opportunities (e.g., political programs) to fight for equality—opportunities that ULRs can help take up. ULRs are more likely themselves to be women and are slightly more likely to be from black and minority ethnic backgrounds. They are often younger, especially those new to union activism. For example, they can help identify particular training needs or issues affecting women or black and minority ethnic workers; they can help direct training at groups of workers who have historically had fewer opportunities; they can organize training at times and places that suit groups including single mothers or the disabled; and they can champion an ethos of equality that would make public sector employment highly attractive both to minority groups and to all those concerned with fighting inequality.
- *Improving confidence.* Many of the case studies showed how ULRs were helping all workers, both the unskilled (or unqualified, which of course is not the same thing) and senior managers, feel more positive about their work and their ability to contribute, to work with others, and to forge a career in public service. Many commentators see this confidence-building role of ULRs as their most important contribution.
- *Strengthening unions.* Stronger unions help to make work better paid, better organized, and more rewarding. The presence of a union halves the accident rate and vastly improves the chances of the workplace having a reasonable pension, training, fair procedures, and attention to equality. So the role of ULRs in revitalizing unions is an important contribution to making the public sector a more attractive place to work.
- *Helping the most vulnerable.* Many of the case studies showed how ULRs were helping the low-paid, agency workers, or migrants, particularly with learning English. Since large parts of the public sector are very low paid (whether privatized or directly employed), this makes a big contribution to improving their quality of employment. It gives them a voice.
- *Helping improve the quality of management.* ULRs exemplify the advantages of partnership working (which can be tough, critical, and challenging; it is not a soft option) and have often been instrumental in changing entrenched hostility.<sup>20</sup> Simply opening up a union–management dialogue on this new area has often helped improve relations all round, fostering a more partnership style of management able to listen better to employees.
- *Gaining funding for training.* In the UK there is a “Train to Gain” fund worth some £850M that employers can bid for. The rules on eligibility have recently been loosened (partly in response to the recession), but many employers are either unaware or uninterested—yet claim they cannot afford to train. ULRs can help persuade employers to bid for funds, and union involvement often improves the chance of success—both in winning funding and in ensuring it is appropriate and available to all.
- *Broadening and increasing training.* The case studies showed examples of new areas of training being introduced, including dyslexia, bereavement counseling, and personal finances; they showed how existing training schemes could be improved by listening to employees, such as in the NHS Agenda for Change skills program; and they showed how managers could be persuaded to invest in all workers, overcoming narrow views such as “cleaners do not need to know how to use a computer.” Employer investment in training in the UK is low—one third do no training and a further third do very little. Much training is aimed at those already highly trained, such as managers and professionals. The Leitch Report<sup>21</sup> urged that far more attention be paid to those with low or intermediate skills. While the public sector approach to skills is probably somewhat better than the private sector, it could do far better—for example, the public sector employs proportionately fewer apprentices. The PSF Learning and Skills Report is an example of the change that union pressure can bring to bear. ULRs help generate pressure for more, more equal, and

more useful training. ULRs do not just help workers get skills; they can radically alter and improve management attitudes to training, work organization and job design.

The exact size and shape of the public sector workforce of tomorrow is hard to forecast, but all these changes will be needed. ULRs can help make them happen.

### **And Finally—Some Issues and Possible Actions for U.S. Unions**

ULRs are being exported round the world. New Zealand has taken them up, and some European countries are interested in the concept in the same way that the AFL-CIO is. Interestingly, in Denmark an earlier concept of “Learning Ambassadors” has been rather less successful—partly because it did not have the same kind of institutional backing, funding, and union support for ULRs as in the UK.<sup>22</sup>

What makes ULRs successful? The 2007 unionlearn survey analyzed the factors that made ULRs successful in the workplace. They are pretty straightforward:

- Having supportive managers and employers
- Having a formal agreement on the role and facilities of the ULR—and ideally going beyond that to encompass training policy itself
- Having regular meaningful discussion with managers (for which a procedure such as monthly meetings is very useful)
- Not having too many members to look after—over 200 is too many; the average is 50 to 100
- Conducting a learning needs analysis and jointly implementing its findings
- Ideally, having a learning center (or access to one) in or near the workplace
- Ideally, having access to some funding, such as from the ULF.

At the national level, the factors that make for success appear to be these:

- Formal statutory backing through the 2002 Employment Act and rights, particularly paid time off for training and facilities, to do the job
- Strong support from unions, such as with the creation of unionlearn. (Although there was some initial muted scepticism/suspicion that union learning “was a sop to keep the unions quiet” or an attempt to push unions down the road of a less adversarial approach to employers, the long and deep tradition of union concern for learning in the UK helped to overcome that—as did the experience that union learning was hard and challenging work, was combative when it needed to be, and helped unions organize.)
- Strong government and employer support. (Though employer support had to be won—the CBI Director General in 2002 opposed the Act but later admitted he had been wrong to do so.)
- Funding—the ULF and funding for unionlearn
- A framework of learning providers, such as Learndirect and the FE Colleges, who are willing (and funded) to work with unions
- A strong government drive to upskill “UKplc,” such as through the Leitch Report and Train to Gain funding
- And, in the public sector, institutions like the PSF (which was set up at the suggestion of the TUC) that demonstrate government willingness to work with unions and deliver practical, detailed recommendations on training.

The advent of the new Obama presidency brings the possibility of real change. His program includes a major investment in skills and a readiness to work closely with unions—as well as a more sympathetic approach to the role of the public sector. So, at the risk of sounding presumptuous, some possible actions for U.S. unions and government (both state and federal?) might include these:

- Some kind of statutory backing for union learning and “on-site learning reps” as they are described by the AFL-CIO

- Funding support for union learning, perhaps as part of a wider investment in skills initiative
- Creation of some vehicles for institutional support—bodies such as unionlearn, the Public Services Forum and learndirect have all been crucial in the UK.
- Some early demonstration pilots (perhaps in particular sectors where there is strong union organization and wide recognition of the need to upskill), which will help win stronger union, employer, and government support.

Good luck!

## Endnotes

1. *Learning, Working, Investing and Succeeding in America*, August 5, 2008, Chicago, AFL-CIO Executive Council statement; moved by the AFT and IAMAW.

2. *Outsourced and Business Services*, November 2008, Business Services Association.

3. ONS autumn 2008 figures show some 10,000 out of 520,000 central government workers, but most commentators would regard this as an underestimate, a picture that is equally true for other areas of the public sector.

4. Office of National Statistics, third quarter 2008.

5. These are composed of around a dozen independent (though appointed by the government) experts who annually review all the evidence put to them by both employers (usually the government) and unions, then decide on the pay increase or other changes in major terms and conditions. Some make two- or three-year awards but will meet regularly to consider representations on whether they should be reopened (e.g., due to inflation). Government is not bound by PRB recommendations but usually follows them, though sometimes it has staged and delayed PRB awards—against strong union opposition.

6. From *Competition and the Retreat from Collective Bargaining*, NIESR Discussion Paper No. 318, August 2008, Willy Brown, Alex Bryson, and John Forth.

7. *The State of the Unions*, DTI, Presentation by Grainger and Crowther, April 2007.

8. *Working for Learners*, unionlearn, 2007.

9. See “Ten Years of New Labour: Workplace Learning, Social Partnership and Union Revitalisation in Britain,” *British Journal of Industrial Relations*, Vol. 46, No. 2, pp. 283–313, 2008 (an entertaining but largely wrong attack on union learning). Also see *Why Workplace Learning Is a Union Issue: Class, Gender and the Union Learning Representative*, by Helen Rainbird and Mark Stuart, as yet unpublished, for an effective demolition of McIlroy.

10. *Opening Doors to Learning*, unionlearn survey of ULRs, 2007, p. 5.

11. *Opening Doors to Learning*, unionlearn survey of ULRs, 2007, p. 9.

12. See, for example, “Explaining Activity and Exploring Experience: Findings from a Survey of Union Learning Representatives,” *Industrial Relations Journal*, Vol. 39, No. 5, pp. 392–410, September 2008, by Alison Holinrake, Valerie Antcliff, and Richardr Saundry, which found that “focus groups were unanimous that a clearly defined Employer/Union Learning Agreement was crucial in ensuring procedural clarity and legitimising the role of the ULR . . . although it was also clear that the context in which learning agreements were implemented was key, in particular the degree to which they were underpinned by employer commitment to partnership” (p. 25). The 2007 unionlearn survey also found that securing a learning agreement should be a “primary objective” for ULRs.

13. *Inside the Workplace: First Findings from the 2004 Workplace Employment Relations Survey*, by Barbara Kersley, Carmen Alpin, John Forth, Alex Bryson, Helen Bewley, Gill Dix, and Sarah Oxenbridge. U.K. Department of Business Innovation and Skills.

14. See, for example, “The Evolving Role of Union Learning Reps,” *Journal of In-Service Education*, Vol. 34, No. 4, pp. 423–40, December 2008, by Sian Moore and Cilla Ross, for a good discussion of different union attitudes toward and experiences of learning and organizing.
15. unionlearn, *Learning and Organising*, 2007.
16. *Quality Skills, Quality Services: Executive Summary of the Public Services Forum Learning and Skills Task Group Report*, Cabinet Office, 2008.
17. “Unions and Learning: An Historical Overview,” *Journal of In-Service Education*, Vol. 34, No. 4, pp. 399–422, December 2008, by Bert Clough.
18. Unionlearn 2007 survey.
19. “Findings from the 2004 Workplace Employment Relations Survey,” by Mark Stuart and Andrew Robinson, Centre for Employment Relations, Innovation and Change, University of Leeds Research paper 4, June 2007.
20. See, for example *Time to Talk Training*, 2007, a joint CBI/TUC/DIUS (Government Skills Department) booklet promoting the value of discussion on training.
21. A major government report into UK skills published in 2007.
22. For more on these examples of ULR experience in other countries see the *Journal of In-Service Education*, Vol. 34, No. 4, December 2008.