

## UNION DEMOCRACY & THE MERGER

### *An analysis of the Instrument of Amalgamation between Amicus & the TGWU*

In the last analysis the effectiveness of any union depends on the collective strength of its lay membership. This strength is forged in the workplace. From there it can be carried through all the structures of the union providing the underlying force which gives the union its industrial and political muscle.

Collective strength depends on democracy. It depends on individuals being involved in the decision making processes and being given a confidence that the union is acting in their collective interests. Democracy is not an optional extra - it is the lifeblood of effective union organisation.

The Gazette has always been committed to fighting for a democratic union. There are other arguments for and against a merger between the Amicus and the TGWU, but the argument that any union resulting from a merger must improve and extend democracy is paramount.

A motion agreed by the Gazette Group at the National Supporters Meeting, Preston, July 23 2005 agreed that "any future mergers should contain assurances that the democratic positions of the Gazette will be furthered by the merger." There were seven points contained in the motion. Not one is unambiguously supported in the Instrument of Amalgamation. These were the table-stakes the Gazette set for the Merger and the failure to achieve them places any support for the merger in considerable doubt.

Taking the points one by one:

**"Any Instrument of Amalgamation shall require the agreement of a recall Conference before being submitted to a ballot of the membership."**

The Instrument of Amalgamation will be put straight to a ballot of the Amicus membership. While there will be a recall TGWU Conference, a proposal made at the October NEC meeting for the Instrument to be placed before a Conference was rejected. Only 6 Gazette supporters on the NEC voted in favour of the proposal. The NEC members themselves only had sight of the document 4 days before the NEC and were specifically prohibited from consulting on it before the NEC meeting. The General Secretary has indicated that he expects all NEC members to support the Instrument, and of course all full time officials will be instructed similarly, which will obviously inhibit any discussion in the run-up to the ballot.

**"The NEC of any merged Union shall be composed exclusively of lay members."**

While this is formally true, the new rules provide that either of the Joint General Secretaries may act for the Joint EC between meetings as long as they do not specifically negate a prior Joint EC decision. There is no requirement for the Joint EC to approve such delegation or to have any actions reported to them for endorsement. Thus, for most of the time, EC decisions will be under the control of the Joint General Secretaries. Also the Rules allow either of the Joint General Secretaries to delegate their powers under this rule to any employee of the Union. There is an additional provision that either Joint General Secretary may declare any proposal before the Joint EC a "matter of principle" which would then require a 75% majority to pass. There are no criteria for utilising this provision and no requirement that it has to be endorsed by the ECs of the constituent unions (on whose behalf the General Secretary is presumably acting). This has the effect of giving either General Secretary the potential to effectively veto any motion (i.e. a Joint EC 22-8 majority on a proposal would fail if the provision was invoked

because the majority of 14 does not represent a 75% majority).

**"The Union should be based on Regions and Industrial Sectors with the Sectors having autonomy subject to overall Union policy."**

In Amicus we are used to Industrial Sectors that have a high degree of commonality. The Health sector has a common set of terms and conditions and members face common problems emanating from Government policy. Aerospace, in the private sector, also has much commonality with reps from the two major employers, Bae Systems and Rolls Royce, facing similar issues at an industrial level. The TGWU has historically had Trade Groups which have been much broader in their composition. The merger document makes provision for the merging of Amicus industrial sectors and TGWU trade groups. This could lead to Health being included as part of the TGWU's Public Sector group and Aerospace merged into the TGWU's Power & Engineering group. In both cases the sector would be further removed from the industrial needs of members and would lead to less effective industrial policy making and less democratic control by reps in the specific industries. While there is some provision for sub-sectors, the new rules specifically state that these "may not have the status of national industrial committees." In the merger between the AEEU and the MSF we were provided with a list of the industrial sectors in the Instrument, so their appropriateness could be gauged in advance.

**"The NEC should be based on 75% Industrial Sector representation, 25% Regional representation (with additional provision for representation from Women) with all NEC members elected by and from their constituencies."**

The constituency makeup of the new EC will be determined in the Rules to be drawn up by the Joint EC. There appears to be no current agreement on the balance between regional and industrial representation. There is a provision to combine industrial sectors to create constituencies but no such provision to combine

regions. There is provision for reserved seats for Women, but again no indication as to the proportion. The ballot will be held without members really understanding what the structure of the new union will be.

**"Full time officers should be elected."**

The general rules for the new union specifically state that all full time officers shall be appointed. The first opportunity to change that will be through the first Rules Conference at the end of 2010. The general rules override the current Amicus rules and, therefore, there can be no elections of full time officers during the transitional phase before the new rule book comes into force.

**"All full time officers should be responsible to the relevant lay committee."**

The Joint General Secretaries have day to day management responsibility for all full time officers. While there is mention of "ultimate control" being vested in the Joint EC, there is no provision for officers to be responsible to any other lay body in the union - including Regional Committees and Industrial Committees.

**"The Rules Commission to draw up a new rule book should be elected by Conference."**

The Rules Commission will be appointed by the current ECs of Amicus and the TGWU (10 nominated by each). There is no requirement that even these be lay members. There will be no opportunity for lay members to amend the Rule Book drawn up by the Joint EC and Rules Commission. Even the First EC elected under the new rules will not be allowed to change it. The first opportunity to amend the Rules will come at the end of 2010 by the first Rules Conference.

**Other provisions**

There are many other provisions in the new General rules that indicate a reduction of lay involvement in the democratic control of the union.

All members of elected Committees, Councils, and Conferences have to be workplace reps. This has a specifically damaging effect on those who suffer discrimination in society, and in the union - women, ethnic minorities, LGBT, disabled - who have to overcome any prejudices in their own workplaces before they can play any other role in the union. A woman faced by sexism in her own workplace has to win that battle before she can represent women facing sexism on a union's women's committee!

This provision also excludes retired members, who are mentioned nowhere in the general rules, from having any effective role in the union. Obviously, retired members should not have a say on the industrial policies affecting the terms and conditions of members in the workplace. But why should they not be elected to a Regional Committee if members feel they would be effective in leading organising and campaigning work in the Region?

Equalities reps are mentioned but there is no suggestion as to who elects them, who may be elected, and what their roles are. Are they intended to be elected by minorities in the workplace - a women's rep for women, an LGBT rep for LGBT, etc? It does seem to imply that equalities issues are not the responsibility of workplace reps. We have been arguing for the mainstreaming of equalities so that issues are taken up in every aspect of the unions work and should not just be the responsibility of those who face the particular oppression. The suggestion of equalities reps seems to give the signal that equalities will not be mainstreamed.

Conferences have been reduced in size compared to Amicus rule provisions. Regional Committees are to get half the funding. The EC will be allowed to delegate its disciplinary powers to anyone (including full time officers). Only a tiny minority of those who contribute to the political fund will be allowed any say in how it is spent.

And much of the discussion in drawing up the instrument, apparently, was in deciding the choreography of how a new General Secretary would emerge. So Derek gets an extra year,

retiring at 66. And Tony retires a year early. More time discussing two jobs than in creating a structure will maximise the involvement of lay members and pulls the control back to them away from the hands of full-time officials.

When Derek introduced the Instrument at the NEC he talked about "managed decline" referring to the state of trade unionism and the rationale for merger. We can do better. We can campaign for the sort of trade unionism that, in the 1970s, was effective in protecting members from the onslaughts of employers and government, and allowed the greatest expansion of trade union membership seen for decades. Why can we not follow the lead of unions like the RMT which, by fighting effectively for their members, have seen growth rather than decline?

*Pete Gillard*

*Convenor, Amicus Unity Gazette, London Region*

November 2006