**Trade union responses to ageing workplaces: lessons from the UK**

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# Abstract

In 2017, European-level unions and business associations agreed a framework for national and workplace level employers and union representatives to take collaborative action to design workforce responses to demographic ageing. This article discusses how unions are responding to pressures to extend working life in the United Kingdom (UK). Drawing on industrial relations and social movement literature, it argues that unions pursue the twin strategies of working in partnership with like-minded employers to reorient workplaces towards an age friendly model while organising and campaigning with members to secure conditions consistent with active and healthy ageing. Resisting an erosion of pension and retirement rights and extending employment protection are examples of this approach, but numerous lower profile initiatives by workplace representatives are also reflective of their having an age friendly agenda. Using qualitative data from focus group discussions with union representatives in two sectors, the article shows that union responses are rooted in both of the dominant models of British unionism - the organising and partnership models - and argues that literature on social movements helps to understand how union representatives reconcile the competing pressures.

# Introduction

In 2017 the European Trade Union Confederation, (ETUC), the Confederation of European Business (Business Europe), the public service employers’ organisation CEEP, and the European Association of Crafts, Small and Medium Sized Enterprises (UEAPME)) concluded a framework agreement on active ageing and an inter-generational approach (ETUC, 2017). The *European Autonomous Framework Agreement on Active Ageing and an Intergenerational Approach* (henceforth the EU Framework Agreement) called for joint approaches to strategically assess workforce demography having regard to such issues as skills, working conditions, job specific health and safety issues (particularly for arduous occupations), and developments linked to digitalisation. The implicit assumption of the EU framework agreement is that trade union organisations and employer bodies are sufficiently influential at national, regional or sectoral level, to give effect to the agreement’s call and galvanise activity at the level of individual employing organisations. The agreement was negotiated as part of the *Partnership for inclusive growth and employment* programme and requires national level social partners to report implementation of the agreement to the Social Dialogue Committee (Business Europe, 2015). Although the UK left the EU in 2020, the TUC has committed to pursuing the implementation of EU social policies (Vanhercke, Natali, & Bouget, 2017).

One problem with implementing the European social partners’ framework in the UK is that less than one in four workers are employed in workplaces governed by collective agreements (BEIS, 2019). Accordingly, the scope for social dialogue through employer and trade union formal structures is limited. Older workers are more likely than younger workers to be union members (39% of union members are over 50 against 18% of union members being in the 25 -34 age range (BEIS, 2019, p. 15). However, many of the most vulnerable older workers are employed in small businesses, as agency workers, or on a casual basis, putting them beyond the scope of collective bargaining. Whilst unions *have* sought to organise workers in traditionally non-unionised workplaces, deploying paid trained organisers to support local campaigns on contentious issues, and offering services to people who are outside of collective bargaining units (Wills, 2012) the fact remains that many older workers are beyond the reach of trade unions. In short, social dialogue through Britain’s system of industrial relations has little of the structural neatness implied by the framework agreement, rendering the latter’s agenda for action on active ageing, problematic.

On the other hand, some social dialogue on active ageing *is* occurring in the UK not only within organisations, but also at national, regional and workplace levels. Sector-based social partnership working groups have been organised in the health service (NHS Working Longer Review Group, 2014) and education (DfE, 2018). In both cases, unions confronted government reforms of public sector occupational pensions, including by leading the largest number of workers ever into a single day of industrial protest action over government reforms of public sector occupational pensions. Significantly, unions used the rhetoric of shared interest with employers to develop new approaches to workplace active ageing in these two sectors. (Flynn, Upchurch, Muller-Camen, & Schroder, 2013).

Whilst the kind of comprehensive approach to workforce ageing envisaged by the framework agreement is not much in evidence, UK employers and unions may nevertheless be using low profile workplace level consultation, bargaining or campaigning approaches to achieve similar outcomes. Formally, the Trades Union Congress has issued good practice guides on age diversity in partnership with the HRM professional association, the CIPD[[1]](#footnote-2) (Flynn & McNair, 2011). At an informal level, some engagement between unions and employers is indeed occurring, to develop bespoke interventions dealing with particular issues facing workforces or labour markets (Flynn, 2014) though how deep and widespread such discourse is, remains uncertain.

This article will draw on the results of research conducted in a European Union funded project ASPIRE (Active Ageing through Social Partnership and Industrial Relations in Europe). This paper will draw on the UK dataset in which we spoke with social partners in two sectors: construction and finance. The questions which we are investigating are:

1. How do UK trade unions engage with workplace active ageing as a negotiating and organising issue?
2. How do unions’ approaches reflect dominant models of organising and partnership unionism?

# Work, ageing demographics and industrial relations in the UK

The United Kingdom (UK) has an old population, having gone through the demographic window in the mid-1990s. Since 1999, the age-dependency ratio (the proportion of the population over 65 relative to the 15-64 year old population) has risen from 24.0% to 28.8%.[[2]](#footnote-3) During this same period, employment rates for people 50-64 have risen from 60.0% to 71.6%. 65+ workforce rates have more than doubled (from 5.1% to 10.9%).[[3]](#footnote-4) Within Europe, the UK now has the tenth highest participation rate of people 55-64 and the third highest for people 65+.

Although older workers’ participation rate is high relative to other European countries, British workers are also amongst the most financially insecure. Since the 1980’s, the proportion of people 65 and over who are in severe poverty has risen from 1% to 5% (Ebbinghaus, 2019). Much of the reason for old age poverty has been attributed to the poor level of the UK state pension (Centre for Ageing and Demography, 2019). With a pre-retirement income replacement rate of 28.4% (for men), the state pension (at £134.25 a week in 2020) is the third smallest of OECD countries (OECD, 2019). Total retirement incomes of UK citizens include second tier pensions and private incomes, yet estimates of average total pension pot sizes suggest many individuals approaching retirement wildly overestimate their value, resulting in shortfalls of as much as 50% in their incomes compared with calculated needs to meet essentials of rent, mortgage payments and food.[[4]](#footnote-5) Many UK older workers have hence delayed retirement due to financial need rather than because of choice.

Moreover, older British workers have fewer social protections to insulate them from job loss during organisational change or performance review than other workers in Europe (Sensage, 2019). Hence, what seems to be a relatively strong performance of older UK employees in remaining in work longer, conceals numerous areas of concern for the long-term sustainability of extended working lives. An estimated 1.6 million people aged 55 and over are in some form of insecure work such as self-employment, zero hours contracts or casual work (TUC, 2019). While some may have taken impermanent work out of preference, seeing it as 'bridge employment' in a transition to full retirement (Lissenburgh & Smeaton, 2003), many more regard it as *Hobson’s choice*, since the unaffordability of retirement obliges them to take employment of any kind (Age UK, 2019). Additionally, many more older workers who are nominally in permanent employment are in fact struggling with job insecurity as they face demands for higher performance with limited support from their employers to manage age related changes in capabilities. Lain et al (2019, p. 2222) have coined the term ‘ontological precarity’ which they define as rooted in both labour conditions and life circumstances to create a sense of insecurity. Although changes in public policy like the Single Equalities Act (2010) and abolition of the default retirement age (DRA) have been implemented to tackle some of the worst forms of workplace ageism, employer practices have not moved sufficiently quickly to make a tangible difference to vulnerable groups of workers (Egdell, Maclean, Raeside, & Chen, 2018).

Older people who are particularly likely to face job loss are those in physically demanding and high pressure work; with caring responsibilities; in poor health or whose jobs are changing as a result of technological advancement (Livanos & Nuñez, 2017). Consequently, there have been calls for interventions from national level stakeholders including government, business associations and trade unions to provide a baseline of job security and social support to help the most vulnerable older workers (Lain, 2012).

Social dialogue has been identified as the means to develop better responses to demographic change (Flynn, 2014), including preparing organisations to support extended working life and active ageing (Naegele & Walker, 2006). The belief is that such approaches can provide a structure to develop interventions supporting older workers in precarious work and put in place working methods and arrangements cutting across a broad range of actual or potential barriers to extended working life. Like their equivalent movements across Europe, British unions have faced dual and contradictory pressures. On the one hand, they are expected to protect pension rights in order to ensure older workers can afford to retire on an adequate income, while on the other, they are called upon to campaign for new rights for older workers to stay economically active (Flynn, Upchurch, Muller-Camen, & Schroder, 2013). Up until the turn of the millennium, union campaigns had been oriented toward the former, negotiating with employers to secure early retirement pathways for people who have activity limiting health problems and/or are at risk of redundancy (Banks, Blundell, Bozio, & Emmerson, 2010). The UK’s early retirement culture was not quite the ‘collusion toward early retirement’ (Ebbinghaus, 2001, p. 1) prevalent in Western continental Europe. (The State, for example, has not sponsored early retirement routes since 1990 (Banks et al., 2010)). Nevertheless, the labour movement up until the late 1990’s *reinforced* rather than challenged the narrative of ‘the economic uselessness of old people’ (Macnicol & Blaikie, 1990, p. 38).

Since 2000, a raft of employment directives and protocols from the EU have reoriented employers, government and unions away from an early retirement model toward one promoting active ageing, including longer working lives. British unions’ responses to public policy measures to raise real retirement ages have been shaped by four factors. These are *firstly,* a context of minimalism in the government’s approach to regulation; *secondly* a fragmentation of collective bargaining, with few sector level agreements and little sector level social dialogue; *thirdly* adoption of an *agency model* by British unions, in which they give prime consideration to the individual and collective needs of *members* rather than the wider society, and *fourthly* a balance between two models of union action, that is to say organising and campaigning on one hand and the forging of partnerships with employers on the other. We will elaborate further on these influences.

*Minimalism in government intervention:* UK government policies of both parties have favoured minimalist approaches to regulation, favouring measures to encourage employers to recruit and retain older workers by highlighting the organisational benefits of doing so (Bunt et al., 2005). In pursuing what is often referred to as the *business case* for age equality (Flynn, 2010), government showcased the value of age neutral HRM practices in terms of the retention of skills and knowledge, improving workplace morale, and addressing problems like chronic labour shortages (DWP, 2013).

Whilst this approach has met with partial success, (in that older workers’ employment has risen since 2000), the government’s ability to change employer practices through *arm’s length* influencing, has proved to be limited. Employers could see the organisational benefits of retaining some older workers, for example those with desirable skills, but have been sceptical about employing them across the board, especially those who require high investment in order to maintain their productivity (Urwin, Parry, Dodds, Karuk, & David, 2013). As a result, the extension of employment rights has benefited those older workers who started out with a more privileged position (and who are valued more by employers), with less support for older people who lack skills or are in precarious work (Lain, 2012). Moreover, despite the introduction of age discrimination regulations and the abolition of the default retirement age (DRA), employers still have wide scope to dismiss older workers for reasons of performance and capabilities.

*Fragmentation in UK collective bargaining:* Although national collective bargaining exists widely in the UK public services, in the private sector it is both rarer and usually decentralised. As a result, the ability of unions to promote systematic changes in the ways in which employers manage workplace ageing is bounded by the parameters of bargaining from employer to employer. Business groups like Business in the Community were established to disseminate good practice relating to equality and inclusion. However, the UK lacks the collective bargaining structures needed for both vertical and horizontal integration of HR practices and industry wide agreements on managing age, which are seen across Europe (Muller-Camen, Croucher, Flynn, & Schröder, 2011). Government and employers have exploited the fragmented collective bargaining structure by pitting workers in less well organised workplaces against those who enjoy more employment rights negotiated by unions.

A consequence of this bargaining fragmentation may be inferred to contribute to the relatively impoverished condition of many UK retired people, in turn deriving from the unevenness of pension protection. As mentioned above, UK workers’ pensions are amongst the poorest in Europe with great income disparities between retired people accentuating social divisions. This in turn rests on the complexity of the UK pensions system, with retirees’ incomes coming from state pensions, company or occupational pensions and savings. When these three legs of the pensions stool prove inadequate to support decent retirement incomes, many UK workers resort to the fourth leg of employment beyond retirement (Ready-Mulvey, 2005).

Enlarging on the foregoing, the replacement rate for the state pension is 29% of UK average earnings (the lowest amongst OECD countries) (OECD, 2019). Nearly one fifth of retirees in 2018 retired with incomes below the Minimum Income Standard (Finch & Gardiner, 2017). Moreover, this relative poverty is likely to sharpen over the next twenty-five years as average male pensioners’ incomes (first plus second tier) are projected to decrease by £25 per week in real terms (Pike, 2018).

Occupational pension schemes in the public and private sector highlight considerable unevenness of provision. Average pension value of the four main public sector pension schemes was 23% of members’ income before the 2011 government reforms of public sector pensions reduced it to 15%. By contrast, private sector Defined Contribution schemes have an average value of 7% of members’ income (PPI, 2013). Private sector Defined Benefit schemes on average have similar value to those in the public sector, but 44% of private sector DB schemes have been closed for all future accrual (PPF, 2019), including schemes funded by major employers like Tesco, BT and Barclays. Schemes that have remained open, such as in TATA Steel, have seen unions prioritise the protection of pension entitlements in collective bargaining (Flynn et al., 2013).

Such inequalities in pension provision between public and private sector employees have put pressure on public sector unions. For example, they have prompted pressure groups like the Taxpayers’ Alliance to call for reducing pension entitlements and increasing pension risks held by public sector workers (Basey, 2018). Further, when Former Prime Minister David Cameron implemented a series of measures to reduce pension rights for public sector workers, he used the term ‘pensions apartheid’ to highlight the differences in pension schemes in the public and private sectors (Ross, 2012), indicating that equality could be achieved by public sector pensions being levelled down to achieve parity with private sector schemes. Unions have resorted to defensive strategies in response to these attacks but have also shown willingness to consider the implications of the, Active Ageing paradigm.

*Agency model in campaigning and collective bargaining;* Perhaps reflective of the above two points, British unions are oriented toward an agency model in campaigning and collective bargaining (Farnham, 2011), thereby favouring the individual and collective interests of their members over wider societal goals. Hyman (2001) put British unions on a ‘market-class’ axis in mobilising the working class to maximise the sale of their skills and labour to employers. Market exploitation is carried out through the regulation of the sale of skills in the open market (rooted in craft unionism (Hobsbawm, 1949)) and mass mobilisation to disrupt production in order to agitate for change (rooted in industrial unionism (Hyman, 2003)). Because unions are oriented toward pursuing the interests of their specific constituencies, they tend to take a defensive posture, protecting existing rights enjoyed by members over pursuing new ones (Wood, Harcourt, & Harcourt, 2007). Although some unions have sought to mobilise workers outside of organised workplaces (such as people employed on individually negotiated pay arrangements or the unemployed) representation of them remains largely fragmented.

*Two models of union action:* A fourth factor in understanding British unions’ responses to government policies to extend working lives, is in their promotion of members’ market interests through two competing models (Kelly, 1996). First, *partnership unionism* has been rooted in the pursuit of shared goals with like-minded employers and favouring ‘good’ employers over those which are more prone to exploit workers (Johnstone, 2016). Partnership agreements have been agreed between unions and employers in a range of public and private sector organisations, in many cases overlapping existing industrial relations structures (Fairbrother & Yates, 2013). In response to changes in public policy, unions have worked with selected employers to champion regulations to address age discrimination and to abolish the default retirement age (Muller-Camen et al., 2011). Partnership unionism is rooted in an idea of ‘new realism’ in which unions are encouraged to work within constraints of capitalism in order to promote the interests of their constituency (Hall, Purcell, Terry, Hutchinson, & Parker, 2015; Munro & Rainbird, 2000). Partnership unionism is distinct from co-determination in continental Europe which has formal structures at the national, industrial and organisational levels for formal employee voice over workforce matters (Kluge, 2005). British unions lack the institutional role and power to embed social policies within workplaces through social dialogue. Unlike their equivalents in European member states, British firms do not have board-level worker representation nor statutorily required works councils within workplaces. Partnership within liberal market economies like the UK “reveals a concern with reciprocity, respect, legitimacy and mutual gains” (Johnstone, 2020 p4). The distinction is important within the context of workplace active ageing since the EU Framework Agreement relies on formal structures of codetermination to negotiate workplace interventions. As it states,

“The framework agreement is based on the principle that ensuring active ageing and the inter-generational approach requires a shared commitment on the part of employers, workers and their representatives.” (p3)

By contrast, the *organising model* is based on pursuing goals through self-organisation and activism (Carter, 2000). Within this model, unions are reimagined as *social movements* rather than *agents* acting on behalf of their constituencies (Fairbrother, 2008). Accordingly, they are able to extend their political and economic reach by both organising workers across employer boundaries and pursuing alliances with civic groups which have common goals like the Living Wage campaign (Wills, 2012). Union organising and the coordination of activities with like-minded third sector actors is particularly prevalent in liberal market economies like the UK where unions are ‘institutionally [in]secure’ (Ibsen & Tapia, 2017, p170) due to lack formal structures for industrial coordination. The TUC’s approach has been criticised for using the organising model for utilitarian needs rather than organising workers to enhance their political and economic power (Simms & Holgate, 2010). However, in the UK, many interpretations of the *organising* function have coexisted, with unions often emphasising energetic in-fill recruitment drives in recognised workplaces, but without any of the alliance building and broader political campaigning work of the pure organising model (Bogg, 2009). It has also been posited as a model for organising and representing precarious workers such as those in the ‘gig’ economy who lack representation through collective bargaining (Simms, Holgate, & Roper, 2019).

With specific reference to the extending working life agenda, unions have been involved in consultation over recent major government reforms to increase second tier pension savings, while there have also been high profile labour disputes such as the Fire Brigade Union’s successful legal challenge to the government’s 2015 reform of fire service pensions and University College Union’s ongoing industrial action over changes to the University Superannuation Scheme.

While the partnership and organising models have been posited as oppositional to one another, the reality is that unions have pursued both approaches and have devoted financial and social capital to both mobilising members *and* seeking common ground with some employers. There has been a robust debate over why unions (or negotiating bodies within unions) have prioritised one model over the other. Reasons cited include ideological divides between unions in relation to capitalism (with moderate union leaderships pursuing partnership and leftists ones prioritising organising) (Kelly, 1996); differing strategies to approach ‘good’ and ‘bad’ employers (Heery, 2002); use of a ‘toolbox’ of approaches from which unions might select responses for utilitarian purposes (Simms & Holgate, 2010) and different levels of optimism of union leaders in relation to union renewal (Fiorito, 2004). Flynn et al (2013) argue that the organising and partnership models can be seen as not oppositional, but rather complementary. They have suggested that one way to reconcile the two competing models of trade unionism is to draw on the works of Tilly (2004) and Tarrow (1993) thereby framing unions as *protest movements* which “respond to new cycles of contention when substantive issues are threatened and where new paradigms are enabled” (p49). For example, unions are seen mobilising members over opposition to pension reform while at the same time, negotiating new workplace rights for older workers. This framework is consistent with union strategies in continental Europe where organising and social mobilisation are aimed at increasing union power and legitimacy over workplaces within which they are poorly organised (Connolly, Marino, & Martinez Lucio, 2017)

*Unions as ‘social’ or ‘protest’ movements:* If unions are to be considered as social movements, they can be characterised as having a number of features: First, they would be decentralised with limited control by senior officials of what goals activists pursue and how they pursue them. ‘Grass roots activism’ (Fairbrother, 2008) is bounded by industrial relations laws, but local activists may pursue goals which are bespoke to their constituencies. They would be concerned with not just defending workplace entitlements of workers within collective bargaining units, but also extending employment rights to those facing precarity (Mathers, 2017).

Second, as unions go through cycles of agitation and negotiation, they will rethink and reconstruct forms of collective agency. Jacobsson and Sorbom (2015) suggested five ways in which activists ‘renew the repertoire of contention’ (p714) including moving from secluded to open communities; reversing dominant discourses and rethinking collective agency. Within the context of extended working life, unions may therefore be using campaigns to protect pension and workplace rights to reconcile differences between workplaces with differing levels of privileges and rights in order to challenge the narrative of a ‘pensions apartheid’.

On the other hand, protests by union members against conditions inimical to extended working life may conceivably be shaped by different types of challenges. Perhaps the most obvious is the challenge to their rights to retire and draw a pension at a given age. Ideas about other rights may be rooted in tradition, inculcated by union campaigns. Challenges to such perceived rights may give rise to protests of different kinds. In relation to the idea of or necessity to work longer, one may conceive of unions campaigning for example around rights to training, career reviews and advancement – issues in which the British union movement has made significant inroads over the past two decades (TUC, 2017).

Union led campaigns may be possible around the positive assertion of rights or the adoption of defensive positions if any of the above are threatened. If union representatives believe that improved conditions can benefit workers (irrespective of age or proximity to retirement) a scenario may be envisaged in which they campaign for intermediate gains, without necessarily labelling them as part of a broader extending working lives programme.

Hence, unions may well campaign for changes consistent with extended working lives, without particularly adopting the government’s fundamental arguments of the need to raise retirement ages. Gains will not necessarily impose any greater likelihood on workers to actually work longer, though the likelihood that more will do so may encourage union negotiators to include supportive items for age friendly workplaces in their claims with employers. Other influences may also intervene, for example greater awareness of demographic change (perhaps exacerbated by Brexit), widespread acceptance of raised state pension ages and the sheer economic necessity for workers to continue in employment in some form for longer periods.

Drawing on focus group discussions with union reps, we will now discuss how unions are responding to government and employer initiatives for extending working life- both in terms of negotiating and pursuing shared goals with employers on the one hand and mobilising workers within social movements on the other.

# Methodology

We analyse focus group discussions with trade union activists in two occupational sectors: construction (where work is notoriously physically demanding) and financial services (where stress and high pressure are said to feature). Data is drawn from a larger qualitative dataset collected as part of a European Commission funded research project on social partnership and active ageing. For that international project 26 workshops were held in four countries. Ten workshops were held in the UK including three workshops of union reps only. For the purpose of this article, seeking to understand union collective influence and organisation, we eliminated one union workshop because it was comprised substantially of reps from workplaces in which the union did not have collective bargaining power. In both the Construction and Financial Services Sectors, different elements of each sector were represented. In the Construction workshop, all reps were long established and held responsible positions as union convenors. They were mainly from large construction sites (for example in the City of London, Battersea Power Station, Tottenham Football Stadium and the Kings Cross development). All of the Construction reps were male (reflecting the gender profile in the industry) and were themselves skilled in diverse trades including carpentry, bricklaying, scaffolding, electricians and labouring. One rep was from a local authority housing maintenance department. Moreover, all Construction reps had experience of working for different types of employers and currently represented different trades people as union members.

In the Financial Services sector, our workshop was attended by reps from a large bank, insurance companies, a building society and computer software support organisations. Some reps worked in call centre operations which involving selling, customer services (for example in on line banking) and fraud protection. In both, reps were employed in organisations where there was an established professional personnel function though they dealt with both HR and departmental or site operations managers. All dealt with individual as well as collective issues, though their main attention was on site related issues.

Focus group participants for both the workshops were selected using purposive sampling (Bryman, 2006). All of the participants were enrolled on the workshops with the help of full-time officers from the Unite trade union, this being strongly represented in both sectors. Six reps attended the Financial Services workshop and seven the Construction Sector workshop. Though we primarily focused on the perspectives of local activists, we also spoke with full-time union officials in both sectors and gathered documentary evidence such as union campaign material and collective agreements. We chose to speak with workplace representatives in order to learn how they were reconciling policy goals of the union nationally with workplace level pursuits and priorities, but we cross-checked with others to satisfy the need for authoritative and credible testimonies.

The focus group discussions were recorded and transcribed. Through cross-case synthesis research strategies (Yin, 2002), we compare and contrast how representatives in two contrasting sectors conceptualise 1) the extended working life agenda; 2) the impact they see it placing on older workers in their workplaces; 3) their approaches to responding to employer and government action; and 4) whether and how it is being used to mobilise members. Transcriptions were analysed using thematic analysis (Braun & Clarke, 2006) framed around these four objectives.

Before we discuss the perceptions and actions of union representatives at the workplace level, we briefly discuss how social dialogue is unfolding at the national level in terms of both pension and employment rights for older workers.

# Pensions adequacy and retirement in Construction Sector

Recent history has shown that workers may sometimes be mustered around defensive campaigns to oppose erosion of rights. In contrast with public sector employers as well as employers in Financial Services (see below) which offer pensions to most staff, less than a quarter of people working in the construction sector have access to an occupational pension scheme (DWP, 2019). This is largely because employment is short-term and many construction employees are counted as self-employed. The industry has historically been created around intricate complexes of often very small firms and even individuals, sub-contracting from prime contractors or other sub-contractors. Where there is a rich terrain of national agreements and pension schemes for all workers in the public sector, including the National Health Service and Education, the Construction Sector is, relatively speaking therefore, a pensions desert. Whilst public sector workers could engage in a programme of industrial action to defend their pensions and retirement rights, the same could not realistically be expected in the Construction Sector, as conditions within workplaces are quite different.

# Pensions and retirement in Financial Services

Pensions issues of employees in Construction and Financial Services seem to be at opposite ends of a continuum of generosity. Three quarters of people working in the finance sector are members of a defined contribution or group personal pension scheme (similar to that negotiated between CWU and Royal Mail) (DWP, 2020). Financial and insurance employers contribute most into employee pensions pots, paying an average of 9.5% of an individual’s salary into their retirement savings (Scott, 2019). The Unite National Officer for Financial Services told us that pensions and retirement issues were not currently a contentious issue in Financial Services, although most of the large employers had closed their final salary/ defined benefits pensions schemes some years previously. Employers now generally allow staff to work longer if they wished and there were plenty of examples of people working in their 60s and 70s. Enforced retirement and age discrimination did not, so far as he knew, appear to be issues of concern. As in the Construction sector therefore, the Financial Services sector is unlikely to be the scene of national or company based campaigns to secure retirement benefits improvements, nor in turn to provide a springboard for campaigns on workforce ageing and extended working life.

# Discussions with union representatives in two sectors

In this section, we discuss the findings from focus groups in the two sectors: finance and construction. We focus on the ways in which workplace level representatives have discussed age issues in the sector and ways in which they have framed the extension of working life in their sectors; how they represent the interests of their members and negotiations with employers.

The *European Social Partners’ Autonomous Agreement on Active Ageing and an Inter-Generational Approach* sets out a comprehensive agenda for joint working to, “…make it easier for older workers to actively participate in the labour market until legal retirement age, ...” In the UK, the system of industrial relations does not provide the same institutional formality for social dialogue at sector and local level as is found in most EU countries. Day to day social dialogue in the private sector is largely conducted via lay member shop stewards and health and safety representatives, whose role is to consult with workplace management on a wide range of issues. In assessing the impact of the framework agreement in the UK then, we have engaged with two groups of union workplace representatives, from the construction sector and financial services, to discover how far, and in what ways, their activity is consistent with an active ageing agenda as described in the framework agreement.

Section 4 of the agreement commits the signatories to *actions* under the following headings:

*A strategic assessments of workforce demography;*

*B promotion of health and safety in the workplace;*

*C skills and competence management;*

*D work organisation for healthy and productive lives*

*E Intergenerational approach*

We will attempt to summarise the discourse in our two workshops according to the same headings.

## Industrial relations structures in construction and financial services

While employment conditions and industrial relations in the two sectors differ in important respects, they also have similarities. Both sectors are comprised of almost wholly private sector organisations. There is a degree of co-ordination *between* construction sector employers via bodies such as the Building and Allied Trades Industrial Council and construction industry trade associations while in the financial services sector there is industry regulation through the Financial Conduct Authority, financial trade associations, and bodies such as the Financial Services Skills Task Force. All of these support a degree of informal co-ordination between financial services organisations. However, on employment matters, both sectors are regulated by free market competition, underpinned by legal minimum standards of employment protection. Minimum workforce conditions in the construction sector are established by working rule agreements[[5]](#footnote-6) though these are invariably improved upon through local negotiations and market needs. Specific employers in both sectors enjoy mature and well established relations with the trade union Unite, though there are also parts of each sector where unions have neither members nor influence. Specific sectoral features are as follows.

*Construction*

Large construction sites are managed by a principal contractor with delivery of projects usually sub-contracted to smaller sub-contractors. Workers are often employed for a short duration allowing for completion of stages in the construction project, or in any event move from site to site. Self-employment conditions (commonly known as ‘the Lump’ (Smith, 1973)) are widely applied whereby workers do not receive sick pay or holiday pay and bear responsibility for their own National Insurance payments and tax. The workforce is mainly male and highly dependent on manual skills, evidenced by possession of a skills card issued by the Construction Skills Certification Scheme. Union representation is mostly confined to the large construction sites, with Unite being the main union. There are no formal age limitations for working in construction and many workers work up to and beyond state pension ages as they lack either private, company or state pensions because of their periods of self-employment. While the main contractors and Unite collaborate, particularly over health and safety, there is also a history of disputes with the unions seeking to raise pay and abolish the lump, labour-only sub-contracting system.

### Financial services

According to Labour Force Survey (Q3 2020), the Finance sector has a young workforce with 69% under the age of 50 (against 60% within the entire workforce). Most of the reps in our workshop were based in call centres, where IT skills and the ability to communicate on the telephone are important requirements of jobs. Whilst pensions and retirement were “not currently contentious issues”[[6]](#footnote-7), some of the largest banks including Barclays have closed their defined benefit pension schemes (Flynn, 2014). Employers generally allow staff to work longer if they wished. Enforced retirement and age discrimination did not, so far as the Unite National Officer knew, appear to be issues of concern. While some companies have long standing union agreements and work according to partnership principles, promoting health and safety, employee learning and equal opportunities, the union has failed to secure a presence in many parts of the sector.

The next sub-sections follow the structure of the EU Framework Agreement.

## A strategic assessments of workforce demography

In neither workshop did we find any evidence of *strategic joint assessments of workforce demography* in ways suggested in the framework agreement. Nonetheless, union reps did show awareness of demographic challenges in their sectors and responded to them empathetically, in explaining how they dealt with problems individuals encountered in extending their working lives. While the formal position of the union did not favour raising the age of exit from the workforce, reps in both sectors recognised the practical pressures obliging employees to work longer, despite challenges this sometimes represented.

A *construction rep* commented:

“*I don’t think you should be forced to work if you’re ill up to the age of 67 but I don’t think you should be forced to retire either*.”

A *financial services* rep commented on the social needs of older individuals living longer and isolated lives. For them, work provided a valuable opportunity to retain social contact with the world:

*“You might have somebody who hasn’t got any family, wants that structure of the working day, wants that social side of it…”*

In the *construction sector* many workers preferred to work longer because they had failed to accrue pension benefits, but working longer was conditional on remaining free of disabling physical conditions.

In *financial services*, reps showed concern over the implications of raising retirement ages. As one rep explained:

*“I think everyone’s got that little bit of anxiety, especially where the age just keeps going up. I think that’s what worries me the most. I keep on thinking, ‘What age is it actually going to be by the time I retire?’”*

Reps realised that they were part of a changing world, where they would *have* to work longer and they reflected on the practical implications:

*“…you know that’s going to happen, but it is still worrying to think,...What quality of life am I going to have when I retire? Am I going to be able to do these things that I would want to do that I can’t do while I’m in work?’”*

Reps in both sectors believed that while there was little overt discrimination against older employees, a variety of factors could discourage them from remaining in the workforce. Examples which were cited include older workers being passed over for career development opportunities; the lack of training offered to older staff with skills deficits; and individual performance targets which some older workers struggle to meet. Nevertheless, reps felt that older workers had a valuable part to play, which was not always recognised.

Reps observed that tolerance of older workers was conditional on them performing adequately in the job, even though performance failure may sometimes be remediable, given flexibility or training focused on their needs.

The labour only system of sub-contracting (‘the lump’) in the *construction sector* provided a specific influence on demographics in the sector. Workers engaged on self-employed conditions were left responsible for their own holiday pay, pensions and other benefits associated with permanent employment. Many had not paid their own National Insurance contributions and were hence not entitled to a state pension on retirement. Because of such neglect, older building workers had no pensions to look forward to and were unable to retire. One *construction sector* rep explained:

*“The biggest issues are… the physical demands of the job… and second the precariousness of work and retirement … in some cases being forced to work longer in a more precarious situation when you are not really sure you have got a job from day to day.”*

Reps said that they had sought to educate members on the importance of paying their National Insurance contributions. They pointed to the dilemma for many building workers who were not fit enough to work longer but were obliged to do so. Most jobs were physically challenging and many dropped out before reaching state pension age. Because construction workers are at risk of job loss, reps campaigned to encourage members to pay their National Insurance contribution (and therefore be eligible for a range of welfare benefits including statutory sick pay and the State Pension). They discussed facing resistance from members in this effort.

While the foregoing examples did not involve a strategic analysis of demographic changes as such, reps manifested generalised understanding of demographic problems, and attempted to address them in discourse with employers. By campaigning among members and representing those facing challenges in working longer, union reps were responding to the risks and opportunities afforded by demographic change. While the framework agreement implies formal processes of assessment of demographic change (and we found none) the range of issues listed in its recommended strategic assessments is not widely different from those raised by reps in our discussions – for example, gender issues, skills qualifications and experience, working conditions, health and safety considerations in jobs, technological developments.

## Promotion of health and safety in the workplace

The *construction industry* has for many years been a high risk sector with workers suffering from musculoskeletal disorders, stress and anxiety and dangers ranging from falling from height to injuries from moving vehicles, falling objects or the effects of dust and noxious substances on the lungs. For many older building workers, the arduous nature of jobs and the long-term impact of work hazards on their health makes working longer a difficult challenge. As one rep explained:

*“A lot of building workers at the age of 50/55 leave the industry and they won’t work again, they’ll be on the sick until they retire.”*

Broader health issues (unrelated to work) are also widespread among employees in the sector. Studies have shown high prevalence of alcohol dependency, high body mass index, lung disease and hearing defects and our reps gave examples of such issues being addressed (see the section on *work organisation for productive and healthy working*).

*Construction industry* reps showed a high degree of awareness of the range of health, safety and wellbeing issues facing workers in their sector. They acknowledged a distinction between occupational diseases and conditions (where the union had been active) and the simple fact that construction workers did not all have healthy life-styles, with poor diet, alcohol consumption and lack of cardio vascular exercise being widespread. As one commented:

“*We’ve got the ‘Safety in Construction’ campaign, which focuses on reducing accidents, reducing deaths and which has been good over the years. But we never put the health first. … Now, we’re still killing thousands of workers every year through health problems. That’s actually going up and not coming down. We need to focus more on health.”*

Reps played an active part in promotion of health and safety on their own sites. On big construction sites union reps were allowed to visit all parts of the site to make inspections, call the workers together, meet them in the canteen and brief them on health and safety issues[[7]](#footnote-8). They used these rights and revealed a good knowledge of workplace health and safety hazards. Meetings with new or existing employees provided opportunities to give guidance on health and safety issues and the policies of the prime contractor.

They gave examples of working in collaboration with management. One explained how they had improved the scope of occupational health services on site, where workers in safety critical occupations were mandated to submit to health checks but others had tended to avoid them. Other reps used their influence to spread the net of safety checks more widely across the entire workforce, often going beyond the limited remit of specific workers deemed to be at risk of injury at work.

In the construction sector, the union could be seen as an important resource to promote health and safety. Reps encouraged adherence to safety rules and promoted safety awareness. They supported a range of safety activities, many of which were advised by the Health and Safety Executive. Predominantly, they worked in partnership with employers for two overlapping reasons: first, the sector is highly regulated and monitored, thus making a priority of workers’ adherence to health and safety standards. Second, employers are *required* to consult with unions over health and safety measures. However, union reps were also informed independently by the national union, the TUC and the joint union *Hazards* magazine, which campaigned for better standards and exposed employer failings. While much of their work had a partnership character, union awareness raising campaigns, such as the annual ‘Workers Memorial Day’, where union members picketed sites adopting the slogan, *“Campaign for the living, remember the dead,”* were more confrontational and associated with an organising approach. While reps were critical of employers which paid too little attention to health and safety, they worked with them in *quasi-partnerships*, dealing with practical day to day issues but also seeking better regulation of the sector.

In the *financial services sector*, stress was regarded as the key health and safety issue. The risks to healthy working were seen as mainly due to the pace of work and pressure to achieve targets. Additional elements of this stressful scenario included the tight control of work processes, with regular changes to working methods, little autonomy allowed but close attention to detail required and often unsympathetic managerial styles plus too little time to assimilate new techniques.

Older workers who were unable to maintain a high pace of work, were seen by managers as a drag on productivity. Performance management and dismissal procedures were frequently implemented. This in turn led to stress and early quitting of the workforce. One representative observed that in his department it was virtually unknown for employees to retire on arriving at pensionable age, because they chose to leave earlier to avoid the threats of capability reviews and high work pressure.

In financial services too, reps recognised that whilst the union had an established role in dealing with the avoidance of work related accidents and diseases, there needed to be more emphasis on *health* and *well-being.* As one rep explained:

*“I think health and safety is seen primarily to prevent accidents and that sort of ilk. I think if unions want to get involved with that they’ve got to go down the route of health and well-being. Workplace stress is a big one.”*

In organisations recognising Unite, formal health and safety consultative processes were working. An example was given of an employer quantifying the costs of different health conditions, including stress, in terms of absenteeism and lost production. This employer had adopted a business case approach to identify the costs and causes of stress. Where they could see there was scope for changes to working practices to reduce stress, the company was willing to make changes. (Such examples seemed to call out for further study and popularisation).

Other reps commented on initiatives at company level to introduce an element of physical exercise into the working day. Examples given included lunch time walking and yoga, with all being supported by the employer. While some of these ideas had been explored in earlier European projects, there was little awareness of this in our discourse and no reference at all to tools and other forms of support which already existed.[[8]](#footnote-9) Nonetheless, reps showed tangible interest in them, suggesting that awareness raising of what is already available in the form of tools could be profitably adopted.

In both sectors it could be seen that reps and the wider union were active in pursuing safer and healthier working conditions for members. In both instances they were able to exercise some influence over management, using their knowledge of the sector and union training to encourage compliance with Health and Safety Executive guidance and regulations.

## Skills and competence management

In the *construction sector,* all workshop attendees were familiar with skills issues. Union reps were keen that employers should make training and retraining available to workers. The union, through union learning reps (ULRs) played an active part in informing members of new learning opportunities and encouraging members and employers alike to observe the requirements for updated skills cards. While lack of skills *per se’* was not specifically identified as a challenge to those working up to or beyond retirement age (falling performance being mostly attributed to *physical decline*), a key issue for reps in construction was how to make use of the undoubted skills of older workers in a world where apprentice training was thought to be of declining quality and risked lowering the standing of the trade, while less skilled (but qualified) apprentices became less successful in the jobs market.

Unite, through reps and its construction sector journal, *The Building Worker,* encourages members to remain up to date with their skills and hence employable in the sector. The union disseminates information on courses to update skills cards in trades such as electrical contracting, pipe-fitting, scaffold erection and others. The union provides detailed information about certification processes, health and safety competencies, and records schemes for scaffolders and other trades. Information is specifically targeted at each trade and sub-sector including plumbing, electrical contracting and demolition work, to mention some.

Reps spoke of how they regularly positioned themselves in site canteens to meet members in drop in sessions, and held regular meetings to brief workers on all these sorts of issues. In these ways, the union was an active supporter of a learning culture in the construction sector. Numerous interventions are made on behalf of members in relation to training and skills issues. For example, in 2020 during the covid-19 pandemic, submissions were made to gain extra time for those who had found renewal of their skills cards problematic.

*Construction sector* workshop participants were keenly interested in the standards of apprenticeship training, expressing dismay at the watering down of skills in the sector. A particular concern was the idea of craft skills being diluted, for example in the case of multi-skilled tradesmen. (These were dismissed by one commentator as, *“Jacks of all trades – they know nothing about nothing.”*)

Reps believed that workers should continue learning and having access to further training courses throughout their working lives. Experience of older workers being involved in training was shared, an example being quoted of a college in East London where steel fixers, crane workers and other trades were being trained by older workers who had retired from the industry. Instances were given of a number of innovative learning projects supported by Unite, some involving ULRs, who have the remit of promoting learning and development among their members.

In the *financial services sector*, the main skills required were soft skills in dealing with customers and IT skills. Promotion opportunities in financial services were linked to training, whilst historically, advancement was largely determined by on the job experience. More and more, it seemed, advancement was based on formal interviews and responses to interview questions. Some reps took the view that front line experience was, as a result, being devalued. Workers, particularly older workers, coming into the sector found difficulty if they were unused to the fast pace of work or lacked the high computer skills which younger entrants so readily acquired. Such problems applied in particular to older entrants as well as some longer serving employees.

Reps argued that a more generous pace in training courses would facilitate better retention rates among older workers. In one case, two older men, unused to the financial service sector and hoping to work until retirement following redundancy, had been given insufficient training on computers and telephone call systems. They faced humiliation however because they were deemed to have been a poor investment in skills development. The rep explained:

*“One was fired, one walked out. He took a call, and actually on the call went, ‘I’m done with this,’ hung up the call, turned to the advisor that was helping him and went, ‘This is nothing wrong with you, love.’ Just walked out, never came back, and that was just the end of it.”*

Some older workers faced difficulties in advancing their careers because they struggled with job interviews and applications compared with younger applicants. Reps discussed the possibility of offering job applicants interview training *before* they applied for jobs to deal with this problem, with one suggestion that *the union* could offer such training to unemployed members wishing to enter the sector.

The bias towards learning on the job was said to create a learning environment favouring those who were willing to ask for help, whilst others could be neglected. This, it was said, worked against the interests of older employees who may be shy of asking a young team leader for help. One rep commented:

*“I don’t know if the older workers just don’t genuinely want to ask for that help. I don’t know why it would be… but it tends to be younger ones in my department that ask, ‘Well, look, what can I do to improve?’”*

Reps speculated that younger employees, fresh out of education, were seen as quicker learners, absorbing information rapidly and being ready to move on to the next challenge, whilst older employees needed a more measured approach to learning.

There were some examples of company initiatives to support older workers. The mid-life “MOT” developed by Aviva[[9]](#footnote-10) was such a case. The idea paralleled an innovation known as the “Mid-Life Review,” or “Mid-Life Career Review[[10]](#footnote-11),” pioneered by the Learning and Work Institute in partnership with organisations including the National Careers Service and TUC unionlearn[[11]](#footnote-12). While Aviva’s Mid Life MOT had been managed without strong union engagement, there was a structure of union learning representatives (ULRs) who delivered learning and careers advice throughout the company. Reps said that Aviva’s mid-life MOT had been well received by rank and file workers and that many had seen it as a useful way of informing them about pensions and finance issues in the years from 45 to retirement. Together with the work of the ULR’s it could be seen as a further example of the *partnership principle* in operation.

## Work organisation for healthy and productive working

This heading in the framework agreement appears to invite replication of some of the discussion *Promotion of health and safety in the workplace*. However, the text under this heading leans heavily towards *work organisation* issues. *Pace of work*, *mental health pressures* and *flexibility* were all discussed in the workshops and are judged to fall most easily under this heading.

### Pace of work

Insistence on workers working at an acceptable pace and meeting production targets, proved a barrier to some older employees. The problem of excessive speed of working was closely related to the health and fitness of workers. As one *finance sector* rep explained (referring to older workers in a call centre):

*“They’re aware that they’re not as quick, and by the same token they feel harassed, they feel under pressure, and they wish they’d retired.”*

Another added: “…*the older ladies have felt a bit of pressure because they’re still expected to produce the same figures as anybody else.”*

In both *construction and financial services*, reps discerned a need for processes to give leeway to the older worker so that he or she would not be expected to operate at the same pace as others. A financial services rep commented that it would be sensible if employees could request jobs which allowed them to work at a slower pace. He or she should be allowed to say:

*“Actually, hand up, I’m not as quick as I used to be. I’ll acknowledge I’m not as quick, is there something else I can maybe manoeuvre into?”*

Hence, in both cases, older workers compelled to work and learn under pressure at rigid pace, were more likely to fail. This in turn could have health consequences such as heightened stress levels and accelerate exit from the workforce. In our workshops few reps had been able to secure a slower pace of work for struggling workers. Some older workers seemed to have been allowed to become less productive as they advanced to retirement. In the *construction sector*, jobs as foremen or charge-hands requiring supervisory functions and experience rather than hard manual work, were mostly allocated to older workers.

The underlying messages in both sectors, was that while modifying the demand for rapid working, would bring benefits to both employees and the organisation, achieving such slower paced work was not easy. Greater consideration of workers’ needs would avoid older operatives leaving or being dealt with under capability procedures (a common scenario in the financial services sector, in particular). In such situations the rep’s role of defending the interests of the member was sometimes supported by business case arguments, though it appeared that these lacked sophistication or any quantification of costs and benefits of limiting work speed and pressure.

### Organisation of work and mental health

Reps in both *construction and financial services sectors* discussed issues in relation to the organisation of work and the mental health of workers. In construction they referred to the problems of isolation in specific roles, such as crane drivers, which was closely associated with work pressures and poor mental health. Both the union and managements had recognised the issues of mental health and, in some measure, collaborated in tackling it. This was evident in the appointment and training of mental health first aiders and the union’s adoption of the ‘Suicide Watch’ campaign. While reps were critical of the sector’s pressures on workers, there remained willingness to work with good employers and tackle mental health, isolation and suicide risks among building workers, with the union producing materials and publicising the issues among its members.

Reps in *the construction sector* spoke of the difficulty of getting building workers to speak out in consultation meetings, being worried that standing up to malpractice would incur penalties from the employer. Some addressed this problem by encouraging members to send them photographs of any neglected site hazards, whereupon the rep would take the issue up whilst preserving the whistleblower’s anonymity. Hence, in a sector where both employers and workers were known to cross lines of legality on occasion, the union claimed the moral high ground by offering to work with some employers to repair the industry’s reputation and improve working conditions and at the same time reduce the anxiety and fears of retribution, which some workers experienced in reporting unsafe practices.

In *financial services* comments were made to the effect that many older workers were not mentally prepared for either an active retirement or working beyond normal retirement age. Some reps urged greater attention to preparation for retirement and urged that counselling sessions of some kind, should be held periodically throughout an employee’s life so that he or she could continue working healthily and productively until retirement. (As mentioned above, the insurance company AVIVA had responded to this need by introducing a Mid-Life MOT.)

Financial services reps believed that there was scope for managers to manage more humanely. They commented on the inexperience and lack of soft skills in some younger managers, particularly in how they managed older employees. There was a need to understand the different pressures on people as they progressed through different life stages. As one rep explained it:

*“I think the onus is on the employer to get these inexperienced young managers through some kind of awareness programme, which runs through the different life cycles… They need to understand the different pressures on people and their different needs and thinking.”*

They believed in short, that people management skills could be learned, and deplored the fact that qualities of empathy and skills of people management were neglected in favour of technical know-how and monitoring output according to specified norms.

A *financial services* rep from a bank where a partnership agreement with Unite was in place gave the example of her company adopting mental health training for floor team leaders, offering them a two-day course on mental health issues. The union’s commitment was accepted as an adjunct to company measures; whilst managers were expected to follow a company mental health training course, they had the option of following a Unite training course in addition. Hence, in this niche area, where both employer and union shared substantially overlapping concerns, social partnership seemed to be well developed and working well. Other examples of such joint working were quoted, with courses on enhancement of employee wellbeing being offered throughout the same company.

As can be seen in the above examples, in both sectors Unite reps were taking up issues of mental health and seeking approaches to avoid the excesses which caused mental ill-health among workers, using a combination of training and social partnership approaches to encourage a humane and empathetic approach to the difficult issues raised by mental illness at work.

### Flexibility

In both sectors, (although it is not explicitly mentioned in the EU Framework Agreement) the existence of an element of *flexible working* was seen as a possible solution to the challenge of working longer in old age. Reps in both sectors acknowledged that towards the end of their careers, some workers were likely to want to work at a slower pace or fewer hours. However, our reps differed in their experiences of the extent to which flexible conditions were available. In the *construction sector* there was little scope for flexibility, even though reps sometimes urged it on employers. Part-time working was very rare. Contractors only wanted workers for short phases of contracts, working flat out until completion, which facilitated neither permanent jobs nor flexible conditions.

In contrast, in the *financial services sector* part time working and non-standard working hours were fairly common. In some cases, flexibility involved former employees returning to work after having already retired. As one financial services rep explained:

*“I have seen quite a few people coming back (out of retirement) when they discover it was not for them. There are some who only do part time, or flexible working, where they are just working a couple of days a week.”*

*Financial services* reps explained that part of their role was to encourage members to *ask* for forms of flexibility which were provided in company policies, but not seemingly known about by their manager. Explaining the provisions of a policy to the member and helping him or her to frame a request in order to remain in employment, was seen as a relatively non-conflictual way of forcing a point.

## Inter-generational Approach

Most reps had been through union training courses in which equality issues featured prominently. Given that employing organisations had invariably adopted well worked equalities policies, there was a sense that union reps and employers occupied a substantial measure of common ground in this area. While reps would have preferred more engagement in policy development, they sought to exploit equalities policies to the full, often supporting members to request their full application by line managers, who were judged as guilty of a measure of foot dragging.

In the *construction sector* workshop, discussion on intergenerational issues focused on the poor deal which apprentices received at the present time. Standards of training of bricklayers, for example, were criticised. When apprentice bricklayers finished their training, we were told, they were usually sacked by their employer and left to find other jobs. Reps argued that employers saw apprentices as a cheap form of labour with grants subsidising their pay. Time served apprentices dropped out because they lacked experience and failed to meet the standards and speed of working required by employers. Union reps saw themselves as advocating on behalf of apprentice training, taking responsibility for standards and, sometimes acting as trainers and lecturers in apprentice training courses, but refusing to sign off courses (sometimes at personal cost) when they considered the required standards had not been achieved.

In the *financial services* sector, union reps described a polarisation of the workforce, with young people moving on quickly whilst a core of older people remained for many years. There was an element of intergenerational pay inequality. As one rep explained it:

*“The older workers get paid well, because they’ve been there, they’ve gone through all of the motions, while if they then leave, the company cuts down the wages bill (when it appoints a younger replacement.)”*

It was not clear how far this inequality was being challenged by workplace reps, though the union’s policies nationally embraces aims supportive of fairer treatment for young workers.

# Discussion

The aim of this article was to consider how British unions are pursuing the aims of the EU framework agreement on workplace active ageing. The agreement is predicated on a system of regulated social partnership (Rakhimova & Kaishataeva, 2020) in which unions have institutional power to collectively bargain with employers and government over macro-economic and social issues like workplace ageing. Within the UK industrial relations system, union legitimacy rests on two pillars: 1) organising workers - especially those affected by workforce changes on which the unions want influence and 2) demonstrating shared objectives and opportunities for mutual gain with employers, government and the third sector. We now discuss how unions are balancing these two competing objectives within the context of improving the rights of older workers, especially those facing precarity.

Demographic ageing represents an analogous challenge for unions as it does for employers in terms of taking an incremental or comprehensive approach (Taylor & Walker, 1994) to ageing workforces. Unions are constrained by the institutions within which they operate and, as we outlined, the UK industrial relations system lacks the collective bargaining structures needed to facilitate national or sectoral level agreements such as would be conducted in many parts of Europe. Consequently, unions exert influence over workplaces, using an agency model representing the interest of members and the wider working class and giving priority to defending existing rights over the establishment of new ones. However, they may mobilise workers who are already worried about losing existing rights (e.g. pension entitlements and the ability to retire at a predetermined age) to campaign for new ones (e.g. greater employment protections for older workers in precarious employment).

Drawing on the dominant models of partnership and organising unionism, we suggested that unions may respond to major labour market disruptions like workplace ageing by either seeking opportunities for collaborating with employers on an agenda for mutually beneficial change or using the disruption as the catalyst for mobilising members and workers more generally for structural economic change. As we noted, this can emerge through a process of building coalitions with other groups, bridging differences within communities in pursuit of a common cause and changing the dominant narrative.

In our study, we found examples of both partnership and organising unionism. Unions’ influence over organisational practices in the two sectors of construction and finance rested on claims of legitimacy and mutual gains. Legitimacy rested on union reps’ institutional role in negotiating and monitoring health and safety policies and practices as well as the organisation of union members. Mutual gain rested on the shared interests of unions and employers to mitigate the negative impact of work on older employees’ health and productivity as well as reducing the risks of workplace injury. Demographic ageing itself was not directly an issue covered by workplace partnership but those issues which impacted on staff’s well-being and workplace productivity did offer scope for social dialogue from local reps’ perspectives.

A key issue for unions pursuing an organising model in response to demographic ageing, would seem to be how far they are able to build membership support for their organising and negotiating priorities in relation to workforce ageing. Unions have sought to engage with members by encouraging older workers to see that their rights to dignity, fairness at work and due consideration for the ageing process, are being flouted*.* If unions’ opportunities to organise campaigns on ageing issues depended on seizing discontent when pensions and retirement rights are threatened (a key issue in our Construction but not in Finance case study), their scope might be somewhat limited. It is significant that Construction reps struggled to convince members of the importance of making their National Insurance contributions despite the negative impact which the lump has had on construction workers’ ability to draw a State Pension.

However, unions can choose to ride on more modest opportunities that come along. This is consistent with the social movement concept of *abeyance* in which during periods of retreat, protest groups seek to not only preserve structures to be able to mobilise activists but also to build new coalitions in order to strengthen their political force (Taylor, 1989). In the case of unions’ responses to extended working life, they should be using periods of decline in activism to develop solidarity across generations and between those in more and less privileged work circumstances.

Our workshops revealed a plenitude of issues around which such discontent might be harnessed. In construction, the persistent recurrence of health and safety issues set against the reluctance of employers to utilise modern technologies or lighter materials on cost grounds, provides one example. In the finance sector, the unremitting pace of work, frequency of change and management intolerance of slower learners, set against the propensity of some managers to cut corners and finesse access to worthwhile employment policies, could provide another. Much may depend on the ability of union officers to link such issues in a convincing narrative with members and reps, utilising union training programmes and so on.

Similarly, for followers of a partnership approach, evidence of interest and opportunities to collaborate could be found. At the workplace level, union representatives in the construction and finance sectors identified ways in which they could collaborate with employers. In both sectors elements of partnership working were found to exist, though in neither case was this without an element of conflict and in both cases there remained tensions over just how far management were committed to partnership models. In both cases, the union’s visions of partnership were based on a business case paradigm in which employers would use structures for job change and recruitment to support less productive older workers to transition away from work which requires physical strength (in the case of construction) and into the sector in order to reduce skills shortages (in the case of finance). On the other hand, there were instances where managements, ostensibly favourable to a partnership approach, had not chosen to go down this road. Representatives might have questioned the sincerity of management’s commitment to partnership for example, when worthy policies were introduced in the financial services sector, seemingly with little engagement with the union. Moreover, whilst they could identify numerous opportunities for further partnership working, (pre-empting capability procedures by frank discussions, for example) representatives seemed uncertain as to whether their brain-storming ideas emerging from our workshop, could realistically be expected to see the light of day.

We found few examples of trade unions changing the discourse on extended working life or the capabilities of older workers. An interesting aspect of the discussion was how union representatives accepted rather than challenged the master narrative of decline (Tretheway, 2001). In fact, there is little, if any, evidence that mental capacity declines with age, at least up to the age of 70 (Meadows, 2004), while the way in which people process information does change from fluid to crystallised intelligence (Horn & Cattell, 1967). While older workers may not be always able to work as quickly as younger colleagues, they are often able to rely on their experience to complete larger tasks correctly the first time (Taylor & Bisson, 2019). Older workers could be positioned as having capabilities which could be redeployed away from work which requires speed, to roles in which accuracy is a premium. Further, there is a raft of evidence that changes in performance which are attributed to ageing could be remedied by training or adjustments to work routines (Armstrong‐Stassen & Templer, 2005).

Unions have sought to mobilise workers across sectors and age groups through a common agenda on extended working life. For example, the TUC has facilitated discussions on ways in which unions can make ageing workforces a bargaining issue (Flynn, 2014) and reconcile competing interests of older and younger workers (Streeting & Ball, 2009). More importantly, unions at a national level have been involved in initiatives like the Mid-Life Career Review (TUC, 2014) which are aimed at addressing precarity faced by some older workers. Our workshops demonstrated beyond doubt that union representatives have interest in the fact that the shifting workforce demographic will change both working and living conditions in the future. Whether this interest is harnessed to procure the kinds of changes that the European framework agreement calls for (Brexit not withstanding) remains to be seen. On balance, sporadic incremental gains, devising or sometimes following examples of good practices, are most likely. The scope for unions to lead, rather than be led by employers into such forays of innovation, seems tangible. However, whether this potential will be fully realised is uncertain. Much may depend on union leadership, education programmes and ideas like TUC unionlearn’s support of the mid-life career review gathering momentum. Training and familiarity with inspiring arguments could make a difference. Either way, partnership and organising approaches will probably be evident in an uneasy equilibrium.

# Limitation and further studies

This paper draws on focus group discussions with workplace level representatives in two sectors. While we have selected two sectors which represent contrasting workplace contexts (i.e. blue versus white collar work), we acknowledge that the findings are representative of how unions respond to the challenges faced by their respective older worker constituencies. Further studies in other sectors may reveal other ways in which union responses play out. For example, in the public sector, Whitleyism (a formalised system of collective bargaining and workplace consultation) provides structures for negotiations and consultation with some similarity to continental European trade unionism (Corby, 1998). It would be worth exploring whether union responses in the public sector show similar patterns with their equivalents across Europe. The two partnership working groups in the education and health sectors indicate that some attempts are being made by both unions and employers in these sectors to replicate these models.

It is also worth noting that workplace level union responses are conditioned by policies formulated by national unions, and this limited our ability to explore the extent to which union representatives resisted active ageing (as defined by the TUC) or embraced their respective unions’ approaches. In this study, we discussed union strategies and policy goals rather than whether the union’s approach is right or should be resisted. A future study exploring whether workplace union representatives embrace or just tolerate active ageing within the TUC framework would be worthwhile.

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1. Chartered Institute for Personnel and Development [↑](#footnote-ref-2)
2. Eurostat figures [↑](#footnote-ref-3)
3. Office of National Statistics figures [↑](#footnote-ref-4)
4. Saga Magazine July 2016 [↑](#footnote-ref-5)
5. The principle mechanism in the construction sector is the Building and Allied Trades Joint Industrial Council, which sets minimum employment conditions throughout the industry. (In practice conditions are often negotiated locally to improve on these minima.) [↑](#footnote-ref-6)
6. Unite National Officer, Dominic Hook, telephone interview July 2020 [↑](#footnote-ref-7)
7. Building and Allied Trades Joint Industrial Council, Working Rule Agreement 2019/2020 https://www.fmb.org.uk/media/44309/constitution-and-working-rule-agreement-2019-2020.pdf [↑](#footnote-ref-8)
8. The *Working Late* project set out to design a suite of tools to support the design of workplaces to support workers as they age. https://www.lboro.ac.uk/departments/design-school/research/projects/working\_late/ [↑](#footnote-ref-9)
9. See information on AVIVA’s “Mid-Life MOT” here – the company claims to be targeting guidance on wealth, work and wellbeing for its employees aged 45 plus, and following a pilot in 2018 has offered some employees over the age of 45 throughout the company guidance seminars, including guidance on longer term aspirations and development needs, career coaches and linking them to support from the National Career Service <https://www.aviva.com/newsroom/news-releases/2018/10/aviva-launches-mid-life-mot-for-its-over-45s/> [↑](#footnote-ref-10)
10. Information about the NIACE / Learning and Work Institute led pilot “Mid-Life Career Review” project is available here <file:///C:/Users/Chris%20Ball/Downloads/Mid-Life-Career-Review-July-2015.pdf> [↑](#footnote-ref-11)
11. Information about TUC unionlearn’s approach to mid-life reviews is available here: <https://www.unionlearn.org.uk/supporting-mid-life-development> [↑](#footnote-ref-12)