

Wales passes Trade Union Bill to reverse damaging and divisive UK Act

Last year the UK Government passed the Trade Union Act 2016. The Act imposes stringent new strike ballot thresholds in public services and also monitors and restricts the activities of trade unions in supporting the workforce.

The NHS, education, local government and the fire service are examples of devolved public services which are the responsibility of the National Assembly for Wales.

The Welsh Government's Trade Union Bill dis-applies parts of the Act that relate to these services.

This means that the imposition of an overall support threshold of 40% on strike ballots, provisions on trade union facility time and conditions on payroll deductions for trade union membership – commonly known as check-off – will be reversed and will no longer apply to Wales.

The Bill also protects the position where agency workers are prevented from covering the work of public sector employees during industrial action, in the event the UK Government acts to remove that protection.

Welcoming the passing of the Bill, Local Government Secretary Mark Drakeford said:

“This is a very significant day for devolved public services in Wales and devolution as a whole.

“We should never have been in a position where we had to introduce a Bill to reverse parts of a UK Act. Time and again we warned the UK Government that this damaging and divisive legislation interfered with devolved policy and the powers held by the National Assembly for Wales. Even their own lawyers advised them that they would be on thin ground when it came to this area but they still decided to press ahead.

“We always said that the Trade Union Act was unnecessary and would lead to more confrontational relationships between employers and workers, undermining rather than supporting public services and the economy.

“Key sections on ballot thresholds, facility time and check-off would make the delivery of devolved public services in Wales more difficult, changing the balance of the relationship between employers and unions.

“In Wales, the Welsh Government, employers and the trade union movement work together constructively. We have built up a tradition

of social partnership, founded on respect for the work of trades unions and the rights of their members, and it is a tradition that has served us well – especially when you consider how the UK Government has handled disputes in recent years.

“Today, the National Assembly for Wales has taken the right course of action and acted to protect public services here from this regressive UK Act. We will robustly defend any attempt by the UK Government to interfere in this legitimate and democratic process.”

Commenting on today’s Senedd vote on the Trade Union (Wales) Bill, Wales TUC General Secretary Martin Mansfield said:

“The Welsh Government promised that they would protect our devolved services from the Westminster government’s anti-union attack and today they delivered on that promise.

“The Wales TUC warmly welcomes the new Bill and the strong support shown by the Assembly for our social partnership approach in Wales.

“Our government is committed to working in partnership with unions and employers to get the very best deal for our Welsh public services and its valued workforce.

“The ‘Welsh Way’ works in avoiding industrial action. Our partnership approach is all about engaging with employers and government at an early stage, allowing us to deal with disagreements before they become disputes through mature negotiation and honest debate.

“Thanks to the support of Welsh Government and other political parties in the Senedd, this approach can continue to deliver for both the people of Wales and for the services we all rely on.”

Commenting on previous threats from UK Government ministers that the UK Government would seek to legislate against the Trade Union (Wales) Bill in the future, Martin Mansfield added:

“The UK Government must now fully respect the democratic will of the people of Wales and the decision made by our National Assembly to pass this Bill. Any underhanded attempts to interfere in how our devolved public services are run in Wales would be undemocratic and unconstitutional.”