

Strategy, Structure and Resourcing in UK Trades Unions

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Abstract

1. Introduction

Unions in Great Britain have faced long term decline in at least two senses. First, union membership has declined since the late 1970's. Second, the number of unions has declined, leading to a greater concentration of a reduced membership. The mechanisms underlying the decline in membership have been well analysed using successive WERS surveys (e.g. Brown et al, 2009). The primary mechanism for reduction in union numbers has been merger and acquisition (Undy 2010).

The contribution of this paper is twofold. The first is to address this long term decline in resourcing terms. Specifically, we argue that British unions lack resources effectively to manage first and second order collective action problems, and that the resource requirements to manage such problems have been increasing. The symptoms of decline may be endogenous, but the triggers exogenous; we examine the relationship between exogenous triggers and endogenous consequences by reference to the proposed Trade Union Act (2015). The second is to update the empirical literature on union resources. There is a relatively consistent set of public reporting requirements for British unions that has supported examination of resourcing since the Webbs (1907); this will be briefly summarised in section 2. It ends in 2004 and we present data to 2014.

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The structure of the paper is as follows. Section 2 outlines the approach and relates it to the existing literature on resources. Section 3 presents aggregate data on union resources, both those on the balance sheet and those not, for the period to 2014. Section 4 looks specifically at the largest British Union, Unite, for the period since its formation in 2007 to date; the purpose of this case study is to examine first and second order problems at the level of the organisation. Section 5 examines the relationship between exogenous changes and endogenous problems by examining the implications of the current Trade Union Bill, the net effect of which is likely to be primarily to increase second order collective action problems. Section 6 summarises the argument and concludes.

2. Collective Action and Union Resources

Olson's (1971) approach to collective action is to treat it as problematic; his key insight is to argue that public goods may not be provided even where everyone would be better off through their provision, primarily because of the free rider problem. Particularly where numbers are large, collective action is unlikely in the absence of two conditions; *selective incentives* refer to the introduction of private goods dependent on membership to supplement the public benefits of collective action, and *special conditions* refer to coercion or forms of constraint to encourage membership. These two devices go some way to solve the first order collective action problem.

Several authors (e.g. Elster, 1989; 26-42, Kelly, 1998) have noted the logical problem with this, namely that in order for the collective action organisation to come into existence it needs already to exist in order to enforce the necessary conditions. Enforcement of the conditions is costly, and these costs form part of the second order collective action problem which is controlling the costs of managing collective action organisations such that the costs are less than the sum of public and private benefits on offer. This second order problem is likely to be resolved, as Hirschman (1970) notes, under three conditions. First, where members' switching costs are high, higher costs of action will be borne.

Second, where activists exist with different utility functions, costs are reduced; activists for Hirschman have a utility function in which the returns to collective action are not returns minus costs but the *sum* of the two, since a positive value is put on activity itself. Third, where the benefits of collective action are experienced additionally by third parties, the costs of collective action may be more widely spread.

We may relate these broad considerations about collective action to union behaviour. As Pencavel (1970) notes, unions provide three types of service. The first, collective representation, tends to generate public goods and thus does not solve the first order problem. Unions thus offer two other services, private benefits (for sickness or retirement, for example) and 'semi-collective' membership-dependent benefits such as representation in grievance or disciplinary processes; the delivery is to the individual member but it relies on a collective agreement. Unions also periodically resort to coercion (such as closed shop arrangements) or constraint (such as 'check off' where the employer deducts union subscriptions from salary) to solve first order problems. Falls in membership density under a collective agreement indicate failing to resolve a first order problem. Unions may try to counter this by augmenting the private goods through increased emphasis on benefits and representation, but this will tend to raise costs, specifically expenditure per member and subscriptions. Both may rise where real incomes per member as a result of collective representation rise faster than subscriptions and costs.

The second order collective action problems lead unions to raise member switching costs, perhaps by using seniority-related benefits. The use of activists as representatives, rather than full time union officers, may substantially affect administrative costs, and unions may enhance representative structures directly to reduce administrative costs (Fiorito et al, 1995); democracy may be cheaper than oligarchy. Such activism is more likely where employers provide time off and facilities as subsidies for activists, and they are arguably more likely to do so where they see spillover benefits from collective action, such as employee voice (Gomez et al., 2010) or productivity improvements (Freeman and Medoff, 1984).

Union financial measures may thus be a key indicator of the viability of collective action. This much was understood by the Webbs (1907; 162-283) who recognised the centrality of financial status and arrangements to secure 'permanent organisation' for the so-called 'new model' unions. However, understanding the role of such measures and arrangements has been the focus of just a few studies in the 20th century in Great Britain.

Roberts (1956) documented changes in income, expenditure and assets for the period 1936-50. He documents substantial shifts in financial structure. Unions found it difficult across the period to raise subscriptions to keep pace with wages, prices or administrative expenditures per capita. Investment income filled the gap between subscription income and total expenditure; yields were primarily from government bonds. Individual, friendly society benefits declined as a proportion of total expenditure. Roberts argues, in effect, that the newly established welfare state took over the role of benefit provider. Benefits thus cease to be a private good helping to solve the first order problem, and the resolution of second order problems absorbs more resources than revenue from membership can generate. Roberts closes with a concern about the viability of a financial model in which investment income balances the books.

Latta (1972) uses the same public dataset to examine the period 1960-70. One of his major concerns is a mismatch in resources between rich, stable, manual unions on the one hand and rapidly expanding but insolvent white collar unions on the other; the union movements resources are in the wrong place. However, he notes widespread loss of assets and a widespread tendency for total expenditure to exceed total income. His conclusion is that there had been 'a marked decline from the period surveyed by Roberts' (1972; 409).

Again with the same dataset, Willman et al (1993) examined the entire period from 1950-1989 in order to complete the picture. The period embraced three discrete patterns of membership change; steady growth to 1965, very rapid

increase from 1965-1979 and then sharp contraction to 1989. These trends were not highly correlated with financial changes. Real total income tracked real total expenditure for the whole period, with a margin of approximately 10%. Benefit expenditure continued to shrink. However, membership growth 1965-1979 was associated with a halving of the value of union funds in real terms. This was a period of high inflation, and it may be that union assets were not inflation proof. However, from 1965 onwards, total subscription income from members averaged 90% of total expenditure. Over the same period, the number of 'years expenditure' held by unions in funds fell from 3.6 years to 1.2 (Willman et al 1993; 7-19).

One interpretation of these trends is as follows. Income from members is not sufficient to resource solution to the second order collective action problem. The gap is covered by selling assets. In the aggregate, unions did not over this period increase the ratio of subscriptions to average earnings; in fact, it fell from 0.42% on 1950 to 0.31% in 1980, a period in which private goods – benefits – declined as a proportion of total expenditure. Paradoxically, the 1980's, a troubled decade for British unions in many respects, showed an increase in the subscription ratio (0.37%) and a substantial increase in returns on assets as unions moved resources from bonds to equities and property (1993; 15).

A final study, Willman and Bryson (2009) extended this work in two ways. First, it extended study of this dataset to 2004. In this period, which is also one of membership contraction (from 1990 to 1997) then stagnation, solvency margins remain slim (3%), but income from members increases faster than average earnings and the value of reserves increases faster than prices (though slower than stock market indices). However, expenditure rises fastest, such that by 2004 the union movement has a historic low of 1.06 years of reserves.

The second element of this study is to attempt to assess unions' 'off balance sheet' resources. The dataset on statutory returns covers the balance sheet of the union as a formal reporting organisation. It does not consider the

'Hirschman' elements of activist support for collective action nor employer subsidy of union activity. For the period 1984-2004, Willman and Bryson use the WERS workplace data to attempt to assess trends in 'off balance sheet' resource for union activity. They construct a three item index – check off of union subscriptions from salary, management recommendation of union membership, and the presence at the workplace of a union representative. This index declines from 2.19 in 1984 to 1.69 in 1998, rising slightly to 1.78 in 2004. It should be noted that, given the decline in union density under collective agreements over this period, this may actually represent an increase in off balance sheet resource *per member*. However, observing that off balance sheet resource declines over the period by a greater proportion than on balance sheet resource, they conclude that this reduction in hidden resources for collective action is in fact ' a major pressure on union balance sheets' (2009;42).

In summary then, the data imply major endemic problems for British unions in solving first and second order collective action problems, at least until 2004. Union members pay a very small proportion of earnings as subscription and receive limited private goods in return. Coercion, in the form of closed shop arrangements, was never widespread and declined rapidly across the period (Millward et al, 2000; 150). The second order problems are evident. Union members do not have high costs of shifting out of union membership; the wage premium is not large and is in many cases a public good within unionised workplaces. Activism and employer support appear to be in decline. The outcome variables are a reduction in union funds in the aggregate generated by the need to subsidise current activity.

3. Data Analysis.

This section of the paper brings the picture more closely up to date by using both the statutory returns and the WERS dataset; the former extends to the financial year 2013/14 whilst the latter covers the period to 2011. The core elements of the story remain largely unchanged, but there are some additional

elements, not least to do with trends in average earnings and asset returns across the financial crisis

Figure 1 contains a membership concentration story². The number of unions continues to fall at a faster rate than the number of members. The primary mechanism is merger or transfer of membership, so effectiveness of post-merger integration becomes an important ingredient in the solution of the second order collective action problem. A second issue is that the aggregate picture becomes much more susceptible to the influence of events in the largest unions. We shall return to both points below.

Figure 2 shows continued low income growth and low solvency. The main change from previous years is the increased expenditure volatility, with spikes in 2005, 2008 and 2011. The 2008 spike is partly a function of expenditure increases across unions with the fallout from the GFC, but in all three years, specific second-order problems emerge which we discuss below. Figure 3 shows further deterioration in union reserves and the acid test ratio, driven by rapidly rising and volatile expenditure. Throughout this period, income per member moves on its historical trend with average earnings, but *per capita* expenditure moves much more rapidly than the index of consumer prices.

We also have WERS data on the off balance sheet resources, slightly different in format from the earlier index and covering the additional period 2004-11. The overall picture is of very little change across the period³. Putting this alongside the picture of a general continued deterioration in on balance sheet resources, it appears that, although it is impossible to assess the absolute size of each resource set, that off balance sheet resources may be more important to union functioning at the end of the period compared to 2004.

² In the figures that follow, we exclude returns from two organisations of medical employees, the British Medical Association and the Royal College of Nursing. These are sizeable membership organisations, but they are also professional bodies with professional training businesses that financially dwarf their representational activities. BMA includes this income in its returns, RCN does not. The latter organisation does not regard its assets as relevant to its returns and thus returns £0.

³ These data are available from the authors on request.

Put another way, any threats to off balance sheet resources are likely to be more serious at the end of the period.

WERS data cease after 2011, but we can further update the on balance sheet position as in Table 1. The picture is at least more buoyant than the first decade of the century. Membership is static, but income per member and total income rise, but there is a substantial reduction in overall expenditure across the three years, and funds thus slightly recover. The acid test ratio stands at 1.02 in the aggregate. It remains the case that the costs of collective action exceed income from members by over 20% in each year.

Overall, then, the 'business model' for collective action does not differ substantially in 2014 from that identified by Roberts for a much earlier period. Unions do not cover the costs of servicing members from membership income. They rely on other income to fill this gap, and this income is normally from investment yields or disposals. Ironically perhaps, where investment yields are good, this model is more robust, and even more so where good investment yields and growth in real earnings coincide. Thus the 1980's, with rises in both but large falls in union membership, was rather better for unions than the 1970's, with massive membership growth but high inflation exerting downward pressure on real earnings and returns poor across a wide range of asset classes. Perhaps a paradox for British unions is that the circumstances that drive membership increases and thus help with first order problems also create substantial second order collective action problems for the organisations concerned

4. Unite the union

We will attempt to understand some of the second order issues rather better with a case study of the largest British union, Unite. Unite was formed by merger or, more accurately, by a series of mergers and transfers of engagements of members. In 2001, two large, and mainly private sector unions Manufacturing Science and Finance (MSF) and the Amalgamated Electrical and Engineering Union (AEEU), two of the largest, merged to form

AMICUS (not an acronym). In 2004, AMICUS absorbed two industrial unions, GPMU (printing) and UNIFI (finance); both of these were themselves the product of prior merger. In 2007, Unite was formed when AMICUS itself merged with the largest general union, the Transport and General Workers' Union (TGWU). The result was the largest union in the statutory returns, accounting for over 25% of total membership, and a substantially higher proportion of TUC membership. It runs both administratively and on a representational basis with a matrix structure, the two axes of which are region and industry group.

As noted above, merger and transfer of engagements are the primary mechanism driving membership concentration. The motives for serial merging are complex but the trend is long term. Some mergers appear to be the result of financial fragility of one or more party, others are attempts to avoid or mitigate inter-union competition (Undy 2010). What is clear is that few generate robust economies of scale in membership servicing that might alleviate second-order problems (Aston 1987; Willman et al, 1993), and one reason for this may be that merger agreements tend to protect incumbent rights.

The on balance sheet performance of Unite is shown in Table 2. Since formation, membership has fallen by 28%, but income *per member* has doubled in nominal terms. Total income has increased by 48% and total expenditure by 30% but this apparent good expenditure performance masks the substantial expenditure spikes in the interim period, particularly just after merger. For most of its short life, Unite has had solvency <1, and this has affected the union's funds. Net worth declined to only 17% of its 2007 level by 2012, before recovering the following year. However, in 2013, the acid test ratio for the country's largest union stood at only 0.6, i.e. little more than 7 months of expenditure in reserve.

That 75% of the original membership total would come to pay 150% of the original income from members indicates robust willingness to pay for the union's services, and by 2013 membership income was, unusually for a

British union, covering total expenditure. However, the expenditure spikes in Table 2 (which incidentally mirror those in the aggregate Figures above) have led to depletion in union funds.

What might cause an expenditure spike for a union? Administrative expenditure dwarfs benefit expenditure and the largest expenditure items tend to be recurrent. Normally salaries and expenses of union staff are by far the largest item (about 50% for Unite), followed by subsidies to branches (about 10% in Unite) then occupancy and office costs and property repairs. Unpredictable or non-recurrent items would normally relate to campaigns or disputes, involving legal and balloting costs, strike pay or additional conference expenses.

In this case, Unite was financially badly hit by liabilities arising from its responsibility as an *employer*, specifically relating to actuarial losses on the final salary pension schemes covering union officials and staff. Mark to market accounting governing such schemes leads to any losses on such schemes being set as an expenditure item on the balance sheet. Over the period covered by Table 2 and in particular just after the merger, large losses of this sort were set against expenditure. Across the entire period, such losses were over £175 million net, set against the nominal funds loss in Table 2 of approximately £160 million.

These liabilities are not unique to Unite, nor indeed even to unions as a whole. Pension fund deficits on final salary schemes, and the accounting rules for dealing with them, cover all employing organisations with funded schemes. However, there are particular vulnerabilities for unions. First, for financially fragile organisations, the absolute amounts involved can be very high, as the Unite case shows. Second, most unions have provided generous schemes to their own staff, mirroring their concern for many years that employers with whom they bargain should provide generous pensions. The third point is a matter of timing. Although it is difficult to get accurate figures, most current unions expanded their employment of officials in the 1970's and early 1980s (Charlwood and Forth, 2009: 75-9), a time of widespread adoption of final

salary schemes and, from a cohort perspective, likely to peak their liabilities in the current decade and the next.

5. The Trade Union Bill 2015

Historically, the industrial relations system in Great Britain has attracted descriptions such as 'informal' and 'voluntaristic', terms which differ in meaning but signal an absence of legal or regulatory intervention which has extended to union affairs. Indeed a key element of collective action has been immunity from prosecution for acts such as encouraging breach of contract which in other domains would attract liability. The issue for our purposes is that informality and voluntarism tend to lower union on balance costs by reducing compliance costs. Let us give two examples, first and second order. If a union may convince an employer to hand out union membership forms to new hires, then deduct the subscriptions from salary without charge, the union's costs of membership acquisition are substantially reduced. If individual rights legislation is passed preventing this, they massively increase. The former will not appear on the balance sheet, but the latter will. Second, if a union activist may call a strike to secure union recognition and the issue is resolved, then none of this shows up in the union's accounts. If any strike must be supported by a ballot organised by the union, it does, and ballot costs may be substantial.

Currently, a piece of legislation under consideration by the UK Parliament seeking to formalise certain aspects of union operation is likely to have substantial balance sheet implications. A principal element of the 2015 Trade Union Bill seeks to address the conduct of strikes. Measures such as permitting the use of agency workers by employers and regulating picketing more closely, together with a threshold requirement of 50% turnout in ballots, plus the more stringent requirement of a 40% vote in favour in certain essential services have caused the TUC to title its campaign 'Protect the Right to Strike'.

These issues are clearly important to unions, but from a financial point of view, there are arguably other elements in the provisions on formalisation and regulation that might have a substantial impact on a financially weak set of unions. Table 3 classifies the measures proposed in the Bill in terms of impact on revenues, assets and costs. The costs implications are easily the most significant, and they relate to on and off balance sheet issues.

Opting into political fund contributions is likely to reduce revenue, but political funds are small relative to general funds. Removing the option in the public sector for union members to pay subscriptions through salary will have substantial impact, given the high proportion of total union membership in the public sector. The main alternate efficient method is by direct debit from bank accounts, but the transactions costs of switching may be high. The public sector has a higher density of union membership under bargaining coverage than the economy as a whole, and this may decline further.

Assets are more at risk by further restrictions on immunity from prosecution and from the new ability of the Certification Officer to enforce financial penalties of up to £20,000. There is also a requirement for an enhanced reporting of expenditure data.

However, the expenditure-related items are likely to be the most important. Balloting is costly in a direct sense— Unite spent almost £1 million on *non-industrial* ballots in 2013 – but there are also the attendant costs of securing up to date and comprehensive membership lists, and the costs of legal challenge to the lists. There are restrictions on the extent to which unions can use cheaper on-line methods to conduct ballots, so communication costs are likely to rise. The limiting of strike mandates will make balloting more frequent.

The monitoring and regulatory changes to facility time in the public sector may ‘squeeze’ off balance sheet resources in ways that substantially spill over to the union balance sheet. The bill proposes monitoring and subsequent regulation of such times in the context of a broad concern with the costs of the public sector. WERS data for 2004 and 2011 show that public sector

representatives tend to spend more time on union duties than their private sector counterparts. The majority of union members are in the public sector. A reduction in the time spent might generate a reduction in members' private goods or an increase in the amount of membership servicing by full time employees and thus on the union's balance sheet.

Discussion and Conclusion

In this paper, we have tried to present a thorough analysis of the resource position facing British unions in order to present a discussion at this stage of strategic issues and options. In section 2, we used existing literature to argue that there are structural flaws in the collective action model used by British unions in the aggregate. This model has since the period of Robert's analysis had a revenue component that relies on taking a broadly constant proportion of real earnings as income from members, and providing private as well as public goods to encourage membership growth. However, private goods are representative rather than benefits based, and depend on the solution to the second order collective action problem of how to provide the expected returns to members.

Empirically, the second order problem is that, because expenditure routinely exceeds income from members and rises in real terms, other income must secure solvency by filling the gap. Other income has been from investments and assets and the most pervasive story of the entire period since 1945 has been the erosion of the asset base in relation to expenditure. The costs of collective action fall to an unquantifiable degree on union balance sheets on the one hand and on members and their employees on the other. In theory, a union could exist entirely 'on balance sheet', in which case its costs would be substantial, or entirely 'off balance sheet', in which case employer subsidy and membership activity would support a very small union superstructure. There are empirical examples asymptotic to both. In the 1980's the Inland Revenue Staff Federation (IRSF) decided to base its collective action strategy almost entirely on paid officials because of the opportunity costs of union involvement for members on high pay (Willman et al, 1993; 101-21).

Alternately, the shopfloor bargaining practices in engineering described in the research papers for the Donovan Commission in the 1960's depict an industrial relations system operating almost without reference to a formal union structure. So there is substantial unobserved heterogeneity underneath the aggregate data but, in the aggregate, the model can only work where union assets generate a continuous and sustainable revenue stream to subsidise the collective action model.

Section 3 presented data that indicate union reserves are, in the second decade of the 21st century, so low that the risks associated with this model are high. Typically a union that finds at the organisational level it can no longer fund its activities seeks a merger partner. However, there is little evidence that larger organisations resulting from merger are capable of rectifying financial issues. The Unite case in Section 4 illustrated some of the financial issues including legacy effects of employment liabilities that such organisations face. This case may not be capable of generalisation, but there are several other large unions structurally and historically similar. The significance of Section 5, on the Trade Union Bill, is to show that any increase in accountability and regulation, whatever the ostensible legislative target, is likely to exacerbate the fundamental expenditure problem.

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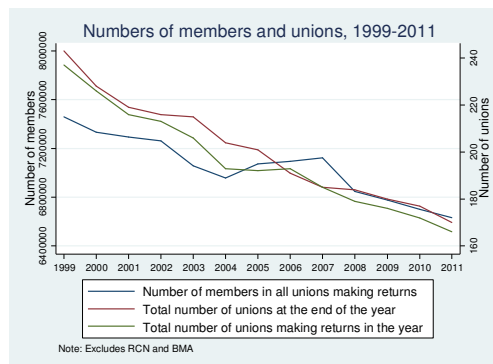
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Figure 1

Unions and Members



Some basic numbers

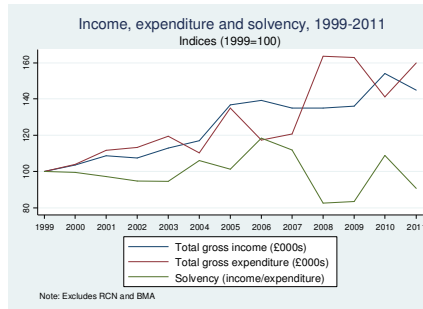


Figure 2



Figure 3

Assets and Reserves

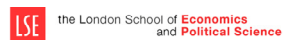
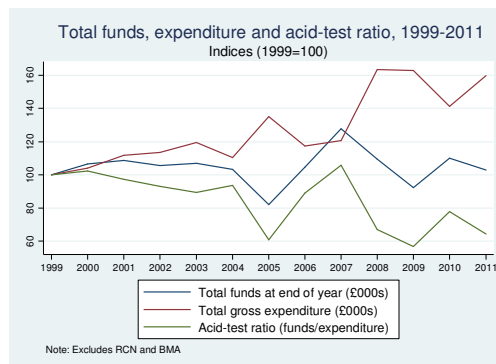


Table 1
Aggregate Union Data
2011-2013
(£000)

Year	Members	Income from Members	Total Income	Total Expenditure	Year end Funds
2011/2	7197171	852136	1145769	1213364	905947
2012/3	7086116	888198	1170818	1165935	912904
2013/4	7010527	877887	1187162	1036227	1063171

Source; Certification Officer Annual Reports

Table 2
Unite Annual Returns
2007-14
(£000)

Year	Members	Income from Members	Total Income	Total Expenditure	Year end Funds
2007/8	1952226	102341	112499	100908	240580
2008/9	1635483	149053	151298	213319	175559
2009/10	1572995	146689	151834	226976	103417
2010/11	1515206	152489	163000	187758	78659
2011/12	1510026	143323	156880	174470	61069
2012/3	1424303	151302	164391	183516	41944
2013/4	1405071	151136	167216	131149	78011

Source; Certification Office Returns

Note: Unite returns are for the years ending 31 December in the first mentioned year.

Table 3
Impact of the Trade Union Bill

Revenue

Opt into political funds

Assets

Restrictions on immunity
Co sanctions and financial penalties

Expenditure

50% voting threshold in ballots
40% of member vote in essential services
3 month validity of strike mandates
More detailed expenditure data to CO
Transparency of facilities time in public sector plus regulations
Levy on unions for CO costs (£1million)
