

UCEA response to the consultation on the Trade Union (Wales) Bill



Introduction

This is the response from the Universities and Colleges Employers Association (UCEA) to the Trade Union (Wales) Bill.

UCEA is a membership body funded by subscriptions from 163 HEIs in the UK, in addition to 9 sector associate members. Our purpose is to support our members in delivering excellent and world-leading higher education and research by representing their interests as employers and facilitating their work in delivering effective employment and workforce strategies.

The response is based on views provided by our member Higher Education institutions (HEIs) in Wales, and will focus on the first element of the terms of reference: the proposal to dis-apply certain elements of the Trade Union Act 2016.

Responses based on the terms of reference

1. Proposal to dis-apply the 40% ballot threshold in Important Public Services

1.1 Higher Education is not defined as an important public service under the Trade Union Act 2016; therefore the 40% industrial action ballot threshold will not affect industrial action taken in HEIs. As such, neither the provision under the Trade Union Act, nor any dis-application of it in Wales, would have an impact on Welsh HEIs. We therefore offer no comment on this proposal.

2. Proposal to dis-apply requirements in relation to paid facility time

2.1 HEIs in Wales recognise one or more trade unions and therefore provide paid facility time to branch officials for trade union duties. However, the data and monitoring of the allocation of the use of facility time varies between HEIs. As such the requirements of Section 13 of the Trade Union Act may entail a new administrative burden for some HE employers.

2.2 Therefore, on balance, our members would be in favour of the proposal to dis-apply these requirements of the Trade Union Act in Wales.

3. Proposal to dis-apply restrictions on deduction of union subscription from wages by employers

3.1 Most HEIs allow trade unions to collect member subscriptions via payroll through DOCAS. This has minimal administrative burden for the employer, and supports trade unions in their membership processes.

3.2 Section 15 of the Trade Union Act will not prohibit DOCAS, but will introduce new requirements to collect recompense from trade unions for any administration costs and to ensure that the trade unions have provided an alternative means for their members to pay subscriptions.

3.3. In some cases, trade unions already reimburse employers for administrative costs associated with DOCAS. In addition, in many cases, trade unions already provide their members with alternative means of paying subscriptions. However, neither of these are currently statutory requirements and our members' experience in the Welsh HE sector does not indicate that such requirements are necessary. Therefore, on balance, our members would be in favour of the proposal to dis-apply these requirements of the Act in Wales.