



Department of Trade and Industry

**news release**

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**TRADE UNION RECOGNITION PROCEDURE BEGINS**

The statutory procedure for trade union recognition comes into force tomorrow 6 June.

Welcoming these provisions, Alan Johnson, Minister for Competitiveness, said:

“This legislation is a further important step towards giving workers in the UK basic minimum rights. I am convinced the new statutory procedure will become an accepted and enduring feature of our employment relations system.

“It is the product of detailed and lengthy consultation with employers, unions and others lasting nearly three years. Thanks to their input, I believe this new statutory procedure is fair, workable, and balanced.

“It is fair because it gives individual workers the right to be collectively represented where a majority of them wants it.

“It is workable because it gives maximum scope for parties to resolve their differences voluntarily at every stage.

“And it is balanced, because it safeguards the legitimate interests of business. The costs on business of operating the procedure are low, and businesses employing 20 or fewer are exempt.

“The Central Arbitration Committee is taking on major new responsibilities for overseeing the scheme. So, the membership of the Committee has been strengthened. The new Chairman, Sir Michael Burton, and the other new members of the Committee bring an enormous depth and range of industrial relations experience to their work.”

**Notes for Editors:**

1. The Employment Relations Act 1999 gained Royal Assent on 27 July last year. It contains provisions to introduce a statutory procedure whereby unions can be recognised (or derecognised) for collective bargaining purposes where it is the clear wish of the workers comprising the relevant bargaining unit. These provisions (Sections 1, 5, 6 and 25 and schedule 1 of the Act) are brought into force tomorrow 6 June, as is a Code of Practice on Access to Workers during Recognition and Derecognition Ballots and the Secretary of State’s specification of a method of conducting collective bargaining.
2. Where their claims for recognition cannot be resolved bilaterally with the employer, unions can apply under the statutory procedure to the Central Arbitration Committee (CAC). The CAC will assign a three person Panel to each case: the Chairman or one of his deputies; a member with experience as an employer’s representative; and a member with experience as a worker’s representative. The High Court judge, Sir Michael Burton QC, took up his appointment as the new Chairman of the Committee on 27 March. Thirty-nine other new members of the Committee started their appointments on 10 April. Press contact for further information on operation of the CAC is James Peacock, tel: 020 7261 8813.
3. In cases where it organises recognition ballots, the CAC will award recognition if it is supported by:
  - (a) a majority of those voting; and
  - (b) at least 40% of the workers entitled to vote.
4. Under the statutory procedure, the CAC may award recognition without a ballot if more than 50% of the bargaining unit are members of the union(s) applying for recognition. However, the procedure also provides for the CAC to organise a ballot in such circumstances, if, for example, it is satisfied that a ballot should be held in the interests of good industrial relations.
5. The Code of Practice and the specification of the method of conducting collective bargaining are available on DTI’s website at: [www.dti.gov.uk/er/recognition.htm](http://www.dti.gov.uk/er/recognition.htm).

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