Rank and file union organising and employers' counter-mobilisation:

the role of activists in the mobilisation of 'self-employed' construction workers

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Table of Contents

family for this obsession that has taken over my life. Now it is completed, I hope to come back to reality.

Abstract

The casualised nature of employment relations and the well documented blacklisting of union members by the UK's major building contractors has resulted in a low union membership density in the sector. Yet despite this, the construction industry experiences periodic explosions of industrial action that are almost always unofficial and led by rank and file activists rather than the official unions. Scholars have highlighted the lack of research into employers' anti-union strategies and the methods by which workers attempt to overcome the difficulties they impose.

The author is a leading blacklisting campaigner and this thesis adopts a participatory action research approach, where findings have already been used to support emancipatory change. The thesis uses a mixed methods qualitative methodology; the author's positionality allowing access to both the interview cohort and primary source documentary data that would be denied to most other researchers. Over 100 interviews with activists, union officials and industrial relations officers were carried out; whilst documentary evidence from blacklist files, witness statements and internal police reports were analysed.

Using mobilisation theory as its theoretical framework, this thesis investigates a systematic industry wide employers' counter-mobilisation strategy orchestrated by senior executives of multinational corporations, with direct involvement of the police. It also documents the experiences of the construction activists; evaluating how an expectation of victimisation combined with precarious employment relations with little legal protection for workers and a business friendly approach adopted by unions, has shaped their activism. Starting from the mid 1980s, the thesis acts as a 30-year longitudinal qualitative case study.

It documents a previously unresearched model of union organising that combines covert organising techniques with informal networks of activists operating outside formal union structures. These rank and file groups led some of the most significant industrial disputes of the past three decades, often involving self-employed and non-union workers. Though heavily influenced by structural factors, human agency by activists is key to understanding the patterns of industrial action in construction.

This thesis argues that blacklisting is a pre-existing feature of the employment relations landscape rather than a response to specific instances of union organising. As such, counter-

mobilisation, within the construction industry at least, should be placed at the start rather than towards the end of any collective mobilisation process. The thesis suggests that a more explicitly dialectical view of mobilisation theory, where structure and agency and the actions of employers and unions constantly interact throughout the mobilisation process, provides a fuller understanding of the phenomenon than the sequential 'theory of stages' that is too often presented.

Chapter 1 - Introduction

This thesis studies the role played by blacklisted union activists and the rank and file networks they built in the UK construction industry from the mid-1980s, in an attempt to understand the dialectical interaction between agency and structure that has produced a distinct but previously under-reported model of union organizing. The building industry has a pattern of industrial action atypical from most industrial sectors in the UK, with long periods of apparent industrial calm being periodically punctuated by explosive instances of unofficial strikes and workplace occupations most often led by informal networks of rank and file activists rather than the official unions (Fawbert 2016; Wood 1979; Tomlinson 2003; Ayre et al. 2008; Smith & Chamberlain 2016). The union activists who led these unofficial disputes were blacklisted by clandestine organisations set up by the major employers (Ewing 2009) and their rank and file campaigns were infiltrated by undercover police officers (Smith & Chamberlain 2016; Smith 2019). Understanding the role played by these activists is the central task of this doctoral thesis.

While it is not claimed that the activists studied are characteristic of the entire UK trade union movement, they were evidently perceived as a significant threat by the construction employers, who deployed considerable resources in combatting their influence (Ewing & Smith 2012). Flyvberg (2006:229) argues that such "atypical or extreme case" examples often reveal more and richer information than supposedly representative cases, which often fail to produce real insight. This is supported by Yin (1994), who argues that uncharacteristic case studies can generate evidence that allows for assertions within academic debates to be more rigorously evaluated. As such, the experiences of the blacklisted union activists provide empirical evidence that feeds into academic debates on both mobilization theory and union organizing

The thesis seeks to explain how a combination of sector specific structural factors, extreme anti-union hostility by employers and a business friendly approach by the relevant union leadership shaped a shared 'activist consciousness'. Despite coming from different trades, and different generations; central elements of the shared consciousness are recognizable amongst the vast majority of those studied. Their strikingly similar experiences and frequent interaction with each other during numerous industrial disputes and campaigning activities, results in a common approach towards union organizing, irrespective of the particular political tradition of individual activists or their unions.

This thesis notes how the casualised nature of their employment relationship, in which the majority of the labour force are often classified as self-employed, results in an almost complete absence of statutory employment rights. This thesis suggests the sector displays many hallmarks of the precarious labour market as identified by Standing (2011). The itinerant nature of the building industry means that activists, like the bulk of the workers in the sector, typically work on multiple projects during a year employed by a number of different employers. Length of service on projects is commonly counted in months or weeks rather than years. For the majority of their time working on construction sites, activists are in non-unionised workplaces, where they hold no official representative role. Their activism is located in situations similar to the early stages of a union recognition campaign against a hostile employer.

UK construction is a sector where employers have repeatedly tried to curtail trade unionism. Historically, senior management and owners of firms in the British building industry have been hostile to organised labour since the birth of trade unionism. In 1834, the same year as the Tolpuddle Martyrs, a meeting of Master Builders was held in Ludgate Hill in London at which a motion was unanimously agreed, declaring:

> "From and after the 16th day of August next, he will not employ any artisan or labourer who refuses to sign a declaration that he is not a member of any Trades' Union".[11]

The employers' declaration was advertised in *The Times* a week later. Building workers across the UK were subsequently forced to sign the infamous 'document' promising never to join a trade union: failure to sign would result in dismissal (Postage 1923; Pelling 1963; Jump 2002; Davis 2009). Among the Master Builders' signatories was one John Mowlem, the founder of the construction giant that bears his name later became part of Carillion, still involved in anti-union activities with the Economic League and The Consulting Association over 150 years later.

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[1] Statement of the Master Builders of the Metropolis in explanation of the differences between them and the workmen respecting the Trade Unions (1834) printed by J. Moyes, Leicester Square, London

This thesis argues that more contemporary victimization and blacklisting by employers (Fawbert 2016; Ewing 2009; Ewing & Smith 2012) is a major factor that has helped shape the activists' shared consciousness. Blacklisting has extinguished any notion of collaborative working with employers, instead a 'them and us' attitude, in which the employers are automatically presumed to be hostile to trade unionism prevails.

The relative lack of research into more malign employer strategies, in comparison with the preponderance of research papers in academic journals and Business School libraries evaluating developments in human resource management (Storey 1992; Walton & Lawrence 1985; Harzing & Van Ruysseveldt 1995; Blyton & Turnbull 1992), has the effect of seriously skewing academic debate in regard to industrial relations. Kelly (2018:706) argues that, "counter-mobilization by employers and governments represents one potentially more illuminating line of enquiry" for employment relations research. Lepie (2013:260) calls for more scholarly investigation into "workers reactions to anti-union campaigns and tools for resisting those campaigns". This thesis hopes to fill a gap in the literature by providing data that contributes to the under researched phenomenon of employer counter mobilisation, including the role of state collusion in blacklisting.

This thesis identifies various covert organizing tactics used by activists, arguing that avoiding detection, in order to protect themselves from the almost inevitable victimization that occurs once they are identified by management, is a significant part of their mode of activism. Covert organising techniques developed by construction activists over many decades predates the advent of the TUC Organising Academy, and this thesis argues that with the increase in precarious employment, the tactics are a useful addition to the standard toolkit of union organising methods commonly taught by the TUC and used by UK trade unions (Nowak 2009; Simms et al. 2013).

The primary theoretical framework used throughout this thesis is John Kelly's (1998) mobilisation theory, key elements of which have impact beyond academia having found their way into union education programmes and organising strategies (Little & McDowell 2017; Gall 2018). Gall and Holgate (2018:573) suggest that mobilisation theory provides radical employment relations academics with perhaps:

> "*the* framework – from which to analyse, understand and advance worker collectivism under late capitalism"

In relation to mobilization theory (Kelly 1998), this thesis presents evidence that highlights that blacklisting exists a priori to any attempts by unions to organize in any particular workplace. This has implications for mobilization theory, in which employers' counter-mobilisation is almost always viewed as a response to union campaigning, at the later stages of the mobilization process. This thesis argues that blacklisting demonstrates the dialectical nature of the mobilization process, in which the historic and ongoing actions of employers affect activists' consciousness and strategic decision-making long before they even set foot on any given construction project.

Positioning the researcher

The doctoral candidate is himself one of the blacklisted construction union activists. He worked in the sector from leaving school in the early 1980s until 2001, when he retrained as a TUC tutor. The candidate was a member of the construction union UCATT from 1990 until 2001, acting as shop steward and safety representative on a number of building sites. The candidate held the positions of Branch Secretary and Regional Committee member within the formal structures of the union and was active in a number of rank and file campaigns during that period.

In 2009 after the blacklist story broke in the media, the candidate was elected as secretary of the *Blacklist Support Group* (BSG) and as such played a pivotal role in the campaign at both grassroots and national level, including giving evidence at the Scottish Affairs select committee investigation into blacklisting. The author's employment tribunal claim against Carillion became the legal test case on blacklisting resulting in a judgement at the European Court of Human Rights. He was a claimant in the High Court group litigation that concluded in 2016 with a historic apology from the major construction firms involved in the blacklisting scandal. The candidate has been granted core participant status in the public inquiry into undercover policing. As such, the candidate is a leading figure in the phenomenon under investigation.

Evidence uncovered for this doctoral research has been placed in the public domain even before completion of the thesis, feeding directly into various political campaigns. The

candidate has written widely on blacklisting and police infiltration of trade unions (Ewing & Smith, 2012; Smith 2013, 2014, 2015, 2016, 2017, 2019) and alongside Phil Chamberlain is the co-author of *Blacklisted: the secret war between big business and union activists* (Smith & Chamberlain 2016).

It therefore needs to be stated that the thesis is not about the doctoral candidate, instead it investigates the collective experience of a small but significant layer of union activists. Yet the candidate's proximity to many of the human subjects creates both advantages and challenges to be overcome. In relation to access to the blacklisted activists and otherwise confidential information, the candidate's position provides opportunities that would remain closed to most other researchers. However, his own participation in many of the events being studied means that he cannot be described as an impartial observer. Rather than denying his active support for workers in struggle, the candidate acknowledges it but has taken steps to ensure that the analysis is based upon robust empirical evidence generated by the interviews, rather than merely cherry-picking data to justify his pre-existing viewpoint. The thesis thus stands in a long tradition of public sociology (Burawoy 2005) and participatory action research (Fals-Borda 2001; Reason & Bradbury 2001; Lopes 2006; Chatterton et al. 2007; Brook & Darlington 2013) in which social scientists work alongside their research subjects in order to assist emancipatory change.

Why start in the 1980s?
The decision to limit the research from the mid 1980s onwards is based on a number of factors, which indicate that a different environment existed for trade union activists in the construction industry before and after this point. These include the changed political, economic and legal landscape, which coincided with an explosion in casualised employment relations in the industry long before precarious working was identified as an issue in most other sectors (Standing 2011).

The start of the Thatcher era, with the ascendancy of monetarist economics, deregulation of the labour market and passing of a raft of anti-union laws, shifted the political and legal balance in favour of the employers; while the Miners' Strike has been viewed by many as a watershed for the British labour movement (McIlroy 2009; Sewell 2003; David 2009). The advance of neo-liberalism throughout the period under investigation created a markedly

different environment for all unions to operate compared to the Keynesian post-war consensus of the 1960s and 70s (Daniels & McIlroy 2009; Davis 2009).

The Employment Act 1982 and *Trade Union Act 1984* restricted trade unions by introducing the legal requirement for secret ballots prior to industrial action and the ban on secondary picketing, issues has been highlighted as of key importance in understanding the demise of union power (McIlroy 2009). This was just the first of a tranche of anti-union laws passed by consecutive Conservative governments and left unrepealed by the Labour administrations from 1997 onwards (Moher 2007). This more restrictive legislative framework is another clear difference in the industrial relations landscape from the mid 1980s onwards in comparison to preceding the post-war decades.

Temporary, casualised work in the construction industry is nothing new, it is a phenomenon derived from the finite nature of the construction labour process itself. At some point, even the largest construction project is completed, meaning that both the employers and the workers need to relocate to other contracts. However, from the mid 1990s onwards the likelihood of gaining direct employment with a major construction company reduced significantly and an ever expanding proportion of the workforce found themselves only able to find work on a casualised basis via employment agencies or supposedly self-employed (Harvey 2001). This had the effect of substantially reducing employment rights for a large proportion of the labour force (Ewing et al. 2016; Hendy 1993, 2001; Renton 2012).

Union membership in the UK also suffered a sharp fall throughout the 1980s and 1990s, this decline was felt particularly harshly in the building industry, which was one of the sectors where unions suffered most because of the deregulation of the labour market (Taylor 1994). In any meaningful sense, union organisation on construction sites in the present day is restricted to a small number of high profile projects, often at the behest of the client (Wright & Brown 2013; Druker & White 2013).

A generational difference, driven by shifts in the political economy and the sector's labour market, is evident in the experience of those union members active in the 1960s and 70s compared to those active from the 1980s onwards. Not only did work become increasingly casualised as the years progressed but the more restrictive environment for trade unions resulted in a significant reduction in membership density and a changed pattern of union

activism in UK construction. The nature of trade unionism changed; on site, within the official union structures and in how rank and file groups operated. The altered industrial relations landscape also made a difference to the make up of the rank and file groups. The decline in the number of unionised sites meant that attendees were activists but very often not shop-stewards.

Interviews with activists from the 1960s and 1970s provides a necessary context, yet this thesis concentrates on the later period from the mid 1980s onwards, when bogus self-employment was the norm and formal union organisation was absent from all but the largest construction projects. This decision is partly based on logistical concerns such as word count but is also influenced by a wealth of research covering the earlier period in which the rank and file campaign, the *Building Workers Charter* is well documented in academic and historical literature (Lyddon 2007; Fawbert 2016; Clarke et al. 2013; Davis 2009; Darlington & Lyddon 2001; Arnison 1988). In comparison there is a relative dearth of articles investigating rank and file networks operating in the later and changed industrial relations climate; even when they do appear, tending to be published in radical rather than academic journals (Socialist Appeal 2012; Sherry 2013).

The structure of the thesis

Identifying and evaluating the role of the activists is integral to the research. The activists are placed at the centre of the thesis, with the factors identified as influencing both their consciousness and activism investigated in separate chapters. This first chapter is an introduction to the research and provides an overview of the key themes discussed in the thesis. It signposts what is to be discussed in each chapter and how they relate to the central research question regarding how activism as agency is shaped by structural factors, but also by the particularly hostile anti-unionism of the employers' systematic counter-mobilisation.

Chapter 2 is a literature review, discussing the key academic debates that helped shape the key research questions and explaining how the literature highlighted the areas to be investigated. The literature review covers contemporary debates around mobilisation theory including the criticism that it is over-reliant upon human agency to the detriment of structural factors. It addresses criticisms of mobilisation theory as an overly mechanistic 'theory of stages', that fails to account for such phenomenon as 'spontaneous' collective action apparently occurring without any form of organisation. The literature review also considers

debates concerning union organising, especially in relation to how unions are first built in a workplace (Moore 2006; Taylor & Bain, 2003; Badigannavar & Kelly 2011) and the role of full-time paid union organisers, that has been both critiqued as 'managed activism' (Daniels 2009) or else elevated to the central figures in the organising turn (Simms et al. 2013).

Chapter 3 acts as an explanation and defence of the qualitative mixed methods approach used to generate the empirical evidence for this thesis. The thesis argues that it is standing in a long tradition of campaigning sociological research that Burawoy (2005) describes as 'public sociology' and which Brook and Darlington (2013) and Reason and Bradbury (2001) characterise as participatory action research. The chapter explains the methodology, the choice of interview cohort and data analysis. Given the proximity of the doctoral candidate to the human subjects within the phenomenon being studied, the chapter positions the researcher within the research and assesses both the concerns and advantages of such a situation.

Turning to the findings, over the next three chapters the thesis considers the major influences that have helped to create a shared consciousness amongst the activist layer. Chapter 4 identifies how the structural factors that have shaped the employment relations landscape have influenced the activists' consciousness and their union activism. The inherently itinerant nature of the construction work process, combined with contracting and sub-contracting by employers, and mass bogus self-employment amongst the workforce are the overarching features of the industrial relations context. The temporary casualised contractual relationships between companies and workers results in barely any legal protection against basic employment law issues such as unfair dismissal or redundancy.

Chapter 5 presents the industry wide blacklisting of union activists as a case study of counter-mobilisation by employers with collusion by the state. The chapter documents the process of blacklisting by employers and identifies the role played by the UK's political policing units. The thesis argues that the British state is not neutral in industrial relations, but as a capitalist state apparatus acts in the interests of capital against labour. The chapter evaluates how this extreme form of counter-mobilisation impacts upon the activists, by significantly shaping their collective consciousness and influencing their mode of activism. The thesis argues that blacklisting within the construction industry demonstrates the dialectical nature of the mobilisation process, where the action of employers (often historical) heavily defines the

potential organising techniques and mobilisation opportunities available to union activists even before the mobilisation process has begun (Lubbers 2012; Smith & Chamberlain 2016).

Chapter 6 considers the interaction between construction union activists and their full-time union officials, providing evidence that feeds into the 'union bureaucracy / rank and file' dichotomy debate. The chapter identifies the contradictory nature of these relationships and how they have developed over many years. The chapter contends that activists are occasionally reliant upon, but are generally sceptical of, the efficacy of their union officials. Regardless of whether an activist's attitude towards union officials is generally supportive or openly hostile, there is a grudging acceptance that given the restrictions placed upon them by their role within the union hierarchy and anti-union laws, a full-time officer is likely to be of limited practical use during an industrial dispute. This deterministic attitude towards full-time paid employees of the union tends to push activists into adopting a more self-reliant attitude towards union organising. Worker activists taking ownership of their own disputes and organising their own co-workers without the need for any kind of formal managerial oversight from their union and this feeds into debates within union organising about the role of employed union organisers (Simms et al. 2013) and the notion of managed activism (Daniels 2009).

Chapter 7 draws together threads from a recurring theme of underlying the thesis - activist collective consciousness. The chapter suggests that while there are many routes into activism interactions with construction employers and their own unions, frequently push union activists to the left, shaping a distinctive militant approach towards industrial relations. The chapter recognizes a strong working class socialistic worldview as a core element of the shared activist consciousness. While not exclusively linked to any particular political party, elements of a value driven socialist ideology emerge from the majority of interviews with activists interviewed. A leftwing worldview is especially prevalent amongst those who have repeatedly led the rank and file networks. The chapter suggests that given the obvious detrimental effect union activism has on the career prospects and personal relationships of many of the activists, this left wing political outlook is central to understanding their continued commitment to trade union activism. This chapter provides evidence that allows academic debates around the necessity of political leadership to be assessed (Darlington 2002; 2009; 2018; Cohen 2006; Davis 2009).

The next two chapters identify a distinct form of union organising detectable amongst the activists in construction, that combines covert union organising techniques, a direct democracy approach to decision making and the creation of informal rank and file networks through which unofficial industrial action is organised. Chapter 8 provides empirical data that feeds into the debate about how union organisation is first built in the workplace, arguing that the activists, as workplace 'leaders' are an essential prerequisite to the success of any attempt at unionizing a building site. The chapter highlights the covert organising techniques used by the activists when first attempting to build a collective voice amongst workers on a construction site, assessing how the structural factors and employer's counter-mobilisation have led to this distinct form of organising. The chapter explains that the activists overwhelmingly expect to be victimised because of their union activities, and that the outcome of any subsequent dispute to defend the activists, is perceived as the decisive point in any unionization campaign. The strike weapon is used as a means of unionizing a workplace. The actions of the union activists are used to evaluate debates within the union organising literature around gaining recognition (Moore 2006; Taylor & Bain 2003; Badigannavar & Kelly 2011).

Chapter 9 considers the prevalence and role of rank and file activist networks in organising unofficial disputes within the UK construction sector. The chapter argues that these ad-hoc groupings are the primary organizational structures by which the activists interact with each other and the vehicle by which they coordinate industrial action. The 'boots on the ground' logistical support and fraternal solidarity that the rank and file campaigns deliver, help to build bonds of camaraderie to a much greater degree than the official unions. The empirical evidence generated in relation to the ad-hoc networks is used to evaluate academic debates around the need for some form of organisation postulated by mobilisation theory (Atzeni 2009; Kelly 2018; Darlington 2006; 2018).

The thesis concludes with Chapter 10 identifying how the empirical evidence presented in the preceding chapters relates to the academic literature. The chapter locates the arguments postulated throughout the thesis in relation to debates on mobilization theory and union organizing, especially in relation to the role of leadership, organization and consciousness. The chapter particularly highlights how evidence of the dialectical relationship between employer' blacklisting and the activist role in union mobilization allows for a critique of an overly mechanistic view of mobilization theory. The chapter concludes by suggesting how

these theoretical debates could have potential implications for how union organizing and recognition campaigns are conducted, especially amongst precarious workers in sectors where employers are hostile to trade unionism.

Chapter 2 - Literature Review

The UK construction industry has a distinct pattern of industrial relations with long periods of apparent calm sporadically punctuated by waves of unofficial industrial action led by rank and file activists rather than the official unions. This situation has been shaped in part by structural factors such as the labour process and a casualised workforce lacking legal protection, but also by an extreme hostility towards trade unionism by employers. The central aim of this thesis is to explain the process of collective worker mobilisation and employers' counter-mobilisation in the sector, with particular attention paid to the role played by union activists. In so doing, the thesis touches on a number of contemporary and classic academic debates. This chapter reviews the literature that helped shape the research questions and highlighted areas to be investigated. Three overlapping topics within the academic literature are of particular relevance; various contemporary debates around mobilization theory, the trade union renewal debate and the perennial debate on the duality of trade unionism under capitalism.

The chapter starts by providing an overview of Kelly's (1998) mobilisation theory, which is the overarching theoretical framework deployed throughout this thesis, used to highlight areas for investigation and as an analytical tool. A number of overlapping debates relating to mobilisation theory are reviewed, including; the criticism that it is over-reliant upon human agency to the detriment of structural factors (Fairbrother 2003; Atzeni 2009), the political aspect of workplace leadership (Kelly1998; Fantasia 1988; Darlington 2002, 2006, 2012, 2018; Cohen 2006, 2009; Taylor & Bain 2003; Moore 2011; Holgate et al. 2018), critiques that mobilisation theory fails to account of supposed 'spontaneous' collective action occurring without the need for any form of organization (Atzeni 2009), the conceptualization of counter-mobilisation as a response to union organising (Badigannavar & Kelly 2011) and criticism of mobilization theory as a 'theory of stages' (Atzeni 2009; Cohen 2006; Kaufman 2018).

Secondly, the chapter discusses counter-mobilisation, in particular blacklisting, which is a distinguishing element of the research and is defined by this thesis as a particular form of employers' counter-mobilisation; another subject of relevance to mobilisation theory. Blacklisting influences both the consciousness and agency of the activists being studied; the data produced by this research is used to evaluate how counter-mobilisation is theorised

(Kelly 1998; Lubbers 2012; Smith & Chamberlain 2016), with particular reference to critiques of mobilisation theory for being a mechanistic theory of stages (Atzeni 2009; Cohen 2009). It is in the sphere of counter-mobilisation and the dialectical nature of the mobilisation process that this thesis has the potential to make a distinctive contribution to mobilisation theory.

Thirdly, the chapter reviews the literature around the contradictory nature of trade unionism under capitalism, identifying the conflicting tendencies pushing unions towards a bureaucratic hierarchical structure (Clarke 1977; Hyman 1975) but also generating a countermanding rank and file democracy (Hinton 1977; Ness 2014). Fourthly, the union renewal debate is discussed, with both partnership and organising strategies being reviewed (Danford et al. 2002; Danford & Richardson 2016), with construction's appointed convenor system particularly highlighted (Wright & Brown 2013) in the context of the apparent dichotomy between union bureaucracies and the rank and file (Darlington & Upchurch 2012). The chapter also considers debates concerning union organising, especially in relation to managed activism (Heery et al 2000; Daniels 2009; and the role of strikes as part of a union organising strategy (McAlevey 2016; McCarthy 2009; Danford & Richardson 2016). The chapter concludes by highlighting how the literature review frames the doctoral investigation and identifies the central research questions that informed fieldwork.

Overview of mobilisation theory

In the two decades since Kelly (1998) published *Rethinking Industrial Relations*, mobilisation theory has provided an alternative paradigm of industrial relations research and has been championed by a raft of radical researchers in the academic struggle against the human resource management mainstream (Gall 2003, 2009; Moore 2004; Cohen 2009; Darlington 2009; Murphy 2016), while simultaneously criticised by others (Roderick 1999; Lovell 1999; Fairbrother 2003; Kaufman 2018).

Variants of mobilisation theory were developed in a number of academic fields since the 1970s (Kelly 1998; Tilly 1978; McAdam 1988; Gamson 1992; Klandermans 1997; Olson 1971; Oberschall 1973; Morris 1984; Pearloff 1993; Tarrow 1994) Much of the research has been based around social movements such as civil rights (Morris 1984; McAdam 1988) or campaigns against nuclear weapons (Klandermans 1997). Rather than presenting a new

theoretical framework of his own design, Kelly draws upon the work of social scientists cited above to present a version of mobilisation theory applicable to employment relations. The central theme running through Kelly's mobilisation theory is an attempt to explain how and why workers take part in various forms of collective industrial action, by highlighting specific elements of the complex process of collective action.

Kelly's mobilisation theory sits squarely within a Marxist concept of industrial relations (Tilly 1978; Hyman 1975) and certain initial assumptions are explicitly stated. Given the capitalist mode of production, workers come into conflict with their employers over issues related to the extraction of surplus value both in the workplace and within society in general (Hyman 1975; Kelly 1998; Tilly 1998). Very rarely do the struggles between classes manifest themselves specifically over surplus value *per se* but rather over workplace grievances, often relating to its unequal distribution in areas such as profits and wages, but also concerning issues of perceived fairness (Kelly 1998; Hyman 1972).

If the end point in mobilisation theory is collective industrial action, the starting point is an 'injustice' caused by the employer. Mobilisation theory contends that poor conditions alone (however bad) are not sufficient to predict the likelihood that any individual will join a union (Charlwood 2002; Taylor 1994) or participate in collective action (Gamson 1992; Klandermans 1997). If an employer proposes a pay cut, most workers may feel aggrieved, but that does not necessarily mean that the worker will be prepared to join a union or go on strike over the issue (Hyman 1972; Charlwood 2002). Mobilisation theory argues that workers need to perceive any such grievance as an 'injustice', which is attributable to the employer (Kelly 1998).

Kelly (1998) argues that feeling angry at an injustice in the workplace and blaming the employer are important but alone are still not enough to guarantee support for any proposed collective action. Convincing a worker that a pay cut is unfair and the boss is to blame is one thing: persuading them that they should go on strike about it, is quite another. Feelings of anger need to be transformed into feelings of hope, that by joining with co-workers the injustice can be mitigated. Mobilisation theory argues that collective action will only take place if workers develop a shared group identity, in opposition to their employer; at the very least a 'them and us' outlook. Identifying as a group, allows workers to consider any challenge to their employer from a collective, rather than individual standpoint.

For mobilisation theory, acquiring a collective consciousness is not a psychological process located within the brain of an individual; it is a process developed by social interaction with others (often during struggle), to be understood from a sociological perspective (Fantasia 1988). In an industrial relations context, the important social interactions are discussions between fellow workers and arguments with management, often initiated by workplace 'leaders' or activists; what McAdam (1988) describes as 'micro-mobilisations'. By framing arguments in a particular fashion and fostering a collective mindset among workers, activists are seen as playing an important role in the process of worker mobilisation (Gramsci 2007; McAlevey 2016; Fantasia 1988; Hyman 1972; Klandermans 1997).

Collective consciousness within mobilisation theory is not the revolutionary 'class for itself' consciousness of Marx (Lukacs 1967), it is instead a minimal common viewpoint held by workers when involved in industrial action, often linked to the shared work environment and adversarial interactions with management. In large manufacturing plants, disputes between workers and management can go as far as creating a common identity; Batstone et al (1979) suggest that if shaped by trade unions a shared belief system develops into a "factory consciousness". Beynon's (1984) study of workers at a Ford plant describes the almost identical phenomenon as "factory class consciousness". Atzeni describes the camaraderie of fellow workers on the same production line uniting in solidarity as *"compañerismo"*; but suggesting that this collective mindset appears organically because of the capitalist labour process irrespective of input from workplace based union 'leaders' (Atzeni 2006:9). Given the inherently itinerant nature of construction, this thesis considers whether collective consciousness develops naturally through the labour process or can be forged through struggle itself.

Mobilisation theory contends that adopting a collective consciousness is not enough to explain participation in collective actions; even where someone avowedly supports a union campaign, it does not follow that that individual will be willing to participate in any kind of action in support of the cause. This is the 'classic psychological problem' of the ambiguous relationship between attitude and behaviour: espoused attitudes can be a very poor predictor of behaviour (LaPiere 1934; McLeod 2014; Klandermans 1997).

Klandermans (1997) argues that while 'consensus mobilisation' may explain the struggle for the mind (turning people into sympathisers for a cause), 'action mobilisation' is needed to turn sympathisers into active participants. Mobilisation theory submits that some kind of organisation is required in the progression from general discontent to collective action (Morris 1984; Kelly 1998, 2018; Klandermans 1997; Tilly 1978). Batstone et al. (1979) and Fosh (1981) suggest that the greater the organisational influence a union has in the workplace, the increased likelihood that workers will openly support the union and its collective mindset. Given that permanent long-term workplace level union structures are virtually non-existent on most construction projects, this thesis investigates whether organisation is a pre-requisite for industrial action, and if so, what alternate vehicles exist.

Mobilisation theory suggests that the outcome of any particluar union mobilisation campaign is not determined solely by the actions of the workers and the union officials; employer agency can have a significant effect on the likelihood of collective action. Workers consider the potential cost to themselves of participating in collective action (McAdam 1988; Kelly 1998; McAlevey 2016; Moore et al. 2004; Murphy 2016). Financial costs, possible dismissal and impact on career prospects, fear of arrest or negative reaction from friends and family can also have potential dampening effects on participation in collective mobilisation; thus mobilisation theory predicts counter mobilisation (Murphy 2016; Kelly 1998; Klandermans 1997; Tilly 1978). Counter-mobilisation is a central element of this research and relevent literature is reviewed seperately later in this chapter.

Mobilisation theorists view activists as central to the entire process of collective action; from framing discussions around grievances, interactions with management, creating a collective consciousness, providing some form of leadership and rudimentary organisation, and resisting counter-mobilisation (Kelly 1998, 2018; Darlington 2002, 2006, 2018; Moore 2004). Kelly summarises the central themes of mobilisation theory in three sentences, thus:

> "Mobilisation theory argues that collective organisation and activity ultimately stem from employer actions that generate amongst employees a sense of injustice or illegitimacy. Employees must also acquire a sense of common identity which differentiates them from the employer; they must attribute the perceived injustice to the employer; and they must be willing to engage in some form of collective

organisation and activity. This whole process of collectivisation is heavily dependent on the actions of small numbers of leaders or activists" (Kelly 1998:44)

However, Kelly's theorisation of the mobilisation process is contested in a number of areas. The next section discusses five such debates within the literature with relevance to this thesis. Three debates that overlap considerably relate to; the relative importance of human agency viz a viz structural factors when accounting for collective action, the necessity or otherwise of some form of organisation, and the ideological aspect of leadership. In addition, how counter-mobilisation is conceptualised in the literature is evaluated and this in turn is used to highlight critiques of mobilisation theory for being a sequential step by step formulation.

Structure v Agency

One disputed element of mobilisation theory relates to the central role ascribed to 'leaders' in the process of collective action. Advocates of mobilisation theory have praised it for bringing agency into the spotlight of employment relations research. For example, Gall (2018:692) argues that mobilisation theory has helped to explain factors influencing collective action, or lack of it, in the modern workplace by emphasising

> "that unionisation is the result of deliberate, conscious actions on the part of workers (rather than of compositional and structural factors)" (Gall 2018:692).

It is the concentration on 'leaders' that has resulted in mobilisation theory being criticised for being overly concerned with human agency, while understating the structural factors inherent in capitalism as the determining cause of workers' resistance (Turner 1999; Fairbrother 2003; Atzeni 2009; Cohen 2006). Atzeni (2009) and Fairbrother (2003) argue that the inherent exploitative nature of the capitalist mode of production inevitably leads to explosions of workers' anger. They suggest that applying a more structuralist approach that evaluates factors such as the economic cycle, employment relationship, legislative framework, union density allows for assessing the likelihood or otherwise of industrial action. This viewpoint places the objective factors at the centre of research, relegating the role of human agency to a marginal consideration: when the stars of the structural factors align, collective worker mobilisation will happen without the need for any form of leadership or organisation from unions or activists.

Fairbrother (2003:259) criticises mobilisation theory for being "vanguardist", arguing that Kelly's approach is "psychological" as opposed to being based upon class or workplace relationships.

> "Gone are the considerations of class structure and consciousness, the examination of the social relations of production and service, forms of collective organisation and action, and the mosaic of solidarity and participative actions that define such processes. But all is well, the leaders will lead and we will be led"

Fairbrother suggests that advocates of mobilisation theory would be,

> "better advised to throw off the shackles of the 'poverty of leadership' thesis and return to more comprehensive forms of analysis, exploring the conditions for various forms of collective organization and struggle" (Fairbrother 2003:262).

McIlroy (2009) also suggests that structural context is central to understanding collective mobilisation. He argues that the decline in industrial militancy from the 1980s onwards is prmarily due to structural factors, formeost being the introduction of anti-union legislation introduced by the state rather than employers, who merely adapted to or exploited the changed political framework: "The state's role was primary and initiatory" (McIlroy 2009:36). It is not necessary to agree with McIlroy's interpretation to recognise that restrictive legislation has undoubtedly diminished the likelihood of certain potential forms of collective activity open to workers by placing additional costs on unions (McCarthy 1972; Hendy 1993, 2001; Ewing, Hendy & Jones 2016).

The intention of this legal constraint was to have a dampening effect upon more militant forms of collective mobilisation and unofficial action that fails to meet the more restrictive legal requirements (McCarthy 1972; McCarthy & Parker 1968; Ewing et al. 2016). McIlroy and Daniels (2009) noted that despite election victories by a number of left wing union leaders from the early 2000s onwards, this did not result in any increase in rank and file militancy, which they argued was held back by socio-economic structural constraints, of which restrictive legislation is of major importance (McIloy 2009).

Taking a different approach, Darlington emphasises the interplay between structural factors and human agency that leads to collective industrial action and has championed mobilisation theory for bringing agency into the foreground of industrial relations research. Darlington describes activists as a 'contributory catalyst', arguing that even if they do not create the material conditions that cause industrial unrest:

"they do often play a crucial role in stimulating awareness of grievances and the potential for collective action to redress, and proposing and initiating such action" (Darlington 2014:120).

While it may be self-evident that structural factors have a role in shaping both the industrial relations landscape in any sector, including the consciousness of the human actors, the process of mobilisation always has been and will remain an interaction between structure and human agency. This thesis suggests that to counterpose structure against agency as an explanation for phenomenon in employment relations as Fairbrother appears to do, seems a false dichotomy that has the danger of being blind to the role played by activists in the workplace. However, both Atzeni's and Fairbrother's comments do encourage any advocate of mobilisation theory to ensure that structural factors are not overlooked. As identified in Chapter 1 above, employment relations in construction are set within a distinct structural landscape in terms of the contractual status of the workforce and the temporary nature of the labour process, both of which have a direct consequence for how legislation applies. How the sector's structural factors have influenced collective mobilisation and the prevalent model of union organising is a central theme of this thesis and is discussed in greater detail in Chapter 4.

The need for organisation?

An overlapping element within mobilisation theory that is disputed in the literature relates to the degree of organisation needed for collective action to take place. Morris' (1984) study of the US civil rights movement argues that organisation is a necessary condition for social movements to develop. Organisational structures act as social networks for members, a vehicle through which mobilisation events take place in periods of activity and help maintain the movement during downturns. These bodies also allocate resources to train activists and provide literature for use in mobilisation campaigns (Hyman 1975; Curtis and Zurcher1973; Gamson 1992; Tarrow 1994; Klandermans 1997; Seal 2017). Oberschall (1973) argues that

this 'resource mobilisation' is what sustains and gives direction to social movements, especially in periods of relative inactivity (Morris 1984; Tarrow 1994).

This thesis suggests that while the above paragraph relates to social movements, the same arguments could equally be applied to trade unions. There is extensive academic research recording and describing membership levels and structures of trade unions (Brownlie 2012; BIS 2014). However, Kelly (1998) argues that union density is just a proxy measure of union power and what is under researched is the degree of social identification members have with their union and density of social networks organised by it. This thesis seeks to investigate how networks of union activists in construction operate, in so doing helps to fill a gap in the literature.

The need for organisation is however not universally accepted. Atzeni (2009) claims case studies of unplanned, 'spontaneous' industrial disputes are evidence that structural factors are of greater importance to collective worker mobilisation and that collective action can take place without the need for leaders or any form of organisation. Situations where union officers have actively argued against industrial action that subsequently took place unofficially without formal union backing are also cited as examples to support this contention (Atzeni 2009; 2014).

In his informative study of Fiat and Renault car plants in Argentina in the 1990s, Atzeni (2009) criticises mobilisation theory for failing to take into account supposedly spontaneous, non-organised action. The car manufacturers imposed changes to contracts that resulted in industrial unrest and an occupation of the Fiat plant. Far from leading the action, long established bureaucratic convenors from vertically organised Peronist unions actively argued against occupations in the Renault plant and were caught unawares by it during the Fiat occupation. Atzeni goes as far as arguing that the absence of union officials (either workplace reps or paid staff) from decisive moments at the start of the action is evidence that "the factory occupation was spontaneous, unplanned, not organized" (Atzeni 2009:12), and that this demonstrates that worker mobilisation can take place without the need for any 'organisation' or activist 'leaders' who only appear *after* the mobilisation has started. Extending his parameters to theorise a broad historical view of industrial action around the globe, Atzeni (2014) argues:

"Historically all workers, quite independent from the kind of labour relations under which their work was performed ...rebelled and often in spontaneous ways" (Atzeni 2014:11)

There is no reason to dispute Atzeni's (2009,2014) assertions that the car occupations he studied and other historical examples of workers' mobilisation were unplanned; many industrial disputes are caused by a spark rather than a premeditated plot by agitators (Darlington 2006; Hyman 1975). Nor is there any reason to dispute Atzeni's claim that the rank and file actions were opposed by the official union bureaucracy, this is not uncommon. Hyman (1975:15) noted that "collective action need not be pursued only through official trade union channels: workers may act independently or in some cases in opposition to their official organisations". Atzeni himself notes that because of the political situation, Argentinean "workers have often mobilized outside the union channel as a reaction against both the employer and the trade union" (Atzeni 2009:9).

Kelly's (2018) response to Atzeni's criticism of mobilisation theory for failing to take account of spontaneous outbursts of collective resistance is blunt:

"any form of collective activity requires organization, however rudimentary: views are exchanged, issues are discussed, people submit proposals or suggestions for action and an agreed course of action emerges. Such activity does not necessarily require a formal *organization* but it does entail a process of *organizing*. If the phrase 'spontaneous' collective action simply denotes the absence of formal organization, then it is an uncontentious if infelicitous formulation; if however, it implies that organizing is neither necessary nor sufficient for collective action, then it is an error.' (Kelly 2018:704).

In relation to arguments that mobilisations can somehow occur spontaneously without the need for any leadership, Darlington (2006, 2018) argues that even in situations where industrial action is caused by a spark rather than pre-planned, someone must initiate conversations amongst the workforce, articulate the grievances and suggest practical collective tactics to tackle the issue. Darlington (2006) suggests that industrial relations researchers may have deliberately underplayed the role of union activists in their findings as

a political response to the 'agitator theory of strikes' that is regularly put forward in the media and right-wing politicians.

The agitator theory is exemplified in publications by the Economic League, one such pamphlet is actually called *The Agitators* and explains to its business audience the supposed Leninist revolutionary strategy:

> "the best way to destroy a country… is to undermine the national economy by national strikes, overtime bans and other forms of industrial conflict… while at the same time supporting any action which will drive up costs and feed the inflationary spiral" [2]

Darlington (2006:502) claims that while agitator theory is a distortion of reality, it contains a grain of truth because "workplace militancy is usually far from spontaneous and unorganized. There is always conscious leadership". This same sentiment is found in the conclusions drawn by Scott and Homans (1947) in their study of unofficial strikes in Detroit car plants during the 1940s:

> "It appears that in almost all instances a wildcat strike presupposes communication and a degree of informal group organisation. The strike has some kind of leadership, usually from within the group, and the leaders do some kind of planning, if only but for a few hours or minutes ahead. Whether this kind of behaviour is 'spontaneous' or 'planned' is a quibble" (Scott and Homans 1947:283)

Whether or not the people providing leadership are officially accredited union representatives is of little consequence to the fundamental question of whether some degree of organising is required for mobilisation to take place. However, Holgate et al. (2018), argue that Kelly's mobilisation theory implies the need for strong pre-existing formal union structures,

> "the likelihood and success of the mobilization relies implicitly on the qualitative strength of the union organization. In other words, to a certain extent, for collective

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[2] Economic League pamphlet *The Agitators*, published sometime in the mid 1970s, page: 63-64

action to take place, there is an assumption that a qualitatively strong organization is already present" (Holgate et al. 2018:612)

In contrast, Moore's (2004) study of union recognition campaigns, suggests that rather than needing a pre-existing strong union presence for successful mobilisation, a critical mass of activists who are able to work together as a team is key:

"it is essential that unions have a group of activists embedded in the workforce, who are able to create a visible presence for the union and are prepared to take risks in challenging the employer or its representatives during counter-mobilising campaigns" (Moore 2004:29).

Marwell and Oliver (1993) also identify the need for a 'critical mass' of activists in collectivising worker discontent, which leads to industrial action. In a sector with no formal union presence on the vast majority of building sites, the question of whether it is official union bodies or more loose networks of activists that are providing leadership and/or organisational support is investigated by this thesis.

Batstone et al. (1979:250) argue that it was rank and file workers rather than leading stewards that are often responsible for "explosions of consciousness", noting,

"one case where a group of members were considering collective action, the stewards concerned played virtually no leadership role at all. Leadership, in terms of ongoing support for a particular course of action was taken over by a couple of particularly vociferous members" (Batstone et al. 1977:101).

Such individuals with no formal union role or links with the organisational hierarchy but a high degree of influence amongst the workforce were described as a "quazi-elite leadership" or "opinion leaders' (Batstone et al 1977:51). Four decades later McAlevey describes "organic leaders" who "seldom self-identify as leaders and rarely have any official titles but are identifiable by their natural influence with their peers" (McAlevey 2016:13). While holding no official position within the trade unions, these natural workplace leaders who are

able to sway their fellow workers can potentially play an important role within more unofficial instances of industrial action.

Both Fairbrother's and Atzeni's criticism of mobilisation theory, even if from a radical perspective, appear to be appeals to return to a time when industrial relations primarily studied structural factors (Clegg 1979) rather than investigating human agency. Echoing Fairbrother's criticism of mobilisation theory, Atzeni criticises Kelly's 'subjective approach', instead explicitly arguing for:

> "conceptualisation of mobilisation as fully inserted in the sphere of class action... a more structurally grounded conceptualisation is needed" (Atzeni 2009:15).

That union mobilisation is constrained by the industrial, organisational and employment relations context within which a trade union operates, including factors such as the labour process, the size of the workforce and contractual status of workers, seems uncontentious and has been often noted (Hyman 1972, 1975; Kelly 1998; Fairbrother 2003; McIlroy 2009). However, the difference in emphasis within the academic debates is not of purely esoteric interest. If workers' mobilisation occurs spontaneously, caused by objective structural factors beyond the control of human subjects, then participants need merely sit back and wait for the naturally arising phenomenon to take place. If however, the subjective factors of leadership and organisation provided by human agency are key components in the mobilisation process, then unions can take pro-active measures to increase the likelihood of successful campaigns for recognition or industrial action. This thesis generates empirical evidence that allows for both sides of this debate to be assessed. By investigating instances of unofficial union action in construction, this thesis provides empirical evidence that can be used to evaluate Atzeni's claims around spontaneity.

Political aspect of leadership (activist consciousness)

Kelly (1998) suggests that as well as an organisational role played by union activists in the mobilisation process, there is also a political aspect. It has been noted that activists play a key role in defining and articulating the core beliefs when they debate with opponents or authorities in the public domain, whether that be at a national or workplace level (Darlington 2002, 2009; Klandermans 1997). Holgate et al. (2018:611) go as far as arguing that:

"Although Kelly does not explicitly state who leaders are or could be… there is a clear assumption that they have some kind of specialist knowledge and/or political education"

Yet whether some form of political leadership is a necessity for collective action to take place and what the ideological core beliefs of union activists entails is contested.

While mobilisation theory posits activists' playing a central role within the process of collective action, Darlington (2002; 2006; 2009; 2012, 2014, 2018) has been noticeable for his ongoing research into the ideological element of their consciousness. Darlington's leadership model argues that regardless of whether they hold a formal position, some form of left wing ideology is often an important motivation for union activism. He is far from being alone in arguing that the overtly socialist worldview of many union activists has been the driving force behind successful union campaigns for many generations (Davis 2009; Kelly 1988; Hinton & Hyman 1975; Ness 2014).

Voss and Sherman (2000) found that activists with previous political experience such as in the civil rights movement were often crucial for successful union campaigns. In his study of strikes by precarious mineworkers in Chile between 2003-2007, Manky (2018) identified the role played by political activists, especially those from the Communist Party in providing both motivation and mobilising support outside the mines. Ness (2014) argues that a conscious Marxist or anarchist ideology is often the primary driving force behind the more rank and file, direct democracy approaches to union activism characteristic of syndicalist inspired union movements across the globe in recent years, with a strong class consciousness at the heart of the approach. Taylor and Bain (2003) suggest that the general left-wing ideology that many activists display, comes primarily from involvement in struggle rather than requiring the need for any direct input from any political party.

In her study of British Steel plants during the 1970-80s, Fosh (1981) highlighted that activists tended to have a higher degree of collective consciousness than fellow workers and that their "belief in collectivism was primarily intrinsic rather than instrumental" and that even those "giving instrumental reasons for becoming active had an underlying intrinsic belief in trade unionism which had been triggered by the experience of some incident or particular

situation" (Fosh 1981:47). A left-wing consciousness may develop during the work process itself but may equally be a pre-existing outlook that an individual has evolved through their own personal or family history but made situational by the work environment (Fosh 1981).

Moore et al. (2018) highlight the role of trade union education as a means by which Fire Brigade Union activists solidified their political outlook, as one FBU rep acknowledged when describing his first visit to the union's national school:

> "Trade union education is massively important. The first weekend school I attended created me. I went down there looking for answers but I didn't know what I was doing. It's a real eye opener...a socialist boot camp" (Moore et al 2018:85)

McAdam (1988) argues that among political activists, the break with the prevailing hegemonic mindset often entails a realignment of previously deeply held attitudes and has described this step from an individual to a collective consciousness as a form of 'cognitive liberation'. In some cases their newly perceived role within the larger historical struggle almost defines their existence.

Bradley (2016) argues that a person may have multiple fractured identities but their identification with any given social group can be viewed on three distinct levels: passive, active or politicised. She describes passive identity as being derived from an individual's lived experience but that is not particularly prominent in someone's everyday consciousness; maleness being an example. Bradley's active identity is where an individual becomes conscious of their social group and it is occasionally used as a base for action, often in response to some form of oppression: young Muslim women in the UK choosing to wear the headscarf is seen as an assertive response to islamophobia (Bradley 2016).

Bradley (2016) suggests that a specific aspect of a person's social identity that may have been previously passive can become active and even politicised where self-identification with a group provides the basis for an almost constant political action. While Bradley is referring to social categories such as class, gender, race and sexual orientation, and specifically argues that class tends to be a passive identity amongst most people in the UK, this thesis suggests that it may be possible to identify similar levels of politicised collective consciousness acquired by activists in an industrial relations setting.

However, even amongst radical researchers there is not unanimity about the likelihood or necessity of a conscious left wing political viewpoint amongst activists. Cohen (2009) plays down the role of ideology amongst activists, instead arguing that time and again, workers develop strikingly similar grassroots campaigning networks to defend themselves against the attacks of the capitalist class, regardless of their political outlook, which can often be reactionary and misogynistic. Cohen (2006:180), claims that even those stewards involved in significant unofficial action against corporate interest are not driven primarily by an explicit pre-existing left-wing outlook but by an "instinctive… gut level resistance", overwhelmingly based on working class economic concerns rather than political ideology.

Fantasia (1988) also highlights that political leanings as recorded in attitude surveys or voting intentions are often poor predictors of the likelihood of participation in collective action. This coincides with Taylor and Bain's (2003) study of a CWU recognition campaign in a Scottish call centre, which highlights how activists leading the campaign initially had no pre-existing left of centre outlook, but moved to the left as a result of their union activism. While Kelly (1998) recognises a political aspect to the role of union activists, he unequivocally states that membership of a left-wing political party by workplace 'leaders' is not a prerequisite for collective mobilisation to take place. However, all the authors cited immediately above highlight how the process of collective activity itself can act as a political education moving participants to the left.

This thesis goes beyond identifying the political outlook of individual activists but investigates how their interactions over many years has created a sub-culture with its own collective consciousness: a common belief system through which construction activists view various aspects of their activism. Klandermans (1997) suggests that such collective consciousness do not reside within the individual waiting to be released but are a social construct 'out there' as part of the group identity that individuals appropriate when they join the collective, either from birth or as an adult. Collective consciousness acquisition in an industrial relations setting is a sociological rather than a psychological process (Fantasia 1988). The component parts and various factors that have influenced the formation of the construction activists' collective consciousness are investigated throughout this thesis; while chapter 7 considers their ideological motivation in more depth. In so doing this thesis provides some empirical evidence for a potential gap in the research.

Counter-mobilisation

Counter-mobilisation is a distinct aspect of this thesis and the area where it has the potential to make a unique contribution to the academic debate. This next section concentrates on how victimisation, surveillance and blacklisting of activists are viewed in the academic literature, before considering how counter-mobilisation is theorised within mobilisation theory.

As Daniels (2009) points out, there is nothing particularly new about counter-mobilisation, in fact it is "par for the course" but despite being an integral element of the theoretical framework of mobilisation theory, repressive anti-union strategies are only fleetingly mentioned in much of the mobilisation literature, often with little specific detail. Roy (1980) suggests that anti-union employers use of fear, and even 'evil' stuff', within a range of strategies to prevent unionisation. Murphy's (2016:8) study of victimisation of union activists in Ireland also highlights how, "the impact of fear on workers during organizing is often downplayed or underacknowledged".

Intentional victimisation by employers can significantly limit the 'opportunity' for collective action by raising the potential 'cost' to those who participate (Tilly 1978; Moore 2011; Kelly 1998). Victimisation or 'decapitation' (Ewing, 2011), physical intimidation, dismissals and blacklisting are all employed as part of the strategy (Murphy 2016; Freeman & Rogers 1999; Fiorito 2003; Kohn 1981; Fantasia 1988; Kelly 1998; Ewing 2009; Ewing & Smith 2012; Dundon and Gall 2013). Counter-mobilisation is identified as a concerted attempt by an external opponent to disrupt and reduce active participation in a movement (Fiorito 2003; Freeman & Medoff 1984; Tilly 1978; Klandermans 1997; Kelly 1998). Klandermans (1997) highlights how counter-mobilisation strategies are frequently established and funded by business elites and conservative political parties using a variety of tactics including arresting or penalising the leaders, agent provocateurs (Logan 2006; Marx 1974;), strong arm threats, media smears and expensive court cases (Armstrong & Ross 2002; Lubbers 2002;2012), often with state support (Milne 1994; Evans & Lewis 2013), including in the UK construction industry (Warren 1980; Arnison 1988; Smith & Chamberlain 2016).

The deliberate dismissal of union activists is one of the bluntest but most effective ways to intimidate the workforce and thereby to reduce the likelihood of union recognition or industrial militancy where unions are already established (Murphy 2016; Freeman 1985;

Freeman & Rogers 1999; Moore 2004; Ferguson 2008; Gall 2005; Beynon 1984; Franzosi 1995; Fiorito 2003). As Franzosi observed when studying strike waves in Italy:

> "a handful of layoffs could rid a plant of troubles for years to come. No one would want the job of a union representative on the shop floor"
>
> (Franzosi 1995:323).

Freeman and Medoff (1984) suggest that illegal dismissals of union activists occur in nearly a third of US union recognition campaigns. In statutory recognition ballots employers' counter-mobilisation strategies that go as far as the dismissal of activists have a "chilling effect" upon the rest of the workforce and often influence the result of a recognition ballot (Moore 2004).

Gall (2013) argues that victimisation of activists is a blunt but effective tool used by management to behead local union leaderships but even where anti-unionism by employers is reported in the official statistics, such as in Employment Tribunals claims for victimisation due to trade union activities, they grossly under estimate the true extent of the issue. Gall maintains that rather than being directed by senior executives, victimisation is primarily the decision of local managers who target activists in order to influence recognition campaigns or where unions already exist, the nature of trade unionism that occurs in their workplace. Gall (2013:114) states that it is:

> "not assumed that that policies or instructions to engage in victimisation are necessarily determined at board level, for senior management seldom engage in such level of detailed instruction. Even where 'get tough' policies with unions are promulgated by senior management… this seldom leads to the explicit instructions to victimise"

On what basis such assumptions are made is not clear. This thesis presents evidence of employers' counter-mobilisation that tests Gall's suppositions.

Blacklisting

Blacklisting is a particular form of sector wide employer counter-mobilisation where union activists are kept under surveillance and their personal details are covertly shared as part of an employment vetting process, with the effect of denying them future employment (Fried 1997; Smith & Chamberlain 2016; Hollingsworth & Tremayne 1989; Hughes 2012). For

decades, corporate surveillance and blacklists of union activists have been used by employers around the world (Fried 1997; Ramirez 2014; Retama 2014; Yidirim 2014). In the UK, the notorious blacklisting organisation the Economic League, was established in 1919 by ex-military intelligence officers and industry magnates linked to right wing Conservative MPs (Hollingsworth & Tremayne 1989; Hughes 2012). When the *Economic League* was closed down in the 1990s, major contractors in the construction industry set up a new organisation called *The Consulting Association* to carry on the same function (Ewing 2009; Chamberlain 2009). Smith and Chamberlain (2016) claim that blacklisting is a contemporary issue that continues to affect union activists in UK construction today; but this contention has been disputed, with Druker (2016:233) arguing that:

> "an employer alliance of the type of the Consulting Association – bringing together different contractor organisations – is unlikely to be in existence today…… this form of anti-unionism is now primarily of historic interest"

In business studies literature, corporate spying and associated ethically questionable methods are euphemistically referred to as 'issue management': unsurprisingly it has been noted that extensive rigorous investigation is lacking (Lubbers 2012). 'Issue' is the term used for campaign groups or activists who may cause potential damage to the corporate brand and issue management is presented as a proactive approach to combat the threat, specifically, "To avoid unpleasant surprises organisations should scan, monitor and track external forces" (Baskin, Aronoff & Lattimore 1997:80) in order to "constructively intervene to reduce the strain" caused by the activism (Heath 1997:165).

Renfro is slightly more explicit about the tactics employed by big business:

> "With the focus on the intelligence aspects, issue management consists of at least four interlocking stages: (1) scanning for emerging issues, (2) researching, analysing, and forecasting the issues, (3) prioritising the many issues identified by the scanning and research stages, and (4) developing strategies and issue operation (or action) plans". (Renfro 1993:64)

It is obvious why employers would prefer that their activities to undermine lawful activism are kept hidden from public scrutiny, but the lack of empirical research has the effect of making the academic debate severely lopsided. As Lubbers points out:

> "secrecy might be understandable from a corporate point of view; however, the studied silence about issue management in advanced industrial societies is disconcerting" (Lubbers 2012:15).

Lubbers suggest that instead of the banal 'issue management', a more honest and transparent title for the phenomenon of spying on campaigns (including of trade unions) considered detrimental to big business would be 'activist intelligence and covert corporate strategy' (Lubbers 2012:16).

In addition to corporate measures taken to undermine unions, mobilisation theory also ascribes a role for the state in counter-mobilisation. The British state openly sided with the employers during major industrial battles including the miners' strike and at Wapping during the 1980s (Milne 1994; Cohen 2006; McIlroy 2009). McIlroy (2009:34) argues that those, "Cumulative defeats traumatized class consciousness and weakened workers' willingness to resist. These setbacks transformed the balance of class forces" reflected in the major decline in union membership, collective bargaining coverage and reduction in strikes.

State repressive measures were not restricted to the use of police on picket lines but also encompassed undercover police and security service officers to spy upon and act as agent provocateurs in unions and associated social movements (Milne 1994; Evans & Lewis 2013; Lubbers 2012; Wright 1987; Andrew 1986; Dromey & Taylor 2015; Woodman 2018), including in the UK construction industry (Hemmings 2013; Smith 2014; Smith & Chamberlain 2016). The state does not gather intelligence simply out of inquisitiveness, surveillance is carried out for a reason: it is a mode of governance intended to protect existing power structures (Woodman 2018; Gill 2008; Lubbers 2012; Smith & Chamberlain 2016). Clearly in a modern liberal democracy the function of the police is not solely to act as state employed security guards to suppress the working class at the behest of the establishment, as Marenin (1982) suggests, contemporary law enforcement agencies are responsible for both "parking tickets *and* class repression".

However in the final analysis, even without adopting an overly deterministic approach (Althusser 1971), Marxists consider that the capitalist state apparatus primarily exists to support the ruling class by ideological, legal and repressive means (Lenin 1965; Hyman 1975; Kelly 1998). Woodman argues that there is a mindset amongst the senior layers of the police and security services that considers the purpose of the state apparatus is to disrupt and undermine those, overwhelmingly on the left, who threaten the ideological and material power of the ruling class:

> "protecting capitalist stability… is encoded within the DNA of the secret state. Maintaining the conditions for profit accumulation in general – rather than purely acting in the interest of particular sections of capital – motivates much of the secret states operations, targets selected, the side of conflicts chosen" (Woodman 2018:21)

Recent evidence has confirmed that the police often operate alongside the security services and corporate spies who are infiltrating the same trade unions and social justice campaigns on behalf of oil companies (O'Driscoll 2002), McDonalds Corporation (Lubbers 2002, 2012; Evans & Lewis 2013), British Aerospace (Evans & Lewis 2013) and construction firms (Smith 2019; Chamberlain 2019; Smith & Chamberlain 2016). It is known that undercover police units used false identities and breached the human rights of female activists while spying on trade unions and social movements in the UK (Lubbers 2012; Evans & Lewis 2013; Smith & Chamberlain 2016). In many cases the corporate and state spies mutually exchange information (Chamberlain 2019; Smith 2019; Lubbers 2002; Evans & Lewis 2013; Smith & Chamberlain 2016). Marx (1974) highlights ways in which corporate spies can influence that state apparatus, suggesting that they:

> "may pass on to authorities false, exaggerated, or misinterpreted information. This may move through several police agencies and bureaucratic levels, and can lead to police actions with self-fulfilling effects" (Marx 1974:406)

However, with notable exceptions (Milne 1994; Smith & Chamberlain 2016; Chamberlain 2018; Blackburn & Puerto 2013; Marx 1974;1988), in-depth research into state spying on union activists within the field of employment relations is most noticeable by its absence. Forty five years ago, Marx claimed that, the use of undercover agents and surveillance of

radical movements and labour disputes "is a neglected topic in sociology" (Marx 1974:403). This observation has been repeated by Lubbers (2012), who argues that cooperation between police and corporate surveillance of activists is considerably more widespread than acknowledged by academic researchers. Kelly suggests that to the majority of industrial relations researchers, talk of authoritarian state repression, whether overt picket line violence or covert police surveillance, is considered an argument from the "outer fringes", with little or no relevance to employment relations in everyday circumstances (Kelly 1998:58-59).

The lack of in-depth research skews both the academic literature and reinforces dangerously naïve hegemonic notions of state neutrality, even amongst left-wing commentators. For example, Mason (2017) argues that the modern UK secret state apparatus is unlikely to undermine democratic organisations, including a possible future Corbyn government that may threaten vested corporate interest appears. This thesis hopes to provide evidence that fill a gap in the literature.

In Chapter 5 of this thesis blacklisting in the UK construction industry is used as a longitudinal case study of a counter-mobilisation strategy orchestrated by employers with collusion from the state. The ideological foundation as well as the mechanics of the sector wide blacklist will be investigated to assess the impact it had on union activists' personal lives but also how it influenced their collective consciousness and distinct model of union organising. The empirical evidence generated fills a gap in the employment relations literature, feeds into the academic debates highlighted above (Gall 2013; Druker 2016; Lubbers 2012), but also contributes to the debate in the next section relating to the sequential nature of mobilisation theory itself.

Theory of stages?
Another debate within the academic literature pertinent to this thesis relates to mobilisation theory's sequential depiction of the process of collective action. Whilst Kelly does not use the terminology 'stage' or 'step' anywhere within *Rethinking Industrial Relations* he does reprint flowcharts from McAdam (1988) and Tilly (1978) (see below). McAdam's flowchart identifies four factors that help create a 'perceived injustice', and then moves sequentially along a path through social identification, blame attribution, cost/benefit calculations and finally collective action. While not completely linear, Tilly's flowchart comprises seven components; interest, organisation, repression/facilitation, power, opportunity/threat,

mobilisation and finally collective action. Tilly's and McAdam's models both unambiguously indicate a direction of travel starting with an injustice (or interest) and both ending with collective action.
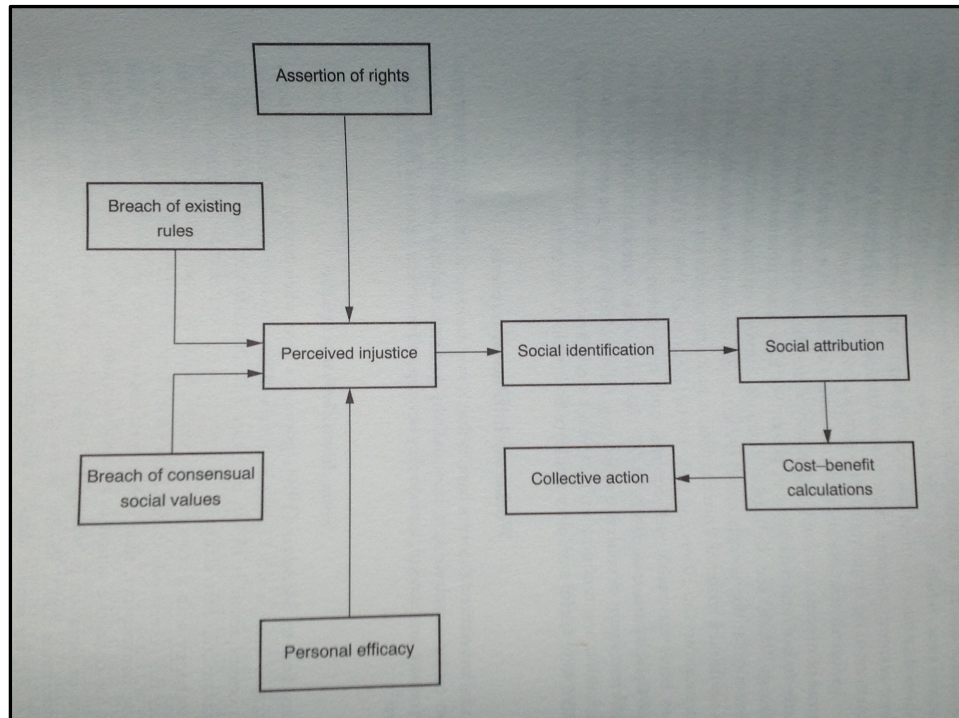
Figure 1. McAdam's (1988) model of mobilisation theory – taken from Kelly (1998)
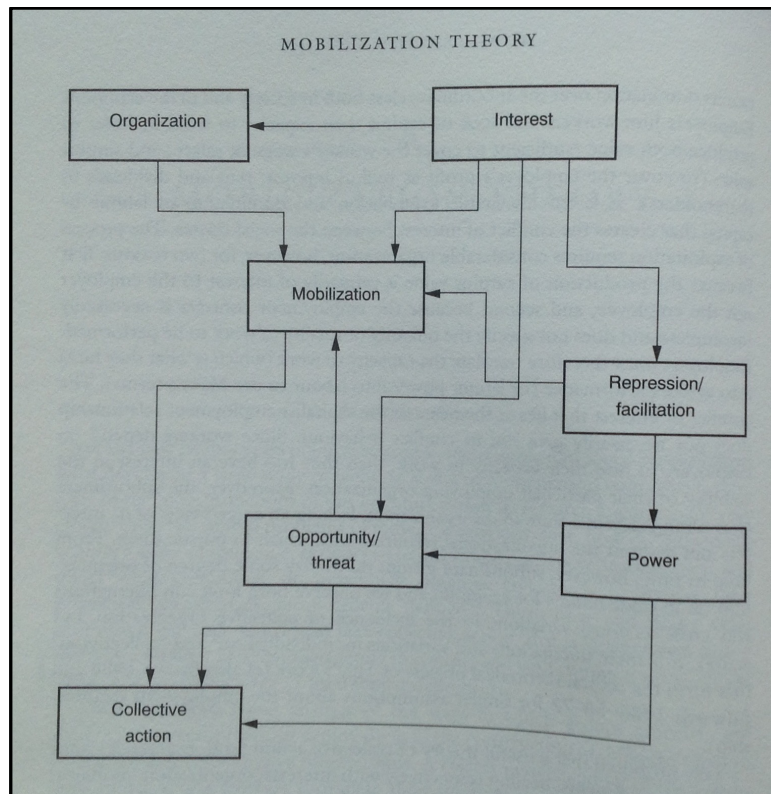
Figure 2. Tilly's (1978) mobilisation theory model - from Kelly (1998)

Kelly explicitly argues that mobilisation theory is more than just a multi-factor hypothesis, that merely identifies different elements that influence a complex phenomenon, the kind of which he scathingly describes as "useful as a checklist for researchers but once they include everything but the kitchen sink lose all meaning" (Kelly 1998:23). It is therefore difficult to view the various components within the flowcharts as anything other than a progression route towards the final destination of collective action. Unsurprisingly, this is precisely the way in which mobilisation is often presented both by scholars and in union training courses: a theory of stages in all but name. It is not necessary to accept a mechanistic step by step approach to acknowledge that a general direction of flow is fundamental to mobilisation theory, and that this is recognised by most employment relations scholars of whatever political perspective.

Kaufman (2018) claims to have identified twenty separate identifiable stages within *Rethinking Industrial Relations* to produce a step by step depiction of mobilisation theory that is viewed as "a complex mixture of psychological, sociological, and political/ideological influences impinging at different stages of the model" (Kaufman 2018:579)

Mobilistion Model = Capitalist Employment Relationship → Exploitation/Domination of Workers → Perceived Workers' Dissatisfaction → Workers' Perceived Injustice → Workers' Perceived Threat to Their Collective/Class Interests → Strength of Workers' Collective Organization → Strength of Workers' Mobilization of Resources & Commitments to Engage in Struggle → Workers' Collective Strength of Contestation Power vs. Suppressive Power of Employers/State → Forms & Breadth/Depth of Workers' Collective Economic/Political Action to Redress Exploitation/Domination → IR Outcomes of Union Growth/Organizing/Militancy & Labour Strikes/Protests/Take-Overs.

Figure 3. Kaufman's presentation of mobilisation theory (2018:580)

Explaining mobilisation theory in a step-by step fashion is particularly noticeable in the abridged 'Anger-Hope-Action' version of Kelly's theory that is commonly taught on union training courses (UCU 2015; UNISON 2016).
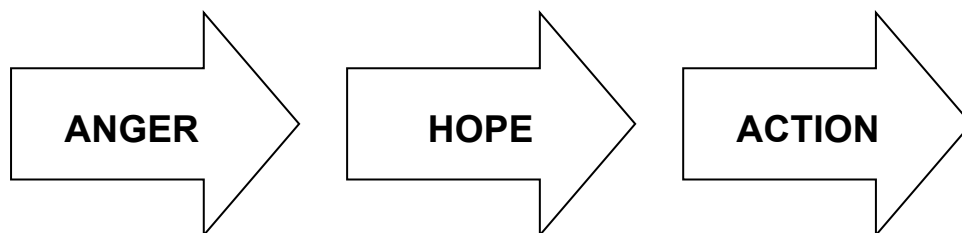
Figure 4. Anger - Hope – Action from Unison (2016:9)

UNISON explicitly cite Kelly's "highly influential mobilisation theory" (UNISON 2016:9) and explain the process to their shop stewards thus:

"Anger, Hope, Action.

We need to turn fear into anger. They [the workers] need to feel angry about the situation and feel the need to do something. We need to turn despondency into hope. Anger is not enough. Organisers must provide a vision and show how things could change so that all the workers come together. We need to turn apathy into action. Get

a member to do a task and build on that - encourage members to work together towards collective action" Unison (2017:41)

Little and McDowell's (2017) study of the transformation of the National Union of Teachers (NUT) reps training programme from a primarily servicing to a more organising approach is explicitly based on John Kelly's mobilisation theory. The authors explain how the rewritten NUT training "mirrors the five stages drawn from John Kelly's application of mobilisation theory to industrial relation" (Little & McDowell 2017: 189), and present the process of mobilisation in a flowchart, thus:.

"Five NUT steps to mobilisation. Drawn from Kelly's Mobilisation Theory".
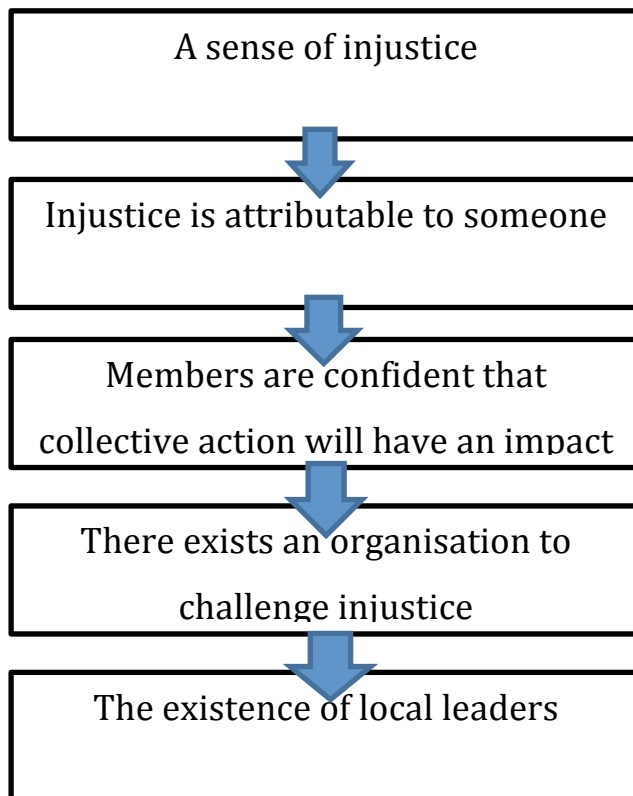
Figure 5: NUT five step flowchart of mobilisation theory (Little & McDowell 2017: 190)

The quotes and figures from UNISON and the NUT above are simplified depictions of a complex process, yet they patently present mobilisation theory as a sequential process of 'steps'or 'stages'. To a large degree, this is how mobilisation theory is currently being taught to union stewards in the UK.

In contrast to the above, Atzeni (2009) provides a valid critique of the way that mobilisation theory is often presented as a set of steps that need to be completed before progression to the next stage.

> "According to the theory of mobilisation, workers have to pass through a certain number of psychological/ organisational stages before a collective action can materialise. Central to this construction are individual perceptions of injustice that something is 'wrong' or 'illegitimate', which are made explicit and framed by leaders attributing these to a specific agent. In this process and following this sequence, individual perceptions become collective sharing and thus opens, in the presence of a minimum level of organisational resources, the possibility for workers to take action collectively." (Atenzi 2009:5-6)

Irrespective of whether or not Atzeni's criticism of mobilisation theory for being 'psychological' is accurate, the sequential manner in which the process of workers' collective action is often presented is undeniable. Atzeni (2009, 2010) has criticised this linear explanation of collective mobilisation, instead arguing that the various stages proposed by mobilisation theory can occur in a different sequence. Atzeni (2010), argues that mobilization events can create consciousness amongst workers, rather than the other way around and also that:

> "the model proposed by Kelly (injustice–leadership–action) is inverted with leaders and a sense of diffused injustice as *ex post* product of the mobilisation. This fact has important theoretical implications … it places leaders as a product emerging from mobilisation rather than as a necessary precondition for mobilisation. Hence, cases of spontaneous collective action put into question the overall validity of Kelly's model" (Atzeni 2009:6).

Again, it is not necessary to agree with Atzeni's overall conclusion, to acknowledge that the process of collective worker mobilisation does not always follow the same direct sequential pattern expounded by a step by step interpretation of mobilisation theory. This thesis contends that counter-mobilisation is another element of mobilisation theory where the often-presented linear stages, in which counter-mobilisation is viewed as a response to union mobilisation fails to reflect the reality of industrial relations.

Yet even prominent Marxist theorists often appear to present the process as essentially sequential, in which counter-mobilisation appears at the end of the sequence. An example of which is seen from Darlington's explanation of the role ascribed to activists by mobilisation theory:

> "First, they carry arguments and frame issues so as to promote a sense of grievance or injustice amongst workers, persuading them that what has hitherto been considered 'normal' or 'acceptable' is in fact unjust. Second, they encourage group cohesion and identity, encouraging workers to see their collective interests against management. Third, they urge appropriate collective action; persuading others is essential because of the costs of such action and the inexperience of many people with its different forms and consequences. Fourth, they legitimize such action in the face of counter-mobilization by the employer" (Darlington 2006:500)

While the above quote is a list of roles carried out by activists it is seemingly described in a chronological order. Whether intentional or not, when presented in such a fashion, mobilisation appears as a sequential progression, with counter mobilization viewed as a late phase of a consecutive process. An employer's response to union organising as opposed to a pre-existing element of an industrial relations framework. Gall (2005) goes as far as describing employer's anti-union tactics as 'retaliation' for attempts at union organising.

The presentation of employer counter-mobilisation as a reaction to union organising is observable in Kelly and Badigannavar's (2004) study of a union recognition campaign in Amazon, which repeatedly depicts the company's counter-mobilisation as a "response by the employer" and describes an error by the union which,

> "effectively served 'advanced notice' on the employer and gave management plenty of time to prepare what turned out to be a sophisticated anti-union campaign" (Kelly & Badigannavar 2004:48)

This implies that Amazon's counter-mobilisation was only activated once unionisation attempts had been initiated. Even if unintended, by repeatedly using such phraseology to describe the process, leading proponents of mobilisation theory can give the impression that

counter-mobilisation is primarily a reactive behaviour by management triggered by the agency of trade unions.

Occasionally in the literature counter-mobilisation is conceptualised differently; Logan (2006; 2013) highlights that employer counter-mobilisation activities in the US are often anticipatory in nature, while Dundon and Gall (2013) suggest that hostile anti-unionism can be against a hypothetical as much as an actual threat of unionisation. The concept of 'inoculation' where during union recognition campaigns workers and activists are pre-warned of management's likely actions (Levit & Conrow 1993; Lepie 2016) is based on the implicit assumption of pre-existing employer hostility. Gall (2005) suggests that if attempts to inoculate took place earlier and more forcefully, workers may be better prepared to withstand management's attacks.

In relation to employers' covert surveillance of activists, Lubbers convincingly argues that such activities are not a response to specific campaigns, rather a pre-existing spying apparatus is often in place:

> "Corporate spying and infiltration should not be considered as just another set of counterstrategies, grouped alongside greenwash or lobbying. Corporate spying and infiltration can be used as such, but there is more to it. Spying also precedes the development of corporate counterstrategy".
> (Lubbers 2012: 9)

Recognition that in environments hostile to trade unions, counter-mobilisation exists a priori to any union activity even having been conceived, has potential consequences for how mobilisation theory is theorised. This thesis proposes that where blacklisting is embedded into the culture of a particular sector, a conception of mobilisation as a sequential process is open to question. This thesis generates further empirical evidence on employers' counter-mobilisation in the building industry, which is used to test the robustness of the various academic arguments and assumptions cited in the section above, specifically the robustness of sequential portrayals of the mobilisation process.

The duality of trade unionism

This chapter now moves away from mobilisation theory, to discuss broader academic debates of relevance to this research. This thesis recognises that the militancy of activists was often at

odds with their own union leaders and full-time officials, who adopted more conciliatory, business friendly strategies. This next section therefore starts by considering the contradictory nature of trade unionism under capitalism, before leading onto more contemporary literature on strategies for union renewal such as partnership, union organising and strikes as a means of building union power.

It has long been noted that there is a duality within trade unionism, in which radical rank and file activism sits alongside bureaucracy (Anderson 1967; Hyman 1971; Cohen 2006; Darlington 2014). In one way, unions contest any employer's right to manage unrestrained and act as the vehicle through which workers' and employers clash over the allocation of surplus value, the central concept of exploitation in the Marxist analysis of capitalism. Yet at the same time, unions seek to gain recognition with employers and negotiate collective bargaining agreements, both of which legitimise the master servant relationship inherent in the capitalist employment relationship.

Hyman (1971) highlights that classic Marxist philosophers, including Marx, Engels, Lenin, Trotsky and Gramsci, have viewed trade unions from either an 'optimistic' or 'pessimistic' perspective, with changing sociological interpretations dependent upon material events and time periods. In a similar vein, Anderson (1967) also recognised the possibilities and limitations of trade unions; a position echoed half a century later, when Darlington (2014) identified the revolutionary potential and the limitations of trade unionism. Sewell (2003) and Davis' (2009) historical analysis of British trade unions both identify reformist and revolutionary standpoints co-existing within the labour movement. Cohen (2006) argues convincingly that unions can be viewed as a bureaucracy reinforcing the existing social relationships within capitalism *and* as a social movement that are part of the wider movement for fundamental radical change. Given the contradictory nature of the labour : capital relationship, it is hardly surprising if trade unions and their activists display characteristics from different ends of the spectrum in different situations or different time periods (Cohen 2006; Fantasia 1988).

The most well known position on what Hyman (1971) describes as the pessimistic side of this argument about the nature of trade unionism is Michels' 'iron law of oligarchy', a debate that almost every employment relations undergraduate and union activist has participated in (even if they didn't realize it). Michels (1915) argues that regardless of intent, as workers'

organisations become larger and more complex, there is an inevitable pressure towards the formation of an elevated oligarchy that makes strategic decisions and eventually reinforces its own position (Eldridge 1977). Clarke asks, despite their radical roots how far have unions over time been transformed into a bureaucratic "component part of that very system of domination – the struggle against which was once the raison d'etre of their existence"? (Clarke 1977:7)

From a pluralist perspective Batstone et al. (1979) also identified how senior stewards and conveners at the pinnacle of well developed workplace level union bureaucracy, often became incorporated into the employers industrial relations machinery, completely divorcing themselves from their membership. Donovan's (1968) famous gendered and pluralist quote recognises that even local workplace stewards are interested in maintaining orderly industrial relations and in so doing end up accepting the status quo.

> "For the most part the steward is viewed by others, and views himself as an accepted, reasonable and even moderating influence, more of a lubricant than an irritant" (McCarthy & Parker 1968:56)

Partnership

Since the 1980s, partnership agreements, regularly described by opponents as 'sweetheart deals' (Sewell 2003; Murray 1999) are an even more overt mechanism by which trade unions are drawn into the employers apparatus, often in return for a quite limited concessions (Danford & Richardson 2016). Murray (1999) argues that the concept of partnership, often linked with single union agreements, is little more than the acceptance of the unitarist HRM ideology by trade unions, that is ultimately detrimental to the interests of the workforce (Kelly 1999). Danford et al. (2005) evaluated the six TUC partnership principles in their study of the high skilled UK aerospace industry, a sector seemingly fitting in with the supply side HRM concepts. The study found that the interests of the workforce were in direct opposition to that of the employer in the majority of the principles and even where the interests may coincide, they are based on fundamentally different concerns (Danford et al 2005).

In the construction industry, Druker (2016) highlights that virtually all of the main contractors complicit in the Consulting Association blacklisting scandal had union

recognition or partnership agreements with trade unions on major projects. This often including providing facilities for full-time convenors appointed by the union regional secretary rather than elected by workers on site. The appointed convenor role includes such tasks as delivering site safety inductions on behalf of the main contractor, carrying out checks on workers' documentation and servicing individual members (Wright & Brown 2013). One union official described these convenors as "employment relations problem solvers" explaining that "we have to show the client how the convenors will add value, because otherwise they won't be interested" (Wright & Brown 2013:31).

This apparent contradiction in employers' tactics is referred to as 'double-breasting', a supposedly pragmatic approach in which companies will work collaboratively with unions whenever they are forced to or where it is likely to gain kudos with the client (Druker 2016; Dundon et al. 2015; Cullinane et al. 2012). The outcome for unions is that their senior convenors become embedded into the very employment relations apparatus that is at the same time blacklisting the unions' rank and file activists. As Danford et al. (2005:236) argue, regardless of the rhetoric, partnership "cannot mask the irreconcilable conflicts of interest that are the prime characteristics of capitalist workplace dynamics", but trade unions and their senior officials can become incorporated into the employer's machinery, an integral element of the system they are fighting against (Hyman 1975; Clarke 1977). Chapter 6 considers how rank and file activists view their own unions' various partnership initiatives and the appointed convenor system.

Rank & File-ism

The sometimes conflictual relationship between the union hierarchy and rank and file activists' is a research topic for this thesis. While top down bureaucracies are commonplace (Clarke 1977; Eldridge 1977), so are periodic bottom up explosions of rank and file militancy that provide an impetus for greater union democracy that challenge the 'iron rule' (Lipset et al 1972; Hyman 1975; McAlevey 2016). The supposedly new forms of worker organisations that champion a more direct democracy, class struggle concept of trade unionism (Ness 2014) are not particularly new; rather they appear to be a reappearance of the grass-roots tradition harking back to 'new unionism' (Davis 2009; Mann 1988; Callinicos 1995), syndicalism (Sewell 2003; Darlington 2008) and the rank and file tradition of the 1960s and 70s (Lyddon 2007; Jefferys 1980). Whether inside or outside the official union structures, rank and file networks have often been instrumental in leading some of the UK's largest industrial battles

(Hinton 1973), including in construction (Lyddon 2007; Fawbert 2016; Warren 1980; Smith & Chamberlain 2016).

In the Australian context, the Builders Labourers' Federation during the 1970s, saw rank and file victories in elections that resulted in policies that restricted elected union officials staying in position for an extended period (Burgmann & Burgmann 1998; Mallary 2000). In the UK, it is not uncommon for rank and file candidates for union election to stand on a 'workers wage' platform as a direct challenge to the incumbent leadership (Sewell 2003; Crick 1986; Taaffe 1995). Both of the above tactics are conscious attempts to overcome Michels' iron law.

The nature of rank and file union activism has been debated for decades (Gramsci 2007; Hinton 1977; Gallacher & Campbell 1977). Holton (1976) argues that because new unionism in UK had been inspired by, and in turn influenced French syndicalism, in the British historical context, the rank and file syndicalist tradition was born within the existing trade unions rather than via 'dual unions' as in the DeLeon inspired American IWW or Spanish CNT models. Hinton (1977) identifies a 'theory' of rank and file activism overwhelmingly adopted by the shop-stewards movement during the 1910s.

> "The rank and file movement coordinated and led militancy through a local Workers' Committee representative of the organisation of the workshop. Because of their delegatory character these committees were capable of initiating and carrying through strike action independently of the trade union official" (Hinton 1977:116).

The Clyde Workers' Committee famous statement during the period of Red Clydeside illustrates the strategy:

> "We will support the officials just so long as they rightfully represent the workers, but we will act independently immediately they misrepresent them".[3]

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[3] Leaflet published by Clyde Workers Committee in 1915
www.marxists.org/archive/gallacher/1915/clyde-committee.htm

Hinton (1977) argues that the shop steward movement did not seek to replace existing unions, either their structures or officials, but instead created organisations inside and outside the official movement to unite workers on a class basis. While not universally applied in practice, this generally meant prioritising the building of rank and file networks of workers, as opposed to trying to capture official's positions within the existing unions.

There was a rebirth of rank and file union activism in the 1960s. Yet distinct from the early shop-stewards movement, Hyman (1991) claims that from the 1970s onwards even the most left-wing rank and file agitation has been primarily aimed at pushing official unions to organise more combative strikes rather than groups attempting to organise unofficial action in their own name. McIlroy & Daniels (2009) go further by arguing that despite claiming to represent rank and file interests, the majority of the 'left' factions within British trade unions at the start of the twenty-first century are little more than a machinery for electioneering, producing campaign literature aimed primarily at influencing existing activists rather than leading industrial action independently from the official unions. Cohen (2006:165) describes these 'electoral slate organisations' as "a series of anaemic Broad Lefts which tended to concentrate on electoral and resolutionary issues" [correct spelling].

Yet Ness (2014) argues that there has been a resurgence of direct action class struggle in the era of austerity, most visible in the reappearance of various syndicalist inspired 'alternative unionism', including amongst migrant workers in the UK (Kirkpatrick 2014, Gall 2017). One strand identified by Ness mirroring that identified by Hinton (1977), is described as 'Council Communism', where workers committees exist "within the interstices of traditional unions" and operate as virtual parallel unions engaging in direct resistance "when bureaucratic unions become detached from the day-to-day lives of workers" (Ness 2014:7). Another common approach, are stand alone autonomist formations such as the *operaismo* in Italy, who advocate a direct action approach to both industrial and community politics in staunch opposition to existing trade unions that are viewed as 'illegitimate defenders of privilege' with ties to employers (Ness 2014:9).

This thesis investigates the approaches adopted by various rank and file campaign groups in the UK construction sector from the mid 1980s onwards. Empirical evidence gathered during the research about these unofficial networks will allow the phenomenon to be positioned within the various approaches identified above. The data will also feed into the academic

debate around the need for some degree of organisation as part of the collective mobilisation process.

Union organising

A separate but not dissimilar debate is also taking place around union organising, where recognition and leverage style campaigns led by full-time paid officials are counterposed to more organic rank and file organising. As the activists in this research played a role in attempts to unionise their own workplaces, the debate has direct relevance for this thesis.

The organising model argues that trade union renewal would come about not by concentrating on servicing members as if they were customers (Basset & Cave 1993) but by going back to unions' roots and developing a more collective approach at workplace level (Danford et al. 2002; Simms & Holgate 2010). At its best, organising is an attempt to make members more involved in the activities of a trade union rather than being mere passive recipients of its services. A recurrent theme is developing a network of activists who work as a team to map their workplace in order to identify issues to be used as a campaigning opportunity (Holgate & Simms 2008). Enhanced two-way communication, identifying potential new activists amongst under represented workers, one-to-one and small group discussions were seen as the key to both achieving victories and in recruiting new members (Danford et al. 2002; Holgate & Simms 2008; Nowak 2009; McAlevey 2016).

The organising model is presented as a pro-active strategy to encourage workers to view the union as an integral part of their workplace, rather than an external agency: a conscious effort to promote a collective approach towards solving workplace issues with more self-reliant workplace organisation. (Danford et al. 2002; Fairbrother 2000). Danford et al. (2002) argue that organising was "based not merely on recruitment *per se* but on a processes of membership mobilisation through renewed workplace activism and rank and file participation"; the link between union organising and mobilisation theory is clear. Examples such as Findlay and McKinlay's (2003) study of 'shadow shop stewards' who led rank and file attempts to unionise Scottish electronics companies demonstrate the potential for union organising to be genuinely rank and file led.

The influence mobilisation theory has had on union organising strategies in the UK and training provided by the TUC has been acknowledged (Gall 2018; Holgate et al. 2018).

Affiliate unions have adopted their own sector specific variances of the organising model with training for their reps and officers amended along similar lines, with many of the organising methods taught being appropriated from the USA (Nowak 2009; Simms & Holgate 2010; Moore et al. 2013). While some view worker mobilisation as an integral element of the organising model, counterpoised to the servicing / partnership approaches (Danford et al. 2002; McCarthy 2009; Gall 2009), others see it as just one of many possible weapons within the organising arsenal (Nowak 2009; Taylor 1994; Heery et al. 2000). Trade unions are multi-faceted and in different circumstances adopt elements of the servicing, organising, mobilisation and partnership approaches in an almost pick and mix fashion (Heery et al. 2000; Simms et al. 2013), however, the intrinsic contradictions between the organising and partnership models for trade unions have been fully identified (Danford et al. 2002; McCarthy 2009).

Strikes as an organising strategy

McCarthy (2009) carried out research in the Department of Work and Pensions Group in PCS to compare the impact of different union strategies on recruitment, finding that the union took part in seven separate incidences of strike action between 2005-08 and on each occasion there was a correlating spike in union membership (McCarthy 2009). McCarthy's study suggests that it is the process of mobilisation for industrial action during which the union is seen to be fighting back against perceived injustices that encourages new members to join.

The well reported influx of new members to UCU during the 2018 Higher Education pension strike is another indicator of the link between industrial action and increases in union membership (Ryan 2018). Danford and Richardson (2016) also highlight the link between periods of militant strike action and increases in union membership. Based on her research and participation in union recognition campaigns in the US, McAlevey (2016: 206). goes as far as arguing that, "for workers to win substantial gains, the strike weapon is essential". Gall (2009:7) suggests that little research,

> "has examined whether mobilisation through strikes in particular, presents an alternative or additional means of recruitment and support to organising… [strikes] should receive more attention by union organising strategists within unions"

Gall and Holgate (2018:572) argue that the small independent unions organising precarious and gig economy workers have won "some of the most impressive advances against bogus self-employment in the era of neoliberalism" through the use of strikes, leverage campaigns and direct action such as occupations, yet question whether the same strategies can be scaled up to achieve significant change. All of the examples quoted in the paragraphs above suggest that the ability to mobilise workers in strike action demonstrates union power boosting membership and winning tangible improvements in terms and conditions.

Boxall and Haynes (1997) also recognise that membership driven activity, including strike action increases the negotiating strength of a trade union, even for those with a 'moderate' leadership, but suggest that the possible loss of control may be hard for some officials to accept. Organising strategies therefore often attempt to mobilise workers but at the same time deliberately leave union officers to oversee the overall strategy (Boxall & Haynes 1997; McAlevley 2016). In his study of the MSF union, Carter (2000) argues that reliance on full-time officers as the coordinators of membership mobilisation brings into question whether union organising rhetoric always reflects reality, or whether much of the time it is a top-down rather than a bottom up process (Daniels 2009; McAlevey 2016; Cohen 2006).

Simms et al. (2013) argue that far from being led by rank and file activists, union organising in the UK is reliant on a cadre of full time organisers and senior policy makers, employed by trade unions, who in most cases have been trained by the TUC. These officials are considered the "central actors in the labour movement and within their struggles are the stories of the labour movement more widely", which are fundamental to understanding the 'turn to organizing' in the British union movement (Simms et al. 2013:116). They go as far as claiming:

> "There is almost no evidence that organizing activity is currently happening spontaneously within the UK workplaces, so it must be promoted by professional union actors (officials, organisers, policymakers)" (Simms et al. 2013:166).

Cohen (2006:220) describes this official led form of union organising as "bureaucratic militancy", while Daniels (2009) and Heery et al. (2000) describe this approach as 'managed activism'. Daniels (2009) criticises this methodology, for being little more than recruitment campaigns led by paid organisers from union HQs trained by the TUC rather than an organic

grass roots phenomenon, suggesting that a culture is implanted from above rather than a pre-existing one encouraged. Daniels (2009) argues that there is a disconnect between what the TUC preaches and where the money was being spent: on external paid organisers who direct, control and manage the campaigns from the top. Paid union organisers were criticised for becoming obsessed by targets (like New Labour) rather than building genuine grass roots activism (Daniels 2009). Even the most senior TUC officials were forced to concede that some union organisers,

> "focus more on returning back to the office with a brief case full of membership forms than on encouraging reps to take responsibility, and credit, for this work themselves" (O'Grady & Nowak 2004:155)

Weil (2008) suggests that in the US, despite organising being the buzzword in the recent period, in reality most unions still operate a servicing model. He argues that unions face a strategic choice over whether to allocate resources to leverage style community campaigns that in many cases are little more than publicity stunts to cause corporate embarrassment or build organisational capacity capable of mobilising workers to win gains for themselves. Over reliance on professional officers and senior lay official carrying out a primarily individual servicing model of trade unionism has the consequence of diminishing their ability to collectively mobilise members for industrial action. Weil (2008:336) argues that "their capacity to organize workers atrophied as a result of internal neglect, not change in external conditions"

In reviewing the US experience, Ness (2014) argues that from the 1990s onwards union organising strategies were led by:

> "what they viewed as an effective and reliable cadre of altruistic, loyal educated and professional staff. Today as in the past, bureaucratic unions have repeatedly revealed a fear of worker self-activity that could potentially challenge the dominance of staff controlled organisations" (Ness 2014:4).

McAlevey (2016) also warns of the dangers of the top down approach and reliance on leverage style campaigning techniques intended to damage corporate brands and coordinated by college educated staff, arguing:

"The greatest damage to our movement today has been the shift in the agent of change from rank and file workers and ordinary people to cape-wearing, sword wielding, swashbuckling staff. To deny that having experienced staff can be the difference between workers winning or losing is ridiculous and counter productive. Way more counter productive has been the wholesale elimination of the crucial role of the rank and file workers.

(McAlevey 2016:208)

This thesis evaluates the model of union organising commonly adopted by activists and to what extent union organising strategies or leverage campaigns planned and overseen by paid officials have been used in construction and how activists viewed them.

The 'rank and file / bureaucracy' debate

Whether discussing Michel's iron law of bureaucracy or Hinton's theory of rank and file-ism, partnership or union organising; by attempting to explain observable complex processes, academic debate can simplify and generalise multi-factorial phenomena. While external factors influence the actions of both lay union activists and paid union officials, an overly structuralist approach can result in a deterministic view of the relationship based on their relative positions in the union hierarchy, with little room for human agency by either party. A static "rank and file = good : union bureaucrats = bad" approach is little more than a binary parody of reality, which fails to reflect the dialectical nature of the relationship.

In his early seminal book, *Industrial Relations: A Marxist Introduction,* Hyman (1975) famously highlighted the dichotomy between rank and file activists and full time union officials. He acknowledges the Webbs identification of a development of an elevated stratum of officers amongst British trade unions in the nineteenth century, who cultivated good relations with employers and over time created an oligarchy with a different set of interests and outlooks to their rank and file members (Hyman 1975; 2012)

Yet in later analysis, Hyman (1979; 2012) suggests that reducing the relationship to a point where bureaucratic full time officials are viewed as constantly holding back a romanticised rank and file demanding action is to "oversimplify crudely a far more complex social problem, and to neglect more fundamental reasons for the limits of trade union militancy"

58

(Hyman 2012:161). Hyman suggests that the phrase 'trade union bureaucracy' is often used as little more than a term of abuse by the left and results in officials being scapegoated for the limitations inherent in trade unionism. Hyman (1979:2012) argues that under a capitalist mode of production, even shop stewards and lay officials are subject to pressures to reach accommodation with employers as full time union officials.

Pressures for union convenors and senior stewards on full-time release to become divorced from their rank and file members have been recognised by researchers across the pluralist / Marxist spectrum (Batstone et al. 1977; Lyddon 1977). Yet Hyman (1979) suggests that given the creeping bureaucratisation of the rank and file, and the observable fact that union officials sometimes take the lead in calling for industrial action, there is a problem with the rank and file / bureaucracy theory, and suggests that ideological factors - an acknowledgement of left / right politics amongst both workers and officialdom - provides a possible alternative explanation.

In their study of full time officers from British unions in the early 1990s, Kelly and Heery (1994:23) also reject the argument that union leaders tend to be more moderate in their goals and tactics when compared to their more militant members and activists, criticising the argument for its "structural determinist bias". Instead they argue that claims of a conservative union bureaucracy:

> "seem implausible as a general thesis, whatever its validity in particular cases. There are simply too many examples of leadership militancy and radicalism and membership conservatism for these cases to be explained away as the exceptions which prove the rule" (Kelly & Heery 1994:13).

Instead of an oligarchy, they identify a wide variation in officer behaviour and present three archetypal traits that union officers tend to display: managerialist/bureaucratic, regulationist/pragmatic and antagonistic/leader, stressing the importance of officers' own values in shaping their conduct" (Kelly & Heery 1994:24-25). While identifying substantial pay differentials and job security differences between union officers and their members, they argue there is no link between relatively high salaries and political leanings. Structuralist concepts of a union bureaucracy imposing constraints on officers' actions are rejected in favour of intrinsic left / right politics to explain their conduct. This leads to a suggestion that

the union officers cadre was likely to become more left wing over time, because younger newer officers championed progressive politics (Kelly & Heery 1994:191).

Dromey and Taylor (2015) also argue for a 'left –v- right' rather than a 'rank and file v bureaucracy' explanation for explaining various major industrial battles such as Pentonville, the 1984-5 miners strike and especially Grunwick. They argue that those who advocate a bureaucracy v rank and file theory not only write off official union structures but also,

> "ignore that those who retreated under government pressure are elected and maintained in office by the membership. The problem of the rightwing in the labour movement is not only leadership, it is also one of the acceptance by the majority of trade union members of that leadership and its ideology" (Dromey & Taylor 2015:207)

In contrast, Darlington and Upchurch (2012) suggest the 'bureaucracy v rank and file' hypothesis remains legitimate. In critiquing Hyman's (1979) move away from his original (1975) position, they accept many of Hyman's qualifications. Specifically that there is a tendency for lay officials to become bureacraticised, that there is a left versus right political aspect to tensions, that union officials often lead action, that officials are not simply 'fire extinguishers of the revolutuion' but also play a role in achieving limited impovements, and that the rank and file is not homogeneously always striving for industrial action. Yet these are nuances of the generalised rank-and-file / union bureaucracy dichotomy, which remains a real contradiction, central to the analysis of trade unions. They argue that:

> "Hyman's refutation of the rank-and-file/bureaucracy division effectively liquidates the whole concept of bureaucratisation so as to render it virtually meaningless. Not only does it obscure the real conflicts of interest inside the unions, it also effectively lets FTOs completely 'off the hook' and downplays the significance of rank-and-file struggle and independence" (Darlington & Upchurch 2012:15)

Darlington and Upchurch's difference with Hyman, is not over whether there are multiple factors that influence the interactions between full time union officials and their rank and file members and activists, that is agreed common ground. Rather, it is whether the bureaucracy / rank and file dichotomy is simply one of a plethora of possible influences or a central lens through which to view the relationship, which the other factors ameliorate. Academic debates

on the role of employed officials viz-a-viz the rank and file remain a question of interpretation of the relationship between structure and agency in explaining human behaviour. Empirical evidence generated in this thesis, placed within the context of the UK construction industry, especially the role of appointed convenors, will inform and evaluate the ongoing 'rank and file/bureaucracy' debates.

Research questions

The central purpose of the thesis is to understand the nature of trade union activism in the UK building industry and the role played by activists in mobilising workers into taking collective action in a hostile environment. While this chapter has covered a range of debates within the employment relations literature, especially in relation to union organising, the overarching theoretical framework for this thesis is mobilisation theory. The literature review has assisted in formulating numerous areas for investigation and four central research questions that were taking forward into the fieldwork:

1. How do structural factors mould the consciousness of union activists and shape the distinct pattern of union organising so prevalent in the UK construction industry?

2. What is the role of the unions, and activists in mobilising casualised construction workers and how does this relate to notions of leadership and spontaneity in mobilisation theory?

3. How does blacklisting affect activists' consciousness and their mode of activism, and how does this particular form of employers' counter-mobilisation inform the debate about mobilisation theory being a theory of stages?

4. How does the nature of the union bureaucracy and its tendency towards collaborative partnership relationships impact upon the rank and file activism and its ability to mobilise workers from the bottom?

Chapter 3 – Methodology

This doctoral thesis adopts a Marxist philosophical perspective to the study of employment relations (Hyman 1975), using a qualitative research approach with mixed methodological elements including; interviews, document investigation and participant observation. Much of the evidence in this thesis has been generated as part of campaigning undertaken by the *Blacklist Support Group* and some of the evidence has already been placed into the public domain, contributing to an ongoing movement for emancipatory change. A participatory action research approach is therefore also fundamental to the thesis. This chapter highlights the strategic methodological decisions made during the doctoral study and acts as a defence of the research strategy adopted.

Firstly, the chapter identifies central elements of the Marxist perspective within the study of employment relations that are used throughout the research. Secondly, the chapter defends the decision to adopt a qualitative methodological approach. Thirdly, the chapter positions the doctoral candidate within the study, assessing both potential difficulties and advantages of studying a phenomenon in which the researcher is both a partial and central participant. Fourthly, the chapter identifies the research design and describes the research instruments that generated the data, including the demographic details of the interview cohort, plus the actual procedures and techniques used for data analysis, especially in relation to ethics, interviewing strategies and interaction with research subjects. At each stage, an evaluation is provided of the differing methodological decisions made by academic researchers and an explanation offered as to the particular research methods chosen.

Marxist approach to employment relations

The ideological starting point for this thesis is dialectical materialism, the philosophical foundation of Marxism, which combines a materialist understanding of the world with dialectics, the study of motion (Engels 1976; Adoratsky 1936; Trotsky 1971; Mao 1953; Woods & Grant 1995; Spencer & Krauze 1997). Woods & Grant (1995:43) describe dialectics as:

> "a way of looking at the universe, which sets out from the axiom that everything is in a constant state of change and flux. But not only that. Dialectics explains that change and motion involve contradiction and can only take place through contradictions. So instead of smooth uninterrupted lines of progress, we have a line that is interrupted by sudden and

explosive periods in which slow, accumulated changes (quantitative change) undergoes a rapid acceleration, in which quantity is transformed in to quality. Dialectics is *the logic of contradiction*"

Rather than human beings being subject to laws of 'cause and effect' over which they have no influence (determinism); Marxists view events, processes and ideology as a consequence of societal forces, based primarily upon the class relationships within a particular mode of production. Importantly, Marxists consider that people are affected by, but also influence the forces that weigh upon their lives, in a dialectical interaction between structure and agency. In different societies and as society changes over time, so the underlying processes that affect human behaviour are changed (Woods & Grant 1995; Keat & Urry 2011). Marxism is not simply a realist view of the world; it provides a guide for action for those wishing to change the existing social order.

However, it was Richard Hyman's seminal book *Industrial Relations: A Marxist Introduction* published in 1975 (Hyman 1975) and other works in his early period (Hyman 1972:1973) that virtually defined the Marxist approach to industrial relations as a distinct academic discipline. Hyman argued that for Marxists, the study of industrial relations centres around the relationships between class struggle, union organisation and class consciousness (Hyman 1975). Marxist researchers argue that a capitalist mode of production inevitably results in conflict between labour and capital, both in the workplace and wider society (Hyman 1975; Kelly 1998; Tilly 1998). Conflict is seen an unavoidable consequence of capitalism, acting as a driver for class struggle that cannot be legislated away or abolished by gradual incremental improvements in procedures. The purpose of the Marxist researcher in employment relations is to facilitate radical emancipatory change to the structure of society, often by assisting trade unions and activists (Brook & Darlington 2013).

This thesis acknowledges its Marxist ideological starting point but argues that regardless of whether the chosen methodological approach is primarily inductive, deductive or a mixed methods combination of the two, the ideological perspective of the researcher (whether unitarist, pluralist or radical) is likely to influence research findings (Guba & Lincoln 1994; Gouldner 1968; Crotty 1998). This is not to suggest that the data is deliberately falsified, rather it is recognition that the political worldview of any researcher is likely to influence

what is considered worthy of investigation, the sampling frame, which questions to ask and what weight to give to particular variables (Brook & Darlington 2013; Guba & Lincoln 1994). As Kelly (1998) suggests, such worldly issues as the likelihood of being published and prospects for future research funding can sometimes also colour decisions that would at first glance appear entirely academic.

Why a qualitative approach?

A mixed qualitative research methodology has been used in the research and this next section defends the decision to use a qualitative as opposed to a quantitative research methodology. This thesis attempts to understand the complex process of union mobilisation and employers' counter mobilisation, in circumstances where strategies used by both sides are often either unofficial or illegal and mostly hidden from sight. The thesis explains how and why certain strategies are used in preference to others. This involved identifying the reasoning behind particular choices of methodology that have produced empirical evidence which in turn has allowed for reflective inductive analysis of the academic theory debated in the literature (Bryman 2008; Mason 2002).

A quantitative approach was not considered appropriate for this research for a number of reasons. Although a quantitative approach using large-scale surveys or analysis of existing data sets to measure social phenomena forms the foundation of much research within social science (Wanrooy et al. 2014; Hennick, Hutter & Bailey 2010; Carson et al 2001; Crotty 1998; Bryman & Bell 2007) there has been noteworthy criticism of the over dependence of quantitative research methods (Guba & Lincoln 1994; Gouldner 1970) and in employment relations in particular (Gall 2013; Kelly 1998; Hyman 1975). For despite the ability to accurately identify particular trends, the quantitative method is often criticised for providing little in the way of insight into *why* the phenomena occurs (Carson et al. 2001).

Kelly in particular (1998) criticises the fashion for large scale statistical analysis within employment relation studies for failing to provide little, if any, reasons why sometimes self-evident observable processes are taking place. He admonishes the deductive approach for its absolute rejection of theory, by which to anchor the empirical findings. Even in the natural sciences, such as biology, researchers operate within the theoretical framework of Darwinian evolution. Yet advocates of deductive analysis in employment relations take great pains to claim their research free of any theoretical bias. Kelly suggests that although deductive

methods are used in identifying the statistical trends, where hypotheses are put forward to explain the correlations, because there is no link to a theory, these are in reality entirely inductive, often based on little more than hunches of the researcher (Kelly 1998). Kelly's criticism of much quantitative research in industrial relations is essentially a Marxist critique of a lack of theory amongst positivistic researchers working in academia.

Kelly goes further still by arguing that the original assumptions and concluding hypotheses of many of these large scale quantitative studies are often heavily prejudiced by the requirements of the funding organisation (Kelly 1998). Similar criticism about Monsanto or Welcome Trust, influencing research in the pharmaceutical industry would generate very little disagreement amongst social scientists. How funding streams have influenced social science research, even including the methodology employed has also been noted by Burawoy (2005). He suggests that large scale quantitative approaches were often favoured by corporate and state funders and notes how this has been criticized for skewing academic research, arguing that:

> "The more sociology depended upon commercial and government funding the more it developed rigorous statistical methods for the analysis of empirical data, which invited criticism from many quarters" (Burawoy 2005:19)

Gouldner criticized the predominance of a structural functionalist outlook within Western sociology, that he argued attempted to present itself as free from bias (Gouldner 1970; 1968). Hyman (1975) also criticises the over emphasis on gathering data on company size, employment rates, union membership density, committee structures and collective bargaining agreements in much industrial relations research. He argues that a primarily statistical approach can entirely miss day-to-day interactions taking place in the workplace. While plentiful in facts and figures, by concentrating on the relationships between structures, this overly structuralist approach, often ascribes decision making to organisations such as unions or employers bodies, as if they were identities in their own right. Hyman argues that such 'reification' fails to appreciate that it is individuals within organisations that make the decisions, based upon their role in the organisation, structural restrictions and their own consciousness (Hyman 1975). To fully understand the core themes and processes within industrial relations requires a deeper investigation into the actions of the key actors, rather than just collecting data about the organisations they operate within.

Data sets derived from official statistics have also been criticised for significantly under-reporting certain phenomena such as union victimisation (Gall 2013), bogus self-employment (Harvey 2001) and strikes (Cohen 2006). Gall (2013) investigated the phenomenon of victimisation for union activities and argued that recorded instances in Employment Tribunal statistics significantly underestimate the true extent of the issue, when compared to even the number of published articles in the labour movement press.

As this thesis investigates blacklisting by multi-national corporations and unofficial industrial action led by union activists, both of which are in breach of UK legislation, the workings of both phenomena are generally kept hidden from public view by the participants. The thesis therefore suggests that it is unsurprising that official statistics fail to capture the true extent of the phenomena, and even if asked about the covert processes in a survey, it is questionable whether wholly truthful responses are likely to be forthcoming from those involved in unlawful activities, especially at a time when litigation is ongoing. In providing a platform for the testimony of working class families to explain the real impact that blacklisting in the building industry had on their lives, the qualitative methods in this thesis, and similar oral history research (McGuire, Clarke & Wall 2013: 2016) also performs a valid role, that quantitative methods often fail to achieve.

In addition, the nature of employment relations in the UK construction is such that industrial disputes tend to be sporadic explosions of anger over a particular issue in what appears to be an otherwise sea of relative calm. Therefore, even if the official statistics were 100% reliable and recorded every one of the intermittent incidents, the strikes and sit-ins investigated in this research would still appear negligible within aggregated sector wide figures. Statistically at least, stability is the norm in the construction industry, and this thesis appears to be investigating what could be viewed as aberrations or statistical blips. However, to downplay the significance of the industrial disputes because of their rarity, would be analogous to studying history without researching revolutions, as these are often only episodic, out of the ordinary events within otherwise long periods of seeming stability.

For the reasons stated above, a large-scale statistical approach to the research was viewed as inappropriate, instead this thesis chose a qualitative research methodology. In contrast to the limitations of a quantitative approach, Kelly applauds the valuable sociological studies

undertaken in the 1970s and 1980s by non-participant observation of shop stewards in various industrial workplace settings (Batstone et al 1977; Beynon 1975), describing them as the: "intellectual high water mark of a brief period of fertile and highly insightful accounts of social processes at the workplace" (Kelly 1998:7).

While the numbers involved in the studies may be smaller, the information generated by qualitative methods can produce in depth descriptive accounts of events from the participants point of view, allowing inductive analysis of why and how real life events take place (Gill et al. 2008; Mason 2002; Thomas et al. 2005). The empirical evidence also allows for conclusions to be drawn that can be are linked to, and critique theory (Bryman 2008; Mason 2002; Kelly 1998). It is for that reasons stated above that this thesis is based upon a qualitative methodological approach.

Positioning the researcher – participatory action research

As explained in chapter 1, the doctoral candidate was and remains a participant within the phenomenon being studied, it is therefore necessary to position the researcher within the research, and to highlight both the potential difficulties and advantages of his proximity to the subject being studied. The researcher's personal philosophical perspective has been fashioned by his experience as a construction worker and labour movement activist for over 35 years. The candidate worked in a variety of roles in the building industry and was an active trade unionist holding numerous elected lay UCATT positions until his late thirties. Throughout the 1990s, he was involved in a number of rank and file groups, playing a leading role in the London *Joint Sites Committee* and in 2009 he was elected as secretary of the *Blacklist Support Group*.

During the period of research for this thesis, a legal test case reached the European Court of Human Rights and group litigation at the High Court in relation to blacklisting; The author was a claimant in both cases and documentary evidence disclosed during the litigation has been investigated for this thesis. In addition, the Scottish Affairs select committee carried out an investigation into blacklisting, from which both witness testimony and documentary evidence has been studied. The author was both a witness and an informal advisor to MPs on the select committee.

The candidate's position within the processes being studied is a form of participant observation, where the observer is immersed within the community that they are studying (Crotty 1998; Waddington 1997), as opposed to the researcher being an external observer of the culture being studied (Batstone et al 1979; Fosh 1981). Exemplars of the participant observation approach are to be found in classic sociological industrial relations studies such as Beynon's (1975) *Working for Ford* and Burawoy's (1979) *Manufacturing Consent,* which saw both researchers working for months at a time on production lines in Liverpool and Chicago factories to research the motivation and outlook of their co-workers.

Waddington (1997) argues that extended periods within the natural setting, allows the observer to develop a first hand perspective of the activity being studied.

"Participant observation is best suited to research projects which emphasise the importance of human meanings, interpretations and interactions, where the phenomenon under investigation is generally obscured from public view, where it is controversial and where it is little understood and it may be therefore assumed that an 'insider' perspective would enhance our existing knowledge." (Waddington 1997:108)

Rather than attempting to expunge the subjectivity of the observer from the research, as per the positivist approach, the participant observer is explicitly aware of their emotional attachment derived from the 'insider' perspective. This is viewed as a positive attribute of the research method, allowing for a better understanding of the processes being studied (Waddington 1997).

Yet the intertwining of the doctoral candidate's research and activism means that evidence generated by this doctoral study has already influenced the process under investigation: this goes beyond standard participant observation. The researcher is not merely a participant observer, he has consciously taken sides in the phenomenon, campaigning alongside the human subjects and feeding the empirical research gathered back into the movement being studied.

The candidates approach coincides with the views expressed by Burawoy (2005), who suggests that those engaged in sociological research should consider two connected questions

about their knowledge acquisition: *knowledge for whom?* and *knowledge for what?*, arguing for a return to an:

> *"organic public sociology* in which the sociologist works in close connection with a visible, thick, active, local and often counter- public… labor movement, neighborhood associations, communities of faith, immigrant rights groups, human rights organizations. Between the organic public sociologist and a public is a dialogue, a process of mutual education" (Burawoy 2005:7-8)

Burawoy points to the rich tradition of sociology where the researcher engages with, and is unashamedly on the side of the oppressed (Wright Mills 1959; Gouldner 1970; Bourdieu 1999; Strand et al. 2003). Burawoy argues that it is legitimate for sociologists to adopt a partisan approach, by doing so, "In times of market tyranny and state despotism, sociology—and in particular its public face—defends the interests of humanity" (Burawoy 2005:24)

A partisan interaction between the researcher and human subjects overlaps considerably with the 'action research' tradition advocated by Bradbury and Reason (2012) who argue the validity of a methodological approach where the researcher works alongside existing practitioners to consciously act as a resource to stimulate change. While action research is often perceived as an academic element of business consultancy in pursuit of organisational change (Senge 2001; Ballantyne 2004); activist scholars supporting more radical change have argued for the adoption of a participatory action research methodology (Fals-Borda 2001; Lopes 2006).

Within employment relations studies, Brook and Darlington (2013) champion the participatory action research approach, arguing that scholars taking a partisan position working alongside marginalized groups to co-create knowledge and assist struggles for change, can still be compatible with robust academic research. They propose that by adopting the

> "established methodological tradition of *action research*, especially its emancipatory-oriented variant, *participatory action research…* partisan organic scholars can ensure their research is rigorous, valid and representative through being reflexive, accountable to agents and relevant to their struggles" (Brook & Darlington 2013:233)

While accepting that there is overlap in definitions of partisan research, making categorisation open to interpretation, and that researchers may deploy elements of different approaches, it is possible to identify a spectrum of qualitative research approaches, as highlighted in the table below.

Table 1: Different qualitative research approaches within employment relations

	Aims of research	Researchers relationship to human subjects	Researchers relationship to phenomenon	Employment relations researchers
Non- participant observation	Knowledge acquisition	Arms length	External	Fosh, Batstone
Participant Observation	Knowledge acquisition	Alongside	Inside the phenomenon	Beynon, Burawoy
Action research	Facilitating organisational change on behalf of practitioners	Working with practitioners	Either external or internal consultant. Suggesting organisational changes	Senge, Ballantyne
Participatory Action Research / Organic Public Sociology	Facilitating emancipatory change on behalf of the oppressed	Collaborative Partisan	Inside and advocating for emancipatory change to the phenomenon	Wright Mils, Gouldner, Lopes

An example of this participatory action research approach can be found with Lopes' (2006) study of UK sex-workers. During her doctoral thesis she immersed herself into the phenomenon by working on a chat-line to understand the motivations and outlook of her fellow workers but also was instrumental in the establishment of the International Union of Sex Workers, which later became affiliated to the GMB union (Lopes 2006). In such a role, Lopes was able to assist in the struggle for sex-workers rights and from a research viewpoint, crucially gain the trust of the individuals she was studying, herself becoming the gatekeeper to potential interviewees.

This thesis suggests that in his role as BSG secretary, the doctoral candidate is in a similar situation to Lopes: his research and his union activism are intertwined. During the period of the research, they combined to build a noteworthy social justice campaign fighting for emancipatory change, that was heavily involved in major industrial disputes in the construction industry. The author's closeness to the blacklisted activists providing him an unrivalled access to the human subjects, that given the covert nature of much unofficial rank and file union activism in construction, would be closed to most other research without means of a gatekeeper. The candidate's position within the process also gives him an insider perspective on both the techniques and motivations of the activists being studied, considered important for studying such a hidden phenomenon. This thesis argues that the activism of the doctoral candidate is in a long academic tradition of campaigning social science research, that could reasonably be described be a strand of public sociology (Burawoy 2005, Wright Mills 1959; Bourdieu 1999). Chatterton et al. (2007) describe this mode of sociology as 'academic activism' situated within a participatory action research orientation (Brook & Darlington 2013; Fals-Borda 2001; Lopes 2006).

However, an overly partisan activist approach could clearly bring dangers to academic study, with the potential risk of a pre-existing political viewpoint taking precedence over the empirical data (Siraj-Blatchford 1995; Clawson et al. 2007). Siraj-Blatchford (1995) argues that that a degree of detachment and conscientious professionalism is essential to produce rigorous findings. Brook and Darlington (2013) and Burawoy (2005) argue that the risk of political dogma overriding the observed evidence, especially in cases where researchers are partisan, can be mitigated through 'reflexivity'. Researchers need to be transparent about their role and its impact, openly acknowledging and consciously identifying where their positionality and partisanship has impacted upon the methodological decisions, evidence generated and data analysis, in so doing compelling a degree of third party evaluation of the entire research process. The doctoral candidate recognises how even unconscious bias has the potential to influence both the collection and analysis of data, and throughout the thesis has made every effort to highlight where an overlap with his activism takes place. This transparency and reflexivity is a feature of this thesis and of the participatory action research approach in general.

One such example arising from the candidate's pre-existing relationships with the subjects, was that both the interviewee and interviewer often held shared assumptions about the process under investigation. This meant that interviewees often failed to vocalise points that they considered to be completely self-evident. It therefore became necessary for the researcher to repeatedly use the phrase "imagine that we had never met before and I know nothing about how the building industry operates". The author openly acknowledges that his long-term friendships with some of the interviewees had the potential to skew the evidence generated in a small number of the interviews and this could lead to an accusation of bias by those who may disagree with his findings. The author refutes this completely, and states for the record that at no point has evidence been falsified or outlying quotations selected to claim a trend, if similar sentiments were not apparent amongst a number of the interviewees.

If anything, the interview data could be affected by what the interviewees left unsaid, leading to a lack of the data in some areas. This is a limitation of the research, but this thesis argues that this recognised drawback is outweighed by the access to research subjects whose participation in the research would otherwise be very difficult to obtain. The author did his utmost to conduct the doctoral study in a professional and objective manner and to constantly self-reflect during the research process in order to avoid the potential for confirmation bias.

The thesis acknowledges however the potential risk that the candidate's ongoing participation in the processes being studied brings with it (Clawson et al. 2007; Siraj-Blatchford 1995). The candidate therefore consciously highlights where his activism overlaps with his research, thus allowing for a degree of self-reflection and an objective evaluation of the evidence produced. Rather than listing all of the areas where an overlap exists at this point, the intersection is identified throughout the thesis whenever the position of the candidate impacts upon methodological choices or when doctoral research has affected the processes being studied.

Research methods

This next section identifies the different research methods used during the study and indicates where the candidate's positionality and ideology have influenced the methodological choices.

The voices of the human subjects were recorded in a number of different fashions during this research; from interviews carried out exclusively by the candidate, but also approaches in which questions devised by the researcher were asked by third parties. These collaborative interviewing techniques included questioning by MPs on the Scottish Affairs select committee investigation into blacklisting and interviews with activists that appear on numerous YouTube videos. In addition, written statements from blacklisted activists prepared for the High Court litigation and articles in which the activists have either been quoted or wrote themselves have occasionally been used. For consistency of approach, any quotes by activists have been anonymised in the same fashion throughout the thesis, however, any quotations derived from sources other than interviews for this thesis are identified in footnotes.

In addition, investigation of both primary and secondary source documentary evidence was also carried out. The position of the researcher within the processes being studied gave him access to primary source documentary evidence that is not in the public domain and would therefore be unavailable to other researchers. These included individual's blacklist files kept by *The Consulting Association*, police files, original rank and file campaign leaflets, documents and emails generated by Subject Access Requests, plus witness statements and other disclosed evidence from the High Court trial. In addition, secondary source evidence such as documents posted on the Scottish Affairs select committee website and contemporaneous press cuttings were used for triangulation purposes. Where documentary evidence is relied upon or referred to in the thesis, it is referenced by use of a footnote on the relevant page.

Nonetheless, the principal research method used to generate the empirical evidence in this study was semi-structured interviews carried out exclusively by the author. Semi-structured interviews allow for dialogues to meander out of sequence into unscripted territory to probe for further, more in-depth responses than can be achieved by sticking to set questions in fully structured interviews (Mason 2002; Gill et al. 2008).

A non-probability purposive sampling strategy has been used, consciously targeting those individuals perceived beforehand as being the most useful to the research (Bryman 2008; Mason 2002; Marsh & Scarborugh 1990). As the subject matter for this thesis is union mobilisation and employers' counter mobilisation in the UK construction industry since the

mid 1980s, the research therefore sought to interview leading construction union activists of the past two generations.

A sample frame was devised to ensure that a wide range of job role, union membership, union role, construction projects, region, industrial disputes and political viewpoints were interviewed. It is not claimed that the interview cohort is characteristic of the majority of union members in construction, but as Flyvberg argues, depending on what the study is trying to uncover, it is often more useful to only interview individuals who are far from representative, rather than merely discovering a meaningless average (Flyvberg 2006; Yin 1994). Regardless of the interview frame, the principal aim was to of interview rank and file activists who had not just participated in but led industrial disputes and in most cases were victimised as a consequence. The interviewees were drawn primarily from membership of the *Blacklist Support Group* (BSG) but included other prominent construction industry union activists of the period.

This thesis acknowledges that strategic decisions regarding who to add and who to exclude from the interview cohort had a major impact on the data generated and that those decisions have been influenced by the candidate's Marxist worldview and proximity to the subjects. However, the same could be said for all social science research irrespective of the researcher (Brook & Darlington 2013; Keat & Urry 2011; Crotty 1998).

An example of where sampling choice has a direct consequence on the data generated is provided by Druker's (2016) study of the legacy of blacklisting after the exposure of The Consulting Association (TCA). The sampling matrix is exemplary in its attempt to provide a cross-section of voices, with 23 interviews carried out, consisting of one client, eight employer representatives (including senior managers from blacklisting companies), two union officials, two union convenors, five workers, and five representatives from professional bodies.

All of the management and professional body interviewees suggested that such systematic blacklisting as existed with TCA no longer continued in the sector today. Perhaps more surprising was the fact that this view was echoed by the full-time union officials and full-time site conveners, in direct contradiction to the stated policy of their unions. Regardless of just how representative the interviewed union officials are, Druker was able to use the broad

consensus of opinion amongst her interview cohort (an outlying dissenting voice merely demonstrating the breadth of opinion sought), combined with numerous corporate and professional codes of ethics, to conclude that the blacklisting that had existed in the construction industry for over five decades was unlikely to still be operating (Druker 2016).

It would appear that the choice of who to interview was the overriding factor in the responses generated during the interviews. Given the high profile nature of the blacklisting campaign that is referred to on numerous occasions during the article, it might have been possible to interview some younger union activists who had recently been involved in industrial action and claimed to be victims of contemporary blacklisting; but this was not deemed necessary. Instead, a sampling strategy decision was taken to include a spread of senior managers from construction companies that subscribed to TCA plus union officials and appointed convenors, who all downplayed the likelihood of blacklisting being a contemporary phenomenon. Their responses were taken at face value and somewhat predictably coalesce around a position closely resembling the spin produced by corporate PR departments. No doubt statistical analysis would demonstrate a standard bell curve distribution of responses. While it is difficult to criticise the cross-section of stakeholders achieved by the Druker's sampling, in both her choice of interviewees and the credence given to their responses, a prevailing hegemonic framework is reproduced.

The ability to access so many of the blacklisted union activists is a unique aspect of this research and would have been all but impossible for any other researcher, other than by using the doctoral candidate (or someone in a very similar position) as their gatekeeper. In areas where the potential cohort of interviewees are often hidden and widely dispersed, a gatekeeper may be the only way to open the door to potential interviewees, who if the researcher is able to gain their trust, will themselves identify others willing to participate in the interview process. (Lee 2005; Bryman 2008). The doctoral candidate's pre-exiting connection with the construction industry's leading union activists is therefore one of the advantages of the researcher's position brings to the thesis. Yet, the thesis also accepts that by the candidate acting as gatekeeper, this adds another potential source of bias, as any third party gatekeeper would inevitably identify some different prospective interviewees. However, when studying mostly covert activities, where potential interviewees may be wary of speaking to an external researcher, any third party gatekeeper is likely to be part of the phenomenon under investigation (Bryman 2008).

Druker & White (2013) acknowledge the difficulties faced by those studying sensitive employment relations issues and the importance of a gatekeeper to provide access to the human subjects. Their research into industrial relations on the London 2012 Olympic construction site provides an insight:

> "This qualitative approach to research is not an easy one in the construction sector. Interviewees may have reservations about discussing the controversial area of employment practice. Without the help of a 'gatekeeper' who had been the Industrial Relations Manager with CLM it might have been difficult to access some of the interviewees" (Druker & White 2013:572).

This thesis questions whether the industrial relation manager from one of the main companies involved in the largest Joint Venture on the Olympics project would be free from bias. While it is common within industrial relations for senior HR managers, or from the union side a full-time official or branch secretary to be gatekeepers, it is important to bear in mind that the gatekeepers themselves are often actors within the process and may have extrinsic reasons for suggesting particular individuals to the researcher (Lee 2005). This thesis agrees with Lee (2005), that the choice of interviewees put forward by any gatekeeper who themselves may be part of the process under investigation will almost certainly colour the responses generated.

Whilst the thesis acknowledges that the choice of interviewees chosen in this doctoral study will impact the empirical data, it argues that this imperfection exists in all employment relations research. The thesis argues that the potential risks are more than outweighed by the unique access to a cohort of union activists that would otherwise have remained unreported.

The interview cohort

This next section explains how decisions regarding the size and composition of the interview cohort were taken. The composition of the primary interview cohort is then described and evaluated including in tabular form.

As this thesis is studying both union mobilisation and employers' counter-mobilisation, inclusion on The Consulting Association blacklist is a reasonable indicator that a union activist is likely to have encountered both aspects of industrial relations in the construction industry. TCA's database contains the names of 3123 individuals; from this potential universal population, a number were duplicates, some had died and several hundred were environmental rather than union activists. Approximately 60% have received their blacklist files from the ICO and many of these would openly admit that they were not necessarily union activists, merely participants in industrial disputes who have been identified by the employers. The original intention was to interview fifty people, but between 2013 and 2017, more than 100 individuals were interviewed by the candidate, of which over 75% were construction union activists. Given the nature of the study, this is a relatively high response rate from the potential global interview cohort. In addition 15 activists not from the construction industry were interviewed, primarily in relation to undercover police surveillance.

Originally, it was not intended to interview employers' representatives during the research. Difficulty in gaining access to the key actors was a major consideration. Individuals who orchestrated the counter-mobilisation methods are senior human resources managers of multi-national corporations, often at director level: the likelihood of being granted interviews at a time when there are numerous legal claims progressing through the courts appeared very low. In addition, as this thesis lies squarely within the mobilisation theory and trade union renewal debates (Gall 2009; Nowak 2009; Danford, Richardson & Upchurch 2002; Moore 2004) and is avowedly viewed from a trade union perspective; employers' perceptions therefore have relatively limited relevance. Given the covert conspiratorial nature of blacklisting operation, it questionable whether interviews with construction managers or HRM representatives of large contractors would necessarily provide responses that are any more reliable than corporate public relations.

However, as the research progressed, the thesis did manage to interview a small number of senior managers involved in TCA; any quotations from these interviews are anonymised. In addition, some of the key employer side actors gave evidence to the Scottish Affairs Select Committee (SASC) investigation into blacklisting and their responses under oath, provide an insight into the public justifications of their actions. Whenever quotations are taken from the

select committee investigation or witness statements in court cases, the real name and their company is cited and referenced in footnotes.

The section below provides an overview of the primary cohort, the interviewees are described based upon their trades, union, position held within the union, age, race, gender, geographical location, construction projects worked on, educational qualification and contractual status. In some cases, there is an accompanying written explanation, in most the data is presented in a table followed by a brief comment. For many categories more in-depth analysis is provided in later chapters. When data is presented in tabular form, the totals are not always the same, this is either due to possible multiple answers or because the information was not always provided.

Table 2 – Interview cohort by trade / profession:

Electricians	40
Bricklayers	14
Carpenters	10
Steel Erectors /Welders	4
Scaffolders	3
Painters	3
Engineers	3
Crane drivers	2
Labourer	2
Plumbers	1
Full-time union officials	10
Industrial relations professionals	4
Family members of activists	6
Non construction activists	15

The cross-section of construction trades represented amongst the interview cohort is heavily skewed towards electricians. Whilst this is clearly unrepresentative of the sector as a whole, is it however typical of the blacklist database, as a significant number of major electrical contractors (in most cases wholly owned subsidiaries of multinationals) were subscribers to TCA, resulting in a large number of electricians being added especially from the late 1990s onwards. For example, the names and national insurance numbers of every electrician who worked for Drake and Scull on the Jubilee Line Extension, Balfour Beatty during the Pfizers

dispute and at the Royal Opera House were circulated amongst the blacklisting companies and was seized by the ICO during their initial raid on TCA.[4]

Table 3 – Interview cohort by union

UNITE	53
UCATT	30
GMB	4
RMT	2

(NB: information not provided by all interviewees)

The above indicates the union that the interviewed construction union activists were members of at the time the interviews took place, or would have been be a member of, if still employed in the construction industry. For example, if an electrician in his 60s was interviewed, he would have been a member of EETPU, AEU, AEEU, Amicus, UNITE and possibly the EPIU, during the period under investigation. In order to avoid multiple entries and a jumble of unrecognised acronyms, only UNITE has been recorded in this table. However, if forerunner unions are explicitly named in the interviews, they are used in quotations in later chapters. In addition, around 10 non-construction activists, were also interviewed from the University and College Union (UCU), National Union of Mineworkers (NUM), National Union of Journalists (NUJ) and Independent Workers union of Great Britain (IWGB). While peripheral to the core subject they provided supporting background evidence on issues such as precarious work and state surveillance of trade unions.

Table 4 - Union positions held by construction union activists

Shop Steward	39
Branch official	38
Regional committee member	24
Safety Rep	20
Full-time union official	11
Never been a rep	7
National Committee member	4

(NB: Possible multiple responses, whilst information was not provided by all interviewees)

While it is hardly surprising that amongst the leading industrial activists of the past two generations a number had progressed to the level of EC member and full-time official, this was rare. The vast majority had been active at site level as a shop-steward or safety rep or

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[4] This list of electricians' names is known as the Sheila Knight list, named after the Drake & Scull HR manager who distributed the information in a memo in August 2000. Knight had previously held a senior position within ACAS. Whilst this list has been previously reported, the candidate has a copy of the original memo, which is not in the public domain.

convenor, while around 40% had held a branch position. It was noticeable that for around half of the interviewees, on site union activity predated holding any official union positions such as branch official or regional committee member.

Table 5 - Age at the date of the interview (where identifiable)

Under	30	8
	40s	18
	50s	23
	60s	25
Over	70	7

The majority of the union activists interviewed indicated that they first participated in union activism when in their twenties and were leading some kind of industrial action by their late twenties or thirties. The period covered by the interviews therefore stretch from the late 1960s until the present day but given the age profile of the cohort, the vast majority of activism under investigation took place from the late 1980s until the present day. This coincides with the period when casualization of the workforce became much more widespread (Harvey 2001). Campaigning against blacklisting and undercover police accounts for a renewed wave of activism from 2009 onwards amongst around 40% of the interviewees.

Table 6 - Geographical location (home address or location of activism)

London	38
North West	21
South East	16
Scotland	11
North East	7
Midlands	3
Wales	2
South West	1

Unsurprisingly, London is the city where most interviewees either lived or worked, mirroring the concentration of major infrastructure projects in the South East. London is also the home of 454 of the workers on the blacklist database, increasing to over 700 if the adjacent counties such as Essex and Kent are included; Scotland (517) being the second largest incidence followed by Manchester (183) and Liverpool (173). While not every TCA file records an address, assuming the proportions remain relatively similar, the cohort are broadly representative of the geographical spread of the blacklisted activists, although Scotland is

underrepresented. The London centric nature of the interviews is no doubt also partially due to the researcher's proximity to the capital.

Educational qualifications

Other than two labourers, all of the union activists interviewed had some kind of qualification relating to their trade, in the vast majority of cases as part an apprenticeship or a vocational course completed at a local FE college or Polytechnic. These ranged from Level 2 City and Guilds or NVQs to Level 3 Higher National Diplomas and Open College Network qualifications. In a number of cases the interviewee was a member of a professional body including the *Institute of Occupational Safety and Health* (IOSH). The electricians, plumbers, engineers and safety officers tend to have a higher level qualification than bricklayers. Given the age profile, for the majority of the cohort, this was a time when attending university amongst the working class was very rare. In this respect the interview cohort are overwhelmingly drawn from the skilled working class. Around 15% of the interviewees went on to Higher Education completing degrees, masters or doctorates in later life.

Construction projects / disputes covered

Some of the older activists had been active in trade unionism since the late 1960s and had worked or led industrial action on the following sites; the Barbican, Horseferry Road, Thames Barrier, Trocadero and the 1972 national building workers strike including campaigning around the Shrewsbury pickets, although disputes on these projects from that period are not discussed in this thesis.

From the 1980s onwards, the activists had worked on significant projects including; the British Library, Canary Wharf, Channel Tunnel, Millennium Dome, Royal Opera House, Pfizers, Heathrow Terminal 5, Second Severn Crossing, Docklands Light Railway, Manchester Royal Infirmary, Aldermaston AWE, Channel Tunnel Rail Link, Connah's Quay and Vascrofts. The Jubilee Line Extension (JLE), which ran for most of the 1990s was the project that the largest number of interviewees had worked on. This project was famous for industrial action and is also the construction project from where the largest numbers of union members were added to TCA's blacklist.

A number of infrastructure projects such as power stations and oil refineries were repeat locations for industrial action throughout the entire period under investigation. These

included; Littlebrooke and Mossmorran power stations, Lindsey and Grangemouth oil refineries, and a number of North Sea oil and gas platforms. The Consulting Association blacklist was discovered in 2009 but even after that date interviewed activists were involved in industrial action on the Olympics, Crossrail, plus various power plants around Teesside, Sullum Voe gas terminal in the Shetland Isles and ongoing campaigning around the issue of blacklisting.

Rank and file groups

In addition, every activist interviewed had participated in some rank and file activism, associated with one of the sector's numerous unofficial campaign groups. While the interview cohort is overwhelmingly drawn from the Blacklist Support Group, an indication of the fuller range is provided in the table below:

Table 7: Rank & file groups in which the activists participated

Blacklist Support Group	77
Construction Rank & File	41
London Joint Sites Committee	25
Construction Safety Campaign	20
Building Workers Charter	9
Building Worker Group	7
Contact	5
Flashlight	1
Teesside Construction Activists	2
North West Cowboy	5
Building Workers Safety Campaign	2
Offshore Industry Liaison Committee	1
Inner London Shop Stewards Committee	1

(NB: information not available for all interviewees)

The high proportion of those participating in the Construction Rank and File, Joint Sites Committee, Construction Safety Campaign, Building Workers Charter and Building Worker Group is an indication of their significance over a number of years covered in this thesis. Of the other groups identified, Offshore Industry Liaison Committee and the Teesside Construction Activists and the Inner London Shop Stewards Committee (steel erectors) have all led major unofficial industrial battles, calling industrial action in their own names. Many of the interview cohort had either led or been active members of multiple rank and file groups.

One of the primary aims of the sampling strategy was to ensure a wide array of construction projects and prominent industrial disputes were covered in the interviews and this has been achieved. The empirical evidence generated by the interviews relating to situations where the activists led industrial action is developed in chapters 8 and 9.

Contractual status

The casualised nature of employment contracts is an important structural factor affecting employment relations in the UK construction industry. Virtually every construction activist interviewed had worked on a variety of different payment methods. This included both casualised and direct employment, but only two interviewees claimed to have *only* ever been engaged on a PAYE basis while working on building sites in the 1980s, before they gained long-term employment in the public sector.

Amongst the rest of the construction industry union activists, all had been engaged via employment agencies or one of the myriad of different payment schemes that operated in the sector over the past 40 years. These included schemes sanctioned by the tax office such as the Construction Industry Scheme (CIS), SC60, 714 certificates, as well as other complicated payment mechanisms set up by the employers including; Limited Company, offshore and umbrella payroll companies, all of which classify the worker as self-employed. There was also universal experiences of cash in hand payments as part of the black economy, although this was not an everyday practice.

In their experience of being classified as self-employed for at least part of their working lives, the cohort mirrors the experience of the vast majority of construction workers in the UK. This phenomenon will be investigated further in Chapter 4, dealing with the structural factors affecting activism in the sector.

Gender and race

The original sampling frame was constructed in order to provide a representative sample of those activists who had led industrial action and participated in rank and file campaigns in the construction industry. Demographic categories such as gender and ethnicity were not criteria within the sampling frame and this is evident in the demographic make up of the cohort. This

may either be a shortcoming in the selection criteria, but is more likely to reflect the target population in terms of union activism.

Only twelve interviews were carried out with women but this also includes partners of blacklisted workers and non-construction activists. Only three female interviewees appear on TCA's blacklist and only two of the women interviewed worked in contracting. Construction is a male dominated industry but with only two female construction workers, the interview cohort is still significantly disproportionate to the current proportion of women in the sector, in which 12% are female, although this figure falls to just 4% amongst the self-employed section of the workforce (ONS 2015).

However, no claim is made that the interviewees are typical of the entire UK construction workforce in 2017. Rather, it is intended to be representative of construction industry union activists operating in the contracting sector since the 1980s, which was almost universally male. The author can only recall meeting a very small number of female union members or reps in UCATT from the 1990s onwards. Although he remembers around five holding a branch, workplace rep or conference delegate role, they tended to work in either the public sector direct labour organisations (local authorities or NHS) or in ancillary roles such as training or catering. It is probable that the lack of female union activists interviewed is an indication of the gender imbalance within the sector and the unions, rather than a significant discrepancy in the sampling.

Given the informal employment relations within construction, it has always been a sector that attracts migrant workers. Ever since the industrial revolution, Irish workers have accounted for a significant proportion of the labour force (Thompson 1968, Postgate 1923), and ex-colonial migration saw a (relatively small) increase of workers of Caribbean or Indian descent in the post war period. However, in the past 20 years, there has been a major influx of Eastern European, Asian and African workers into the building industry (Glackin 1999; Fuller 2003). Druker (2016) cites Polish, Punjabi and English as the three main languages used during site inductions on major projects in London today.

With the exception of Irish workers, this diversity was not reflected in the interview cohort. Only two of the entire interview cohort were Black and all of the construction workers

interviewed are white; although at least 10% were identifiably of Irish descent (the true figure may be considerably higher). Once again, this is primarily a reflection of the ethnic make up of union activists within construction during this period. The author's own experience as a branch secretary and conference delegate from 1990-200 is that he can only recall coming into contact with a handful of Black UCATT activists, mostly from the public sector. It was not unusual to attend conferences, protests or meetings where every participant was white: in fact, it was the norm. The lack of diversity in terms of both ethnicity and gender amongst the interviewees therefore reflects the unfortunate lack of diversity within the sector and the ranks of union representatives over the given time period.

Interview cohort summary

In summary, the main interview cohort are typically working class men who worked in skilled trades in the UK construction industry from the 1980s until the present day, with nine individuals having been employed in the sector since the late 1960s. They were either of British or Irish ethnic origin and overwhelmingly qualified to Level 2 or above. The vast majority had worked on a variety of different payment methods from PAYE direct employment but also including agencies, umbrella companies, and false self-employment. In these characteristics they are broadly representative of the construction industry workforce, and to an even greater degree than the majority of other union activists in the sector (who tend to be concentrated in the public sector or privatised direct labour organisations).

However, it is in terms of their union activism in which the interviewees are atypical. In a sector with such a low union membership density, the majority of the cohort did not simply belong to a trade union; over two generations they organised industrial action on major construction projects and in most cases were blacklisted as a consequence of their union activities. The cohort also account for a large proportion of the leading figures within the ad-hoc rank and file campaigns responsible for a significant proportion of the sector's industrial unrest. No claim is made that the activists within the interview sample are representative of the entire British trade union movement or even the average shop steward within the building industry. However, this thesis reflects Flyvberg's (2006) proposition that extreme case studies can provide richer descriptive evidence than would otherwise be generated by a random sample. Appendix A contains anonymised details of the interviewees.

Research Ethics

When studying human subjects, ethical considerations need to be taken into account and participation in the research based upon informed consent and anonymity. This is especially so when those interviewed have been involved in traumatic events, ongoing litigation or unlawful activities. Specifically in this research, attention needed to be paid in respect of both pastoral care and data protection, but also the possibility of libel. An initial set of interview questions were drawn up and discussed with supervisors, with particular attention paid to issues such as data protection and safeguarding (Mason 2002; Gil 2008; Denzin & Lincoln 1994). A consent form and a participant's information sheet giving an overview of the research for the interviewees was developed, reassuring participants about confidentiality and anonymity. This has been presented to the UWE FBL Ethics committee and approval was granted on 4th July 2013. A copy of the consent form is shown in Appendix B. A small number of pilot interviews took place with peripheral actors in the research. The interviews were digitally recorded and draft interview transcripts were typed up and discussed with the thesis supervisors to sharpen the interview questions. The final questions used in the semi-structured interviews appear in Appendix C.

The researcher had to be mindful of safeguarding issues, especially when asking interviewees to discuss potentially upsetting incidents from their past. During one interview, the participant recalled a violent assault on a building site that left himself with 10 stitches in his head and his brother with permanent brain damage. It was a sobering moment and following the ethics guidance supplied by the university, the interview was temporarily suspended to check whether the interviewee was OK and happy to continue. On two other occasions, workers broke into tears when remembering how blacklisting had affected their families.

Legal issues were also particularly relevant because *The Consulting Association* scandal resulted in a major High Court litigation involving around 60% of the blacklisted activists at the exact same time as the interviews were taking place. As breaches of the Data Protection Act were the claimant's central legal argument, protecting interviewees personal sensitive data was important. To protect personal data, interviews were stored electronically in a password protected folder on a laptop that is used exclusively by the author. To ensure confidentiality, the information gathered during the interviews has been anonymised. The

data will not be shared with any third party outside the research programme except with the explicit written consent of the individuals interviewed.

However, during the interviews it became very clear that most participants actively wanted to tell 'their story' as a form of oral history, viewing the interviews as an opportunity to 'put the record straight' about incidents in their past, that may have previously been seen by family members as personal failings but which with new documentary evidence, may be viewed in a different light. Consequently, almost all interviewees did provide their written consent for their stories to be placed into the public domain and some small sections of transcribed interviews carried out for this thesis had already been published (Smith & Chamberlain 2016). Despite this, in order to maintain consistency of approach, all quotes from union activists in this thesis are presented in the same anonymised fashion.

As involvement in the phenomena being studied also had the potential to cause reputational damage to participants, the need to ensure that assertions made in the interviews did not stray into defamation was necessary. However, on a number of occasions the interviewees divulged information that could be considered libellous: none of these potentially defamatory claims been published in this thesis and will not be in any subsequent or related publications. The candidate has previously received letters from a number of different solicitors threatening legal action for defamation both before and after publication of his co-authored book *Blacklisted* and articles in *The Guardian* and *Morning Star*. All of these legal threats were unsuccessful, and lessons have been learnt by the author in how to present any material with the potential to cause legal difficulties.

Additional interview sources

In addition to the interviews carried out directly by the author, a small number of quotations used in the thesis were gained from additional sources. One such source is from videos posted online by the *Reel News* indy-media collective, who have documented all of the major industrial disputes in the construction industry since 2011. In excess of 150 interviews with construction activists were filmed and hundreds of hours of video footage have been uploaded onto social media, acting as an online record of many of the disputes being studied. Evaluation of this video footage played an important role not just for triangulation but also as primary source material for the case study into the BESNA dispute. Despite these videoed

interviews being in the public domain via the Reel News website[5], for the sake of conformity of presentation, any quotes taken from these online videos have been anonymised in the same way as interviews carried out directly by the author, but with their source identified in footnotes.

In addition, as part of his activism, the candidate has collaborated with investigative journalist Phil Chamberlain (UWE Head of the School of Journalism), who interviewed a number of employers' representatives and an ex-undercover police officer who had spied on blacklisted union activists for their co-authored book *Blacklisted.* These interviewees refused to be interviewed by the candidate because of his former union activities and position as the BSG secretary. However, as co-author of *Blacklisted,* while the candidate cannot claim sole credit for the evidence generated during the subsequent interviews, drawing up the questions was a collaborative process. Unpublished transcripts from the interviews carried out by Chamberlain have been analysed and used in the empirical findings for this thesis, so it could be argued that to a certain extent Chamberlain was acting as a form of proxy interviewer for this thesis. Any quotes obtained from collaboration with Phil Chamberlain are referenced as such in the footnotes.

However, while the thesis has collaborated with union activists, politicians, academics and journalists, producing empirical evidence that would not have been able to have been generated otherwise, it has not gone as far as sharing responsibility with those being studied, as argued by Cunningham (2008) and Heron & Reason (2001). The collaborators in this thesis were involved in the wider blacklisting campaign; they were not however the human subjects under investigation. Importantly, while some interviews have been carried out in part collaboration with others, the vast majority were carried out independently, and the overall research strategy, evaluation and analysis of the data is solely that of the doctoral candidate.

Documentary Analysis

Although interviews were the principal methodology employed, they were not the sole method used. Considerable investigation of primary source documentary evidence and secondary source material such as media reports was undertaken (Crotty 1998; Thomas et al.

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[5] https://www.reelnews.co.uk/tag/blacklisting/
https://www.reelnews.co.uk/tag/construction/

2005). The Consulting Association database and other documents seized in the initial Information Commissioner's Office raid are not in the public domain. Yet in his role as BSG secretary, the candidate has been shown thousands of pages of blacklist files released by the ICO: these act as primary source data for this thesis. Even when a personal file is disclosed to someone whose name appears on the blacklist, this is in a redacted form. However, as a claimant both individually at Employment Tribunal and as part of group action at the High Court, the candidate has been granted a third party disclosure order, which has resulted in him having access to tens of thousands of pages of unredacted TCA files, although this is still not full access to all the documents sized by the ICO.

In addition, emails, correspondence, internal company databases, reports and other documents from over a 40 year period were disclosed by the defendants in preparation for the during the High Court trial. Plus sixteen managers involved in the TCA scandal prepared witness statements that were to be used during the trial and were frequently referred to during the preliminary hearings. As a claimant in the litigation, the candidate has copies of much of this evidence and has quoted parts of it during the thesis. While the candidate does not claim to have read every single document disclosed during litigation, which runs into millions of pages, his lawyers have collated most significant material for use as part of legal submissions referred to during hearings; even these documents would be inaccessible to most other researchers. Additional primary source materials included leaflets and pamphlets written by the union activists themselves and published by rank and file groups from the 1960s until the present day. Three interviewees handed over archives of such documents that they had kept for decades, these were an invaluable resource and the candidate's pre-existing relationships with research participants undoubtedly made access to this evidence easier.

Data Analysis

The empirical data generated by questioning the activists was analysed both during and post the interview process. This next section starts by identifying how the raw data was collated and then how it was evaluated to identify the main themes that are presented in the thesis.

On a practical basis, the overwhelming majority of the interviews were carried out face-to-face, with some by phone and one via Skype. The average length of interview was approximately 90 minutes, although four lasted over three hours and around ten took less than 20 minutes. Additional information was often gained post interview by email

correspondence. The vast majority of interviews completed by both the candidate alone and third party collaborators, have been fully or partially transcribed.

During the interview process, a number of themes arose that were not initially identified by the candidate during the literature review, but which have the potential to cast light on the processes under investigation. One specific example of this was the strategic and tactical decisions taken by activists around when to 'go public' with otherwise covert organising methods. This theme grew in significance as the interviewing process continued, contributing to one of the significant findings of the thesis, which led to a critique of how union recognition campaigns are evaluated within the academic literature.

Conversely, other questions that were originally considered of interest, lost their importance during the interviewing process. One such theme where the interview responses resulted in questions being dropped related to 'loyalty' to an employer. The short-term casualised nature of employment, working for employers hostile to trade unions meant that negative responses regarding company loyalty were virtually universal. Saturation point was reached very quickly, with new interviewees failing to provide any new insight into the matter, as such the question was simply deleted from the interviewing schedule.

In both cases cited above, the questioning schedule was amended in later interviews to produce more in-depth evidence on the themes considered of greater importance to the thesis. The interaction of the candidate and the interviewees resulted in methodological changes and re-evaluations of observations remoulded hypotheses, midway through the research. This is an example of how dialectical interactions between researcher and subjects can affect any social science research using an inductive approach and qualitative methods.

Where clarification was needed on particular points, the author sent out additional questions via group emails to up to 30 activists at a time. This was a conscious attempt to ensure that the researcher's personal outlook was not clouding results; but the thesis was a true reflection of the experience and attitudes of the interview cohort. This reflectivity mechanism was used on a number of occasions, in particular to garner information and opinions about the High Court litigation, the 2012-13 BESNA dispute and the activists' ideological motivation. Different individuals were contacted dependent upon the issue needing clarification.

Qualitative research such as this study produces in depth descriptive accounts of events from the participants point of view allowing inductive analysis of why and how real life events take place, which in turn allows conclusions to be linked to and critique theory (Gill et al 2008; Bryman 2008; Mason 2002). Therefore, midway through the interviewing process, an inductive thematic analysis was carried out, during which recurrent narratives were identified. These were:

- Routes into union activism

- How structural constraints imposed difficulties for unions in the construction sector, which resulted in a repeated 'greenfield' approach to union organising

- The impact of blacklisting and how it affected the way activists approached union organising

- Covert union organising techniques

- Rank and file campaigning

- Attitudes towards union officials

- Motivation

The themes identified during the interviews are very much from the activists' perspective, which helped to identify their shared activist consciousness and shed some light onto their mode of activism. As such, the study could almost be accused of being an interpretivistic approach (Guba & Lincoln 1994), but for its Marxist underpinning, which provides the meta-theoretical framework within which the activists' worldview is placed (Keat & Urry 2011; Kelly 1998).

These nascent thematic ideas identified above were presented and discussed during UWE supervision meetings, identifying potential overlaps with academic debates and helping to sharpen the focus of later interviews. Upon completion of the interviews, the transcribed interviews were then re-read, with text that fell into the categories above being colour coded within Microsoft Word. Quotes from different interviews relating to the same topic were then copied and pasted into separate themed documents. The thematically collated quotes were then used as the starting points for assessing the empirical evidence and evaluating how the data fed into debates around mobilisation theory and union organising identified in the literature review.

A similar descriptive and interpretive data analysis approach (Mason 2002; Guba & Linclon 1994; Thomas et al. 2005) by which themes were identified occurred during the investigation of documentary evidence. Whereas the topics in the interviews highlighted the activists' viewpoint, the primary source documentary evidence tended to concentrate on the hidden mechanisms of blacklisting, providing an insight into both the role played and justification of a strata of senior managers within the major contractors.

The Creedon Report is the primary piece of documentary evidence studied that presents the police version of their role in blacklisting. As the candidate has already acknowledged the potential for partiality when researchers or gatekeepers are themselves part of the phenomena being studied, this thesis argues that an internal police investigation into possible police malpractice is unlikely to be free from similar bias. Yet despite the candidate's conviction that the police are not neutral in major disputes between labour and capital, the Operation Reuben investigation is not dismissed out of hand. Rather its findings are evaluated against other primary source documentation, interviews and attempts at triangulation from secondary source material already in the public domain. The Creedon Report is not a public document; but is another example where the author's activism has given him access to primary source data that would be unavailable to most other researchers.

In respect of the data gathered from the employers via interviews, witness statements and evidence disclosed during litigation, the candidate's initial scepticism about the value of employer-side interviews was not substantially diminished. On many occasions, the witnesses at the select committee hearings sat alongside their lawyers and refused to answer direct questions from the MPs in case they would incriminate themselves in future litigation. The all party select committee published its first interim report in 2013, stating that:

> "We are far from certain that all of our witnesses have told us the truth, the whole truth and nothing but the truth", despite being under oath"
> (Scottish Affairs Select Committee 2013:5).

Although ideology inevitably influences how much weight is given to accounts by employers and the police, the doctoral candidate is mindful of the dangers inherent in his public support for blacklisted workers. By consciously reflecting on his positionality, he has attempted to

ensure that conclusions drawn by this thesis are grounded in the empirical evidence rather than pre-existing political preconceptions (Brook & Darlington 2013).

Yet his thesis unapologetically proclaims that it is partisan, arguing that academic research being used as a resource for a social justice campaigning stands in a long tradition of public sociology and participatory action research. The public engagement element of this thesis has already had a direct effect upon public policy making and moved forward the phenomenon being studied. As this occurred during the period that thesis was being carried out, the research itself generated new directions for study. While demonstrating the dialectical interconnection between the candidate's activism and doctoral research, this thesis suggests similar consequences will exist in much social science research that has an impact upon social policy, whether or not the researchers are as transparent about their political leanings.

Chapter 4 - Construction industry context

Trade unions do not operate in a vacuum, they are shaped partly by capitalist dynamics, and the agency provided by activists is in a large part constrained by the labour process and structural factors influencing the industry they work within (Hyman 1975; Keat & Urry 2011; Fairbrother 2000, 2003; McIlroy 1988, 2009). To understand union activism within UK construction, therefore requires an appreciation of the economic, employment relations and legal context in which the activists operate. This chapter identifies these sector wide structural factors and attempts to explain how they have limited the strategic choices available to trade unions and in so doing influenced the attitudes and behaviour of their workplace based activists.

This chapter starts by providing an overview of the construction industry, specifically identifying the reduction in union influence in the sector over the past four decades. Secondly, the chapter identifies two major intertwined phenomena that have shaped the entire industrial relations landscape; contracting amongst the construction companies and the casualised nature of the workforce. How these factors have restricted trade unionism, and in so doing shaped the consciousness of activists is also evaluated.

Thirdly, the chapter identifies how the finite nature of the construction labour process itself creates an itinerant and migrant workforce and considers how this has influenced the potential for collective organisation. The nature of employment and the workforce also has implications for how employment law regulates the sector, both in terms of individual and collective rights. Fourthly, the legal framework will be assessed with particular reference to the difficulties it poses for trade union organisation and how it has influenced union activists' consciousness.

Reduction of union influence in UK construction

Construction is a major part of the UK economy; depending upon the method of calculation, annual turnover is between £83 billion (Rhodes 2014) and £122 billion, over six per cent of total economic output (ONS 2014). The construction industry spans the private and public sector, includes speculative developers, building maintenance and a supply chain from aggregate extraction to pre-assembled modular products. By far the largest section of the industry is building contracting, where construction firms build housing, commercial properties and infrastructure projects, for which the public sector remains the by far the

foremost client.[6] Contracting and sub-contracting is the modus operandi of the entire sector (Eccles 1981; Clough & Sears 1994; DTI 2002); in a labour intensive industry, over 280,000 construction businesses account for 2.9 million jobs, around ten per cent of the total UK labour force (BIS 2013), of which 88% are male (ONS 2015).

However, structural changes in employment patterns that took hold in the 1980s have greatly reduced union influence (McIlroy 1988), casualised work, on a 'self-employment' basis, has become endemic amongst the labour force (Harvey 2001; Elliot 2012; DTI 2002). Such changes accelerated throughout the 1990s and into the 21st century causing ongoing difficulties for unions operating in construction. The reduction in trade union membership density within the building industry during this period is an observable fact, as indicated in the graph below:

Figure 6 - Union membership in UK construction 1979 – 2016 (with trendline)
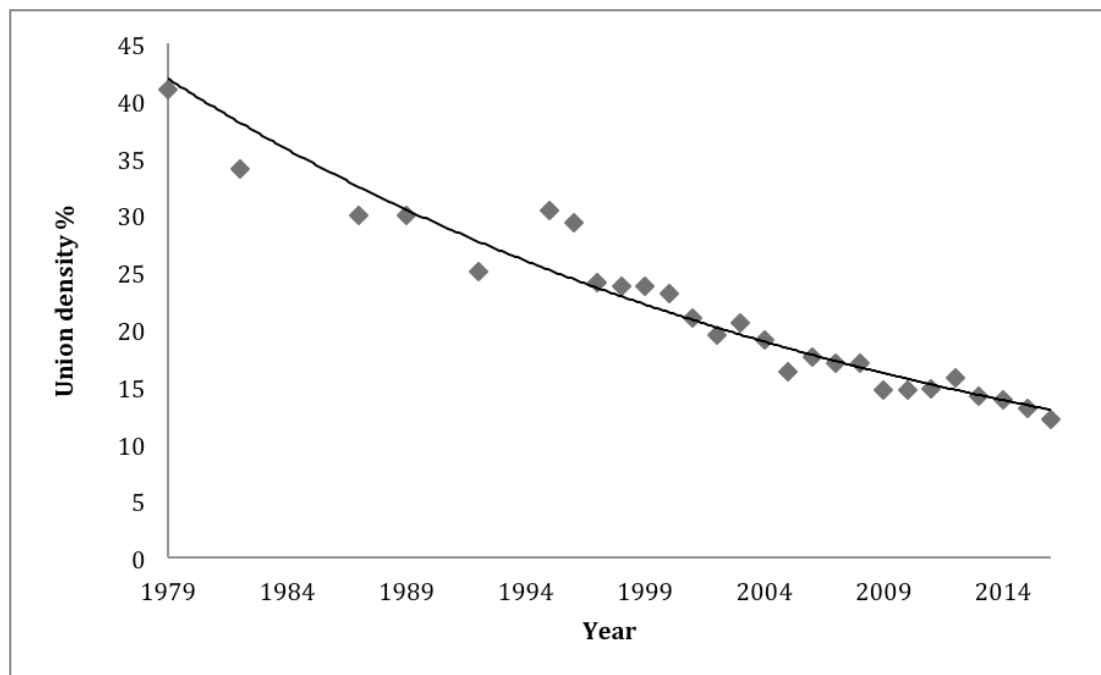
Sources: (Taylor 1994; Brook 2002; BEIS 2017)

NB: BEIS data set starts in 1995, therefore figures prior to this date are recorded on a different basis, which may account for the sharp jump that year, although the general trend over the period is still in the same direction.

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[6] Construction News (September 2017) Construction Industry Company League Tables, Emap, London, https://www.constructionnews.co.uk/data/league-tables

Employment has always been cyclical within the sector, but the long-term demise in trade union membership from over 40% in 1979 to below 14% in 2016 is significantly greater than any reduction due to the trade cycle and is a more structural phenomenon. In relative terms, the loss of union members in construction is significantly larger than the total fall in UK trade union membership during the same period (BEIS 2017). Construction remains a major element of the UK economy, and hence the structural reasons for the reduction in union membership density are different from those that took place in other male dominated working class manufacturing sectors, such as the mining or steel industries where complete de-industrialisation has devastated union membership.

Yet despite the significant reduction in union density, a number of long standing national collective bargaining agreements are still in existence between unions and employer associations. The largest agreements are the *Construction Industry Joint Council* (CIJC) *Working Rule Agreement* covering most general building trades such as carpentry and bricklaying, the *Joint Industry Board* (JIB) primarily for electricians and the *National Agreement for the Engineering Construction Industry* (NAECI) commonly known as the 'Blue Book' which covers larger industrial projects.

The industry wide multi-employer collective bargaining agreements encourage companies to recognise the signatory trade unions. Yet interviewees repeatedly highlighted how in their experience meaningful recognition was effectively restricted to the larger construction sites. On smaller unorganised projects and especially amongst the nominally self-employed and workers engaged through employment agencies, pay is effectively determined by supply and demand. Contractors and agencies set hourly rates without any regard for the national collective bargaining agreements. In boom times the rate will be above the agreement, during recessions it can fall well below. Carpenter B, was active during the 1990s - 2000s before emigrating to Australia, his recollection is typical:

> "The national agreements just never matched my experience as a carpenter in the private sector of the construction industry. It was never my experience that unions had any presence, let alone having delegates on most building sites. It's alright showing off about a handful of celebrity projects but the bulk of workers are not employed on those. They're working where it's more dangerous, more precarious, people are still being paid cash in hand".

The activists' experiences are confirmed by official statistics. In 1999, 55% of all construction sites had no union presence whatsoever (Cully et al. 1999:92), by 2013 this had increased to 73% (BIS 2014). Even including the public sector enclaves of union influence and the national agreements cited above, official statistics indicate that collective bargaining coverage in construction has fallen to 15.8% (BIS 2014).

Even major contractors publicly sympathetic to unions operate what has been described as a 'double breasting' approach to negotiating with trade unions; accepting recognition where the client or the size of the contract demands it but deliberately avoiding any discussion with the same unions where they are not forced to (Druker 2016; Dundon et al. 2015; Cullinane et al. 2012). The majority of smaller companies have no relationship whatsoever with trade unions. Lack of union recognition has knock on implications for a variety of other employment relations issues such as collective consultation rights during redundancy, which only apply to recognised trade unions (Lewis 2013) and industrial action. Even where agreements still exist, the collective bargaining relationship had changed, with power shifting in favour of management. As Brown et al. (1998) highlight:

> "What recognition means in practice is very much what the employer chooses to make it mean, moderated by whatever influence the union can bring to bear to shape the choice"

This thesis argues that the reduction of union influence within UK construction means that collective bargaining although nominally applicable to large swathes of the workforce is in reality limited to only the most high profile contracts, even then often only at the behest of a public sector client, resulting in almost an unrestricted supply and demand process determining wage rates in all but the larger construction projects.

Structure of the industry – employers

While being a significant part of the UK economy, construction has a very particular business model and the logistics of the construction process itself makes it different to most other sectors. Even where many thousands of workers may be employed on a single project, employment is always spread across various staggered but overlapping packages: groundworks (foundations), construction (brickwork/ steel erection / concrete frame), fit-out

(electrical/ plumbing/ second fix). The work process has fundamentally remained the same for decades, regardless of how labour is employed for decades (Mitchell & Mitchell 1947).

It is this discrete separation of tasks within any building project that allows for the widespread culture of sub-contracting (Eccles 1981; Clough & Sears 1994). Instead of general building firms that complete an entire contract from start to finish, companies have developed that only carry out bricklaying or carpentry, which sub-contract these discrete packages from the main contractor (Morton 2002). These specialist sub-contractors often employ the majority of labour on any building site. Having reduced their risks, labour costs and overheads, the role of major contractors is often reduced to purely management of the contract. While only a limited number of giant companies (Tier 1 contractors) large enough to bid for prestige contracts account for the majority of the total workload (Construction News 2017; DTI 2002), they directly employ only a tiny amount of the industry's labour force. The household names amongst the Tier 1 contractors that repeatedly appear at the top of industry league tables based on turnover are: Sir Robert McAlpine, Laing O'Rourke, Balfour Beatty, Morgan Sindall, Kier, Vinci, Lendlease, Carillion, Royal Bam. Galliford Try, Skanska (Construction News 2017). All but one have been involved in blacklisting (Smith & Chamberlain 2016).

On a £20 million project it would be usual for the main contractor to be managing around 70 sub-contracts of which a large proportion are valued at £50,000 or less, even smaller on a regional project.[7] The sub-contractors themselves, sub-contract again and again within the same project; at each level the margins becoming tighter and tighter. Scase (1999) classifies these kind of firms as 'dependent', entirely reliant upon contracts provided to them by larger companies. The quality and prices are determined by the larger organisation, which has the effect of restricting the parameters for terms and conditions that can be offered to the workforce by the sub-contracting company. A network of dependent SMEs sub-contract off each other but within strict parameters set for them by larger companies in order to reduce labour and materials costs, overheads and trade union influence (Nolan and Walsh 1999).

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[7] Business Innovation & Skills, Department of (July 2013) *UK Construction: an economic analysis of the sector*, Crown Copyright

Management approaches to employee relations within the dependent SMEs are severely restricted by the constraints imposed by the main contractors (Scase 1999). Despite the apparent arms-length relationship between the large main contractors and the workers on site, the influence and control of the main contractor remains very real. This trend towards SMEs has for decades been encouraged, both ideologically and by legislation from successive governments, the political argument being that de-regulation allows firms to be flexible and that this encourages innovation and job creation (Scase 1999; Brown 2002).

The preponderance of SMEs in construction has negative implications for social responsibility, planning and cost reductions associated with economies of scale (Pearce 2003) but also on safety (CCA 2009) and training (Latham 1994; Clarke & Wall 1998). Union membership density is also significantly lower amongst SMEs, where articulation of grievances is often perceived as a high risk strategy by workers (Moore et al 2007). Across all sectors union density amongst SMEs stands at just 16.4%, compared to larger organisations with average trade union density of 33.8% (BIS 2014). The prevalence of small sub-contractors in the construction has therefore unsurprisingly had a negative impact upon trade union membership and influence.

Structure of the industry - workforce

The organisation and nature of the firms within the building contracting sector is one of the overriding influences on industrial relations; mass self-employment of the workforce is the other. Casualisation in the construction industry is an observable fact. At the start of the 21st century, 46% of all construction firms had only a single employee (Pearce 2003:22) and around 600,00 construction workers were classified as self-employed; three times the proportion of self-employed across the whole of the UK economy (DTI 2002; DfEE 2000). By June 2015, self-employment in construction had risen further still to 874,00 workers (ONS 2015). Despite the lack of categorisation in the statistics, an informed assumption would place the overwhelming majority of these workers in the contracting sector of the industry, which would tally with estimates by Harvey (2001), whose research suggests self-employment was almost universal on large projects in central London at the turn of the century.

Outwards appearances would suggest that self-employed construction workers are independent contractors, in constant competition with each other. However, while a

proportion of this figure will include those who are genuinely self-employed, this thesis contends that the vast majority of the construction workforce in reality work for someone else and are employees in all but name (even if some may carry out occasional 'private' jobs at the weekend). Any serious attempt to investigate employment relations in the building industry needs to go beyond merely identifying the phenomenon of self-employment but must strive to explain the historical, economic and political factors that led to this situation.

Temporary work is nothing new in the building industry. Skilled artisans, paid either by the day or on a piece work basis in a pre and early industrial age are well documented (Postgate 1923; Thompson 1968). While temporary jobs never went away entirely, during the major Keynesian post-war rebuilding of large swathes of bombed out housing stock and infrastructure projects more stable employment increased. There was an increase in public sector employment via local authorities (O'Brien 2018). Where private companies carried out the work, the more stable business environment increasingly saw workers being employed on permanent contracts, transferring from one long term project to another while working for the same company. This 'golden age' provided fertile ground for union organisation; resulting in the growth of trade union membership with associated improvements in terms and conditions (Jump 2003; Woods 1979; BEIS 2017).

However, from the 1970s onwards, there was a swing back to a casualisation of the workforce through what was referred to as 'lump'' labour'. Initially a cash-in-hand part of the black economy, lump labour would be paid for the amount of work produced every week on a lump sum basis. With income based entirely upon output, the financial incentive to cut corners on quality of work or health and safety in order to increase production was obvious (Wood 1979; Jump 2003). The benefits for the employers were equally as obvious; without the costs of training, travelling expenses, holiday pay, sick pay and overtime, lump labour was a financial godsend for the firms. In addition, these short-term, more money orientated workers were less likely to be members of a trade union or demand their legal rights. The use of lump labour was fought bitterly by the construction unions during the late 1960s and 70s (Warren 1980; Jump 2003; Woods 1979; Smith & Chamberlain 2015). The 1972 building workers strike saw the highest pay rise ever achieved by the unions in the industry but the underlying cause of the dispute was lump labour, which continued unabated (Arnison 1988; Darlington & Lyddon 2001; Lyddon 2007; Wood 1979; Warren 1980).

In writing at least, the construction employers are opposed to casualisation and have signed up to the principle of direct employment, as the Rule 17 of the JIB national collective agreement makes clear:

"It is JIB Policy to encourage the direct employment of labour as it is considered that this provides the essential structure which enables training and safety standards to be maintained... Every effort must be made to offer any vacancy, no matter how short-term on a directly employed basis"[8]

However, despite employers' pledges to the contrary, casualisation rapidly became the norm across the sector. The pre-existing sub-contracting process was extended downwards until the workers themselves were finally declared "self-employed" sub-contractors (Harvey 2001; Pearce 2003).

One of the methods by which political support has been directed to the industry has been via HMRC acceptance of the employers' arguments that construction should be viewed as a special case with particular flexible labour requirements. From the 1970s onwards, successive governments introduced a myriad of construction industry specific tax schemes offering considerable government financial assistance to the sector (Hobbs 2000; Scase 1999; TUC 2002). The benefits to the employers of this taxation system were that they paid no employers National Insurance contributions because the workers were now all 'self-employed', effectively a 9% government subsidy.

The benefit to the workforce in this taxation system was that once registered as self-employed, they could reduce their own tax burden. The increasing number of tools that a worker is expected to provide themselves and motor vehicle expenses can be counted as business expenditure to be set against income (wages). Paying tax only on operating profits allows for considerable fiscal gain by nominally self-employed workers. There is an entire micro industry that identifies tax loopholes and sets up personal services umbrella companies for the construction sector, more famously exploited by celebrities and the super-rich (ICCIJ 2016). From the 1990s onwards, offshore working did not always refer to a stint on a North

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[8] Rule 17.3.2-17.3.2.2 JIB National Working Rules, JIB Handbook page 59.

Sea platform but to the practice of companies paying their supposed self-employed workforce via bank accounts based in offshore tax havens.

The accountancy knowledge and logistics required to set up these kind of payment systems makes it patently obvious that this process was being driven by the employers rather than individual construction workers. This was clearly demonstrated by Elliot's innovative research (Elliot 2012). A fake construction company called Fairbrother Builders was set up in order to investigate the phenomenon of false self-employment and payroll companies, revealing how:

> "Hudson Contract, the UK's biggest payroll company, made no attempt to conceal the nature of the service it was offering. 'We can save you money, 20% of your labour costs, by reclassifying PAYE staff, paying them through CIS… Self Employed operatives, paid under CIS deduction through Hudson are not entitled to holiday pay, redundancy or notice,' the letter said. 'We are helping companies to move their PAYE labour over to CIS...Last year this saved our clients over £25M in Employers NIC, placing tax and employment law liabilities with us.'" (Elliot 2012: 2)

The estimates of total combined employees and employers tax revenue lost to the Exchequer is around £2 billion per year (Elliot 2012; Harvey 2001), given the rapid increase of self-employment in the recent past, this is likely to be even higher. Elliot's inventive research gives weight to the argument that the huge number of construction workers registered as self-employed are in fact nothing of the sort but have merely been re-classified as such to provide cost savings for construction companies. Carefully worded contracts are drawn up which declare the worker as self-employed but in all practical senses the workforce are controlled in exactly the same way as when they were employees of the company (Elliot 2012).

Harvey's (2001) study on London building sites identified that major employers had all but stopped offering any work on PAYE basis: jobs were almost universally only being offered on a self-employed basis. The outcome was that 95% of workers were classified as self-employed (Harvey 2001:33). The economic and employment relations of the UK construction industry forced building workers to register as "self-employed" or not work at all (Harvey 2001:35).

This mirrors the findings of Burchill et al. (1999) which indicated that large numbers of those classified as self-employed were only working that way because work was not available on any other basis. Burchill et al. (1999) used the term "dependent self-employed" to describe workers who may pay their own National Insurance because their employer defines them as self-employed; but where economic reality indicates they should be employees. Nearly two decades later, Moore and Newsome (2018) identify the same phenomenon amongst parcel delivery drivers. Somewhat ironically, the Taylor Review uses the term 'dependent contractors' to describe virtually the same situation but which is apparently considered a 'modern employment practice' (Taylor 2017).

The neo-liberal changes in the labour market and increase in casualised working patterns including agency work since the 1980s (Burchill et al. 1999; Heery et al. 2000), moved the balance of power in the employment relationship towards capital, with a considerable negative impact upon trade union membership (Kessler & Purcell 1999). Williams (1997) argues that the growth of mass self-employment, driven as it was by rightwing politicians and major contractors, was a conscious ideological attack on unions as much as a purely economic change.

McIlroy (1988) and Taylor (1994) both highlight UCATT as one of the private sector unions that suffered most because of the structural changes in employment patterns during the 1980s. Speaking in 2000, former UCATT General Secretary, George Brumwell, bluntly explained how the fundamental alterations to the employment relations landscape had impacted on his union:

> "What happened to our industry during this time? We saw the wiping out of middle-sized employers, good old public works contractors that we used to deal with. They were wiped out and we saw the emergence of huge contractors who did not employ anybody, they switched from being contractors to being management contractors. We saw the growth of self-employment with 600-700,000 workers in the industry and the Agreement was put in the dustbin as far as the employers was concerned. We have a situation where the rank and file has been wiped out, representation on site has been wiped out and you literally have the Law of the Jungle"[9]

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[9] Speech to UCATT conference (Quoted in UCATT 2000:125-126)

This research asked interviewees about their own employment status, including how and why they started working on a self-employed basis. The responses quickly reached saturation point with a clearly identifiable pattern. Carpenter J's recollection of working on building sites during the 1970s highlighted both the prevalence of direct employment and the level of trade union organisation during that period:

"I worked as a carpenter on sites between 1969 and 1981. I always worked on the cards because it was possible to do so then. Most sites I worked on were fully unionised… I remember starting on a small site in Romford that was already organised and the three shop stewards were all CPGB members. Employers were still mostly bastards and we had some epic battles, but things were different".

This situation was in stark contrast to the experience of activists in later decades covered by this thesis, the experience of Electrician H from Manchester was typical:

"I served my apprenticeship and when I came out of my time I was PAYE. But after a while I just couldn't get a job PAYE anymore. I had to go self-employed, worked agency, SC60, offshore, all that sort of thing. I can say categorically that I was forced into working for this situation because I couldn't find any gainful employment working PAYE. It was the early 90s".

In terms of their employment status, the interview cohort is completely typical of the contemporary construction industry workforce, in that they had all worked on a variety of payment methods depending upon the employer and the project. This included 'on the cards' direct employment, employment agencies and a variety of self-employment mechanisms. Evidence from the interviewees adds weight to the argument that in the majority of cases construction workers were forced into self-employment because of the economic realities of the industry and then subsequently adapted their behaviour to take advantage of whatever financial gains are available in the circumstances, primarily through tax avoidance (Harvey 2001), rather than any individualistic desire to be an entrepreneur.

Whenever the words 'self-employed' appear in this thesis, the author is using the term to refer to those construction workers who are dependent upon a company for their work but are engaged not as an employee but via some form of precarious self-employment mechanism. The term is used to refer to workers who are employees in all but name; but are registered for tax purposes as self-employed. The words 'bogus' or 'false' could have been used as a prefix; but the interviewees themselves rarely, if ever, use such terminology to refer to the phenomenon, so a decision was taken to adopt a uniform phraseology throughout.

Itinerant / temporary nature of the construction industry

In addition to the difficulties arising from historical developments in the political economy and contractual arrangements prevalent in the UK construction, the work process itself exerts a significant influence on the character of industrial relations in construction. Foremost is the finite nature of building contracts. Periodically construction projects are completed: companies and workers alike need to leave that particular site and relocate. This is a material difference to most industrial processes such as in a factory. It means that almost the entire industry is itinerant with the majority of turnover based in temporary satellite workplaces rather than the head-office or main factory plant.

Increasingly large building contractors engage different sub-contractors, employing fresh workers at each project, restarting any employment relations strategy at every new site is a normal part of the construction management process. The itinerant nature of the industry and the high level of labour churn has always made workplace union organisation difficult (Woods 1979). Even when unions can build collective bargaining structures such as shop stewards and safety committees on a particular building project, the itinerant process starts again from scratch on every new contract.

A notable example of this is the Jubilee Line Extension (1996-1999), that after a series of hard fought industrial disputes developed a thriving shop-stewards committee structure and monthly 'shop' meetings attended by several hundred electricians. However, once the project was completed the workers were scattered onto hundreds of different projects around the country and their recently built union structures were disbanded overnight. This is a complete contrast to how union organisation works in most other sectors of the economy.

False self-employment has only added to this problem. In the post-war boom workers were more likely to have travelled from site to site with the same employer, taking some kind of union structures with them. In the neo-liberal flexible labour market, the majority of labour is sourced anew for each contract. The result is that every construction project is effectively a greenfield site for employment relations. Even where the same senior management team for the main contractor may have provided facilities to trade unions only days earlier, on every new project activists will have to start organising over again, dealing with different subcontractors and employment agencies. Particular problems facing unions trying to organise greenfield sites, such as the fear factor and lack of pre-existing union structures are well documented (Guest and Hoque 1996; Simms & Holgate 2010; Taylor & Bain 2003). The standard workplace environment for union activists in construction is transitory and in most cases they work on building sites akin to a new workplace without any form of employment relations or union structures in place. Their experiences therefore allows for examination of academic debates around mobilisation theory's contention that some form of organisation is required for collective action to take place (Atzeni 2009; Kelly 1998, 2018)

The short time on any given construction site and the almost complete lack of union organisation or standard employment relations structures was fully understood by activists. Interviewees repeatedly talked about the fragmented transient nature of the sector being a major difficulty in both building and sustaining union organisation, as explained by Scaffolder 2 from London who was active in the 1980s:

> "The site starts, then finishes, you're out of work, you have to go on to another job and so on. And that's what you do all the time, you just have to put up with that basically if you want to work in the industry. It's casualised and it's a casual industry. If you're working for a local authority, you're in a static place, you can organise the people, you see everybody all the time and you can organise properly. And you can get a proper organisation without losing many people but on a building site there's men coming and going all the time. Different trades, finishing trades, one lot of trades go off the site, finishing trades come in. It's a continual flow of people backwards and forwards".

Twenty years later, Electrician 32 recognised the same difficulties due to the inherently itinerant nature of the industry:

"Its temporary work places where you have to start over and over again. We don't have static workplace where you can build foundations with a legacy of previous shop stewards. In construction, you have to start from scratch all the time, so you have to re-organise all the time. And that is what breaks organisation".

Short duration contracts and new workplaces hold particular difficulties in building and sustaining any long term union organisational structures (Heery et al. 2000; Machin 2000): the newer the workplace, the less time people are employed, the less likelihood of union organisation. A comparison between construction union activists and CWU activists is enlightening; average length of service amongst CWU conference delegates employed by British Telecom and Royal Mail was 21 years (Jefferys 2002), whereas previously unpublished research by the doctoral candidate into London construction activists, found that the average length of contract was 7.5 months.[10]

Industries with itinerant informal contractual relations have offered opportunities for migrant labour (Goffee & Scase 1985). Historically, the manual work and unregulated employment status has meant the UK construction industry was seen as an employment option for migrant labour mainly from Ireland (Postgate 1923; Wood 1979). Employers have exploited migrant labour in an attempt to lower wages and undermine trade unions for centuries (Thompson 1968) and the latest wave of global migration has been no different (Ness 2014). This phenomenon continues with more recent waves of migration from Eastern European and the commonwealth (Glackin 1999, Fairs et al. 2001; Fuller 2003; 2002) and was understood by activists, who recognise how the divide and rule approach by employers, creates difficulties for union organising beyond the language barrier. Engineer C explained the situations on many London building sites:

"It's hard to get organised. You've got the Kosovans sitting in one corner, you've got the English boys sitting in another, the Irish boys sitting there and the Asians sitting over there somewhere. And the boss is deliberately winding them up against each

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[10] Alive and Kicking - MA dissertation from London Metropolitan University (2004)

other. He's putting in pay differentials. He's giving some a quid more an hour and it's a deliberate policy." [11]

How the sector moulds consciousness

The structural factors that mould the construction industry identified above have an effect upon the mindset of the workforce. The itinerant nature of the job and repeatedly being told by employers and the tax office that they are self-employed, does not necessarily foster the kind of collective consciousness built up amongst those working in close proximity to each other over many years (Beynon 1975; Batstone et al. 1977; Atenzi 2009). Rather these factors can have a tendency towards promoting individualism of which Harry Enfield's 'loadsamoney' character was an astute parody. Working outside in all weathers in a male dominated environment in a job that involves heavy lifting and physical effort amongst even the most skilled labour also adds a certain macho pride amongst the workforce.

Burgmann & Burgmann (1998) describe a jack the lad, self-reliant, 'larrikin' attitude amongst Australian construction workers in the 1970s, and this could easily be applied to many construction workers in the UK. The individualism however also carries with it a lack of respect for authority demonstrated during the research in the lack of loyalty felt towards the employer by those interviewed as articulated by Electrician J:

> "Well there's no loyalty, you're just a number: that is a fact. I've seen that numerous times. You could be with a company two or three years, but if your number's up, you're gone, there's no loyalty with them. You've got to be real about it haven't you. People can't understand the nature of our job can they"

Taylor and Moore (2014) highlight that it was the fracturing of loyalty to the company, through the undermining of the service cabin crew could offer, that was a factor in union mobilisation during the BA cabin crew strike, who were previously proud to be working for such a prestigious brand. Amongst the construction activists interviewed, responses to questions around loyalty very quickly reached saturation point. A number of respondents described how informal employment relations, the lack of loyalty and typically short time on contracts often resulted in workers simply walking off site when problematic issues arose

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[11] Quoted in *Builders Crack: The Movie* (1999)

rather than participating in collective action. Bricklayer D described it thus: "If you don't like it, you just leave. That's the hardness of the building trade". While not conducive for building long-term organisation, these characteristics may be potentially advantageous in the organisation of more unofficial action.

Legal consequences of casualised employment

Mass self-employment, the use of agencies, sub-contracting and the inherently itinerant nature of the construction industry all have a direct effect upon the way employment legislation applies to the sector. This next section highlights how both individual rights for workers and collective rights for trade unions are significantly restricted and evaluates to what extent the activists understood the lack of legal protection.

In relation to individual legal rights, the key factor is once again the casualised employment status of much of the workforce since legal protection is dependent upon employment status (Wedderburn 1986; Renton 2012). Legal protection against unfair dismissal, redundancy and victimisation only apply to 'employees'. Except for some limited elements of discrimination law, genuinely self-employed independent traders are excluded from virtually all employment legislation including the statutory minimum wage, holiday and sick pay.

Employment status is a highly contested area of employment law, especially so in the construction industry (Wedderburn 1986; Renton 2012; Lewis 2013). Employment Tribunals make judgements based of a number of different overlapping legal tests and ever changing legal precedents. The tests to determine how an individual worker should be classified consider the following elements: control, master and servant relationship, integration, economic reality and mutuality of obligation (Wedderburn 1986). Depending on the circumstances of each case, workers may appear to be employees on some of the tests and self-employed on others. Differing Employment Tribunal decisions which classify construction workers registered as self-employed by HMRC sometimes as employees, other times as self-employed, hardly clarify the situation (Renton 2012; Elliot 2012; Harvey 2001; UCATT 1996; 2000). Regardless of pro-worker legal judgements such as *Autoclenz v Belcher [2011]* and *Uber BV v Aslam [2018],* the continued ambiguous employment status of the majority of construction workers has resulted in many thousands being denied the most basic employment rights (Burchill et al 1999; Elliot 2001; Harvey 2001).

The 'economic reality' test looks at the financial elements of the relationship. Is a worker paid by the hour regardless of whether a project is profitable or not or is their remuneration based upon the profitability of the project? Who supplies the plant and materials for the work? Harvey (2001) proposes the economic reality test, as the only criteria, to be applied when determining whether a worker is self-employed. However, legal precedents swing in different directions over time and the economic reality test is now out of favour. Since *Carmichael v National Power [2000],* a mutuality of obligation has become the absolute prerequisite of any employment contract. Lawyers for construction firms have inserted clauses that explicitly state that no mutuality exists and that a substitute can be sent to carry out the work resulting in the evaporation of employment rights. This is regardless of how the practical realities of the employment relationship operate, which except for the payment method is often identical to when a worker was previously an employee. Even in the rare situations where workers may be classified as employees, the right to claim basic employment rights such as unfair dismissal depends upon a minimum of two years uninterrupted service with the same employer, tenure only to be dreamed of by most construction workers.

The legal situation is complicated even more in construction due to the widespread use of employment agencies as the route of choice by companies to engage their labour. If an agency worker has a dispute on a building site, the likelihood is that the difficulty will be with one of the contractors on the site, either the main contractor responsible for safety and welfare issues across the entire project or the sub-contractor the individual is actually working for. If an agency worker makes a complaint and is subsequently dismissed from site, who should they make any potential claim against: the sub-contractor, the main contractor or the agency? Only employees are protected by unfair dismissal legislation, so in order to be able to win a claim against the company that actually removed the individual from site, an agency worker would have to declared an employee of the client or end user.

Legal judgements that reinforce the lack of legal protection for self-employed and agency workers (such as *James v Greenwich [2008]*) have obvious implications for casualised workers, but the decisions also have a negative effect on construction trade unions. Even where building sites are unionised, if the employer decides to victimise or dismiss a union activist who is not directly employed (which is overwhelmingly likely to be the case), it is all

but impossible for the union to win a successful Employment Tribunal claim (Renton 2012; Ewing & Smith 2012; Smith 2015).   This lack of employment rights for agency workers is understood by union activists all too well, as was explained by Electrician 32 from London:

> "There are lots of difficulties in organising agency workers, they are employed by a third party and the actual company you are working for has no responsibility to you. They can move you off at anytime, you've got no rights to unfair dismissal. Everyone knows that if they step out of line and do anything to upset the main contractor, they're not covered by any employment law. That's the main reason there isn't any real union organisation amongst agency workers, everyone knows that at any moment they can get a tap on the shoulder and be told they have to go just for speaking up. Companies know that and deliberately employ people that way, so they can victimise and do what they want with them".

This opinion was echoed by Electrician J from Manchester.

> "Most agency workers, they're non-unionised. They become like, they think they're self-employed basically because of the way they're being treated. There's no tax and insurance being deducted and they've got no protection in law. If they raise an issue, they're gone within an hour, you could be there six months and get no notice".

The inability to defend their activists in court is just one legal limitation of unions in construction compared to other sectors. But there are other statutory rights bestowed upon trade unions that the casualised and transient nature of the sector make difficult to realize. The very essence of trade unionism is collective bargaining, which in the UK is achieved by means of trade union recognition. While the majority of unions negotiate recognition agreements with an employer on a purely voluntary basis, there is also a statutory procedure introduced by the Blair government and partially modelled on the US system (Moore 2013; Moore, McKay & Veale 2013; Moore 2004).

The process involves unions winning support amongst a particular 'bargaining unit' within an employer's workforce and then demonstrating that support via a ballot. While the statutory procedure has had the welcome effect of allowing unions back into areas such as the print sector, its shortcomings in terms of the systematic bias favouring employers, who invariably

carry out a strategic campaign against the union, have been well documented (Moore, McKay & Veale 2014; Moore 2013).

Recognition ballots are almost unheard of in construction. Not due to the inability of unions to win a vote, but because the employment status of the workforce. Even when working for the same main contractor, workers may be engaged via a variety of sub-contractors and employment agencies, the majority of the workers apparently employing themselves. How is a bargaining unit defined in those circumstances? The supposedly self-employed labour on building sites would simply not be covered by the legislation and would therefore not even be technically eligible for inclusion in any proposed bargaining unit.

The ability for the employer to "manipulate the bargaining unit" is recognised even in non casualised sectors (Moore 2013:4). In the construction industry with its itinerant workforce, lack of legal protection from victimisation (Renton 2012; Smith 2015) and high labour churn (Smith 2004), the practical difficulties of organising a sustained union recognition campaign over a prolonged period makes the statutory procedure all but inoperable. This is a clear manifestation of where employment law has not kept pace with the realities of employment practices in the casualised workplace (Owens 2017). It is also an illustration of how structural factors have combined to block a particular union organising path.

Anti-union laws

The central theme of this research is the mobilisation of workers yet activity that underpins mobilisation; strikes, work to rule and sit-ins are all restricted under UK legislation that restricts the ability of unions to organise official industrial action. Anti-union laws introduced by the Thatcher government have been identified by many as being responsible for severely dampening industrial action for the past two generations (McIlroy 2009; Hendy 1993, 2001; Ewing et al. 2016). As has been correctly highlighted:

> "As well as being highly restrictive, UK strike laws are out of date, designed for a world in which workers are in direct, continuous, full-time employment with a single employer. The law's failure to keep pace with the break up of the UK workplace, including outsourcing, rising low paid self-employment (false and genuine), the pernicious spread of intermediaries such as umbrella companies and the growth of the gig economy, is no accident" (Owens 2017:5)

Despite this, discussions about anti-union laws are most noticeable by their complete absence in the interviews. Except for one strike ballot during the BESNA dispute (a case study in chapter 9), anti-union laws were barely mentioned by anyone during the candidate's participant observation, except occasionally by lawyers, union officials or left wing paper sellers from outside the sector. It was not that the interviewees were unaware of the restrictive legislation; it was more that the activists did not particularly take account of the restrictions imposed by the law when they were involved in industrial action. While not explicitly raised in the interviews, this attitude was explained by two activists when discussing a dispute about unpaid wages during a documentary in 1999. Engineer E suggested that:

> "It doesn't cross my mind whether it's legal or not legal. What crosses my mind is how I'm gonna get my money. And that's what most fellas think"

An attitude echoed by Labourer A: "It's the difference between doing it and doing it effectively. We choose to picket effectively. We choose to hurt them."[12]

Implications for unions

The labour process itself means that construction is inherently temporary, itinerant and often reliant upon migrant labour; all considerations that create challenges for building lasting trade union structures. However, the overarching objective factors of contracting and sub-contracting amongst employers and a casualised workforce have combined to produce an employment relations framework which adds to those difficulties. The nature of the often informal contractual relationships have significant negative consequences for both individual and collective legal rights bestowed upon the workforce. Since the 1980s onwards, UK trade unions have operated within an employment law framework more restrictive than anywhere else in Western Europe and the lack of legal rights due to the employee status of the majority of the construction workforce adds significantly to the legislative straightjacket.

Combined, the structural factors highlighted above have helped to create an environment where trade union membership and formal influence has declined significantly over the past

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[12] Quoted in BBC TV documentary (23rd Feb 1999) *Workers at War: Revenge*

four decades. When workers lack basic legal rights, standard employment relations structures are absent and official industrial action is almost impossible; the most frequently used potential avenues for resolving workplace grievances are all but closed. In those circumstances, alternate unofficial routes are of greater importance.

Structure and agency do not occupy different spheres: they interact. The activists, as construction workers themselves, were fully aware of the temporary and itinerant nature of the sector and the lack of legal rights. The difficulties this created for union organisation was recognised by the vast majority of those interviewed. In part, it is the industry's structural factors that have moulded their collective consciousness and their mode of union organising, which are discussed in chapters 8 and 9. However, another major barrier to building union organisation in the UK construction industry exists: the extreme hostility of the employers towards trade unionism. The spectre of unfair dismissals and blacklisting, and how employers' counter-mobilisation impacted on and shaped consciousness of the repeatedly victimised union activists are the subjects of the next chapter.

Chapter 5 - Employers' counter-mobilisation

Having identified in the previous chapter the major structural influences that constrain union activism in UK construction, the thesis now considers employer counter-mobilisation as a major factor creating difficulties for trade unions. This chapter argues that extreme hostility to trade unions is an ideological mindset that permeates senior management of major building contractors, creating a culture where widespread victimisation of activists is rife. Dismissals, blacklisting and violence are the anti-union face of employment relations in the UK construction industry.

Logan (2013:21) argues that for the private sector in the US, hostility by employers engaging aggressive (and often unlawful) anti-union busting experts, combined with weak legal protection "is the single major cause" of the demise of union influence. This thesis supports Logan's argument and this chapter presents evidence suggesting construction employers have consciously used their position to discourage their labour force from actively supporting trade unionism. It is proposed that victimisation of activists in UK construction industry represents the biggest obstacle to any meaningful union organising in the sector, resulting in an industry where union membership density is below the already low private sector average, with detrimental consequences for issues such as health and safety.

While this thesis uses the term counter-mobilisation throughout, it corresponds entirely with Dundon & Gall's (2013) definition of anti-unionism, which they argue is a conscious decision to undermine collective union organisation, often involving considerable resource mobilisation and driven by a particular managerial and societal ideology. Despite this, there remains:

> "a gap in terms of both empirical and theoretical understanding concerning not only the antecedents of anti-unionism but also its dynamics and inter-relationship with other managerial behaviours and strategies" (Dundon & Gall 2013:2)

This assessment coincides with Kelly's (2018) argument that employers malign counter-mobilisation activities remain under researched in employment relations, even by radical academics who champion mobilisation theory.

While discussing a variety of anti-union methods, blacklisting of union activists is a major theme of this entire thesis, and central to the identification of the interview cohort. The thesis fills a gap in the mobilisation theory literature by providing a comprehensive account of *The Consulting Association*, an industry wide blacklist. Empirical evidence explains not just the mechanics of the covert operation but the motivations of a layer of senior executives who orchestrated the employers' counter-mobilisation strategy, something that is almost always missing from academic research into mobilisation theory.

The chapter is divided into five sections. The chapter starts by examining a range of anti-union tactics employed by employers such as isolation, dismissals and violence. Secondly, the chapter documents how blacklisting in the UK construction industry operated for over 40 years. Evidence is presented of the overtly ideological nature of blacklisting that consciously identifies union activists as a politicised threat to capital. Thirdly, the chapter presents evidence demonstrating that, blacklisting is a pre-existing structural element of the sector's industrial relations landscape, based upon employer agency, that pre-empts union organising rather than responding to it. How blacklisting negatively impacted upon activists' employment history, career earnings, health and their familial relationships is evaluated. Fourthly, the experience of the activists, combined with primary and secondary source documentary evidence is also used to evaluate whether blacklisting remains a contemporary phenomenon.

The chapter concludes by arguing that that as blacklisting involved organisational arrangements that existed for decades, the empirical data represents a challenge to accepted conceptualisations of counter-mobilisation. The Consulting Association blacklist suggests that employers' counter-mobilisation should not be considered primarily as a response to union organising, only occurring towards the end any union mobilisation process. Instead, a more dialectical interpretation of mobilisation theory allows for the interplay of union mobilisation and employers' counter-mobilisation to be viewed as an uninterrupted phenomenon in which both sides influence each other continually throughout the mobilisation process.

Employer agency

This thesis is particularly interested in how counter-mobilisation is conceptualised in terms of the motivation of the senior managers and company directors enacting anti-union strategies

and how counter-mobilisation is viewed within the framework of mobilisation theory. Employer attitudes towards unions can be located on a range from supportive, through indifferent and pragmatic, to being openly hostile (Moore, 2004). It has long been highlighted that where employers are supportive of trade unions, organising campaigns and collective bargaining processes tend to be more successful (Heery & Simms 2009; Bryson et al. 2004; Kerr et al 2002); the corollary being that counter-mobilisation by employers can have a major negative influence on union organising. Druker (2016) and Cullinane et al (2013) argue that even where employers oppose union organising, in most cases this is a pragmatic business decision responding to situation specific circumstances, rather than being based on ideology.

Previous research has identified various methods used by hostile employers in order to pre-empt, neuter or disrupt attempts at union organisation, including symbolic concessions, promotion of activists or the offer of alternative employee voice structures (Gall & Dundon 2013; Logan 2013; Kelly & Badigannavar 2004; Bryson et al 2004; Moore 2011). As Roy (1980) highlights, employers' strategies can encompass 'sweet stuff, fear stuff and evil stuff'. However, this chapter concentrates *only* on anti-union victimisation tactics, Roy's 'fear and evil stuff', specifically; isolation, removal from site, dismissals, physical intimidation and blacklisting. This chapter will therefore now explore how these tactics were used within construction, their effect upon victimised union activists and to what extent the anti-union tactics influenced their collective consciousness.

Isolation and dismissals

Isolation is an action short of dismissal that was described by many interviewees. It is the attempt by management to physically separate union activists from the rest of the workforce by forcing them to work in isolated areas of the project where they cannot interact with other workers. Electrician T remembers that when working on Littlebrooke power station in Kent, he and another well-known union activist were sent to work:

> "miles away from everyone else, where the big ships moor up to be refuelled. Sometimes the van came to pick us up for lunch, sometimes it didn't. We were there on our own for months".

When Electrician 37 was elected as a UNITE shop steward on the Crossrail project in 2012, his permits to work inside the tunnels were immediately revoked (he was specifically

employed to carry out maintenance inside the tunnels). Instead he was forced to make up extension leads inside a portacabin situated close to the site management offices for weeks on end. Not only was the tedious work soul destroying, his reduced level of security access meant that he was unable to talk to other workers, even during meal breaks, as the site canteen used by the bulk of the workforce was in a different section of the project.

"I wasn't allowed into the workshop or any part of the site. Literally the only place I could go was the container outside the offices and the offices themselves, which had a separate canteen".

A variation of the isolation tactic is to remove activists from projects by transferring them onto a much smaller building site many miles away. In many cases the removal of an activist from site was blatantly recorded on TCA blacklist files: "Has been moved with two others (to avoid suspicion)" [13].

The practice of forcing union activists to work in isolation from the rest of the workforce was so commonplace that it is unlikely to be pure coincidence; rather, isolation is a low-level weapon in the employers' counter-mobilisation arsenal. By physically separating activists from the vast majority of the workforce, union agitation is significantly reduced and if the conditions of solitary confinement are grim enough, activists may leave the site of their own volition without the need for dismissal and a possible industrial dispute.

Outright sackings of union activists are not unusual in construction. In the UK building industry, where employment law provides virtually no protection and length of service is measured in weeks or months rather than years, the effect of sacking activists serves to emphasise the whip hand of the employer. Bricklayer E summed up the attitude of many activists, when asked about the difficulties facing unions on building sites:

"the biggest barrier? As soon as you open your mouth you get isolated or very likely sacked. That's the way it is".

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[13] Entry on TCA file for Bricklayer E

The deliberate dismissal of union activists by employers has the effect of intimidating the remaining workforce and thereby reducing the likelihood of union recognition (Freeman 1985; Moore et al. 2004; Gall 2005; Moore 2011), or industrial militancy where unions are already established (Beynon 1984; Franzosi 1995; Kelly 1998). The aim is not merely to victimise the activist but has a psychological dimension by sending out a message to other workers that union organising has tangible negative consequences (Gall 2013). As Franzosi (1995) observed, targeted dismissals can create a climate of fear where other workers become much less likely to take on a steward's role or participate in union activity for many years. Ewing (2011) describes this tactic as "decapitation".

Moore (2004; 2011) identifies that during statutory union recognition campaigns there is a need for workplace activists to openly identify themselves with the union. Where the employer was hostile to the union, this obviously came with a degree of risk but in some cases being identified with the union gave activists a perceived sense of protection from victimisation, and a belief that even if sacked for their union activities, they would be able to win a claim for unfair dismissal.

The majority of the activists interviewed for this thesis were dismissed on multiple occasions. Their claims are confirmed by the entries on their blacklist files (explored in more detail later in this chapter). However, unlike the employees in union recognition campaigns quoted by Moore above, the construction activists overwhelmingly understood that they operate in a legal context where agency staff and self-employed workers cannot pursue Employment Tribunal claims for unfair dismissal. At the same time, while decapitation can be 'chilling', interviewees also described how the transfer or dismissals of prominent activists could sometimes be the spark that led to industrial action on a site; this phenomenon will be investigated in a later chapter.

Violence

Unfair dismissals for union activity is a practice that on occasion affects every trade union regardless of industrial sector, but sometimes victimisation oversteps the line of what is considered 'normal' employment relations. Construction is a tough place to work and the predominantly all male environment reinforces its macho image. SME employers with criminal records for violence are not unheard of, and some in the industry actively foster their 'hard-man' image, especially in sectors such as bricklaying, concreting and demolition.

Bricklayer K remembers some of the companies he worked for in the 1980s and the difficulties for anyone trying to unionise their site:

> "The barrier would be thuggery: violence. Some of these subbies they had a lot of money to be made out of the whole operation. They didn't want you coming along. One or two particular nasty sub-contractors employed thugs to do nothing else but to intimidate people".

Employers' anti-union hostility therefore sometimes went beyond mere dismissals and blacklisting of activists but descended into physical intimidation and violence (Campbell 1984; Construction News 1993; Prior & Russel 2002; Smith & Chamberlain 2016). Bricklayer M recounted how his employer treated him immediately prior to his dismissal on a South London building site in the late 1990s:

> "He actually told me in no uncertain terms that if I did not leave the job, then he was going to land me in intensive care. That's the sort of people you're dealing with" [14]

Moore's (2011) study of union activists in the UK identifies situations where management deliberately tried to provoke activists as a pretext for potential disciplinary action or dismissals. Bricklayer E remembered precisely such a situation whilst working on the Isle of Dogs in the late 1990s, when a site manager tried to provoke him:

> "I was trying to explain something to him in the office and he took my disagreeing with him as a provocation. [Company director] was sitting where you are. And this bloke was going 'I'm gonna kill you!' I think he was trying to provoke some kind of scuffle so [the director] could sack me".

Perhaps one of the most infamous physical assaults on a union rep in the period under investigation took place in 1984, when three union members, including two brothers, were working on a housing project in South London. Welfare conditions on the site were virtually non-existent but on-site organising by the activists eventually led to new changing huts, toilets and a canteen. A campaign of intimidation followed; including attempted dismissals,

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[14] Quoted in Builders Crack: The Movie 1999

threats of violence, destruction of their private property and damage to their cars, but the union activists refused to leave the site. Bricklayer D remembers what happened soon after, when a new hod carrier started working on the site:

"He came up to me with two blokes from the office. There were three of them around me and he's got this hod. I was thinking what's he doing with them and why's he holding the hod like that? I thought, he's not gonna hit me with it is he? Then he clouts me with the hod. And the only thing I could do, I didn't go down, I just grabbed hold of the hod and wrestled it off him. I had it in me hand and he just ran off. It annoyed me, why didn't I hit him back with it. This was a metal hod, aluminium. As I went to go up to the canteen, I saw my brother, he was walking up staggering. Blood gushing from his head. What's happened to him? The same thing that had happened to me. He did my brother first, and then he came round and done me".

Bricklayer D needed stitches in his head and received £600 from the Criminal Injuries Compensation Scheme, his brother suffered a fractured skull resulting in brain damage, paranoid schizophrenia and depression. He never worked again and for his life changing injuries was awarded £66,000[15]. Bricklayer D claims that years later he met an individual in a pub in London, who told him, "I paid that bloke £500 to do it".

One practice, possibly a reflection of the gendered nature of the construction industry, was a pattern of activists not telling their partners about the difficulties they were facing because of their union activities. Yet despite attempts to shield their partners from unnecessary anxiety, occasionally the threats and publicity surrounding violent incidents meant that workplace union activity crossed over into their home life, having an impact on the families. Wife B recalled one incident:

"I was in hospital for surgery and he was supposed to pick me up, and he just didn't turn up. I was furious, but at the same time, I was worried out of my mind that he was laying dead somewhere, that someone had got him as well. I ended up getting a taxi

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[15] *Churton Redress* article in Construction News 8th April 1993

back to my mum's house and was so relieved that evening when he walked in the door; he'd literally forgotten because there was so much going on. I was going between furious anger and devastation because I thought he was dead somewhere. It's a horrible, horrible feeling".

Violence was not just meted out to activists, in 2002 UCATT full time union official Brian Rye (later to become General Secretary) was hospitalised after being attacked and left unconscious after attempting to carry out a canteen talk with workers on the Murphy / Hochtief section of the Channel Tunnel Rail Link in Kent. Fellow union official Ron McKay witnessed the assault and told the press how:

"One security guard grabbed his arm, one grabbed his other arm and his leg and the other leaned on his back for 20 minutes until he passed out. They ground him into the concrete. It was a prolonged and vicious assault" [16]

The evidence above convey how threats and physical attacks on union activists are real and sometimes have shattering effects on workers and their families. Assaults are not universal everyday experiences, but neither are they one off aberrations; they are the vicious end of a spectrum of anti-union victimisation that pervades the entire sector.

Blacklisting

Blacklisting of union activists is a breach of international law including International Labour Organisation Convention No. 98, the United Nations' International Covenant on Economic Social and Cultural Rights and the European Convention on Human Rights, all of which have been signed up to by the United Kingdom. However, for the most part blacklisting is a covert activity, so whenever the issue is raised with those in authority, the lack of documentary evidence results in concerns being dismissed as conspiracy theories. In 2003, the Labour government's response to their public consultation on blacklisting provides an example of the attitude adopted by successive governments:

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[16] Prior, Grant & Lynch, Russell (23rd May 2002) *Union Rep hurt in CTRL scuffle*, in Construction News, London, emap

"There has been no known case of blacklisting – covert or overt – since the 1980s. In part, these changes reflect the improved state of employment relations today… the government considers it inappropriate to introduce regulations where there is no evidence that a problem exists for over a decade".[17]

Yet although most blacklisting takes place in secret, occasionally the hidden practice is exposed to public scrutiny and during the period under study, there have been two separate House of Commons select committee investigations into blacklisting. In the early 1990s, the Employment Committee looked into the activities of the Economic League and between 2012-14, the Scottish Affairs Committee investigated The Consulting Association.

The Economic League, was established in 1919 in the wake of the Russian Revolution by ex-senior military intelligence officers and capitalists with close links to right wing Conservative MPs (Hollingsworth & Tremayne 1989; Hughes 2012). Its Central Council membership list reads like a 'who's who' of the captains of British industry but also includes actual military officers up to the rank of Major General, Conservative MPs and members of the House of Lords (Norton-Taylor & Hollingsworth 1988; Hollingsworth & Tremayne 1989; Hughes 2012). Numerous employers' federations including the Federation of British Industries, not only used the services provided but actively encouraged their affiliates to 'liberally finance' the blacklisting body with a view of giving them the strongest possible support (LRD 1950; Hughes 2012:166). During the 1980s, the Economic League organised lunchtime events at which senior Conservative politicians including Leon Brittan would address an audience of business executives[18]. By 1986, thirty-seven of the UK's top one hundred companies were supplied with information by the Economic League (Hughes 2012).

The construction industry that was far and away the largest user of the services provided by the Economic League; which had an entire division devoted to the sector (Hollingsworth & Tremayne 1989; Hughes 1994, 2012; Smith & Chamberlain 2016). From the late 1960s onwards, contractors paid additional subscriptions to fund the 'Services Group', a section within the Economic League with its own staff employed to keep union activists in construction under surveillance (Chamberlain 2009; Hughes 1994, 2012; Fawbert 2016).

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[17] Department for Trade and Industry (2003) *Review of the Employment Relations Act,* Crown Copyright, page: 66
[18] Witness statement from Trevor Watcham prepared for High Court group litigation para.46

When negative media coverage and the subsequent Employment select committee investigation forced the Economic League to close down in 1993, the same construction companies immediately set up a new organisation called *The Consulting Association* (Ewing 2009; Hughes 2012; Hemmings 2013; Fawbert 2016). Sir Robert McAlpine Limited paid £10,000 to the Economic League for the Services Group database and a former Economic League employee, Ian Kerr was installed as Chief Executive of the new organisation.[19]

Between 1993 and 2009, TCA's existence was a closely guarded secret, although registered for VAT, no mention of the body can be found in the public domain prior to a press release by the Information Commissioners Office in March 2009 (ICO 2009; Chamberlain 2009; Ewing 2009). Documents seized in the ICO raid and examined during the research for this thesis, show that TCA was not a private company, instead it was an 'unincorporated trade association', 100% owned and controlled by its member companies.

The secretive body had its own constitution covering matters including how subscription rates would be set, when minutes would be sent to member companies and the process by which other companies could apply for membership. TCA held regional meetings on a quarterly basis at which industrial relations issues were discussed. The constitution required that:

> "Member companies shall be represented by a person of Director title or status but will have the right to nominate a named deputy"[20]

Cullum McAlpine, director and part owner of his family's firm Sir Robert McAlpine Ltd, was the blacklisting organisation's Founding Chairman (Smith & Chamberlain 2016; Scottish Affairs Committee 2014), a role intended "To serve continuously'[21], although there also were bi-annual elections for chairman and vice-chairman.

TCA administered a centralised database holding personal information on 3,213 individuals; the vast majority of the information related to trade union membership or workers raising concerns about safety issues. While it was Ian Kerr and his staff (which included his wife and daughters) who collated the blacklist, TCA did not employ spies on every building site.

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[19] Made public by Ian Kerr and Cullum McAlpine at Scottish Affairs Select Committee
[20] Para 4 - Constitution of The Consulting Association.
[21] Para 2 (iv) - Constitution of The Consulting Association

Instead each company identified one senior manager (often at director level, as per their constitution) to be the 'main contact' with TCA. Part of their job was to forward information about any workers regarded as 'troublemakers', this was not just information about direct employees but also those of sub-contractors and workers engaged via employment agencies. Any information was recorded on a separate file for each individual, with every new entry dated and accompanied by a reference number denoting the company that supplied the information.

File entries included workers' names, addresses and National Insurance numbers as well as photographs, work history, press cuttings, information on medical conditions, family relationships, political allegiances and often wildly inaccurate and malicious gossip. Some TCA files make it clear that on occasion union meetings were infiltrated and individuals were followed at weekend protests outside of work or kept under video surveillance. Whilst the majority of files were only one page, there are around 560 files with multiple pages: these were reserved for elected union representatives prepared to stand up for the rights of their co-workers. Some of these files reached up to 49 pages in length and were added to over decades.

Entries on individual blacklist files made reference to workers complaining about unpaid wages or employers' failure to adhere to nationally negotiated collective bargaining agreements. Employment Tribunal decisions and witness statements from court cases were attached to files. Examples of the information recorded on TCA blacklist files include:

o   DO NOT EMPLOY UNDER ANY CIRCUMSTANCES
o   Need to monitor route onto projects via employment agencies
o   Would not employ - active in trade union
o   Militant ringleader
o   Strong left wing tendencies and a very active unionist
o   Trouble maker and politically motivated
o   Union agitator
o   A good worker but has proved to be very militant
o   Elected shop steward causing a great deal of trouble
o   Got shop stewards committee to contribute to Labour Research Dept
o   He holds 'far left' political views and is a firm supporter of Tony Benn
o   Sells the Morning Star in the canteen
o   Organised petition over homelessness
o   Alleged association with SWP [22]

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[22] Selection from ICO disclosure & Scottish Affairs Select Committee Interim Report 2013: Annex A

As well as information forwarded by the main contact of each subscribing company, Ian Kerr also scoured the trade press and labour movement publications in order to find articles where union activists were named. Kerr admitted to the Select Committee investigation to making regular visits to Houseman's Bookshop in Kings Cross to purchase a wide swathe of the radical press. Where activists were mentioned in *Labour Research, Hazards, Morning Star, Militant, Socialist Worker, The Socialist, News Line,* plus official union journals or rank and file publications, cuttings were pasted onto their blacklist files. TCA also compiled files on the RMT, plus various rank and file groups of particular interest to the employers.

The mechanism of blacklisting itself was by means of individual name checks on those applying for work. The main contacts regularly supplied TCA with a list of job applicants, whose details were then compared with those on the blacklist. At the time of its closure, the companies were charged £2.20 for each name check and in the preceding three years the firms paid more than £450,000 to use the service. Additional charges were made for attendance at quarterly TCA meetings and for receiving video footage of activists. Invoices show that in the last year of its operation, during the construction of the 2012 Olympics, Sir Robert McAlpine Limited, who built the main stadium and the Swedish owned construction giant Skanska responsible for the media centre were both separately billed in excess of £28,000.[23]

If a name appeared on the database, Ian Kerr contacted the main contact and in the vast majority of cases the identified worker was refused work. The refusal of employment was recorded on their blacklist file, thus:

> 19th Dec 1999: Applied to XX via sub-contractor YY. Main contact given details. Company has not employed' [24]

Some TCA files contain multiple pages of such name checks. If a blacklisted worker had already started work on a project, the name check would in most circumstances result in a dismissal or relocation. These removals from site would occasionally appear on the blacklist files, although evidence provided by interviews with activists and their partners suggests that

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[23] From ICO evidence disclosure
[24] From ICO evidence disclosure

this was a much more common occurrence than is recorded. Inferring that either not every dismissal was recorded by TCA or else employers had their own methods for identifying unwanted activists and removing them from site.

Another mechanism by which the names of union activists was circulated amongst senior industrial relations and human resources managers was by attendance at TCA meetings. These took place on a quarterly basis and at various regional locations, often the offices of one of the subscribing companies or a hotel. Some of the senior managers involved in the blacklisting operation admit attending meetings of both the Economic League and TCA for over 30 years. Separate regular meetings took place to cover specific topics such as TCA's finances, facilities management contracts, rail, environmental issues and mechanical and electrical contractors. Witness statements from various senior managers reveal how ongoing industrial disputes, employment tribunal cases and the names of "particularly prominent activists"[25] were all discussed at these networking meetings.

Additionally, the press cuttings collated by Ian Kerr were sent in a regular mail out to the main contacts at each company. This 'two-week note' also included typed summaries of any industrial disputes taking place at the time, in which the stewards and other prominent union members were named[26]. By this method TCA ensured that the names of the more prominent union activists were widely known by senior managers in construction without the need to access the database.

Some activists became so well known across the industry that they found it almost impossible to find work. Interviews with three more prominent activists told how they had been described by different managers as; "one of the top ten union activists in the country" (Electrician U), "the biggest troublemaker in London" (Electrician X) and how "with the bigger brickwork subbies, I think my face was known: different foreman recognised me" (Bricklayer C). This assessment by the activists was corroborated by a number of industrial relations officers in their statements prepared for the High Court litigation, including former TCA chairman, Trevor Watcham, who explained:

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[25] Stephen Quant High Court witness statement signed 2nd Feb 2016

[26] Mary Kerr Witness Statement for High Court litigation para 76

"A number of these individuals were relatively prolific in their activities and the publicity that accompanied such as activities (sic) and, as such they were almost 'household' names within the industry – whether among IR managers or project managers. These activists would always find it hard to find work on sites as their names (and sometimes their face) were recognised by site managers or time-keepers and their applications would never even make it to the IR department" [27]

Employers' justification of their actions

During the 40 year operation of the Services Group within the Economic League and TCA, a significant layer of senior directors of blue chip construction companies either actively participated in or had knowledge of the blacklisting operation. It is therefore germane to consider the mind set of those responsible for directing the employers' agency in this manner. Those at the heart of the Economic League appear to truly believe they were fighting a crusade on behalf of capitalism. While giving evidence to the select committee, Ian Kerr admitted infiltrating both union and left-wing political meetings, his explanation provides an insight into the ideological underpinning of the blacklisting operation:

"The League had a very much pro free enterprise stance. Companies were interested in knowing what was being planned and thought about as tactics to try and bring a company to its knees to demand more money or whatever their aims and objectives may be… I would just go along and take notes. The briefing I would be given was to note who was speaking, who was he representing, how many were there, and what were the general points, ideas and themes that were being discussed. Then I would go back and make a brief summary. That sort of information would find its way into files, possibly, but equally into publications by the League that were put out publicly to newspapers in their attempt to get this particular view across to counter the anti-capitalist message". [28]

In 1991 during the Employment select committee investigation into Recruitment Practices, the Economic League gave evidence claiming that,

"their service to employers of providing information about applicants existed to provide details of those who belong to revolutionary organisations dedicated to

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[27] Trevor Watcham High Court witness statement para 39, signed 30 Jan 2016

[28] Ian Kerr oral evidence to Scottish Affairs Committee 27 Nov 2012

undercover subversion of industry" [29]

This was a mantra repeated a quarter of a century later when a number of senior managers tried to justify their blacklisting activities, including Trevor Watcham, main contact at Balfour Beatty and TCA chairman (2004-5):

"There were a small number of political individuals – almost always leftwing – very much intent on disrupting projects with a view to seeking increases in pay (mostly bonuses or a reduction in hours) outside the working rule agreements or in an attempt to get the project abandoned. My understanding was that such individuals adhered to the Trotskyite theory to cause as much disruption as possible to create another national strike. They believed they could bring down the government and replace it with a popular revolution under workers' control. The reason for jobs for people like me at the time was to be able to handle such individuals and prevent the damage they could cause to companies… I was interested in political activists who would disrupt sites, not others".[30]

This collective outlook, repeated by many senior managers who orchestrated the construction blacklist for over forty years is an exemplar case study of the unitarist view of industrial relations (Fox 1966). Unrestrained free market capitalism is seen as the pinnacle of human societal evolution. Union activists are considered subversives, whose true aim is to exploit grievances in order to disrupt industry and cause political mayhem that could lead to revolution.

The evidence presented in this thesis suggests that a senior layer of industrial relations officers across the construction industry understand their role as being to keep left wing union activists under surveillance and prevent them from spreading a seditious doctrine amongst an otherwise satisfied workforce. This unitarist political message was disseminated by propaganda using pamphlets, training courses, meetings and mailings to the most senior managers in multinational companies over four decades. Employers' opposition to trade unions within the UK construction industry at least, has an ideological underpinning. The evidence presented in this chapter supports the contentions put forward by Dundon and Gall

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[29] Employment Select Committee (23 January 1991) *Second Report: Recruitment Practices,* Volume 1: Report
[30] Trevor Watcham High Court witness statement para.42-43 signed 30th Jan 2016

(2013), that anti-unionism is primarily driven by a political ideology in defence of vested and political interests.

While employers' counter-mobilisation is under researched, empirical primary source evidence of employers' ideological motivation is even rarer in employment relations literature. In this respect, this thesis is filling a gap in the literature. This is one of the instances where the author's activist role has been crucial in generating evidence, which would otherwise have remained hidden. The only reason that senior executives at the heart of the blacklisting conspiracy have been forced to justify their actions is because of high-profile campaigning and litigation on the issue.

Implications for safety

Investigation of blacklist files indicate that safety representatives appear to have been particularly targeted, sometimes for as little as speaking to managers after deaths on building sites or on issues such as asbestos, electrical safety or poor toilet facilities. Official union safety rep credentials issued in accordance with the *Safety Representatives and Safety Committee Regulations* were photocopied and included in the files. The following entries appear on various TCA blacklist files:

- Showed signs of militancy over safety
- After being employed by [redacted] was elected safety rep on site
- He was a TGWU safety rep first class trouble maker
- Drew H&S issues to the attention of site manager

It might be imagined that any worker conscientious enough to draw health and safety issues to the attention of a manager on a building site would be rewarded for their diligence but despite the corporate PR, unfortunately all too often this was not the case. Union Official J, 26 years a UCATT full time officer for Eastern England explained:

> "Worryingly, it is my experience that when someone took on the safety representative's role, their days were numbered and they would usually be dismissed from site at the earliest opportunity" [31]

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[31] Employment Tribunal witness statement *Smith v Carillion* 1st August 2011

A high profile example of workers being dismissed and blacklisted for safety reasons was the Pfizers dispute in 2000, which resulted in around 240 workers being dismissed by Balfour Beatty after they complained about flooding on the project and lack of facilities to dry wet work clothes. Eventually the workers won claims at employment tribunals and the company was castigated in the written judgement.[32] This however did not prevent Balfour Beatty adding over 100 workers onto the blacklist accusing them of being 'troublemakers' involved in unofficial industrial action. One of those dismissed at Pfizer and subsequently blacklisted was Electrician 39, a rare female construction worker with a TCA file, whose first entry states:

> 2000 June 21- the following were not re-employed by 3223/F following the unofficial action at Pfizer, Sandwich between April and May 2000. One of the main troublemakers during the dispute

Electrician 39 reacted:

> "It says on my file that I'm a 'nasty piece of work', with exclamation marks, which I was a bit surprised about. I was only 20 at the time. It says I was phoning people up and threatening them, which is a lot of nonsense. It's actually slander, complete lies. I had virtually nothing to do with the union".

Even where workers were not immediately dismissed from a project, their involvement in safety issues was often enough to have their name added to the blacklist. Crane driver A worked on the construction of the Docklands Light Railway in the late 1980s and recalls why his name was added to TCA's database:

> "There was a death on that site and loads of major accidents. We got organized as workers and I was elected safety rep. After I was elected safety rep, we had no more deaths on site and no more major accidents. My thanks for that was to be placed on a blacklist by Edmund Nuttall at 24 years of age. I've never drove a tower crane again, although I'd love to. Life was very hard. I went from being a tower crane driver to

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[32] *Acheson v Balfour Beatty [2000]* ET judgement

making concrete posts at about 20 per cent of the wages".[33]

The first entry on the TCA file for Crane driver A reads:

> source 3246 [Edmund Nuttall]: Worked at their docklands job. Was shop steward involved in safety issues.

Steelworker C was another activist blacklisted because of his safety activities. He worked for the company Kvaerner Cleveland Bridge on the Avonmouth Bridge project and his name appeared on the blacklist after four men died on the site in 1999. He considered the company responsible for the deaths and raised it with management:

> "I believe that my involvement in raising these issues led to me being blacklisted. As I was the shop steward I felt it was my responsibility to counsel the workers and to be strong for them. My wife knew that my role as shop steward was affecting me and so she felt that I should step away from the role as it was having such an impact on me. Of course, I couldn't do that. I felt a loyalty to the workers and to bring those responsible for the accident to account. On my final day on the Avonmouth Bridge the workers lined up and applauded me as I walked off site. I still feel traumatised by the deaths of my friends and colleagues. It appears now that I've been punished for standing up to show how their deaths were preventable".

The list of workers blacklisted for raising safety issues includes leading figures in the *Construction Safety Campaign* and the *Building Workers Safety Campaign*. Their blacklist files record campaigning activities such as vigils outside coroners' courts and copies of leaflets distributed on building sites or at union conferences. The victimisation of workers prepared to raise concerns about safety has consequences for the families of those blacklisted but also creates a climate of fear amongst their co-workers who are dissuaded from raising their own genuine safety concerns. It is likely that the victimisation of workers taking on the role of as union safety reps, has been a contributory factor in the high fatality rates in the construction industry.

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[33] Quoted in Reel News video: National Blacklisting Day of Action sends shockwaves through the industry https://www.youtube.com/watch?v=avH1GhXRwaI

The attitude of the senior managers running the blacklist was made evident in their witness statements to the High Court litigation. Stephen Quant, from Skanska and one-time chairman (sic) of TCA claims:

> 'From the late 1990s, bogus health-and-safety concerns became an easy issue for individuals to latch on to in order to disrupt a project. Although I cannot now recall any specific examples, one had the impression that sometimes health- and-safety issues were raised by certain individuals primarily for this purpose, rather than in response to a genuine concern.'[34]

This stance is repeated by all of the senior executives who gave evidence to the select committee investigation and also by David Cochrane, a former safety manager who became head of HR at Sir Robert McAlpine Limited and TCA chairman, who claimed:

> "I did not report anybody to the Consulting Association for raising what I believed to be a genuine health and safety issue. However, there were occasions when individuals used bogus health and safety issues to disrupt work or to protect their own positions".[35]

Despite having seven years to prepare their defence for the High Court litigation, witnesses struggled to recall specific examples of these 'bogus' safety complaints. However, there are numerous situations recorded in the blacklist files where safety concerns raised by workers were considered bogus by the employers at the time but were later found by a court to be genuine.

A covert conspiracy

Throughout its existence TCA's operation was hidden from view, with documents using code numbers to avoid identifying the companies and only the initials of main contacts recorded rather than their full names. In order to keep the knowledge of blacklisting to a minimum, communication was always via the 'main contact'. Various witness statements in the High Court litigation have admitted that the process was confidential and that after receiving

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[34] Stephen Quant High Court witness statement para. 31

[35] David Cochrane High Court witness statement

minutes or other correspondence from TCA the documents were always shredded. The first agenda item for TCA meetings was always *Confidentiality and Security*, which reads:

> "Reminder: Please avoid making any reference to this meeting… Please ensure your secretaries and other staff avoid making reference to you "being at a meeting" on the day. Those in your department, who out of necessity have an awareness, and attend other unrelated meetings on your behalf: please ensure they neither refer, infer, nor acknowledge in any way during discussion that may arise elsewhere"[36]

The entire purpose of the subterfuge was to hide the unlawful source of the information if the conspiracy was ever detected. Clegg (1979) and McKinlay (2013) both identify the secretive nature of most employers' associations in comparison to the spotlight shone on how trade unions operate, but the degree of concealment at TCA appears extreme even amongst employers' bodies. However, it would be wrong to imagine that the blacklisting operation was some kind of rogue operation carried out by a handful of maverick managers, it is clear from disclosures and witness statements written for the High Court litigation that the process was embedded into the companies' internal structures. Ann Cownie, HR project manager for Balfour Beatty explains that it was official company policy that their building site managers had to provide HR with names, dates of birth and national insurance numbers of all applicants who would then to be checked against the blacklist. Once the names had been cleared, she would provide a reference number to the HR department:

> "The Site Office Manager would not be able to put an individual on to the payroll without first having been provided with the four digit clearance number by the IR/Personnel Department" [37]

One time TCA vice chairman Stephen Quant, admits that TCA was a standing agenda item at regular employment relations meetings in Skanska when he was the company's HR director [38]. Mike Peasland, Managing Director of electrical contractor Balfour Kilpatrick, explained to the select committee investigation that he was fully aware of TCA, telling MPs that the procedure did not only involve applicants applying to his company but "we would ask

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[36] TCA Chairmna's Agenda Notes – Item 1.
[37] Ann Cowie High Court Witness Statement para. 11
[38] Stephen Quant Witness Statement to High Court signed 2nd Feb 2016

subcontractors for a list of names of the sub-contractors they intended to employ"[39]. Various High Court witness statements and disclosures make it clear that Board level directors knew about TCA at Balfour Beatty, Skanska, Costain, Laing O'Rourke, Balfour Beatty, Sir Robert McAlpine and Carillion.

Given the empirical data presented in this chapter, the author estimates that thousands of union members were dismissed or refused work on multiple occasions because of blacklisting by the Economic League and the Consulting Association. The mechanism was not haphazard, but systematic and orchestrated by senior managers and directors, who set up sector wide procedures that have been in operation for over forty years. The evidence of an unlawful blacklisting conspiracy across an entire industrial sector also appears to contradict claims that employer attitudes to trade unionism are in most cases primarily pragmatic (Druker 2016; Cullinane et al. 2013; Moore 2004) or indifferent (Bryson et al. 2004)

The evidence that decisions whether or not to employ or dismiss an activist was taken by senior managers, often company directors stands in stark contrast to Galls' (2013) assumption that decisions to target union activists are generally made by local managers and that senior executives were removed from the grubby detail of victimization. This disparity may be a reflection of the atypical nature of industrial relations in construction. Alternatively, Gall's assessment of the arms-length approach of senior managers could be an example of where the lack of in-depth academic research into counter-mobilisation can result in even experienced radical scholars drawing debateable conclusions based upon surprisingly little empirical data.

Gall's (2013) useful research into victimisation across the entire UK economy claims that over a 15 year period from the late 1990s, there were 397 sackings of trade unionists, an average of 26.6 per annum, suggesting that the phenomenon is significantly underestimated in official Employment Tribunals statistics. Yet evidence in this thesis suggests that even the higher estimated level of victimisation proposed by Gall is likely to be dwarfed by construction alone. Two incidents highlight the scale of the victimisation; 180 electricians working for Drake & Scull were dismissed from the Jubilee Line Extension in 1997 during a dispute over victimisation of their stewards, while in 2000 Balfour Beatty sacked around 240 workers because of a dispute over safety at Pfizer. These two examples alone exceed Gall's

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[39] Mike Peasland select committee oral evidence 12th March 2013

estimated total for 15 years, but in addition to these are the multiple examples of dismissals and refusals of work cited by interviewees and recorded on blacklist files. While Gall's study is a valuable counter-narrative to much HRM dominated employment relations literature, the lack of in-depth research into employers' counter-mobilisation, has the effect of severely under estimating a phenomenon and consequently skewing the academic debate.

Police collusion in blacklisting

This thesis states unequivocally that some information on Economic League and TCA blacklist files originated from Special Branch and other police sources. Such a bold claim is warranted due to the conclusions of the internal police investigation into police collusion with blacklisting, known as Operation Reuben, which states:

> "Police, including Special Branches and the Security Services supplied information that appeared on the Blacklist, funded by the country's major construction firms, The Consulting Association and/or other agencies".[40]

While it is documented that the security service MI5 was running agents within British trade unions (Andrew 1985; Milne 1994), this thesis concentrates on surveillance of trade unions carried out by the police. Specifically, the role of officers from the Special Demonstration Squad (SDS), National Public Order Intelligence Unit (NPOIU), National Extremism Tactical Coordination Unit (NETCU) and the Metropolitan Police Special Branch Industrial Unit, all of which were in operation during the period covered by this thesis.

The SDS operated between 1968-2008 as a unit within the Metropolitan Police Special Branch (MPSB), to embed undercover police officers with false identities in political campaigns on deployments lasting up to seven years. The NPOIU ran from 1999-2011 with a similar remit but covered the whole of the UK. At least 144 undercover police officers are confirmed to have been deployed by the two units, with a further 111 managers and backroom staff.[41] In total over one thousand political organisations were infiltrated, including trade unions (Smith & Chamberlain 2016; Evans 2019; Undercover Research Group 2019).

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[40] Creedon Report into Operation Reuben para. 4.2
[41] National Police Chiefs'' Council submission to Undercover Policing Public Inquiry 23rd Feb 2017. https://www.ucpi.org.uk/wp-content/uploads/2017/02/Q-17-02-23-Skeleton-for-April-2017-hearing-Final-002.pdf

Unlike most undercover police officers, whose primary purpose is to detect or prevent crime by collecting evidence for use in a prosecution, the SDS and NPIOU embedded spies were tasked with gathering intelligence about what influential activists were thinking and to assist with disrupting their activities (Evans & Lewis 2013). This coincides with Marx's (1988) findings on undercover policing in America, in which he draws a distinction between deployments intended to detect serious criminality and those officers deployed against social movements and trade unions. Marx argues that,

> "The problem with much of the political policing of the 1960s and 1970s was that its targets were engaged in dissent, not crime…. disruption was a much more important goal than prosecution" (Marx 1988:xix)

One, but by no means the only SDS officer who spied on trade unions is Mark Jenner, who was deployed in East London between 1995-2000 using the false name Mark Cassidy. The undercover officer claimed to be a carpenter, joining and regularly attending Hackney branch of UCATT; his membership subscriptions were paid via a bank account set up by Special Branch. His primary target during the period was the Colin Roach Centre (CRC), a legal rights and trade union resource centre in Hackney named after a young Black man who died in police custody.

During Jenner's period undercover as Mark Cassidy, he had a five year co-habiting relationship with a female activist from the CRC known as 'Alison'. The couple went to weddings of her family members, spent Christmas together and went on holidays to Scotland, Holland, Israel, Vietnam and Thailand. They attended relationship counselling because Alison wanted to have children, but Cassidy did not. In his other life, the police officer Mark Jenner was married with three children at the time. Alison claims that union campaigns and especially the building industry were "a key part of his work… a big part of what he did during this period", and that he not only distributed but even wrote articles for more than one rank and file union journal. Alison has described how after attending union meetings, the SDS officer would come home with pages of hand written notes that he would then ask Alison's mother to type up for him. These typed reports of what union members said at meetings or did on picket lines included the names of numerous union members from various unions.

CRC acted as a venue for trade union branches and radical groups, acting as a hub for rank and file union activism in the area. Jenner was a regular on construction industry picketlines during the late 1990s including a strike over unpaid wages at Waterloo, industrial action over an unfair dismissal at the London Borough of Southwark and various other disputes over holiday pay in the City. He also attended the national pay talks, conferences plus rank and file events organised by the *Building Worker Group* and the *London Joint Sites Committee*. During his deployment, the undercover officer either attended or spoke at numerous union meetings other than UCATT; in 1996 alone, he attended TGWU, EPIU and RMT branch meetings and was actively involved in supporting the long running JJ Fast Foods dispute in Tottenham.[42]

Two campaigns that the undercover officer was actively involved with that met at the CRC, were the *Brian Higgins Defence Campaign*, set up to support a prominent UCATT activist being sued by a union official over a letter published in the *Irish Post* and the *Building Workers Safety Campaign*, established by the rank and file Building Worker Group. The undercover officer actually chaired some of the campaign meetings and wrote letters on their behalf to TGWU, UNISON and CPSA union branches. A number of sympathetic political groups, were also sent the same letter including the safety organisation *London Hazards Centre* and the deaths in police custody charity *Inquest*.

While a number of union activists interviewed for this thesis recalled positive elements of Mark Cassidy's union activism, others remembered him as a disruptive influence. The *Brian Higgins Defence Campaign* that the undercover police officer played such a leading role in, caused immense friction within UCATT, with accusations and counter accusations being made against leading figures in the union and the *Construction Safety Campaign*. Painter A was one of those criticised during the Southwark unfair dismissal dispute; years later he found out that Mark Cassidy was police spy by reading an article in the *Big Issue* and reflects on the impact the undercover officer had:

> "Their campaign was personal and waged with leaflets and pamphlets that called for the removal of the convenor. The police spy had attended regular pickets over a four-week period outside Southwark Building DLO's main depot [and] had opportunities

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[42] Hand written entries in Mark Cassidy's 1996 UCATT diary.

to collect information on trade unionists throughout the country who had been corresponding with the campaign. We were totally correct in what we said at the time that the actions of their group were adventurist and grossly irresponsible. It therefore came as no surprise to me that this group's leaflet denigrating of me was found on the files kept about me by the blacklisting Consulting Association."

Other activists interviewed for this thesis who were not involved with the Southwark dispute also claimed that the ex-SDS spy could be particularly antagonistic at meetings. Police agent provocateurs attempting to cause splits within unions and social movements has long been identified (Huberman 1937; Marx 1974). Jenner's disruptive behaviour appears to be state sponsored intervention in the internal affairs of a major trade union.

The raw intelligence gathered by undercover officers from the UK's political policing units is fed back into the Special Branch database, where it is analysed and where considered appropriate, registry files were compiled on prominent individuals. Information regarding union activists would be channelled through the MPSB Industrial Unit; formed because of the perceived threat of growing industrial unrest in the 1970s, the unit's purpose being to monitor:

"the whole range of working life, from teaching to the docks. This included collating reports from other units (from uniform officers to the SDS), attending conferences and protests personally, and also developing well placed confidential contacts from within the different sectors". [43]

In addition to the MPSB registry files, police intelligence is analysed and collated via the National Domestic Extremism Database, originally compiled by the NPOIU, but over time administered jointly with other police units.[44] The database holds information on over two thousand British citizens that the state considers to be domestic extremists, many of whom have committed no crime (Lewis 2010). One of the police units responsible for collating the National Domestic Extremism Database was the National Extremism Tactical Coordination Unit (NETCU), set up under the auspices of the Association of Chief Police Officers

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[43] Creedon Report - Operation Reuben para. 6.11
[44] Undercover Research Group -
http://powerbase.info/index.php/National_Domestic_Extremism_Database#cite_ref-acpo.ncde_25-0

(ACPO), meaning that although all of its staff were serving police officers, it was outside the scrutiny of the *Freedom of Information Act*. However, NETCU's head, Superintendent Steve Pearl, explained to the *Daily Telegraph* that the unit was set up to

> "take over MI5's covert role watching groups such as the Campaign for Nuclear Disarmament, trade-union activists and left wing journalists" [45]

Upon leaving the police, Pearl became non-executive director of Agenda Security Services, a company that carries out pre-employment vetting checks. Numerous senior officers from the political police units followed a similar career path or else joined multinational companies (Smith & Chamberlain 2016).

NETCU also performed a liaison role to share information with third parties including businesses across different sectors from life sciences, oil gas, banking, finance and farming, as well as government agencies[46]. In October 2008, Detective Chief Inspector Gordon Mills from NETCU gave a PowerPoint presentation to a TCA meeting held at the Bear Hotel at Woodstock in Oxfordshire, attended by eight senior managers from the blacklisting companies. All the companies attending were invoiced by TCA for the event which was organised by Ian Kerr. Notes taken for the minutes of the meeting by Ian Kerr, and seen by this thesis, reveal that the senior police officer's presentation identified left wing activists as 'emerging threats' for which the 'companies needed to have strong vetting procedures in place'.[47] Gordon Mills admits attending the Woodstock meeting and giving the PowerPoint presentation, yet claims he did not realize the meeting was for TCA and claims that he had no personal involvement in blacklisting union members.[48]

Ian Kerr also mentioned the NECTU meeting during his High Court witness statement, in which he claims that the police unit,

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[45] https://www.telegraph.co.uk/news/uknews/law-and-order/8131131/Did-police-cutbacks-allow-extremists-to-hijack-student-demonstrations.html
[46] Creed Report – Opertion Reuben para 6.14
[47] Hand written notes from Ian Kerr seized by ICO and disclosed during litigation
[48] *Ex-terror cop: John McDonnell's smears put my family in danger,* in Evening Standard 27 Oct 2015 https://www.standard.co.uk/news/uk/exterror-cop-corbyn-allys-smears-have-put-me-and-my-family-in-danger-a3100071.html

'wanted an output for the information…. I gave them the email addresses of the contacts in the construction industry and they would feed them information.' [49]

Kerr again discussed the NECTU meeting in an interview to *The Times* in which he claims that a 'two-way information exchange' developed between the blacklisting construction companies and the political policing unit, that wanted a channel by which to feed out information they had gathered.[50] This thesis has examined numerous entries on TCA files dated long before the NETCU meeting that contain information that appears to have originated from police sources.

Although both NETCU and the MPSB's Industrial Unit are now dissolved[51], Operation Reuben makes it clear that the sharing of police intelligence "with all sectors of industry" has not ceased. It continues through Operation Fairway and the National Domestic Extremism and Disorder Intelligence Unit (NDEDIU) Industrial Liaison section. Disclosing information to industry contacts is now officially sanctioned using Information Sharing Agreements. [52]

There were also more informal meetings between Special Branch and the construction companies. This was confirmed by a number of industrial relations managers, including Industrial Relations Officer A, who claims he was first contacted by Special Branch while working at the Thames Barrier and as their working relationship developed, meetings were held as often as every few weeks if necessary. In explaining how and why he met with the political police unit, he said:

> "Well Special Branch wouldn't be doing their job if they didn't. People were commies. Everyman who was on the carpenters committee was a commie, marching through town with banners, the police just wanted to know who was causing trouble, who was at meetings. Eventually I was working for MI5, Special Branch introduced me to them and we had a meeting in a pub near the Thames Barrier. We just sat talking and they said, 'we'd like you to find out a few things for us' ".

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[49] Ian Kerr witness statement for High Court group litigation (never used)
[50] https://www.thetimes.co.uk/article/police-were-briefed-on-industry-extremists-and-bad-eggs-bqdpvnhq56v
[51] Somewhat implausibly, the police claim that "All NETCU computer records were destroyed in July 2012. They have no record of any transfer or copying of information" Creedon Report – Operation Reuben para. 11.6.13
[52] Creedon Report – Operation Reuben para. 6.14-6.18

Special Branch registry files and the National Domestic Extremism database collate information on individuals that the British state considers to be subversives, explicitly including industrial militants. The Economic League and TCA both compiled databases of union activists the major companies that funded them considered troublemakers. This thesis asserts that MPSB Industrial Unit and NETCU routinely shared information reciprocally with senior business executives, often industrial relations officers or HR directors on both a formal and informal basis. It is through these officially sanctioned communication channels that intelligence gathered by SDS, NPOIU, as well as uniformed officers appears on blacklist files. This thesis argues that the ideological reasoning and purpose of both the state and corporate spying operations are almost identical; that intelligence about left wing activists was routinely shared between the two is hardly surprising. Police collusion in blacklisting is one element of covert state support for employers' counter-mobilisation: the state is not neutral in major disputes between labour and capital.

The impact of blacklisting

This next section identities the impact that blacklisting had on the employment and income of the activists. The testimony of the activists and their close family members highlights how the blacklist had a direct impact upon people's lives affecting their relationships and their health. Regardless of the ideological justification by those who ran the blacklist, the experience of those at the receiving end of their surveillance tended to follow a remarkably similar pattern. Typically, workers initially had similar career trajectories to their immediate co-workers, some rising to supervisory or even managerial positions on prestigious projects. However, once an individual became active in their union or complained about unsafe working conditions, this changed and job opportunities quickly dried up, resulting in increased periods unemployment punctuated by contracts of short duration. Even where the workers could gain employment, this tended only to be on smaller projects, with smaller sub-contractors or in jobs at a lower grade than would be expected for someone with their experience and qualifications.

Blacklisting had an observable effect upon the individual worker's ability to earn a living, the financial impact having tangible consequences for their families as was repeatedly explained in the interviews. Electrician A from Scotland spent decades working in the extremely technical and harsh environment of the high-voltage sector. Blacklisting meant he ended up

on zero-hours contracts for various agencies as a driver. In 2014, he described his predicament:

> "I've been unemployed for over a year now and cannot get employment anywhere in my own industry where I had been regularly earning 50-60 grand. When I was on the zero hours contract, I earned 8 grand that year. I'd been working for £36 an hour and now I'm trying to get driving jobs for £7 an hour".

Difficulty in finding work and long periods of unemployment during a building boom when other construction workers were earning reasonable earnings inevitably takes its toll on family relationships. Electrician R was blacklisted after having been a safety rep on a North Sea oil rig, he recalls how it affected his family throughout the 1990s:

> "I've had periods of unemployment, I've had to take shitty agency jobs at lower rates of pay. I never worked offshore again. For 7-8 years it was agency labour, Germany, Holland. 2 weeks, 6 weeks. My marriage broke up: everything I worked for was taken away from me".

The impact of blacklisting upon family life was highlighted by activists and corroborated by close family members. Six wives of blacklisted activists were interviewed for this research, and their experience were once again remarkably similar. They all spoke about how at various times they had to become the primary wage earner for the family and the strain this placed on relationships. Wife D described how blacklisting had put pressure on her family life, even influencing their decision whether or not to have children.

> "I was earning for the both of us, so I had to do any job I could get. It made me feel quite resentful. As I had to be out working it meant for a long time we couldn't have a family. I had no choices. Because I had to be working, it put a strain on both of us. We had our daughter in 1986. We had planned to have more children but without my husband being in work we couldn't afford to. After having my daughter, I had to go back to work so we had a source of income, but this was through necessity not choice. We were living on the breadline.".

While union contacts provided a form of rank and file support network for blacklisted activists, the itinerant nature of the construction sector where workers were often employed long distances from where they lived, meant that their partners rarely met each other and similar support was often non-existent. While *Women Against Pit Closures* in the 1984-85 miners' strike (Seddon 1986; Milne 1994) and *Women on the Waterfront* during the 1995-96 Liverpool dockers' dispute (Carter et al. 2003) were examples of where women's anger was politicised by becoming collectivised, for most partners of blacklisted construction union activists, their experiences remained within the family. The explanation for this difference appears primarily due to the fragmented and transitory nature of the construction industry in comparison to industries with static occupational communities, such as mining or the docks, where workers lived in close proximity over decades and families often met socially outside work at the weekends.

Wife C explained how women were excluded from the male solidarity that provided support for their partners:

> "All the men are mates and they all talk to each other and support each other but who supports the wives and the kids? Don't the wives have a right to a say so? Don't the kids have rights? The kids are being told, 'no you can't have them trainers because daddy's not working'. The women are working two or three jobs, and looking after the kids and trying to support their husbands and do the housework and do the shopping, they need someone to talk to. I can't imagine as a mother standing at the school gates as our kids are going in talking about this sort of thing, when really I just need someone to talk to who understands how I feel.".

Wife C went on to form *Families Against Blacklisting* to specifically provide that support network for wives and partners of blacklisted workers, which became an integral part of the *Blacklist Support Group* campaign, often initially making contact with wives who joined their husbands at various court cases.

It is apparent that for some of the blacklisted workers, their inability to provide the financial support for their families, a role that has been stereotypically ascribed to men within working class communities, had an impact on their own self-belief. While only one activist actually gave up work altogether to become a carer for a disabled relative, a number described how

during periods of unemployment, while their wives were working, they began to question whether they were to blame for their predicament. Electrician 27 from Scotland spoke for many when he described the effect on his mental health:

"For a couple of years it affected my confidence a bit because you kept being knocked back and other people were getting jobs, people who probably didn't even have the experience that I had at the time. It does get you down. It affects your marriage. We managed to live through it because we've been kicked so often in the past in this industry that you actually do get used to it. I suppose it's like a battered wife who gets physical abuse from her husband but still stays. We were getting mental abuse".

While a small number of interviewees described feelings of paranoia and lack of self-confidence, some others made the link between physical health and stress brought on by blacklisting, as Electrician J from Manchester explained:

"It's had a big bearing on my health. I've developed tinnitus, alopecia, got rheumatoid arthritis, they say a lot of this stuff could be stress induced. This is what the doctors have said. It's had a bearing on the family because I've totally changed character from being happy go lucky to dead snappy. It's frustration I think a lot of it because from working all your life to not being able to work at all, the slightest thing you get agitated".

Money and relationship worries are linked to mental health issues such as anxiety and stress, which can be a particular concern amongst young men where suicide is a major cause of death. It is known that at least three blacklisted workers committed suicide, although the true figure could be higher (Smith & Chamberlain 2016). While it is unlikely that blacklisting was solely responsible for these tragedies, long periods of unemployment and the resulting pressures cannot be beneficial to mental health. It is probable that blacklisting was at least a contributory factor in the catastrophic early deaths of some union activists in the construction industry.

How blacklisting affected activists' collective consciousness

Almost all of the interviewees said that even if they didn't know the precise mechanism, their own lived experiences meant that they were conscious that blacklisting of union activists was real, most claiming that the practice was common knowledge in the industry. The two quotes below are only an indication of the numerous examples of where it was apparent to activists that's their name had been checked by a company. Bricklayer F recalls an incident on a building site in South London in the early 1980s when he had been offered a job by a site foreman but was told to wait in the site canteen while the paperwork was finalised by the site agent.

"So I'm having a cup of tea, he's given me the job but he's taking ages. I'm looking out the window of the hut and all of a sudden he comes out of the office and he's walking towards me, as he's seen me his waving his hands. He says "I'm sorry boy, the site agent won't let you start. You don't check out. They made a phone call and they won't let you start, I'm sorry mate"

Of course, I knew what it was".

Electrician 27 was also aware of blacklisting, especially after he was refused a job on Nine Wells hospital in Dundee, while his friend Peter was taken on. After making inquiries with the site manager:

"About a week later he tells Peter, 'I don't know what your mate has done. He must have killed the foreman or something because I've been told there is no chance of him ever getting a start on this site' So we obviously knew there was a blacklist of some sort".

To demonstrate that this is not mere hindsight, triangulation was achieved by investigation of primary and secondary source documentary evidence, including press cuttings, rank and file leaflets and motions at union conferences. For example, the blacklist file for Carpenter E includes a letter written the *Morning Star* in November 1999 that makes it clear how activists viewed the situation in the sector:

"Over the past few years there has been a general move by employers to sack shop stewards and safety representatives, because they know that they can get away with it. The union concerned will probably threaten the employer with an industrial tribunal – which will get the sacked steward or safety rep a few bob. But the employer will gladly pay this to break trade union organisation and, ultimately the steward concerned will be blacklisted".

In summer 2000, a newsletter distributed by the rank and file *Building Worker Safety Campaign* had opposition to the blacklist as one of its key demands. A copy of the newsletter front page is pasted into the blacklist file of Carpenter G, who wrote the lead article and moved Motion 34 at the 2002 UCATT conference calling for:

"Total opposition to the blacklist and victimisation of safety representatives. Many of us at this conference have experienced this after successfully organising on site".[53]

This was not unusual; motions and speeches, including from the General Secretaries, EC members, as well as delegates condemning blacklisting were a theme at every union conference throughout the period covered by this thesis. The evidence above indicates that even if individuals were not fully aware of the mechanics of blacklisting, its existence was widely known, its impact understood and to a large degree it was almost viewed as an undeserved occupational hazard by activists. Even if individuals new to union activism had not already personally suffered blacklisting themselves; employers hostility was ever present both as a topic of conversation amongst fellow activists and as a major cause of industrial disputes.

Does blacklisting remain a contemporary phenomenon?

This next section considers whether blacklisting in the construction industry remains a contemporary issue. Druker (2016) argues that bodies similar to The Consulting Association or Economic League are of purely historical interest, as following the blacklisting scandal, HR managers have become more enlightened and concern for the corporate brand means that companies are less inclined to continue such activities. However, the experience of the blacklisted activists would appear to suggest that the process is still in operation in some

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[53] Speech quoted in UCATT conference report 2002:494

form. Electrician F from London discussed his continued difficulty in finding work since the exposure of TCA in 2009:

> "I used to get 25 phone calls per day asking me to work for them and now I get zero. To say this has ruined my career is a massive under statement because it has totally finished my career".

Electrician 31 from Manchester shared what had happened to him as recently as 2016:

> "Blacklisting is still going on; I have got personal experience of it. I phoned up for a job and was told that there wasn't one. But I knew there was, so I got a couple of mates to ring up the same people. A couple of minutes later they called me and said they've got the start on Monday"

In addition to those union activists who appeared on TCA's database, over the five years of this doctoral thesis, the candidate interviewed ten young UNITE activists in their late twenties and early thirties, all of whom had become active after the discovery of the blacklist in 2009. The majority were first brought into activism during or just before the 2012-13 BESNA dispute, with one not being involved in any industrial action until 2015. The experience of victimisation within this younger layer of activists is a virtual carbon copy of that of the older generation of blacklisted workers. During participant observation whilst researching for this thesis, the candidate has attended numerous picket lines calling for their reinstatement, most of which have been recorded by Reel News[54] and in the radical labour movement press.

It appears that prominent union activists continue to be denied employment on major projects or if they manage to get onto site via an employment agency, they are dismissed within a few days of starting work for the most flimsy excuses. During research for this thesis, Electrician 33 from London has been dismissed twice, Electrician Z was the only worker from a Scottish multinational company's entire labour force selected for redundancy, Electrician P and Electrician Q were both dismissed from a major power station project, Electrician 40 has been dismissed on multiple occasions, Electrician E has been dismissed twice, Electrician V from Wales has been repeatedly denied employment and Electrician 37 has been dismissed twice and refused employment on multiple occasions. Crane Driver B has become

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[54] Various videos of the post 2009 disputes in the construction industry are used for triangulation purposes https://reelnews.co.uk/construction-blacklist/

unemployable in Ireland following a major dispute in the summer of 2017.[55] Since 2012-13 BESNA dispute, some of the more high profile electricians interviewed have now been forced to either work abroad or else seek employment within the much lower paid building maintenance sector.

After being repeatedly denied work and dismissed from Crossrail after making a complaint about safety, Electrician 32 submitted numerous Subject Access Requests to construction companies. Chuka Umunna MP raised the issue in parliament highlighting emails that show surveillance of workers at a peaceful demonstration on Crossrail in 2016, while others indicate that:

> "Crossrail and three of its contractors exchanged personal data, and sensitive personal data, concerning the individual's previous employment and the issues and grievances that he had raised there. On the face of it, the data appear to have been processed for the purpose of determining the individual's suitability for employment related to his trade union activities. The very strong inference from the documents is that some kind of vetting operation was in operation between Crossrail, its contractors and the agencies involved"[56]

The only substantive difference in the accounts from younger activists working on building sites today compared to their older counterparts is that their names do not appear on any centralised blacklist that has so far been discovered.

However, if the construction companies have turned over a new leaf as Druker (2016) suggests, it does not appear to have impacted upon the careers of most managers who participated in the blacklisting operation. Analysis by Hurst (2013) found that four years after the TCA was discovered, over three quarters of the senior HR personnel involved remain within construction, while over 60% still worked for the same company. It is noteworthy that 19 of the senior HR managers who participated in TCA were members of the *Chartered*

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[55] https://www.irishtimes.com/news/ireland/irish-news/crane-operators-call-off-strike-ahead-of-talks-on-pay-dispute-1.3153763
[56] Westminster Hall debate: Blacklisting 5th September 2017
http://hansard.parliament.uk/Commons/2017-09-05/debates/ABB1A1CE-3162-4217-BB21-2256447AA6F5/Blacklisting

Institute of Personnel and Development[57]; none of whom were subsequently expelled or publicly disciplined for their role in the scandal (Smith & Chamberlain 2016). The professional body has however published a new code of conduct and guidance in relation to pre-employment vetting, which while being publicly opposed to unlawful blacklisting, also suggests checking social media accounts[58].

As a result, it is not fanciful to suggest that some examination of job applicants' online presence is now being to be carried out either by external consultants or in-house by HR departments, resulting in some companies compiling their own internal databases of 'undesirables'. Evidence disclosed during the High Court litigation uncovered just such internal databases of workers. On the laptop of Gerry Harvey, HR director for Balfour Beatty, a spreadsheet was found with lists of workers designated as 'Code 11' or 'do not employ', that included dozens of workers who appeared on TCA's database alongside many others[59].

Claims by interviewees of contemporary blacklisting, emails between senior HR professionals gained by subject access requests and disclosures from High Court litigation all suggest that far from employers embracing more enlightened approaches to employment relations, blacklisting and other forms of victimisation of union activists continues unabated. In addition to the primary source data, recently published investigative journalism has exposed that keeping surveillance on activists appears to be widespread amongst multinational corporations (Evans & Jones 2017). The growth in companies advertising services such as pre-employment vetting of job applicants, the CIPD's own guidance and FOI disclosures all provide additional triangulation that strengthen the claims of the activists interviewed. This thesis submits that blacklisting remains a widespread and contemporary practice in construction and beyond.

Implications for academic debate

Moore's research of counter-mobilisation during recognition campaigns, quotes an activist working for a multinational employer that used a variety of anti-union strategies as saying: "I went into this expecting a level playing field. I never expected dirty tactics" (Moore

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[57] Peter Cheese, CIPD Chief Executive oral evidence to Scottish Affairs select committee 3rd September 2013
[58] CIPD (2018) *Pre-Employment Checks: Guidance for Organisations*
[59] 'Key documents disclosed pursuant to July Disclosure Order' exhibit in the High Court trial

2004:25). This is at odds with the empirical evidence acquired during this thesis, where construction union activists perceived victimisation as an almost inevitable consequence of their union activity. Their collective mindset in regard to blacklisting was well established, long before the discovery of TCA. Victimisation was not just a possible response by their employer to their activities, it was viewed as virtually inevitable and *the* most significant factor that shaped their attitude towards union organising. A key observation of this thesis is that in the vast majority of cases, activists were conscious of these difficulties *before* they carried out attempts at union organising. Activists were not just aware of blacklisting: it is part of their collective psyche.

This next section reflects on how the evidence presented in this chapter feeds into two debates in the academic literature around mobilisation theory. Firstly, the Economic League and TCA, and employers' motivations for their use are viewed through the lens of the agency v structure debate. Secondly, the degree to which blacklisting and employers' anti-unionism are a pre-existing element of the industry's employment relations landscape are used to critique how counter-mobilisation is conceptualised, or at least often presented, by mobilisation theory.

In relation to whether blacklisting should be considered as a structural factor affecting employment relations or a matter of human agency, this thesis has presented data that could support cogent arguments for either categorisation. Any organisational apparatus within employment relations, as in wider society, has been built and operated by human beings; McAlevey argues that, "What sociologists and academics have long labelled as structure is actually human agency" (McAlevey 2016:39). Classifying a phenomenon as either 'structure' or 'agency', is a means used by academics to simplify and thereby enable them to understand complex real world processes.

In many respects, the empirical evidence presented above could credibly be presented to support a structuralist view of blacklisting. For two centuries building employers have victimised, dismissed and blacklisted union activists. This thesis argues that these are part of a repeated pattern of behaviour by multiple employers with a particular unitarist corporate mindset. The Services Group within the Economic League and The Consulting Association were organisations with employees, premises, constitutions, management structures, subscription fees and regular meetings. Police units expressly set up to spy on union activists

routinely supplied information to the blacklisting companies. Blacklisting in construction is systematic: integral to companies' internal recruitment procedures. The process of blacklisting continued for decades, regardless of changes to personnel in senior positions within the corporate hierarchy. Blacklisting may be covert and unlawful but for decades it has been a central part of the pre-existing industrial relations landscape in which trade unions are operating. It could reasonably be argued that this is almost the definition of structure.

Yet, it is equally possible to view blacklisting as a result of human agency. Construction companies, whether SMEs or multinational corporations are not decision- making entities in their own right, to view them as such is the very 'reification' warned of by Hyman (1975). Instead, decisions are actually made by individuals or small groups of people in senior positions within the corporate structures and the police. Individual managers attended TCA meetings, whether or not to employ a worker whose name flagged up during a TCA check is a judgement call made by human beings not automatons incapable of reflective thought. When thugs were recruited to assault union activists on building sites, someone made that decision. When undercover police officers infiltrate trade unions, senior officers approve that covert strategy.

To explain the actions of the senior executives who operated the blacklist purely as a function of their corporate role is bordering on economic determinism. Focus upon causal mechanisms and structures alone, tend to lead to a mechanistic view of societal processes. Keat & Urry (2011:193) argue that while a structuralist view can provide an explanation of macro effects, it is less effective at explaining micro events: "social relations are casually effective but they do not fully determine the cause of an individual's behaviour". A wholly structuralist approach also has the effect of absolving those who carried out blacklisting of any responsibility: an overemphasis on structure can be used to undermine agency. Over many decades, a stratum of senior executives in major construction companies and senior officers in the police had a choice, and they chose to covertly blacklist union activists. This is human agency.

This thesis has positioned the process of blacklisting in the UK construction industry holistically in its historical and socio-political context. Primary source interviews combined with High Court witness statements and select committee oral evidence of those at the centre of the practise demonstrate a strong unitarist ideology amongst a significant cohort of senior

executives and HR professionals over many decades. This pro-capitalist mindset is shared by senior police officers who oversaw state spying operations that collaborated with the blacklisting conspiracy. It is human agency interacting with the structural factors that provide an explanation for blacklisting's operation and longevity in the construction industry.

Blacklisting in the construction industry exposes the difficulty of the either/or juxtaposition in the structure-v-agency debate: both sides of the argument have validity in this extreme case study. This thesis argues that the oft-presented binary option is a false dichotomy: a contradiction. Blacklisting like all phenomena in which human beings are involved is subject to the dialectical interaction between structure and agency. Yet, blacklisting is more than just a result of the interaction between agency and structure: blacklisting is an example of *both* subjective human agency *and* an objective structural factor at the same time.

It is noteworthy that the activists studied almost subconsciously adopted this duality approach. Blacklisting was something that in the short-term individual activists felt they had very little control over: their employers anti-union hostility was taken as a given. However, activists did apportion blame to particular key individuals, both in their propaganda and during interviews. The BSG repeatedly 'named and shamed' leading figures in the blacklisting operation in press releases and by producing 'Blacklisting Wretch' posters of individuals such as Cullum McAlpine, which were printed and distributed on building sites and shared on social media. In the case of Gerry Harvey, the poster was widely circulated amongst Balfour Beatty workers via text messages and WhatsApp groups whenever the HR director attended various Crossrail sites during periods of industrial unrest. This appears to be an example of how activists frame an issue and attribute blame, a feature highlighted by mobilisation theory that is discussed in more detail in later chapters.

In relation to whether employers' counter-mobilisation is a response to union campaigning or a factor pre-existing any attempted mobilisation by union activists, the empirical evidence appears much clearer. Primary and secondary source documentary data indicate that structures to enable systematic blacklisting of union activists were in existence before many of those interviewed were even born.

Positioning employers' counter mobilisation at the very start of union mobilisation strategies also has implications for mobilisation theory itself. Too often mobilisation theory is presented

as a linear step-by-step route map, which starts with an injustice, that through attribution a collective mindset develops, which leads to some form of action, and occasionally finishing with an employer's counter mobilisation. When mobilisation theory is presented as a progression through a series of sequential stages, at which counter mobilisation is merely a reaction to union campaigning, it fails to fully account for the dialectical nature of the complex phenomenon in a multi-faceted interconnected world.

Instead of being a theory of distinct stages, a dialectical approach to mobilisation theory, while still acknowledging a general direction of flow, recognises the constant uninterrupted interaction between employers and union activists, as well as between structure and agency. Even researchers who ascribe to mobilisation theory can sometimes appear to present union mobilisation as a series of stages (Darlington 2006), with counter-mobilisation occurring as a downstream reaction to union activity (Kelly & Badigannavar 2004), and occasionally failing to make an appearance at all. This thesis argues that it is not mobilisation theory that is at fault; rather the difficulty arises when interpreting or presenting mobilisation theory in a linear manner: there is a need for the dialectical nature of the process of collective mobilisation to be more explicit stated.

Blacklisting by its very nature always was and remains primarily a covert operation, only occasionally entering the public domain. Its hidden nature unsurprisingly provides little in the way of official statistical data for academic research to analyse. TCA and the police collusion in blacklisting were exposed due to activism not academic enquiry. The doctoral candidate's twin role as activist and researcher may be open to accusations of partisanship, however this thesis argues that without the activism, both the breadth and depth of the research would have been considerably reduced. Without the positionality of the researcher, this thesis in its current form would have been all but unimaginable.

However, counter-mobilisation by employers remains massively under researched not just amongst the HRM unitarist & pluralist mainstream but even by many radical scholars who champion mobilisation theory. By its very nature, mobilisation theory tends to concentrate on the central role played by activists in union organising. This focus on the role played by activists can however sometimes be at the expense of investigation into the anti-union tactics used by employers. Further research into the often hidden anti-union activities of employers is likely to enlighten academic understanding of industrial relations.

Chapter 6 – Union bureaucracy?

The previous two chapters have identified the structural difficulties facing trade unionism in the UK building industry and the extreme anti-union hostility by employers that has exacerbated the difficulties. The central research question tackled by this chapter is the at times contradictory relationships between the activists and their full time union officials. The chapter does not claim to provide a fully rounded assessment of the role played by full time officials in construction, rather it assesses how the actions of officials influenced activist attitudes towards the union machinery and helped shape the nature of activism in the sector. This thesis argues that strategic choices made by the senior leadership of the construction unions, informed by a generally business friendly approach shaped by bureaucratic priorities, have created relationships with employers that went beyond usual professional standards and that stifle the collective mobilization of workers.

Where activists have made bold statements that overtly criticize officials, especially in regards to individual corruption and possible collusion in blacklisting, additional triangulation was achieved from a variety of primary and secondary sources. These include contemporaneous media coverage, FOI disclosures, conference speeches, plus rank and file publications. In addition, a number of union officials were interviewed, and witness statements prepared by senior industrial relations officers for High Court litigation were used to assess the strength of claims and counter claims. The thesis does not claim to either 'prove' or 'disprove' any of the allegations made by activists during interviews, instead, it attempts to assess how and why activists' collective consciousness has evolved in a particular direction.

The chapter starts by presenting evidence of activists' generally skeptical attitude towards union officers. Secondly, the chapter presents empirical evidence on two practices by which unions have attempted to increase membership and influence by developing a positive relationship with employers, rather than by organising the workforce: bulk membership deals and appointed convenors, both of which are uncommon outside of construction. The partnership ethos underpinning both practices is identified, and the nature of the relationships that develop between a layer of the union bureaucracy and employers is evaluated. Thirdly, there is an assessment of how these business-friendly approaches affected the interactions between activists and officials, including the suppression of industrial action and possible union collusion in blacklisting. Fourthly, the chapter goes on to identify how activists' conceptualised why union officers acted in a particular fashion and how this has helped shape

the activists' collective consciousness. The activists' view of the official union machinery helped shape a noticeably rank and file orientation towards mobilizing workers. The chapter concludes by identifying how the empirical evidence feeds into the academic debates relating to the role of paid officials in union organising and the necessity, or otherwise, for organization in the collective mobilization of workers.

Activist's interaction with officials

From the interviews, it is apparent that the itinerant nature of employment and the sheer number of building sites means that contact between activists and full time officials in the workplace tends to be haphazard and fleeting. Numerous interviewees explained that official's site visits tended to be short meetings with managers to resolve a workplace issue. Therefore, unless an activist had a problem, they might only bump into their officials on a building site as little as one or two times a year (even less if working on smaller projects). Officials holding meetings with private sector activists either individually or collectively to systematically coordinate union organizing strategies in their area was almost unheard of.

Nonetheless, in a sector where most workplaces lack standard industrial relations structures and employers regularly refused to deal directly with workplace based activists, there was often a reliance on union officers to visit site to negotiate agreements. The situations when activists were most likely to come into contact with full-time union officials was when a dispute was taking place, almost always after the action had already started and normally at a point where a negotiated settlement was needed. Bricklayer K encapsulated the experience of many:

> "Very rarely had anything to do with the union officials. We did at the very beginning when we were trying to get in, the official did go in and talk to management. That would have been part of the bargaining. There had to be some kind of interaction between the rank and file and the officials because otherwise the management wouldn't have spoken to us on our own. In fact, they were keen to talk to the full-time officials".

However, despite at times relying upon them, because the restrictive legal framework results in virtually all industrial action in the sector being unofficial, the relationship between activists and their officers representing the union machinery is one wrought with tensions. It

is therefore unsurprising that there is a wide range of often contradictory attitudes towards union officials; from sneering hostility to genuine admiration. While the activists gave examples of where a specific official had successfully represented them on an individual basis, in general, activists' attitudes towards their union officials clustered towards the cynical end of the spectrum.

Interviewees had low expectations of what full time officers could practically achieve. Rather than imagining that union officials would solve their problems, and then be disappointed when this was not the case, activists were mostly resigned to the fact that for whatever reason, the officers would be of limited use to them. Electrician U was a branch secretary and a leading activist throughout the entire period under investigation, his quote below falls comfortably within the majority sentiment expressed during the interviews:

> "In 43 years now, since I left school, I've worked in the construction industry, I've never met a single decent officer from the EETPU, the AEU, the AEEU and Amicus, and only recently with X and Y, who I've started meeting, a couple of decent lads, that I'd say they've blown me away by how honest they are. And all they're doing is their job, but it says a lot when you're blown away by an official doing something for you".

One explanation suggested by activists for why full-time officials were commonly in opposition to rank and file activity was political differences. Whilst the activists interviewed were overwhelmingly from a left-wing ideological standpoint, Electrician C identified the more right wing politics of the leadership of the electricians' union as one of the reasons for the mutual mistrust:

> "The EETPU has got a lot of history and culture to it; really they've been a bunch of shitbags that have recruited scabs. Like for example Wapping, and I think some of that's carried through".

Political arguments in UCATT saw allegations of ballot rigging and in the early 1990s a QC led investigation known as the Hand Report that concluded that the Executive Council had falsely disciplined political opponents and turned a blind eye to fraudulent ballot returns in

the elections.[60] These well publicised episodes only added to the enmity between the union hierarchy and the activist layer. Political differences in the electricians' union in the 1980s resulted in the formation of the *Electrical and Plumbing Industrial Union* (EPIU) by a breakaway group of left-wing lay activists following the expulsion of the EETPU from the Trades Union Congress. Viewing the tensions between union officers and activists as primarily a left –v- right political struggle coincides with the arguments put forward by Dromey and Taylor (2015)

One manifestation of the ideological mindset of the senior leadership of the construction unions has been the strategic choice to present a business-friendly face to employers, including adopting a partnership approach as a means of keeping a union presence in the sector. This thesis argues that in certain respects the partnership strategies adopted by UCATT, EETPU, AEEU and Amicus represent almost textbook examples of a union bureaucracy making deals with employers while suppressing industrial action.

Ever since the days of New Model Unions, craft based unions in construction have shown tendencies for centralised bureaucratic leadership that adopted a conciliatory stance towards employers (Webb & Webb 1920; Pelling 1963; Sewell 2003; Davis 2009; Chapple 1984). More recently, by the late 1990s, partnership working between employers and unions was being championed by the TUC and the New Labour government (Taylor 2003; Terry & Smith 2003; Oxenbridge & Brown 2004). The partnership mindset was explicitly mentioned by Union Official E, national officer for construction within Amicus, when he explained his ideology:

> "I believe in social partnership like John Monks wanted to go down that route. I make no apology. I want to work with employers and make things better. I think that is more important than being an oppositionist"

Actively trying to avoid industrial action was central to this partnership approach but was also presented as a means of protecting union funds from sequestration. Repudiation of industrial action was a standing agenda item at Amicus and UNITE EC meetings for many

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[60] Hand & Eady (1993) *The UCATT Inquiry: The Report,* UCATT, London

years.[61] It was full time officers who had to implement this strategy at site level; avoiding strikes by calling for their members to return to work, rather than collectivising grievances to mobilise workers was part of an official's role. Time and again interviewees gave examples of where union officials either repudiated or vociferously argued against industrial action, even in situations where groups of workers were dismissed. A small number of interviewees gave examples of union officials actively encouraging workers to cross unofficial picket lines during industrial action, including at a major dispute during the construction of Wembley stadium.

There was often understandable anger about the actions of union officials but rarely was there any sense of surprise. While some activists were clearly enraged and demanded action to be taken against the officers, the majority view was a grudging acceptance that officials' hands were tied by both the law and their position in the union hierarchy. A resigned acceptance of the constraints imposed upon full time officials was voiced by Bricklayer D:

> "Their hands are tied, they can only do so much because… they are frightened of doing something that's illegal and getting all their funds taken away from them."

Even those activists generally sympathetic towards union officers, were matter-of-fact about their regular disagreements and proffered a structuralist explanation for the actions of their full-time officials. Scaffolder 2 explained:

> "They wanted to support you but in some cases an official came on site and said, 'right my instructions are to tell you to return to work'. You weren't very happy about it and we'd have a few arguments about it to say the least. But in finality, we just had to take it that he'd been instructed, and he was doing his job".

Officials' support for unofficial action

While almost all interviewees identified pressures that officials were under as the reason for their lack of explicit support for industrial action, most were able to identify individual

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[61] Repeatedly stated in speeches at BSG AGM and conference fringe meetings by Howard Beckett, UNITE head of Legal. It is of note that UNITE has not repudiated a single incidence of industrial action under Len McCluskey's leadership. This would appear to support those who argue that more left leaning union leaders are less likely to suppress industrial action (Hyman 1979:2012; Kelly & Heery 1994; Dromey & Taylor 2015)

officials they considered decent and value driven. As some officials had themselves previously been leading rank and file activists, there was often an understandable affinity, with a shared understanding of the limitations of following the formal dispute resolution procedures. Interviewees identified a small minority of officials, who by both their words and their actions were seen as actively supporting rank and file militancy; sometimes in an overt manner, sometimes with a nod and a wink. Frequently repudiation of industrial action was viewed as essentially a symbolic gesture in order to comply with employment law. This may appear to lend weight to Kelly and Heery's (1994) argument that politically driven officials are sometimes able to break free of the bureaucratic straight jacket and be more supportive of strikes, and that of Dromey and Taylor (2015) who claim that left/right politics provide a better explanation for behaviours than a bureaucracy / rank and file theory.

Even some moderate officials recognised the advantages for unions to periodically demonstrate their ability to mobilise workers (even if the action was unofficial). This was acknowledged by Bricklayer C, who portrayed one UCATT official thus:

"Right wing Labour, hated us, but he was pragmatic. He wanted people out there causing trouble, so he could negotiate with a strong hand'.

This would appear to support the claims made in the literature that even moderate union officials could be pressurised from below into supporting industrial action or else took advantage of industrial unrest in order to strengthen their own position (Anderson 1967; Boxall & Haynes 1997; Darlington 2014; Darlington & Upchurch 2012).

However, despite some officials occasionally pushing against the official union position, for those who consistently tried to foster rank and file activism, there were often consequences imposed from above. Official F, was a prominent left-wing official throughout the 1990s; He recalled the union response whenever he encouraged stewards in his area to adopt more militant direct action tactics:

"Whenever a company complained, [Regional and General Secretary] always pulled me out and put in another official".

Official F was eventually dismissed by UCATT for supporting unofficial industrial action, winning an unfair dismissal claim at an Employment Tribunal. Two other left wing union officials interviewed for this thesis, and noted for supporting rank and file action, were also dismissed by UCATT, which would suggest that while officers may have a degree of flexibility in their role, it may only be tolerated up to a certain point. The dismissals could be explained from the perspective of a left-v-right internal union dispute (Hyman 1979; Dromey & Taylor 2015). They could even more convincingly lend weight to Darlington and Upchurch's (2012) argument that although political outlook is a factor in officer actions, the structural constraints imposed by the union bureaucracy will ultimately prevail. This thesis suggests that while a small number of officials were dismissed for supporting rank and file strike action, it is probable that others with similar political outlooks altered their behaviour to avoid similar fates.

However, during the period covered by this research strategically planned union organising campaigns aimed at mobilising the workforce have had negligible impact in construction. Other than occasional localized instances such as amongst scaffolders and crane drivers in the South East and caravan workers in Hull during the late 1990s (Cully et al 2000), officer led strategies have been conspicuous by their absence, and even in these examples lay members were at the very least co-leading the action.[62] From the 1980s until the present day, almost all conscious efforts to mobilise the workforce to take industrial action have been driven by lay rank and file activists. Exceptionally, between 2011-2013, UNITE allocated considerable resources in leverage style campaigns coordinated by the union's national Organising Department which played decisive roles in two major (and victorious) industrial battles; the electricians BESNA dispute (which appears as a case study in Chapter 9) and a high profile blacklisting dispute on Crossrail (Smith & Chamberlain 2016). Yet in both cases, the disputes were initiated and led by rank and file activists, with the union leverage campaign joining the fray after several months, lending support to those who argue that pressure from below can lead to official unions supporting industrial action (Dromey & Taylor 2015; Darlington 2014; Smith & Chamberlain 2016).

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[62] Referred to in numerous articles in *Builders Crack* and *Building Worker* in 1997-1999

Bulk membership

Despite occasional exceptions, the business friendly approach of the union senior leadership remained. Two particular practices becoming common in the sector: bulk union membership and appointed convenors. The well-known custom of bulk membership was discussed in many of the interviews. Instead of recruiting workers directly into union membership, full time officers would negotiate with the construction employers, asking them to take out a set number of bulk memberships on behalf of their workforce. If agreed, the company paid the union a set amount every month to cover the membership fees of their now unionised workforce. As contractors and sub-contractors mainly engaged their workforce on a self-employed basis for short durations, workforce churn therefore meant that individual workers came and went. However, because it was the company that was being signed up, not the individual workers, the payment to the union remained the same regardless of the change in personnel.

 The result of any such agreement between an official and a contractor was that the union gained membership and a guaranteed income stream, while workers often became members without their knowledge. The phenomenon was widespread and Official G recalled how this particular recruitment method was actually part of his training as a UCATT organiser in the late 1990s:

> "On my second week I was given training by UCATT's [names official]. This training consisted of going to the office of a subcontractor called O'Keefe and negotiating a number of membership forms that the subcontractor would fill in and give to the union. At no time were any workers talked to or even approached".

While bulk membership boosted the union membership and subscriptions, when applied sector wide, it also provided employers with considerable influence over union finances. Bulk membership deals were perceived by activists as a form of insurance policy for the *employer*, who would call in a union official when a workplace issue needed to be resolved: the 'issue' often being rank and file discontent. Activists perceived this as a financial transaction between the union machinery and the construction employers as a way of effectively buying industrial peace. Whenever a contractor who had a bulk membership arrangement brought in the union to deal with an issue, and upon visiting site the official

argued in the site canteen against industrial action, this was viewed by the activists as the union effectively policing the workforce on behalf of the employers. Bricklayer A explained:

> "You can't actually get near the employers because of trade union officials. They act like some sort of fire and insurance policy, protection for the employers that they associate with and negotiate with. That's my honest opinion and I'd have to give that as a part of the problem, not the solution."

Appointed convenors

Another practice that caused considerable unease during the interviews was construction unions negotiating with employers, or even clients, for appointed convenors on high profile projects. In standard trade union terminology, a convenor is the most senior union representative in a particular workplace, usually elected directly by the members or through a vote at the shop-stewards committee. In construction, this is often no longer the case. Under the guise of working in partnership, construction unions and employers have agreed a role for union appointed convenors site who are integrated into the safety apparatus of major contractors and recognised by all contractors and sub-contractors on site.

Key elements of the role involve a lead position on safety issues, including carrying out regular safety inspections and site inductions for new staff, helping to resolve individual grievances, checking workers' qualifications and legal right to work in the UK (Wright & Brown 2013). It is either the client or main contractor that that is paying the convenor's salary, often in an apparent twin role of senior safety advisor, or possibly workplace learning coordinator, plus holding the position of project wide convener. It is however the union that appoints the convenor, not from amongst the workers on the site but from a pool of full-time convenors who travel from one project to another.

It is acknowledged that the appointed convenors system has developed from a position of declining fortunes and relative weakness of unions within construction (Wright & Brown 2013). Various officials who support the system were interviewed for this thesis and described the appointed conveners as a method to build union organisation in an itinerant industry when workers on sites are scared of taking on the role of an elected rep due to fear of victimisation. Official E was responsible for placing conveners on numerous projects from the 1980s onwards, he explained his thinking:

"The idea was to put them on a job as 'designated reps'. I wanted it to be used on all jobs. Somebody was there to give confidence for lads to take the shop steward's job. This is a mechanism in an imperfect world.… The alternative to what I have done is no trade union organisation on the jobs".

In 2004, UCATT officially endorsed the appointed convenor system, voting for a conference motion that argued:

"the traditional method of shop stewards electing a convenor steward is not always possible in the private sector… [calls for] the Executive Council and General Secretary to seek agreement with major contractors, either collectively or individually, for the appointment of convenor stewards in these circumstances" [63]

Wright and Brown (2013:21). argue this mechanism represents a "new form of labour regulation", one UCATT regional secretary explained:

"We make the case to the [lead firm] that the convenor will help to reduce the risks and costs associated with problems arising and blowing up"

The above quote appears to confirm Mills (1948:9) well known argument that within the limits of capitalism, the role of a union official, despite seemingly being to fight on behalf of the workers, is primarily as a "manager of discontent". The wage cost for an appointed convenor, whose stated aim is to stop employment relations problems escalating, is insignificant compared to a stoppage on an infrastructure project. Construction employers support for appointed convenors is an example of Bryson et al.'s (2004:135) proposition that "employers will buy union voice where on grounds of cost, quality and risk, it is worth it". The appointed convenor system is the logical extension of the servicing model and partnership approach to union renewal; it is very much trade unionism as 'lubricant' (McCarthy & Parker 1968; Oxenbridge & Brown 2004).

Some academics have used the term 'double breasting' to describe the phenomenon of employers adopting both a pro-union and anti-union strategy at the same time (Druker 2016;

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[63] Motion 5, UCATT Conference Report (2004) page 112

Dundon et al 2015; Cullinane et al 2012). This is presented as a pragmatic business decision based primarily upon differing circumstances in different locations, often by different managers within the same company. In contrast, many scholars have previously noted that employers counter-mobilisation can involve both carrot and stick approaches (Roy 1980; Gall & Dundon 2013; Logan 2013; Moore 2011). This thesis argues that major contractors with a history of hostility to organised labour are paying for appointed convenors in order to reduce the likelihood of industrial action on their projects. This is not anodyne 'double-breasting': it is a twin track approach to counter-mobilisation. Appointed convenors are the carrot, blacklisting is the stick.

In fact, many of the senior company executives personally responsible for the blacklisting of union activists were amongst the most vocal in their support of the appointed convener system. Industrial Relations Officer (IRO) D claimed that he had a close relationship with two UCATT regional secretaries (both later to become national officers) and it became company policy to employ union appointed convenors on all major sites during his tenure. IRO D claimed the final decision as to who would be appointed was decided after he had interviewed different candidates,

> "It has always been an appointment. I'd just say to [regional secretary] 'I would like a convenor steward on this site' and they would pop up a couple of people for me to have a chat with and I would pick one. I would meet them in the office on a formal basis. It was all recorded because I have got to offer them employment".

The fact that employers could veto appointments if they considered the nominee too militant was given weight by the experience of Scaffolder 2, who was put forward for the role of convenor on a major shopping centre outside London in the 1980s. He recalled his dealings with the UCATT regional secretary at the time:

> "I said, 'well that sounds pretty good to me but how do we go about it? I've got to get on the site and work, I'd have to be elected by the workforce wouldn't I?'
> 'Oh no, no, nothing like that, I'll just ask'. So he went to the company and they wouldn't fucking have it. They said, 'no we don't want him'.
> He rang me and said, 'You're too well known, they don't want you'."

Whenever discussed, activists in this research were almost unanimously critical of the appointed convenor system, many voicing strong opinions. Electrician D described appointed convenors as "parachuted in by the union from outside", while the rank and file publications *Building Worker* and *Site Worker* published articles that liberally used the term 'stooge convenors'. It has often been noted that even for elected convenors, there is a danger that they be raised to an elevated position and lose touch with the workers they represent (Batstone 1977; Callinicos 1995; Fairbrother 2000; Ackers and Payne 1998; Hyman 1975; Cohen 2006; Atzeni 2009; McAlevey 2016). Yet, however much senior lay union representatives may become incorporated into an employer's industrial relations apparatus, in most industries they are initially elected by their fellow union members at the workplace; they can therefore ultimately be deselected and are consequently required at least to some extent, to respond to collective pressure from below (Batstone et al. 1979). For appointed convenors, the decision whether to select or deselect them lies with the union hierarchy and the employer (or the client), assumedly with the same pressures to respond.

The restrictions imposed on unions by the appointed convenor system were recognised by most interviewees, their criticism being about the *role* rather than the individual in the position. Painter 1 was one of many who expressed his concern not just for inherent constraints of the role but also for union democracy:

> "My criticism is that it is a limited job. Being appointed means the acceptance of the employer on the job, as well as the regional secretary and unlike a worker who is elected at the workplace, those convenors must be constrained in various ways because they are appointed"[64]

This thesis suggests that without any real democratic input from the workers on site, the union is virtually acting as a paid consultancy, providing the employers with an external expert to sort out the workers' individual employment and safety problems. While appointed convenors may benefit the union machinery and provide assistance to workers with individual grievances, activists were sceptical about the prospects of building any shared response to collective issues. Bricklayer E was particularly pessimistic about the role of appointed conveners:

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[64] UCATT National Delegate Conference Report 2004 – Motion 5 debate page 115

"I'm quite depressed by how incorporated into the corporate structure that UCATT has become. They have been paralysed, look how weak it is and they have allowed themselves to get like that. A convenor, in their most optimistic dreams, recruits large numbers of the workforce and then stabilises the finances of the union by working in partnership. They're not elected. There's very little space where union members can get involved, to become a safety rep or any meaningful solidarity. I've heard some of these convenors talking about the union providing some peace of mind. Seeing it as a sort of insurance policy, where people get union representation for an accident, but they have no idea of a union being something progressive that could change the way of life for working people".

There are exceptions to the general rule. On Heathrow Terminal 5, the Amicus 'designated reps' ensured that they were endorsed by holding an on site election and subsequently used their position to organise collective action. This included a boycott of the site canteen over food pricing and action over excessive unpaid travelling time from the site entrance to the place of work. The consequence was that once T5 finished, rather than being transferred to another convenor's position as was tradition, both activists were blacklisted and suffered long periods of unemployment. While acknowledging that there are exceptional cases that do not follow the generalised trend, evidence in relation to construction's appointed convenor system would appear to be an exemplar of the Hyman's (1979) 'bureaucratisation of the rank and file' theory.

Yet despite criticism by rank and file activists, it is of note that where appointed union convenors have played a lead role in safety on major projects, fatality and accident rates have improved (Wright & Brown 2013; Druker 2013; Smith & Chamberlain 2016). One of the projects where safety famously improved was during the construction of the 2012 Olympic Park. Yet Druker & White's (2013) study of industrial relations on the Olympics identifies that while there were five appointed union conveners on separate contracts across the entire project, there were only three additional unions reps elected across the entire life of the mega construction project. The result was that although full-time officials and appointed conveners attended occasional forums with the main contractor, there was no functioning stewards committee at any time during the six year project, which is in stark contrast to the 'vibrant' union organisation during Sydney Olympics (Druker & White 2013).

A possible reason for the lack of genuine union organisation was provided when company directors of the contractors that built the Olympic stadia later admitted to the select committee investigation that the Consulting Association blacklist was used to vet workers applying for work on the Olympics (Smith & Chamberlain 2016). This explanation however is disputed by one of the union officials from the project who is quoted as describing blacklisting as, "one of the myths of the site" (Druker & White 2013). Quite why a union official would be more sceptical about blacklisting than the construction companies that actually carried it out is an interesting question in itself.

Over many years, an overtly business friendly ideology has added to the impression among a wide section of the activist layer that senior union officials were more concerned about protecting their relationships with employers than with the workers they purported to represent. Partnership agreements, appointed convenors on high profile projects and bulk membership agreements where workers were signed up into the union without their knowledge were all practices that reinforce this perception that the union hierarchy has an avowedly pro-business orientation. Activists view the union bureaucracy, including many of the appointed conveners, as supporting this style of trade unionism primarily because it provides a stable income stream for the union machinery but argue that the overly friendly relationships are detrimental to the long term interests of the membership.

Union sources named on blacklist files

One of the consequences of the approaches advocated by the construction unions is that overly friendly relationships can frequently develop between union officials and employer's representatives. Within UK construction there are only a relatively small number of union officials, (less than 100 at any one time during the period covered by this thesis), with an even smaller number of industrial relations officers for the major employers. Those union officials responsible for large conurbations and infrastructure projects meet the same senior managers time and again throughout the year, often more than they meet many of their own colleagues.

Official B, described his relationship with around 30 senior managers and industrial relations officers, as, "a community where you had to rely on each other because your first point of contact is ringing people to sort out a problem". It is hardly surprising that when union

officials and their managerial counterparts work in such close proximity over many years a sense of mutual reliance develops, this can create a working relationship where information is exchanged freely. As industrial disputes were the central subject matter of many discussions, conversations would very often include talk about stewards and this was acknowledged by the union officers interviewed.

However, from investigating the blacklist files, it is clear that senior managers passed on titbits of information they gleaned from their conversations with union officials to both the Economic League and TCA. Whether deliberate or inadvertent, documentary evidence identifies information that originated from full time officials and appears on blacklist files of union members. Many of the documents seized by the ICO when they raided TCA do not simply name the union who provided the information, they specifically name individual union officials as the source of the information. These include regional secretaries, national officers from various unions and 3 separate General Secretaries.

The following entries are just a selection that are recorded on the blacklist files, suggesting that conversations between officials and managers could be far from non-committal:

- Reported by local EETPU official as militant
- AEEU describes as f. evil as far as internal union dealings are concerned. Active at branch level
- DO NOT DIVULGE - Above information arose from liaison between union, contractor and managing agent at J/L [this appears on dozens of files from the Jubilee Line]
- Information received by site manager at Heathrow T5 that the above is 'not recommended' by Amicus.
- Above information came from amicus
- EETPU says NO

'EETPU says NO' appears on numerous files and during the select committee investigation into blacklisting, Ian Davidson MP asked Ian Kerr whether this suggested input from a trade union. TCA's Chief Executive agreed:

> "That would have been the case. It would have been a particular relationship with an HR manager in a particular area and that regional officer of the union. I don't know how you want to phrase it, but somewhere along the line that would have been discussed and somebody would have decided that that was information that we should

have in our system.… One or two people chose to disrupt a site. The poor union official had to resolve the two sides. Sometimes he didn't want an unnecessary problem, nor did his union." [65]

Freedom of Information (FOI) requests made by activists to various blacklisting firms as late as 2018, reveal email exchanges between union officials and industrial relations officers discussing prominent union members. Like the entries on the blacklist files, those email conversations are open to differing interpretations. However, the FOI requests identified that emails sent by activists discussing preparations for industrial action were forwarded to Costain in May 2015 and after 2016 internal minutes of national and regional construction committees within UNITE were circulated to senior managers and industrial relations consultants working for Skanska.

Several industrial relations officers claim that sometimes information was deliberately passed to them by with the intention of keeping activists off projects. Dudley Barrett, head of industrial relations for Costain from 1984-1995 claims that union officials knew about the blacklist, adding that he had 'good friends' in the unions,

> "who would occasionally tell me names of individuals who they thought should not be employed on sites... Overall, I gained the impression that there was a quiet acceptance by certain construction trade unions of the Services Group / Consulting Association and the 'benefits' of the checking service as such individuals could be disruptive of organised labour". [66]

A similar practice was also confirmed by Daniel O'Sullivan from Kier, who claims that because they were keen to prevent disruption on site: "Occasionally, union officials would give me information concerning a particular individual" [67]. In the late 1980s, senior union officers even went as far as attending events organised by the Economic League. Trevor Watcham, TCA chairman between 2003-2005 recalls how at one such lunchtime event he sat on the same table as,

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[65] Ian Kerr oral evidence to select committee 27 November 2012
[66] Witness statement for High Court litigation para.35-37
[67] Daniel O'Sullivan witness statement for High Court litigation para. 57

> "Leon Brittan of the Conservative Party (who had been the main speaker) and Eric Hammond of the electricians' union together with some members of his union executive". [68]

In 1988, during Hammond's tenure at the EETPU, the electricians union was expelled from the TUC due to single union deals, poaching of members and openly siding with employers such as during the News International dispute at Wapping. Many of the more left-wing activists broke away from EETPU setting up the EPIU, this led to a bitter inter-union battle over many years and information on some blacklist files identifying EPIU activists appears to originate from EETPU sources. This animosity was confirmed by a number of the interviewees, including Official C who accepted that "It was civil war between AEEU and EPIU… the employers obviously supported the EETPU and AEEU because they were business friendly".

Investigation of the primary source data seems to suggest that in most cases the information on blacklist files attributed to union sources was not provided intentionally but was gathered by industrial relations officers during the normal course of formal and informal meetings with officials. However, there is corroborated evidence of fraternization outside of usual working hours that would go beyond acceptable behavior in many public authorities. This is common knowledge amongst activists who view the practice with extreme disdain, which only adds to their general sense of mistrust of many union officials. However, documentary evidence when placed in context alongside oral evidence from blacklisted activists and senior industrial relations officers, suggests that at least on some occasions the proliferation of information may have been more premeditated.

There is a well worn path between officials leaving employment with a trade union and the very next day taking up a position as an industrial relations manager or consultant for a major contractor. On some occasions jumping sides of the negotiating table mid-way through a prolonged dispute. Whenever a new example of this occurs, it only helps to increase the general sense of suspicion amongst a section of activists about possible collusion by union officials in blacklisting their own members.

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[68] Trevor Watcham witness statement to High Court litigation - para 46

Corruption?

Another aspect of the overly close relationships between union officers and industrial relations officers raised during the interviews, were claims of overt corruption. For example, Electrician G voiced his anger towards some union officials he encountered in the late 1980s:

> "In my time totally corrupt: not even any grey areas. We had an official in the EETPU who had been bought off. He used to just bare face lie to people. He was in the hands of management. There were no illusions about the union officers because it was well known amongst the whole industry that the guy was corrupt. Management used to be open by telling you payments they had made to him".

This ferocity of the allegation and almost visceral hatred directed towards some union officials during this period was unmistakable amongst a significant proportion of the interviewees. Allegations of corruption may seem extreme, but it would be naive to imagine that the hint of criminality that pervades the sector, and identified in previous chapters, does not enter the field of employment relations, especially in a working environment where small gratuities are given and accepted as a matter of course. Official F, described a culture that developed between some union officials and their counter-parts working for the major contractors in the 1980s and 90s:

> "When I had to negotiate with employers and their industrial relations officers, I could never get into this going out and having a free beer with them. I never wanted to accept anything, out eating with the bosses. I think some of the officials got too close. Going and watching the cricket, one of the officers in the North West was doing that all the time. They were playing you".

Clearly what the industrial relations officers were looking for was information that might be useful to the employers and alcohol has the effect of loosening tongues, even if unintentionally. The friendly relationships between senior officers of the trade unions and construction companies meant that throughout most of the period under investigation the managers responsible for blacklisting union members were invited guests at the union conferences, even after TCA was exposed. As late as 2012, some three years after the blacklist was uncovered, Alan Audley, TCA vice chair and HR chief for Vinci was invited to UCATT conference, despite the company's involvement in blacklisting being public

knowledge. Gossip, leaflets and speeches from union conferences all appear in blacklist files, with the information recorded as being supplied by the invited industrial relations officers.

In an interview for this thesis, IRO A admitted paying for a river cruise and even overseas trips for some leading officials, claiming that 'cultivating' union officials of value to him by taking them for meals and offering other inducements was part of his job role. In 1991 *Building* magazine accused six officials from UCATT and one from TGWU of accepting bribes from contractors and sub-contractors "in return for favours" (Yorke 1991:8). The accusations including; cash payments, procurement of prostitutes, golf lessons and a set of clubs, holidays and trips to sporting events. A number of the officials named resigned from their jobs and started working for other unions, however, the majority stayed in post. In 1993 the *Daily Mirror* published a double page spread that claimed to two UCATT London regional officials had received bribes of £4500 each. The article exposed the 'milk run', a supposedly regular trip to collect thousands of pounds in cash payments from contractors in London carried out by a UCATT national official.[69]

Employers offering bribes to union officials seemingly did not stop in the early 1990s, several interviewees described the practice of 'skimming'. Industrial Relations Officer B explained it like this:

> "I don't think you know how the corruption works. How it worked was, hypothetically an official would say to the client and the companies, 'I only want certain agencies and payroll companies on here because I can contain trouble with them'. The companies would say, 'sound enough, nothing corrupt in that, its only sound industrial relations' But then the official would say to the payroll company who is charging fellas £30 a week for their wages, I want £2 a man – there's no trace and no come back to the client, the company or the agency, it's four times down the pecking order. All paid in cash".

One union official interviewed for this thesis claims to have been offered such a payment by a company but refused.

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[69] Hounam, Peter (22nd October 1993) *Exposed: Crisis tears at the heart of a great trade union,* in *Daily Mirror*, London

There is a widespread and deeply held belief amongst a significant proportion of activists that at least some of their officials were personally corrupt and took advantage of their position in the union structure to accept cash payments or gifts in kind from employers. This thesis makes no accusation of personal corruption against any acting or former union official, but regardless of whether there is any truth in these rumours: they persist.

D.I.Y. ethos

Mobilization theory argues that some form of organization is a pre-requisite for collective action by workers (Kelly 1998;2018), in most circumstances trade unions being the vehicle providing the organisational structure and resources required. Yet evidence presented throughout this chapter has shown how rather than being the driving force behind mobilization of self-employed building workers, officials from the construction unions were often perceived by activists as an obstacle, or at best negligible to the process. Over two generations, instead of expending their energies, fighting internal union battles against the bureaucracy, this generalized perception forged a self-reliant attitude amongst a layer of activists. If the unions could not or would not collectivise grievances and mobilise workers, then the activists would try to do it themselves on a rank and file basis outside of the formal union structures.

Electrician G explained how the troubled interaction with officials affected activists' outlook and how this this was partly responsible for their reliance on more a more rank and file organising approach:

> "To a certain extent that made some people cynical but on the other hand at shop floor level in some ways it made it easier. It meant that you won the argument that the union needs to be 'us' on the shop floor. There ain't nobody up there at head office coming to fight our battles for you. If you don't fight this, it aint gonna happen".

The strategy of worker mobilisation practiced by rank and file activists is based upon assumptions diametrically opposed to those espoused by the partnership approach. Activists identified this as an ideological difference manifested in inter, and intra, union political hostility and sweetheart deals, However, while politics may account for the action of many

'moderate' union officers, activists did not assume that supposedly 'left' officials who might appear sympathetic in words, would be likely to act significantly differently. The implicit assumption was that their left wing political inclinations would in the majority of cases be trumped by the restrictions imposed upon all union officials because of their role within the bureaucracy. This is a heavily deterministic interpretation chiming to a large extent with Michels' iron law of oligarchy and coincides with the 'limitations' or 'pessimistic' side of trade unionism identified in previous research (Hyman 1971; Anderson 1967; Darlington 2014; Cohen 2006; Darlington & Upchurch 2012) and tends to contradict those who argue that left wing politics can overcome the constraints imposed by an officers position in the hierarchy (Kelly & Heery 1994; Dromey & Taylor 2015). Activists' collective assessment appear to echo Darlington's argument that,

> "While ideological and political differences between left and right-wing officials can be important in influencing their behaviour they are *secondary* to the much more fundamental, common material social role, position and interest that bind *all* officials together as a distinct social group" (Darlington 2014:127)

The evidence in this thesis and the shared outlook of the interviewees suggests that in the UK construction sector at least, the concept of a bureaucracy / rank and file dichotomy remains a lens through which to understand the tension between union officials and their members and activists. The evidence however does not support a crude analysis in which all union officers are perceived as right wing, striving to stop worker mobilization, nor that all rank and file members are more left wing and restrained from taking action. Some left wing officers, regardless of their position within the union hierarchy, were openly supportive of rank and file action; and in response to pressure exerted from below even the more right wing officials were prepared to adopt a more militant position. Yet given the particular historical developments and business friendly strategic choices made by the senior leadership of the construction unions over many decades, the difference of outlook, interests and organising approach of the rank and file activists compared to the majority of their officers is as stark as that identified by the Webbs amongst the New Model Unions.

The evidence adds support to the arguments of scholars who continue to identify union officials as a bureaucratic stratum, but one that will ultimately be circumvented by more organic grassroots organising approaches (Atzeni 2009; Ness 2014; Cohen 2006; Darlington

& Upchurch 2012). How this was attempted, and is repeatedly achieved is discussed in a later chapter. This chapter was never intended to be a comprehensive investigation of the role played by union officials in the UK construction industry; for that, further research will be needed. Instead, this chapter seeks to identify how the collaborative partnership and servicing strategies of construction unions and the role played by union officials in implementing those approaches affected and influenced the outlook of rank and file activists.

Yet although interactions with union officials may have caused friction between activists and their union machinery, in the majority of cases it did not stop the activists from attempting to unionise their fellow workers. Their belief in collectivism extended further than their personal uncertainty towards union officers. The next chapter investigates what it is that motivates the activists despite the slings and arrows of outrageous fortune that in many cases have quite evidently been rained against them.

Chapter 7 – Activists' collective consciousness

Earlier chapters have identified external factors that influence the particular mode of activism in the UK construction industry, this chapter now considers what motivates activists to continue their trade union activity. The interview cohort for this thesis was specifically chosen not just for union activism but also because most were blacklisted by major employers. As has been identified in earlier chapters, their experience was remarkably similar, with victimisation and dismissals being an ever present threat as a consequence of their union activity. Their blacklisting in many cases had a significant negative effect upon their working and family lives, and this is confirmed not just by their own testimony but from contemporary media coverage and primary source data such as files held by the Economic League and TCA. The obvious question that therefore arose in every interview was: why, despite the victimisation did they continue in their union activism?

The response comes in two distinct parts. Firstly, the interviewees were honest enough to admit that not everyone did continue. Blacklisting is a blunt instrument, but it works. As Batstone et al. (1979) identified, activists realize that principles alone won't feed their families, and in many cases the activists were forced out of the sector in order to pay their mortgage. This involved emigration, relocation to work in maintenance or the public sector, or retraining in a different industry altogether. Activists often continued to play a role in the trade union movement, even if in another sector with a different mode of activism.

The explanation cited by interviewees for why they participated in union activism and why after being victimised they continued to be involved was in the overwhelming majority of cases, some kind of intrinsic left of centre ideological outlook, fuelled by a deeply felt sense of anger created by their experiences in the industry. Electrician 33 explained why he and his fellow activists kept coming back to activism despite the obvious effect it had:

> "The common thing we have got is our motivation, which will differ slightly. I like to think that I am here for the greater good: the betterment of my fellow man. Its ideology – the more they do to me, the more angry they make me and I want to fight back even more".

This thesis identifies a common set of attitudes that the activists' share with a fiercely working class left-wing ideology at its heart. Regardless of the political tradition they came

from, elements of this shared consciousness are identifiable in all of the activists. This thesis argues that in major part, their shared outlook is a product of the extreme hostility they faced from construction employers. For activists engaging in union organising over a prolonged period in such a hostile environment as the UK construction industry, it is primarily their camaraderie and socialistic ideology that sustains them. Amongst the more prominent figures from the past two generations, this rank and file collective identity is particularly noticeable.

In investigating activists' motivation, this chapter begins by describing the activists' family backgrounds and their different routes into activism. Secondly, evidence is presented that explores how the interviewees' own experiences on building sites and within the unions pushed them to the left politically, and how over time a shared activist consciousness developed. Thirdly, key elements of this shared outlook are identified, including a distinctly rank and file approach to union organising. The chapter concludes by identifying how the empirical evidence relates to and may potentially contribute to the academic debate on mobilisation.

Where does the activist consciousness come from?

For Marxists, the acquisition of a collective consciousness is not a physiological or psychological process located exclusively within the brain of each individual; it is a process developed by social interaction with others, to be understood from a sociological perspective (Fantasia 1988). This thesis argues that activists' experiences working on building sites and even more importantly their involvement in union activity itself are the primary explanations for how their collective consciousness evolved. Their experiences of offering mutual solidarity, attending picketlines or union meetings together and socialising afterwards, and repeatedly discussing certain iconic moments in the movement's history has helped to create a collective memory and reinforce a sense of loyalty to each other. This is the basis of their shared activists' consciousness. Even activists who worked on building sites decades apart and who may never have met each other, share a similar set of counter-hegemonic values and distinct attitudes towards union organising.

This next section identifies different factors that helped create the activists' shared outlook. However, it is clear from the interviews that there was not one route into activism, and the interviewees individual political outlooks when first entering union activity were diverse. One activist's parents were 'lifelong members of the CPGB' but while a small number came

from a family with a tradition of left wing activism, the vast majority did not. Most described themselves as coming from a 'Labour' family, often with family members who may have been shop stewards, but mostly of a 'moderate' persuasion. Others described their parents as Liberals or 'working class Tories' against whom the activists had rebelled by growing their hair and listening to rock music. When discussing their family upbringing, interviewees mainly spoke about abstract values such as fairness or justice, rather than overtly socialist politics. The interviews suggest that activists' political ideology developed as a reaction to their experiences at work and/or in the union, rather than being a pre-existing socialist programme they brought into the sector with them.

Carpenter B explained how despite having a right-wing family upbringing, involvement with the union had an almost immediate effect upon his political outlook.

> "My parents were Tories, I was brought up with that thing about immigrants coming over here taking our jobs, unions are destroying the mines. I was very sympathetic to that kind of position even quite far right groups as well. When I first became a rep and an activist in the union, I started to question some of the assumptions I was hearing within the membership and reading in the papers. Within about 12 months, I went from being sympathetic to far-right groups to being a member of the Socialist Workers Party".

Carpenter B was not the only interviewee who admitted 'flirting with the National Front' in his youth. In contrast, Bricklayer F came from a strong union family, but still identifies how once he started working in the building industry, the actions of his employers pushed him further to the left:

> "Taylor Woodrow made me a militant by their attitude. They were happy to see their own staff, people who would lick the guvnor's boots, lose a finger working for them and end up in hospital…. There was a middle aged Black guy who died while on site, he'd been working for the company for years. It was such a cold winter he had a heart attack. It was only the union members who went to visit him in hospital and went to his funeral".

For other activists, the main political issue that pushed them to the left was opposition to the sweetheart deals negotiated by the leaders of their own trade unions, as Electrician Z explained:

> "I was brought up in a house that was Liberal – never Labour. When I started work, I wasn't very political at all. As things went on I did got more left wing. The things that happened in the trade union had an impact on me. As my trade union went more to the right, I went more to the left. I don't know how to explain it but as you see your union go more to the right you end up fighting against it and that pushes you to the left. There is no centre ground".

The examples above lend credence to the claims that union organising does not rely on left wing politics but by participating in the process, the politics of activists tends to move to the left (Moore 2011; Fantasia 1988; Taylor & Bain 2003; Cohen 2006).

Irrespective of the activists outlook prior to joining the industry, it is their experiences that appear to have moulded their particular type of activism and associated shared mindset. Activists often drifted into union activism after a period of time, rather than making a pre-determined decision, with particular incidents nudging them towards the trade union. Electrician 32 remembers how he first became active:

> "The reason I originally got involved in the union was the lack of any direct employment. I found it almost impossible to get a stable job anywhere, no company wants to employ me except through an agency. I really got more active when I was at Heathrow airport, they weren't paying properly but through an umbrella company. It stated as an anonymous tip off to the union official. And it's been a succession of being sacked, here there and everywhere ever since".

An anonymous tip off to a union official was identified by many interviewees as their first step on the road to activism. It indicates both a path of least resistance approach and a belief in the power of a union official to solve a problem that is often displayed by newer activists. As discussed in the previous chapter, activists' attitudes towards full time union officials rapidly turned more sceptical. While interviewees rarely underwent a road to Damascus conversion, their accumulated experiences often turn on particular instances where the

centrality of collectivism came into focus for them. Electrician C identified a time when co-workers cabined up in support of a fellow worker who was going to be disciplined for repeated lateness, as the point at which the penny dropped regarding collective action:

> "I don't know why this sticks in my mind, there's probably numerous things but someone was going to be disciplined for being late. I'm not saying people should be late, but it was that. Just one little incident where everyone come together to support one person. But that's the protection of the collective identity and that we can support each other and do more together. That sounds a bit romantic but that's what I saw, there was that camaraderie".

Other activists had similar anecdotes as to how they came to grasp the importance of collective responses to management rather than relying on their own individual efforts. However, the experience that unites almost all the interviewees was that of victimisation by employers because of their union activities and this appears to have been had the most significant influence on their outlook. Electrician I reflected on how the industry and his union activism had led him to question assumptions of fairness in society and this shaped his politics:

> "Years in construction have enhanced my view of the world. The industry has brought us into politics. My explanation about how you become left wing is because you have been brought up as an honest person. When you start employment, you see how the structures of society let you down and when you see boys being picked on and they're out. I went from being an honest no-gooder to being an honest do-gooder on behalf of the trade union movement. You grow up in that life and you're fighting like we're fighting, that's when your history as an individual changes, because you actually start enjoying the fight".

Many scholars have observed how over several years a sense of camaraderie develops amongst factory workers working in close proximity, and how this provides a pre-existing shared identity which becomes a foundation for activists to build union organisation and collective mobilisation upon (Batstone et al. 1979; Beynon 1984; Atzeni 2006). Moore et al. (2018) make the same observation in relation to firefighters and the watch system. However,

the casualised itinerant nature of construction has the effect of repeatedly dissipating the workforce; the basis of the activists' shared identity is activism itself. Whilst many of the activists' attitudes mirror those of the wider construction workforce, in respect of their collectivist mindset, evidence suggests that it is not the industry or labour process *per se* that pushes activists in that direction, it is the interactions with other union activists while engaging in struggle.

What is striking from the interviews was that not a single activist had attended any formal political education courses provided by their union. This stands completely at odds to Moore et al.'s (2018) study of firefighters, where the annual FBU national political school was seen as an important element of the union's education programme and was regarded as revelatory by some attendees. Instead, much of the knowledge acquisition amongst construction activists appears to have been via more informal settings. Numerous interviewees discussed how they learnt their particular model of union organising by discussing with more experienced activists and watching how they behaved. Discussions amongst fellow activists in site canteens or at rank and file union events, and invariably in the pub afterwards, act as an informal conduit for the dispersal of information and values.

Any group of construction workers will talk about different projects they have worked on; the prestige ones and 'the hovels'. There is almost a game of trumps played out with people trying to outdo each other with stories of appalling safety on building sites. Activists' discussions are no different, they have all worked in unsafe conditions. A gallows humour exists when recalling atrocious toilet conditions or obnoxious foremen, but activists have also attended vigils after deaths on building sites and organised collections for widows. This is why safety is such a central element of their outlook.

From participant observation, other key events and issues repeatedly discussed amongst activists include the Shrewsbury Pickets and the alleged corruption of union officials (especially Frank Chapple and Eric Hammond amongst electricians). Projects such as the Barbican and the Jubilee Line have become 'jobs of legend' because of the strength of union organisation and number of disputes on the two projects. Given that many of the discussions take place on picket lines in defence of sacked stewards or at rank and file meetings, tales of victimisation, violence and blacklisting by major employers are also an important part of the activists' collective psyche. The repeated discussions act as a form of oral history through

which lessons and collective wisdom are passed on as a legacy from one generation of activists to the next.

Similar informal education occurred in relation to the distinct methodology of the rank and file model of union organising used by construction activists: strike tactics, public speaking, blockading a road and organising a picket line were all given as examples. This means of transferring collective knowledge of organising techniques was almost always carried out during cycles of activity on site or within rank and file campaigning, rather than by any formal trade union education training courses. Electrician 37, one of the most prominent activists of his generation, commented: "we train UNITE's stewards". In a very literal sense, the older activists were leading by example and teaching the younger generation.   This observation coincides with Hyman's findings that union activists come to recognise the potential power and mechanics of workers' action by participating alongside and observing the older generation, arguing that "tradition can be important since the efficacy of collective sanctions is learned by experience though also through example" (Hyman 1975:154).

In addition, many of the interviewees were clearly well read on social history, politics and union matters; reading and sharing of books appears to be another element of the informal learning culture cited by activists. Interviewees were asked which books had influenced them, and certain titles were highlighted again and again. Hardly surprising given the cohort, the iconic socialist novel *The Ragged Trousered Philanthropists* set amongst a group of painters at the turn of the twentieth century was cited almost unanimously as having been read. Electrician 30 explained why Tressel's famous novel struck such a chord with building workers:

> "There's a book called *The Ragged Trousered Philanthropists* and in it, they describe builders sitting on upturned buckets around a little fire trying to keep warm in the middle of the winter. The conditions are poor, they've no toilets. I was reading that book in army houses that we were rewiring near Redford Barracks. I looked around and I thought what the hell has changed? We're still sitting here on upturned cable drums, sitting in an unoccupied army house, with no curtains with a mug of tea, poor conditions. No first aid boxes. If you had an accident, where the hell were you going to get a bandage or clean water and things like that? So here was a book that was

written a century before and building workers hadn't fundamentally got any better conditions".

John Steinbeck's *In Dubious Battle* about IWW union organising amongst itinerant fruit pickers in California was another widely read novel. In addition, certain political non-fiction books about union activism in the construction industry were widely read, especially *Key to My Cell* by Des Warren, who along with Ricky Tomlinson and the other Shrewsbury Pickets are heroes to the activists. The social movement unionism of the Australian Building Labourers' Federation in the 1960s and 70s were also held in particularly high regard, and Burgmann & Burgmann's (1998) *Green Bans: Red Union* was also shared around UK building sites. Smith & Chamberlain's (2016) *Blacklisted* has recently joined that section of the activists' bookshelves. However, activists political reading spread further than just their own industry, the Irish connection meant that Connolly was widely cited, as was T.A. Jackson's *Ireland Her Own.* Mandela's *Long Walk to Freedom* and Bobby Seale's *Seize the Time* were mentioned by a smaller number of activists.

Socialist Political Parties

Many of the subjects discussed during the interviews around concepts such as bureaucracy within trade unions, imperialism and union organising were not being approached for the first time. The use of phrases such as 'the frontier of control', during some interviews would seem to infer a degree of knowledge greater than the average union rep and implies that discussions around such issues have taken place at political meetings as well as union events. In addition to the education gained by general union activism, the influence of left wing political parties upon the activist cohort is unmistakable.

This does not however mean that the activists were all members of socialist or communist organisations; far from it. At the time of their interviews, the vast majority of the cohort were not members of any political party, yet could reasonably be described as on, or to the left of the Labour Party. While most acknowledged voting Labour, even if grudgingly, a significant minority hadn't voted for many years and had become disillusioned with party politics. This did not mean that the activists were non-political, more that party politics and parliamentary elections held little interest for them. Almost all the activists had participated in left wing campaigns to some degree, whether that be by attending marches and conferences, or having previously been a member of a political party. Anti-war protests from Vietnam to Iraq and

direct action anti-fascist activities were explicitly mentioned, alongside major industrial disputes such as the miners strike, Timex, Liverpool Dockers and Wapping, which appear influential.

Additionally, around half of the interviewees acknowledged that they had been a member of a political party at some point in their working life (the actual proportion is likely to be higher as the topic was not discussed in shorter interviews). By far the most commonly cited was the Labour Party, whilst the Socialist Workers Party, Militant Tendency, Socialist Party, Communist Party (CPGB), and to a lesser extent Socialist Appeal and Workers Revolutionary Party were also mentioned. Given the high proportion of Irish interviewees, there was also a thread of Irish Republicanism and Catholicism; exceptionally two of the activists indicated loyalist sympathies. Significantly, regardless of the political tradition that the activists came from, a similar militant rank and file attitude towards union organising was ubiquitous and during industrial action took precedence over internal union politics. This was explained by Carpenter H, who described attending rank and file meetings during the late 1990s:

> "It was Militant, SWP, a few anarchists, lots of individual blokes who wanted to have a row, quite a big Irish section and a couple of CPers. What I liked about it was it was never about standing people for elections. We never ever voted about that. It was only about, 'oh look, there's a dispute over here' and when you're only talking about disputes, everyone was on the same side".

The evidence appears to coincide with Darlington's (2002) observation, that when focussed on fighting the same enemy, much more unites than divides union militants, even those from differing left wing political groupings.

Even those activists who were committed socialists before entering the industry were adamant that working and being a union activist in construction had shaped their distinctive approach to trade unionism more than their party affiliation. Bricklayer O, had been an active member of the SWP before entering the industry and claims:

"I definitely learnt more about trust, solidarity and humanity from those years of struggle among rank and file trade unionists than might be found in left wing theoretical literature, which by the way I read a fair bit of".

While left wing political parties supported their members by providing political education and logistical support, which undoubtedly left its mark, this was also provided to their union caucuses in other sectors. Yet activists in construction approached union organising in a markedly different manner to their counterparts in teaching, the civil service or the NHS, who were unlikely to have suffered the same level of victimisation or repeatedly organised industrial action outside of formal union procedures. This suggests that the context of the construction industry had a much larger impact upon their distinct outlook towards and method of union activism than membership of any particular political party.

Working class orientation

The union activists in this study are from the same socio-economic background, work in the same industry, have stood on the same picket lines and read the same books. They have common enemies and common heroes. As with any sub-culture, repeated interactions help to create a shared identity with a common set of attitudes towards particular topics. Whilst previous chapters have identified their attitudes towards the employers and their union officials; the activists' consciousness was broader than this.

In many senses, the collective consciousness identified amongst activists in this thesis is unremarkable and contains elements that would be common to trade unionists across the UK economy but with important additional features shaped by the sector. Generally, the activists have an egalitarian sense of fairness, public services such as the NHS and education are dear to their hearts, plus a very noticeable anti-corporate attitude and opposition to privatisation was expressed by many. The activists repeatedly cited the need for collective action, rather than relying upon the law or individual heroism as the means of achieving a safe, decent working environment and a better society for their families outside of the workplace.

What is noticeable from the interviews in relation to racism was at no point was there any mention of the Equality Act or the individual legal rights of those at the receiving end of harassment. Instead, the activists almost without exception talked about racism as a divide

and rule tactic that undermined the potential collective strength of workers on a project. Steel Worker A exemplified the stance taken by the vast majority of interviewees:

> "I've got no truck with foreign labour. They are all trying to put bread on the table like everyone else but its making sure they are getting the full T&Cs… I have more in common with foreign workers than I have with any employer, that's for sure"

Anti-racism is viewed not from primarily a liberal or legalistic standpoint, or in terms of 'identity politics', but from the perspective of working class unity.

Given the cohort, it is unsurprising that a working class identity is very strongly felt, with pride in their communities; activists were generally well versed and have an appetite for social history. Repeated references to class and working class culture during the interviews would at first sight seem unremarkable amongst trade union activists from blue collar unions. This class consciousness was demonstrated by Bricklayer A, who described how he attempted to convince fellow construction workers to support industrial action:

> "You're asking for them to actually support in terms of working class, it's not so much trade union because on these sites there was no union organisation. So we persuaded on a class basis because we realised for most lads, the union didn't mean a lot to them because a lot of them hadn't actually been in one".

Yet, the language used by the interviewees appears to be in contrast to the activists studied by Moore (2011), where class was a much less dominant feature of their consciousness. Moore suggests that there has been a 'generational change' amongst union activists, who still resonate with earlier ideas of collectivism and are just as concerned with fighting against exploitation but often couch their ideology in terms of 'social justice' or equality rather than overt references to class. As Moore was researching activism across the UK including white collar and professional unions, as opposed to the construction industry alone, the difference of emphasis is perhaps unsurprising.

The adversarial nature of employment relations is understood by the activists, in the vast majority of cases not simply in a 'them and us' sense, but in terms of capitalist exploitation, as an almost instinctive, gut level socialism. This reaches a point where activists appear to

view their involvement in trade unionism not only as a fight for better terms and conditions, but as part of the broader struggle between labour and capital. Electrician C vocalised the sentiments of many:

"If we want to improve terms and conditions and improve health and safety, pay, you name it, we have to be collectively organised, there's no other way in this capitalist economy. You've got this dominant ideology getting pumped through people's heads, day in and day out, bombardment that feeds people's heads. It's all about yourself and very individualistic from the crappy media, from the news, from employers. They're in the position of power and authority and can do that. So if you've got the likes of us to say well actually, there's an alternative. That's bloody hard to fight against"

Rather than merely participating in the class struggle, the activists are self-conscious of their own role within larger movements, as was apparent when Electrician S, a young Irish activist, discussed his involvement in the 2012 BESNA dispute:

"At that time there was a lot going on... You had the Occupy movement in New York, a similar thing happened at St Paul's. Revolutions were breaking out all across the Middle East, things were happening in Brazil as well. There was a lot of excitement in the air that things will turn in favour of the masses instead of the bosses: that was what people were demanding around the world. That spurred people on".

None of the activists in this thesis underestimated the task before them or the effect their activism had on their own career prospects and families, nor did they try to downplay the difficulties faced by trade unions in the construction industry. Yet their continued involvement in trade union activism was often explained in terms of a broader struggle for a better society, rather than simply about improving terms and conditions on a building site, in this sense they may not be substantially different to union activists in other sectors (Moore 2011). Electrician 32 explained his motivation:

"I'm still quite young myself but I feel I have a responsibility to people in the future. The only way I think we are going to make a change is through 'people power'. They

can keep knocking me down but I will keep coming back. I'm very left thinking. I do believe that it would be a better basis for society, but I have been moulded by the industry. The companies represent big business and the exploitation under capitalism led me to the left looking for change".

However, this thesis suggests that their left-wing ideology provided not just a reason for their continued activism but also a generally optimistic perspective on trade unionism and the wider class struggle. This sense of optimism was articulated in a number of the interviews. Electrician G was explicit in his outlook, but also in why he remained optimistic despite numerous knock backs.

"It's a class war, and if we gave up it wouldn't stop the fuckers would it? I have abiding faith in the ability of working people to exemplify the best in human beings and build a better world. Been privileged enough to have been part of enough good examples to maintain that faith"

A similar sentiment was echoed by Labourer B, who has been active since the 1980s; he considered the construction activists' optimism a minority view amongst UK trade unionists at the present time:

"Ever since the miners strike, our movement, as a result sub consciously don't think they can win. They might go out and say 'we can do this'. But they're going through the motions of protesting because deep down they really don't think they can win. And the difference between that, and the blacklisting campaign and the 3 cosas strike[70] and the ones that are winning at the moment, is there are people there who really genuinely still think they can win".

In this respect, the outlook of the activists appears to coincide with the "pessimism of the intellect: optimism of the will" mindset that Gramsci identified amongst early Marxists (Panitch 2017; Gramsci 2007). Given the importance that a grounding in labour movement history and general socialist ideology is held amongst the activists studied, it is perhaps pertinent to ask why explicit discussion of politics is absent from most trade union education

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[70] IWGB dispute amongst outsourced support staff at University of London in 2014-5

courses or union organising strategies in the UK (Seal 2017; Nicholls 2017; McGrath 2017; Simms et al. 2013).

Activists' attitude towards employment law

However, despite having a broadly socialistic outlook, there are occasions where the activists' attitudes appear contradictory and hegemonic assumptions still hold sway. Employment law is one such example. Union activists across the entire economy, especially of a left of centre political persuasion, can often have an almost Jekyll and Hyde attitude towards employment law. On one hand they make speeches at union conferences about how the laws are not there to protect the workers: 'they have been written by the rich and powerful to defend big business'. Yet almost without fail, when representing a member on a workplace issue, the same shop stewards rush to their well thumbed copy of *Law at Work*, attempting to find a piece of helpful legislation that can be used during negotiation with the employer. The contradictory approach is transparent.

As would be expected therefore, the attitude towards employment law of the construction activists interviewed can be located on a spectrum; from outright contempt for the law to an optimistic hope that justice would prevail. However, the view that employment law was unhelpful for the self-employed, agency workers and trade unions in general was highlighted repeatedly and has already been quoted extensively above. The sceptical view of Carpenter A was fairly typical and again framed from a class perspective:

"The way the law is framed is usually stacked in their favour; the judicial system is stacked in their favour; those in the legal profession, especially judges, are drawn largely from the same social class backgrounds as employers and so have the same attitudes and mindsets as they do and have little or no sympathy with working-class people"

Yet, often the very same individuals who identified the lack of legal rights for construction workers had themselves taken Employment Tribunals, in some cases they were serial litigants, or had even represented others in court. The contradiction between May Day speechmaking and practical usage of employment law can of course be explained by straight forward pragmatism. Politically, activists understand the limitations of legislation but while carrying out their day to day duties as union representatives, they will use whatever tools are available to defend their members' rights (however flimsy). Whether activists consciously

recognise this divergence of approach in differing circumstances, or if in reality they have an overly optimistic opinion of UK employment law and the oratory is just for show, is difficult to assess.

A particularly acute example of the contradiction between the optimistic and pessimistic view of the British legal system amongst activists occurred during the High Court group litigation on blacklisting involving over 700 claimants that concluded in 2016. After seven years of preparation for the trial, at the very last minute, the claimants were forced to accept an offer that meant the senior executives who orchestrated the unlawful conspiracy never had to account for their actions in a court of law. Despite receiving compensation and a public apology, the multi-national corporations were effectively allowed to buy their way out of a court case. This was a bitter pill to swallow for most of the blacklisted activists and was reflected in an outpouring of anger on social media at the time. The resentment was not aimed solely at the employers or the legal system but was also directed towards the union lawyers who were responsible for delivering the unpalatable message. Twelve months after the High Court concluded, the doctoral candidate re-interviewed a number of the blacklisted activists to reflect on the outcome and most admitted being both angry and slightly naïve. Crane Driver A commented:

> "Cheated. We were stitched up way in advance by all of them, the unions, the legal system and the lawyers. It hit us so hard because you always expect a bit of fairness"

A sentiment echoed by Electrician R:

> "I was devastated that we didn't receive the justice we all deserved. On the last day just as the apology was about to be read out I got up and stormed out of the court shouting 'I'm not listening to this shit'. Did I expect to get justice? Naively I did, yes".

The opinions voiced by many blacklisted activists appear to betray an underlying faith in capitalist state legal institutions. Despite acknowledging that the judicial system is stacked against them, the majority of activists still hoped that justice would eventually prevail through litigation, and were disappointed when it did not. This appears to be a clear contradiction between the radical rhetoric used by a significant proportion of activists and

their apparent personal expectation of the legal system. It seems that many activists found it difficult to differentiate between the use of the terms 'justice' and 'human rights' for propaganda purposes (Kahraman 2017) and the reality of the legal situation, which is why the last gasp denial of a trial came as such a shock to many. This widespread attitude, although not universal, was noticeable even amongst some of the most left wing activists and those with previous experience of litigation. This thesis suggests that the attitudes expressed above indicates that the hegemonic belief that the legal system will be essentially fair is deeply ingrained, even in the consciousness of avowedly socialist union militants. Given that this was attitude was present alongside a simultaneous political acknowledgement of the inherent class nature of the British legal system, this is an example of the contradictory nature of the activists' consciousness.

Individual personality traits?

While this chapter has concentrated on the left wing ideology of many of the activists, a possible alternate explanation for why the interviewees continued their union activism relates to individual personality traits (Reed 1989). Burgmann and Burgmann (2000) identify a boisterous outgoing 'larrikin' attitude, lacking respect for authority, which is widespread amongst Australia construction workers and is also common amongst their union delegates and leaders. In a similar vein, both Lepie (2016) and Moore (2004) recognise the benefits of self-confidence amongst organisers during recognition campaigns. Recognition of the *advantages* of self-belief is somewhat different from the assertions of Tannenbaum and Kahn (1958), who argue that activists often participate in union activity *because* they are particularly gregarious and outgoing, which makes them suited to engaging with both employers and workers. Fosh criticises this 'social activity theory' as being overly reliant on "individual personality traits" rather than sociological factors to explain participation in trade unions (Fosh 1981:10).

Construction is a hard industry, where even apprentices get toughened up quickly. That is not to claim that the interviewees are 'hard men' in the sense of being hooligans, but they are used to dirty physical hard work, often staying away from home in an all male environment: language is often both blunt and industrial. This toughness and disrespect for authority can however be beneficial when transposed to a union organising situation. It undoubtedly takes some bottle to front up an employer who may have a reputation as a gangster. Electrician 33

was one of the activists who recognised this attitude within himself but also saw how at times it could be useful for his activism:

"I've got a big gob, I was born irreverent, I don't have respect for authority. You will not tell me what to do, you will ask or negotiate. I find a lot of other people complain but don't have that confidence".

While using slightly different language, Carpenter B also saw the character of an activist on a building site as being of importance:

"Where mobilisation takes place, that hinges very much so on the ability of any activists in the workplace to be able to lead a group of workers. So yes, it does come down to some kind of charisma".

A significant number of the activists in this thesis could quite easily be categorised as 'larrikin' or self-assured, in some cases they are almost caricatures of union agitators, which lends support to Burgmann & Burgmann and Moore's observations. However, the characteristic was by no means universal and some of the leading activists of the past two generations are surprisingly timid when first met. A company director interviewed for this thesis recalled a conversation with a senior HR director of a blacklisting firm, who asked him to remove a prominent union activist from the Crossrail project. His response was:

"Are you sure about this?' Because he would not say boo to goose in my opinion. I questioned whether they had got the right guy because he didn't seem to stack up".

Clearly, not all of the union activists are brash and loud, which tends to support Fosh's assessment that while outward going personality traits may be advantageous, they are of relatively minor significance in explaining involvement in union activism.

A sub-culture of solidarity

The empirical evidence suggests that the primary motivation for union activists who have suffered repeated dismissals and blacklisting to continue in activism is ideological. Most activists displayed overtly left-wing opinions. Regardless of whether the activists held any

pre-existing values, or whether or not they were members of a left wing political party, particular incidents and their similar experiences in the industry have moulded a common outlook. In a dialectical manner, their activism influences their ideological worldview, which in turn shapes the particular brand of union organising, so observable in the UK construction industry.

While not every blacklisted union member interviewed for this thesis would be considered a left-wing political activist, the overwhelming majority clearly were, even if they are no longer members of any organised political grouping. Not every union representative who organised a strike over unpaid wages or poor safety on a building site ascribes to a list of demands on a left-wing political programme. However, the surprisingly homogeneous experiences of a small cohort of leading activists, who engage with each other via a range of formal and informal networks has over many years produced a collective 'activist consciousness'.

New activists joining the rank and file networks, do not learn the lessons anew, but in a dialectical interaction both soak up and add their own stories to the shared activist history. In a sector where formal union structures come and go as every project reaches completion, the activists' consciousness acts as a form of collective memory: an ideological and methodological legacy handed from one generation to the next. This pocket of collectivism created by workers participating in class struggle is what Fantasia (1988:17) describes as a 'culture of solidarity" and by Cohen (2006:192) as a "hole in the ozone layer of hegemony".

Even those stewards who may have only participated in union activity for a short period of time, tend to share some aspects of this collective consciousness. Without the political underpinning, many drifted out of activism, although often to be re-engaged at some later date in another context. Yet it seems that for those activists that continued their activism over many years, it was their strongly held belief in a fiercely working class left wing political ideology that sustained them through repeated victimisation and blacklisting. It was these activists that tended to be the leading figures in most of the rank and file networks that were so influential in the employment relations of the construction sector for the past four decades. It seems that to a large extent, rank and file trade unionism is where they put their anti-corporate political worldview into practice. This corresponds to Fosh's (1981) observation

that union activism becomes the avenue by which activists put their left wing leanings into action, and in so doing deepen their own political education.

Within Chang's (2005) ideological classification of union activists they correspond with the 'activist/conflict' position. While in Hyman's (2001) ideological categorisation, the blacklisted activists would appear go well beyond the 'market' to embody the 'class' perspective: they are workplace industrial militants with a strong class-consciousness. Electrician G summarised the general attitude of the activists studied:

> "There are a number of people who approach things in a political way, who talk about the wider interests of the working class, standing together, not being divide and rule. Then you had a load of people who we used to call money militants: literally wherever the money was, they used to go. Sometimes they would work with the shop to get it, sometimes they would do individual deals. What we used to do is try and harness the two".

Yet this thesis goes further than merely confirming this phenomenon exists and positioning it within different academic frameworks. The empirical evidence demonstrates a widely held viewpoint amongst UK construction union activists that breaks with the hegemonic norms of individualism in favour of collectivism, and that positions their own activism in a broader context of societal change. The activists' newly perceived role within the larger historical struggle almost begins to define them. This strongly coincides with McAdam's (1988) findings that a form of 'cognitive liberation' often takes place amongst those involved in social movement activism, where previously deeply held attitudes undergo a transformation from an individual to a collective consciousness. This collective consciousness is strongly linked to their identity as rank and file construction union activists. This appears to fall within the 'politicised identity' categorisation suggested by Bradley (2015), where association with a particular social group can lead to concerted political action.

This finding was almost universal amongst those who have continued their activism over a prolonged period of time. This sub-set of the cohort tended to be those responsible for

coordinating many of the significant rank and file disputes of the past forty years. Their left-wing political ideology found form in industrial militancy rather than democratic party politics: syndicalism in all but name. This ties in with the assertion of Ness (2014), that syndicalist inclined direct democracy forms of union organising are often driven by overtly Marxist or Anarchist political activists, but tends to contest the assertions of Cohen (2009) that rank and file networks will emerge naturally out of the class struggle without the need for any input from left wing political ideology.

The evidence provided in this chapter supports Darlington's (2002) suggestion that the unintended result of employer hostility to union activity is that often only the most committed left-wing militants are prepared to take up union roles. It also corresponds with Hyman's (1975:169) observation in relation to shop stewards' political outlook, that "in many cases, it is this very reason that they do the job".

There is no suggestion within mobilisation theory that a socialist ideology amongst workplace 'leaders' is a necessity for collective worker mobilisation to take place (Fantasia 1988; Kelly 1998). Although it has often been noted that left wing activists play a disproportionate role in leading industrial action (Kelly 1998; Darlington 2002) and that union organising itself tends to push activists to the left politically (Fantasia 1988; Moore 2011; Taylor & Bain 2003; Cohen 2006). This thesis provides additional evidence to bolster both those positions. That class politics is a driving force behind many of the activists also appears to question the virtual absence of any overtly political dimension in most union organising in the UK (Simms et el. 2013; Nowak 2009).

This chapter has identified that the union activists studied in this thesis share a particular collective consciousness that has been moulded by both history and their combined experiences in the UK construction industry. Their distinct brand of union activism, unfamiliar to most in the British trade union movement, that dialectically both moulds and flows from the activists' outlook is investigated in the next two chapters.

Chapter 8 – The role of activists on-site

A key observation in the previous chapters was that the activists were conscious of structural difficulties such as the short time on site, temporary employment contracts and the resulting lack of employment rights *before* they carried out their union activities. Activists were not just aware of blacklisting; it is part of their psyche. Through their own experiences and repeated discussions with other activists at union events, an expectation of victimisation is an integral element of their collective consciousness. The central argument presented in this chapter is that the expectation of employer counter-mobilisation and the particular circumstances of the construction industry has produced a distinct model of covert union organising, uncommon in the rest of the UK. In presenting evidence of how rank and file activists amended their union activities to take account of almost inevitable counter-mobilisation, this chapter fills a gap in the literature identified by Lepie (2016) into workers reactions and tools to resist anti-unionism by employers.

The chapter starts by explaining how the sector's lack of formal employment relations structures, combined with employers' hostility towards unions have shaped the covert organising techniques used by activists in construction. Secondly, the chapter explains how the same structural factors influence the forms of action and tactics adopted by activists once recognition is achieved. Thirdly, the phenomenon of self-employed and non-union members participating in collective action is considered. Finally, the chapter assesses the degree of human agency provided by activists in collective worker mobilisation and in so doing questions claims of spontaneity within the process of collective mobilisation.

Lack of formal structures

As identified in chapter 4, in all but a minority of large prestige projects barely any meaningful trade union presence exists. Regardless of the size of project, the construction workforce is fragmented with packages of work sub-contracted out through multiple tiers of contractors. Interviewees highlighted how the smaller contractors and sub-contractors that actually engage the workforce often lack even the most basic industrial relation structures and processes. Electrician G summarised the situation:

> "There are not the formal structures in place that exist in local authorities or Fords. I never knew what a formal grievance was, never knew what an ACAS code was, never represented anyone at a formal disciplinary in construction. It just wasn't a format

where you had a set structure… the vast majority of sites did not have any site organisation, so there wouldn't have been a safety rep, there wouldn't have been a shop steward, there wouldn't have been an official collective voice."

The majority of interviewees had never represented anyone at a grievance or disciplinary hearing, which stands at odds with studies of union activists where the servicing model of individual representation is often highlighted as the most time consuming aspect of a rep's role (Kerr et al. 2002; O'Grady & Nowak 2004). The lack of standard employment relations procedures, whether through collective bargaining or HRM inspired forums, considerably narrows the potential methods by which workers can attempt to resolve their workplace grievances.

Covert union organising (pre-recognition)

As has been noted above, the belief that they are likely to be victimised for their union activity is deeply ingrained in the activist's mind. In addition, given the short-term nature of contracting it is not unusual for activists to be on any particular building site for only a matter of months. The short-duration of contracts had an influence on activist strategic choices, with interviewees displaying a pragmatic approach, which recognises both the short time on site but also the potential for victimisation. Bricklayer P spoke for many:

"There's no point in getting your head chopped off just for a couple of weeks work. So you have to see whether the site is worth it, a year or two's work is a long time in the building industry. So you have to feel the temperature of the water with the rest of the workers".

The longevity of the contract and the likely response from the workers were the two primary factors identified by activists when considering whether a site was worth attempting to unionise. Irrespective of the expected duration of the project, the activists' well-founded expectation of victimisation meant that their organising methods invariably started off covertly. Electrician X explained why the initial stages of organising were carried out in secret:

"You've got to be careful what you're doing, if the construction company bosses get wind of it they'll try and get you off the job. If they don't sack you, they'll try and get you transferred off the job".

The identical sentiment was echoed by Electrician 30:

> "You might have to operate clandestinely, you might have to meet in secret. At that moment, the problem is our strength, because what happens is that the employers would always use disciplinary action against you, that was always a weapon that they had. If you were mobilising on a job, and it was at the early stages of the job, you had to be careful".

Both electricians quoted above were discussing occasions when they were working for major electrical contractors that officially recognised their union. This gives an indication of how deeply the belief that victimisation will occur as a result of union activity is embedded within the activists' collective consciousness. The same attitude and approach to initial covert organising was repeated by virtually every interviewee regardless of their trade, geographic location or the decade in which their activism took place.

It was apparent from the interviews that activists made a concerted effort to conceal their early union organising from the employer. This was at a stage when they were beginning to identify other workers on site who may be prepared to assist them. Time and again, activists talked about needing a group of people in the workplace and therefore finding supportive individuals at the start was seen as an important step in the unionisation process. In 2015, Electrician 33 led a dispute by agency workers and remembers his first tentative steps in the process:

> "I identified a nucleus of a couple of seasoned hands who I knew would stick together. I knew what they were; you can spot each other I think. There were some men who had been active in the past and wanted something to happen and others who knew nothing about the union… I'd never done anything like this before, but all the ingredients were there. But the catalyst was me, John and Barry. We had a triangle that then picked up momentum"

The need for a 'nucleus of activists' was expressed on multiple occasions during the interviews, with the same point raised by activists in their twenties and their eighties,

suggesting that their experiences are common rather than exceptional within the sector. While the testimony above comes from an individual attempting to unionise a site, Electrician O describes how he viewed the process as a young worker new to trade unionism when he first started working on the Jubilee Line Extension (JLE) in the late 1990s:

"Literally half a dozen guys out of 180 of us. And they were friends and they were an organised unit. That's how I saw it from being an outsider, I looked on them as being a very organised group of guys who haven't just got their interests at heart, they had *our* interests".

The interviewees' repeated references to a small nucleus of activists, regardless of the size of the project, tends to support the Marwell and Oliver's (1993) argument that a critical mass of activists are needed for successful worker mobilisation and Moore's (2004) observation that there is no ideal ratio of activists to workers, but that successful unionisation relies on a tiny number of resilient activists.

Covert methods were apparent from the start of any unionisation attempt, preliminary conversations on site were generally informal chats held in secret, away from the prying eyes of supervisors; Steelworker A described this word of mouth process as 'whispers around the bottom of the columns'. Such clandestine methods coincide with Moore's (2004) findings of activists in union recognition campaigns against hostile employers who described acting like the underground French Resistance by passing secret notes to each other.

Discussions often took place off-site in a nearby pub or café. Carpenter B worked on a housing project in Shepherds Bush in the early 2000s where Eastern European workers were being paid less than their British counterparts, he describes how the initial discussions developed:

"We were trying to get workers, not union members, to be prepared to take up issues on site, such as people getting paid cash in hand, paid different rates. The conversations were never about joining the union. They were about let's stick together and we might be able to do something about this. Lets' stand together first and introduce the union later. We increasingly tried to get people down the pub in twos and threes, to have informal conversations rather than a formal meeting".

200

It is noteworthy that many interviewees explained how even when consciously organising amongst fellow workers on site, trade unionism tended to be broached in a tangential manner. Electrician 30 described how conversations while eating food in the back of a van were used to assess who would be likely to support him and who might be hostile:

"You would say, 'that hospital is getting closed, that's a scandal, we need a national health service' and everybody would understand that. So you would suss people out. People say 'I prefer private medicine', so you would put them in a different category and you would understand that they were a wee bit away from where you were thinking. But you would seek to find people who shared some views, so that you could build up the confidence, so that you would be a body of people and not an individual".

The early tentative discussions engineered by construction activists are effectively a camouflaged mapping technique intended to gauge support and identify those individuals who may be willing to back future collective action, similar to techniques taught on union education courses.

It is noticeable that activist's early conversations were very rarely centred around union recognition itself, rather they tended to be about specific grievances on that site. Assuming that a contract was to last more than a few weeks, identifying an issue that the workforce were disgruntled about, was the starting point for almost all of the activists. Bricklayer P was very clear that: "Initially when you got onto a job, you had to have an issue to organise on". This attitude amongst activists chimes with a component of mobilisation theory, which argues that workers participate in collective action only if an issue is perceived by them as an injustice; it is also an element of most models of union organising.

Bricklayer E recalled how being vocal on an issue as seemingly insignificant as the lack of tea making facilities, helped muster support on a site near Ipswich:

"This cup of tea became a totemic issue about where you stood. If you'd just arrive on site, I'd talk to you saying 'we're entitled to a tea break, half an hour and they're supposed to provide tea making facilities and an oven, this is just basic things'

Gradually we'd develop a climate of opinion that the management would get to be in a fragile position. Over time, you'd have to weigh up the balance of forces. At the tea break stage, I wouldn't be the steward, but then if a foreman sticks his head into the canteen and says, 'what's going on?' I'd say, 'what about this tea break, we can't work without a cup of tea' and then cos we were all sitting in the canteen it became a show of opinion".

The examples above tends to support a central theme of mobilisation theory that by framing a grievance from a particular perspective, a small number of workplace leaders are crucial in helping to develop a shared 'us and them' outlook amongst their co-workers (Kelly 1998; Darlington 2003; 2018)

However, many of the activists interviewed had experienced situations when they had taken an individual stand over poor working conditions but failed to garner enough support amongst their co-workers, with almost inevitable consequences. Electrician H recalled a time when after complaining about the welfare facilities on site, the managing director visited site and told him:

" 'You've complained about things on site, you've been stirring up the other guys. We're sacking you'. I was told to leave site immediately. I went back into the canteen and addressed the men on site telling them, 'I've been sacked because I am not prepared to use those toilets, which are not adequate for any of us and for complaining about having to sit in here on cable drums to eat our dinner. Is anyone prepared to support me?' They all bowed their heads down and carried on eating. I was the lone ranger. It taught me a lesson".

The lesson learnt was that when trying to improve welfare conditions on building sites, individual heroism is no substitute for a collective response. In slightly different guises, almost every activist interviewed had stories of small individual arguments with managers and foremen on non-unionised sites; some that they won, some that they lost. The difference between the union activists and the majority of construction workers is their change from individual resistance to collectivism.

Their repeated experiences of victimisation only helped to reinforce activists' preconceived notions about employers' hostility towards trade unions and the need to organise covertly. Avoiding detection until they felt they had gained enough support amongst the workers not only to achieve success over a particular grievance but to give themselves some protection from victimisation is an integral part of their organising strategy. As the majority of their working lives, the activists are operating in conditions similar to a pre-recognition phase of union organising against a hostile employer, the covert techniques therefore tend to be the norm rather than the exception amongst self-employed workers in construction.

One indication that this model of covert union organising is situationally dependent, as opposed to a preferred strategy of the activists themselves, is how the very same individuals changed their approach when gaining employment in different sectors. For example, after many years of contracting on construction sites, Electrician 32 found stable employment in building maintenance. In 2017, he stood for election as a UNITE shop steward and wryly commented,

> "It's really weird having open elections at work with my name on a sheet on a notice board that all can see: beats doing it in a toilet at break time"

In relation to mobilisation theory, it is prescient that the activists' strategic choice to adopt such covert methods took account of employers' likely actions *prior* to even initiating any unionisation process. This suggests that employer counter-mobilisation can often appear at the very start of the process and should not be viewed simply as a mechanical response to union organising. Instead, a fluid uninterrupted dialectical interaction takes place between employers and workers, and between agency and structure, throughout the entire mobilisation process. The methods adopted by the construction activists, generalised from collective experience over many decades may also be of some value to organising strategists within unions.

Going public

Interviewees described how only when they felt they had sufficient strength in numbers did they make the explicit decision to call some kind of meeting on site. Numerous activists talked about the centrality of calling a meeting to the entire process of unionisation. Holding a workplace meeting was perceived as key to the workers seeing themselves as part of a

collective unit: the 'shop'. Just as importantly, failure to win support from the workforce at the meeting would almost inevitably result in activists being removed from site. The question of when and how to 'go public' by holding an on-site meeting becomes a crucial tactical decision, as this would almost always result in some kind of attempted victimisation. The meeting often became an all or nothing, death or glory turning point. Bricklayer E explained why holding a meeting to discuss with workplace issues was so important:

"Calling a meeting always changed the dynamic. The way we looked at it the *Working Rule Agreement* allowed us an hour meeting. So if we could get everybody in the hut and try to motivate people it would be worth a go… That was the most basic thing in a way. Setting up the tradition, the expectation of having a meeting to sort out collective issues".

Although the exact timing of the first meeting may often have been prompted by an unplanned incident, activists were generally taking a tactical decision over when to call a meeting on site. How this manifested itself in practice was explained by Electrician G:

"When you think you've got to a specific moment, when the balance of forces are on your side, you formally declare that you are gonna have a shop meeting and at that stage the cat's really out the bag. Management would normally try and get rid of you for forming a trade union, so you had to move fairly quickly. Either you established it and you took it forward or you got bubbled and you were on your way."

The evidence indicates that activists make a tactical decision regarding the timing of their first on-site meeting based upon an evaluation as to whether enough workers would be prepared to support them if they are sacked. Regardless of their union, all of the interviewees had participated in industrial disputes over union reps being dismissed or transferred from site. Bricklayer A discussed site management's reasoning for dismissing a newly elected steward at the start of a project:

"They tried to undermine everything we have achieved, the solidarity, the demands we put before them. They think well if they sack the steward we're not prepared to back him then, they have won, we have lost. Because everything we achieved after then would have disappeared if we'd allowed him to get sacked"

The experience of the activists coincides with the findings of Ewing (2011) who described this counter-mobilisation tactic at British Airways dispute as 'decapitation' of the activist layer, with the intention of derailing the entire mobilisation process. In construction, blacklisting meant that activists could be removed from site before they could build up any kind of rapport with their co-workers.

However, in situations where preparations had been successful, the ensuing dispute to reinstate the victimised union activist(s) was often the very catalyst that solidified the workers as a collective group and won unionisation on the site. Bricklayer P remembers the response of bricklayers and labourers after two union activists were dismissed immediately after they had successfully united workers on a safety issue:

> "So we had a meeting and there were obviously people talking about going out the gate there and then and some people were against it. Usual arguments 'I cant afford to go on strike' and stuff like that. These arguments were going on but in the meantime I said 'We're going outside. They've sacked these blokes for no reason'. I walked off the site and as I looked behind me and there was all the 90 people behind me as well. We got to the gate and there was a line of concrete lorries coming down the road. They had already started pouring a slab. This line of concrete lorries, none of them would go past us. Within two hours, these blokes were reinstated. Sometimes you just have to do something".

The short quote above is a mini-case study for mobilisation theory. A shop steward was victimised, which was perceived to be an injustice. The workers attributed blame for the dismissal firmly on their employer. The union called a meeting in order to discuss the issue as a collective group. Activists intervened in the debate, framing the issue in order to mobilise consensus for a collective response. Arguments for and against taking action were debated; even where workers saw the injustice, some individuals were wavering because of the potential cost of the proposed industrial action. One activist took a crucial role by identifying an opportunity for collective action and then physically took the lead. Once a critical mass of workers joined the action, the waverers gained sufficient confidence to participate. Stopping the concrete pour that had already started was tactically astute, as a relatively short period of action had the potential to cause considerable disruption with financial costs to the employer.

The episode was of no great significance in terms of the overall sector, but in many ways appears a fairly typical description of how successful industrial action occurs in construction.

What is noticeable from the interviews is that activists did not try to hide that fact that the employers were likely to be vindictive. To suggest to a group of construction workers that the management would be indifferent if they took industrial action would fly in the face of their lived reality. Instead, the activists carried out a form of rank and file inoculation (Levitt & Conrow 1993; Lepie 2016), tending to frame the discussions with fellow workers in two distinct ways. Firstly, was to stress the sense of the collective, hence the repeated calling of mass meetings in the workplace and arguing that workers were much less likely to be victimised if they acted together. 'They can sack one of us, they can't sack us all' was a commonly used phrase during the discussions. In construction, this assumption may be based more on optimism than historical fact, but once again the general premise was to instil confidence amongst workers of their own potential collective strength.

A second argument was also repeatedly mentioned in interviews, which again did not pretend that victimisation was unlikely, that could be described as the *so what?* position, or as Electrician R presented it, "what's the worse they can do to us?" Very short-term temporary contracts in construction create a situation where workers become used to changing employer every few months anyway. If a strike results in strikers being dismissed, it is therefore not quite so traumatic as it may be in a factory situation, where workers and activists alike may have invested many years of their working life. Electrician C explained how he broached the issue of potential victimisation with fellow union members during the run up to a strike on the JLE:

> "I used to use the argument: well outside you can get sacked anyway. And I think that was people's mentality. They'd been conditioned and think, well if we leave this job, we get sacked anyway as a casual workforce… I think unconsciously in the back of people's minds, the majority certainly on that line, think fuck it, we've got nothing to lose".

The empirical data indicates that for union activists in construction, the ability to persuade fellow workers to participate in industrial action in support of a victimised activist was very

often the decisive point of the entire unionisation process. If the ensuing dispute resulted in the activists being reinstated, the workers begin to recognise their own strength and union organisation was established. If the activists are removed from site, management reassert their authority and any pre-existing fear factor amongst the workforce is reinforced. The empirical findings provide support for McAlevey's (2016) argument that a strike or some other form of industrial dispute is often a requirement when building genuine union organisation.

Examples cited by interviewees were overwhelmingly localised skirmishes led by a small number of activists using an organising model derived from collective experience embedded in their shared consciousness, rather than a pre-planned formal strategy coordinated by a union organiser. The strategic planning and decision making is taken by the activists themselves rather than by paid employees of the union trained in organising techniques: this is a grassroots organic union organising rather than top down managed activism. The evidence would appear to contradict Simms et al.'s (2013) claim regarding the lack of grassroots organising, and their suggestion that a cadre of paid organisers trained by the TUC are the central actors in the UK union movement.

An active shop (post recognition)

Another aspect of the union organising carried out by construction activists was an emphasis upon a participatory organising approach, which was evident throughout the interviews. Even after being recognised by an employer, the fragility of the union organisation appears to have been understood, so rather than taking recognition for granted, activists continued to hold regular shop meetings. This was a means of self-preservation, especially important in a sector with a high level of labour churn, where newer staff may have no affinity with a union rep dismissed prior to their arrival on site. Reinforcing a collective approach at the regular shop meetings, therefore also helped protect the activists from potential future victimisation, as Electrician G explained:

> "It was very much about an open structure. We'd have meetings but we'd also talk on the shop floor to find out what issues were around. Part of that comes from a philosophy of wanting to organise amongst people; part of it is self-protection. It was seeing yourself as a workplace leader, in terms of trying to articulate the views and

keep organisation going but making sure that was genuinely representative of the people you worked with for effectiveness: otherwise you're a general with no troops".

Holding regular canteen meetings can also be attributed to notions of union democracy arising from their left-wing ideology, as explained by Steelworker A who in 2009 led a major dispute at the Isle of Grain power station about local labour and victimisation of union activists. During the negotiations to settle the dispute, Steelworker A was offered the role of an appointed convenor on the project; he refused telling both the employer and the union,

> "Listen, I'm not gonna be an appointed convenor. I'll take a job on the site and I'll have a meeting with the workforce in the canteen. That's the only way I'd ever take that job because I don't think I should be foisted upon people. I've always been democratically elected and that's how it should be. That gives the blokes the right to get rid of you as well if you're not doing the job properly".

Rather than dealing with issues on an individual basis, collectivising workplace difficulties was the default position for most of the activists. Holding shop meetings in the site canteen as often as once a week was commonly cited in the interviews. Activists' attempted to build a collective mentality amongst their fellow workers with many consciously engaged with trades other than their own, trying to represent the entire site workforce rather than a minority of workers from a particular craft. On a very basic level, Electrician 33 explained how his shop developed from a handful of electricians to include a majority of workers on the site across a number of different contractors:

> "We very quickly coalesced into a group. I had a very strong sense of coming together. This was rank and file solidarity, it wouldn't be 'this is my union card' – it didn't really matter if you were cards in or agency, if you stood with us, the circle enlarged to encompass everyone. We held union meetings once a month as we are entitled to under JIB rules and the first one I had 2 converts, by the last one we had two thirds of the labour on the entire job… we were a very active shop".

Bricklayer A explained:

"Quite a lot of the ideas we got came from the shop floor. All we said to the lads on the site was, 'what do you think?' And they all come up with the ideas themselves. Eventually, we had them more or less on demand. That's when the men realised… Mass meetings are the key to strong democratic union organisation… otherwise the men don't realise the collective".

Another mechanism by which workers were inducted into the collective mindset was through the 'shop fund' as Electrician C recalled:

"I would have a word with you if you were a new guy, 'look, you put into the shop fund, it's only £1 a week we are getting quite good money here now, because we are all together and if you go off sick or you've got any other hardship, we'll propose it at the meeting and you'll get x-amount'. We literally would have a discussion like this. The whole culture it just developed like that. I wouldn't call it a culture 20 years ago but I would certainly say that was how it was"

Establishment of a shop-fund, even if stand alone and separate from the formal union structures, clearly requires a considerable degree of organisation.

Despite using a variety of methods to encourage a sense of collectivism, it remains difficult to convince 100% of the workforce on any issue. Some workers hostile to the union continued to act in an individualistic manner, and in so doing undermined collective action being taken by the rest of the workers. Union work in the construction industry is not for the faint hearted and when a small group of individuals undermined agreed action, activists were not averse to using more coercive methods to impose decisions agreed collectively at shop meetings. Electrician T remembers an incident after a young worker lost his life on Littlebrook power station in Kent:

"There was a collection for the widow. 200 men donated a day's money: five didn't. They wanted to string the fuckers up. So the steward put a sheet up in the canteen with everyone's name on it and signed off against your name when you paid. Everyone could see who hadn't coughed up. Two of them paid up: three didn't. Their life was purgatory. One old boy who had the cushiest job on site, working around the canteen, we forced him out up onto the power station roof pulling cable all winter".

Whether though patient explanation or coercion, the aggregated testimony from activists indicates that their role was often crucial in building a collective identity amongst their fellow workers.

Forms of action and tactics

Employers hostility towards trade unionism (resulting in very few officially accredited stewards), combined with the industry's lack of industrial relations procedures resulted in unofficial industrial action. As Hyman notes, far from extinguishing collective disquiet,

> "efforts to suppress specific manifestations of conflicts, without removing the underlying causes of unrest, may merely divert disorder into different channels" (Hyman 1975:188).

Discussions about industrial action were a central theme of all the interviews and whatever the specific form taken, virtually every example cited in this thesis took place without going through the any form of industrial action ballot as required by legislation. The experience of Bricklayer C was almost universal amongst the interviewees:

> "Show of hands in a canteen, that was about it. The niceties of the legal stuff didn't exist. The union laws were in but the whole situation was too rough and ready. We'd be in meetings where we were being physically threatened by people".

Electrician Q's comment, "It's so transient, so its smash and grab", indicates how activists' saw the temporary nature of their contracts as shaping their approach to resolving workplace grievances. The fact that a significant proportion of the industrial disputes were over some kind of victimisation meant activists felt pushed towards a more immediate response, even if that meant breaking the law. As Bricklayer P explains:

> "You never got time. Normally, you organised around some issue on the site, whether it be health and safety or welfare conditions. And by this time, you were going to get sacked because you'd poked your head above the parapet. If you get sacked, you're outside the gate anyway. That's when you called for a picket line. You didn't have time, you were told to remove yourself from the site. So you had to do one of two things, you either took the long walk or you had a stand up fight. And 99 times out of 100 I just had a fight, that's what I've been guilty of. And that's what people don't

understand, nobody in the right mind wants to go on strike, but it's our only weapon we have got as workers. And putting yourself contrary with the law, you have to take that chance".

The construction process itself also influenced the prevalent forms of industrial action seen in construction. The sequential and segmented work process, while creating significant difficulties for trade unions, can also offer opportunities. Just in time procurement processes and contractual penalty clauses for non-completion of packages by a particular contractor create pinch points where even minor interruptions to supplies by a small number of workers can have a major impact on the rest of the site. The potential costs implications of even limited disruption are fully understood by everyone who works in the sector, as Electrician I commented, failure to hit the deadlines could have significant financial implication for the employers:

> "When the client and the contractor sign the contracts, contained within it is a penalty clause for the companies (for delays). That penalty clause could possibly wipe out their profits they aim to make on the job".

Delaying deliveries of materials to a project can have an enormous effect upon productivity and programming of work. It is apparent that activists used their knowledge of the construction process to focus their picketing strategy on persuading delivery drivers not to cross their picket lines, as Bricklayer C explained:

> "We don't have to turn everybody back; but you only have to stop a few lorries and it fucks them up. It's the fear of the job coming to a halt that makes the management negotiate. Just in time supply, on a building site, there is literally nowhere to put anything, so the bigger the site, the more deliveries you need. It's all sequenced, each trade follows another trade, so if one trade is held up, all the trades behind it is held up. We didn't have to stop every lorry, that's got to be a crucial thing to point out. It's more the threat that management don't know which ones are gonna be prepared to stop".

Another tactic that has been used repeatedly by construction union activists which can delay deliveries to site by hours, is blockading roads outside the entrance to the site causing traffic

chaos outside the project. The disruption to traffic also places pressure upon the main contractor and client to resolve the dispute. In 2000, Electrician U was a leading figure in a major dispute in Kent after 240 workers were dismissed after complaining about safety on a Balfour Beatty project.

> "We blocked roads the first day. They had to hold ferries up at Dover while they rerouted lorries through Canterbury. Held them up, the backlog, it took the police inspector 2 hours to get through our traffic jam to speak to me about what we was gonna do in future. He said 'I can't handle this, I've got my siren on and it's took me 2 hours, so you've done a good job'
> I said 'well, I'm not here on my own mate'."

There has been a noticeable upsurge in blockading roads in the construction industry over the past few years. Oxford Street and Park Lane were closed on numerous occasions during a series of disputes on the Crossrail project between 2013-2016. Between 2015-19 in Teesside mass road blocks have become the civil disobedience tactic of choice over non-compliance with collective agreements and the blacklisting of union members on major infrastructure projects.

Another aspect of the construction process that was exploited by activists was the immobilisation of tower cranes. Crane Driver 2 summed up the key logistical role played by his fellow operatives on large projects succinctly, "without a tower crane nothing on site gets done. That's the beauty of our position. We're a choke point". The obvious potential to disrupt a project by stopping the tower crane was fully understood by activists. Eight of the interviewees in this thesis had personally occupied a tower crane, from a few hours to several days. Bricklayer O, occupied a tower crane on a McAlpine site opposite Australia House, in central London in the early 1980s, he justified the tactic like this:

> "Along with putting pickets on outside, its the quickest way to stop a site, so two men up two cranes and nothing moves. That's it. You sit up there".

As occupying a tower crane requires only one person, it may appear a particularly individualistic form of action, but the occupations were always part of a wider campaign.

While one person is at the top of a crane, many others are needed at ground level to progress the dispute and provide support; many more of the interviewees had therefore performed supportive roles. When the actions were over specific disputes such as victimisation of shop stewards, the occupations would sometimes last over a week. In the 1992 Vascrofts dispute in Kensington, a leading activist occupied the tower crane for 10 days resulting in a £250,000 High Court injunction[71]. The cramped conditions, lack of toilet facilities and the boredom associated with long hours alone, means that tower crane occupations are rare but nonetheless, the tactic occurred throughout the four decades under investigation.

Self-employed / non-union members on strike

What is apparent from the interviews and participant observation is that often collective mobilisation would involve self-employed workers and non-union members. The phenomenon of self-employed workers going on strike may appear unusual in sectors where the majority of the core workforce are directly employed. Even Kelly routinely uses the term 'employees' in *Rethinking Industrial Relations*. Taken at face value, a sceptic might ask: if they are self-employed, don't they work for themselves? Who are they going on strike against?

However, as described in chapter 4, the structure of the construction industry means that being self-employed is most often merely a classification based on how a worker pays their tax. These workers sell their labour power in exchange for wages, the fact that their employer has erected a smoke and mirrors façade to avoid tax and employment rights obligations does not alter the master / servant relationship or the economic reality. Supposedly self-employed workers going on strike against the company that 'engages' them is therefore completely unremarkable in construction, as Carpenter H explained:

> "I joined the industry in a period when no one worked directly on the cards, seriously. I can count on one hand the amount of times I ever worked on the cards. So I always worked self-employed or agency or for some small little subbie. And I just saw it as the natural way of doing things because I knew no different. But I still had situations

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[71] *Contractors plan legal moves over JSC,* in *New Civil Engineer* (June 1992)

where I got workers to stick together and sit in the canteen and go out on strike. A lot of the time they weren't even in the union".

Given that almost every union activist studied for this thesis had at some point worked on a self-employed basis or via an employment agency, the fact that their fellow strikers also shared the same employment status is barely of note. What is noteworthy however, is that the arguments and organising techniques employed to persuade the casualised workforce to participate in collective action, did not differ in any substantive way to those used with directly employed workers.

As well as self-employed workers participating in strikes, the involvement of non-unionised workers in collective mobilisation was also not unheard of. Numerous interviews recorded how construction workers went on strike over a workplace issue, only joining a union either during or after an industrial dispute was resolved. Bricklayer E recounted a dispute over pay in which he was the only union member on the site.

"We went in the drying room, where blokes changed their gear and just had a meeting. As this group were pissed off about their money; they wanted to do something about it or jack. So I suggested that we go on strike until he comes up with a better offer. It was quite a simple matter really of saying, 'we want more money or else we're going on strike'… They were all travelling in a van and so were a very cohesive group. They were up for taking some action. That was clear enough, but they left it to me. The most basic thing up there was that I had union connections. I joined them in the union".

Bricklayer D recalls his first ever experience of industrial action in Covent Garden, only joining the union after the dispute was resolved:

"The union organiser came down and sort of negotiated over time and money and we went back to work. There were 10 of us who were on strike. That was the first time to be honest… I don't think we were in the union. But because of what was happening, we joined the union to get the regional organiser down there".

214

None of the union activists suggested that it was easy to encourage self-employed, non-union members to participate in collective action. They were fully aware of the difficulties that organising these group of workers entailed. Yet in some aspects, the casualised and itinerant nature of employment in construction also provides advantages for activists, both in relation to overcoming any fear of repercussions amongst self-employed workers but also in the form of action taken.

The empirical findings in his thesis around industrial action appear to be at odds with the standard model of union recognition campaigns that tend to follow a path of promoting the benefits of union membership, whilst downplaying the likelihood of industrial unrest (Nowak 2009; Simms et al. 2019). In fact, in a large number of examples in this research, participating in industrial action preceded joining the union. Going on strike was the event that actually led workers to join the union; irrespective of how long they had previously been disgruntled about a workplace injustice. These empirical findings reinforce previous studies that have identified a direct correlation between industrial action and an increase in union membership (McCarthy 2009; McAlevey 2016). The evidence also supports Dromey and Taylor's (2015:42) observation in relation to Grunwick, where none of the strikers were members of a union at the start of the action, that "management failed to reckon with was the liberating effect of the walk-out itself" (Dromey & Taylor 2015:42). One might suggest that such an effect is often overlooked by employment relations researchers and union organising strategists too.

Human Agency or Spontaneity?

As well as identifying a distinctive model of union organising primarily moulded by the structural landscape of the sector, the empirical evidence in this thesis also allows for the debate within mobilisation theory around the need for some form of organisation and human agency to be evaluated. Interviewees were explicitly asked about whether action they participated in was ever spontaneous and despite hundreds of hours of interviews, not a single example of spontaneous collective mobilisation was recalled. Instead, interviewees were unanimous in their insistence that all forms of industrial action required some degree of organisation.

One commonly used form of collective action on building sites is for workers to 'cabin up', where workers are at work but refuse to leave the site canteen or changing facilities.

Occupations of the site canteen often take place following a specific unexpected incident on site but Electrician G argued that organising was still needed:

"It would need to be a pre-planned action. Rarely was it spontaneous. Even at the level of informal soundings: 'what do people think about this?' You would really need to do some prior organisation to see what the strength of feeling was [because] when you're called up by the foreman, there is a lot of pressure on the less confident workers… and it was important that there were a few people to stand up beside that person and say: 'don't push them around, we're all doing this' ".

The activists' experiences support Darlington's (2006) assertions that even in 'wildcat' action caused by an unpredicted incident, the role of human agency in providing leadership is crucial, and seem to contradict the claims made by Atzeni (2009) that collective worker mobilisation can take place without the need for any form of organisation.

Another form of collective action cited in the interviews was the adoption of a 'maximum safety' position, whereby workers attend work but refuse to work until all safety measures are in place. Engineer C recalled a time when the main contractor removed lighting from the site as a cost cutting exercise. Fifty nightshift workers turned up for work every night but despite management threats of dismissal and deductions of pay, refused to work without the correct lighting. The action lasted three weeks before the safety lighting was reinstalled. Getting fifty workers to refuse to comply with their employers' instructions not once but for three continuous weeks clearly requires some persuasion, Engineer C remembered the role he played as the safety rep:

"The first night was the biggest night, that's when I had to be there as the rep to counter their arguments. The only problem we had after that first night was a couple of times when I wasn't there because you work on a shift pattern, they tried to single out one of the weaker members who was leading the team. Basically if you can get the team leaders on board, you've won. You have to single out the individuals who lead the team and has got a lot of authority. It's like anything, if you're training for any sort of sporting event, it's not turning up on the night, it's the preparation. Unless

you've done the preparation then you're gonna lose because unless people are actually convinced at what they're doing, you're not gonna win".

As is evident from the quote above, working to safety requires considerable work by the activists in preparing the ground for the action and participating in discussions to shore up waverers. Assurances from safety reps quoting the *Health & Safety at Work Act* can act as a comfort blanket for workers coming under pressure from supervisors. Another task carried out by activists during this tactic is identifying informal workplace leaders who are able to sway the opinion of their co-workers.

Activists clearly viewed themselves as workplace leaders able to sway opinion, Electrician H illustrated his attitude with an example about a company trying to scrap tea breaks.

"When you are a shop steward, you are a leader of men. You want the best pay, best conditions. There are all types of shop steward; quiet, noisy, diplomatic but you always are a leader. And you have to show leadership; you will be surprised how many people want leadership. I used my ability to talk to people, to persuade people not to give away our afternoon break, it was something that our forefathers had fought for. We voted on it. And we went on strike and were out the gate for 2 weeks. You always have a handful of good men. It is always their responsibility to respond to the situation and lead the weaker".

The evidence presented above indicates that in a sector where traditional employment relation procedures are frequently completely absent and the casualisation of the workforce means that legal redress through employment tribunals is closed to them, unofficial action is often the only avenue left open. However, while structural factors may explain the forms of industrial action, the evidence tends to support claims that instances of worker mobilisation are heavily dependent upon human agency (Kelly 1998; Darlington 2006, 2018; Moore 2004), putting into question claims that underlying structural factors are the determining factor in predicting the potential for collective action (Fairbrother 2003; Cohen 2006; McIlroy & Daniels 2009). This conceptualisation also overlaps with the collective attitude of the interviewees themselves, Carpenter E being indicative:

"Industrial action always occurred from how badly workers were treated, there is no doubt about that in my mind… but in my view it all depends on how strong you are at convincing workers. I found out very quickly you had to step up and be a leader to get things done."

Chapter 9 – Rank & File networks

This chapter continues to present evidence of the role played by activists in construction, this time concentrating on their participation in rank and file groups that operated beyond a single workplace. Within UK construction, informal networks that bring together stewards outside of official union structures to participate in industrial action have been observed over many decades (Higgins 2000; Smith & Chamberlain 2016; McIlroy, Fishman & Campbell 1999; Lyddon 2007). The phenomenon of ad-hoc rank and file groups linked to strikes continued throughout the period under investigation; with some of the larger more successful groups organising action on multiple occasions across different projects. All of the interviewees participated in, and in some cases were the leading figures in a variety of these rank and file groups.

In presenting evidence of how these grassroots networks operated, the chapter continues to argue that even when industrial action is unofficial without formal union backing, some form of organization is a necessity for collective worker mobilization, especially when it spans multiple employers and multiple projects. Various rank and file groups are identified; with their purpose, structures, modus operandi, including the use of propaganda examined. The chapter identifies the factors that helped create these groups and explains why this distinctive form of workers' organization is so prevalent within UK construction. The empirical evidence feeds into the academic debates around union organizing and mobilization theory.

The chapter starts by briefly recapping academic debates identified in the literature review that are of relevance to the phenomenon of rank and file union groups. Secondly, the reasons why the groups exist are discussed, highlighting how activists perceived the networks as a response to the ineffective strategies adopted by the trade unions. Thirdly the chapter identifies the modus operandi of the rank and file groups, and how they are integrally linked to, and in most cases are created out of industrial action. Fourthly the chapter presents three case studies of disputes that highlight the particular characteristics of this model of union organising.

Academic debate

A central academic debate that has been highlighted throughout this thesis revolves around the relative weight given to structural factors viz-a-viz human agency in explaining the mobilisation process. Mobilisation theory identifies some form of organisation as a necessary

component for collective action; within an industrial relations context this function is most likely to be performed by a trade union. Those academics that emphasise human agency argue that more informal social networks of activists can have a significant influence (Tilly 1978; Klandermans 1997; Kelly 1998). This chapter suggests that in certain circumstances, it is the rank and file groups rather than the unions that are the organizational vehicle through which worker mobilisation takes place.

As the rank and file networks in this chapter involve activists consciously operating outside of formal collective bargaining structures in order to coordinate unofficial industrial action, they would appear to add credence to the agitator theory of strikes. Darlington (2006) suggests that agitating for action is an element of a union activists role that for political reasons is often deliberately understated by pluralist academics, thereby inadvertently skewing employment relations literature. However, leftwing agitation alone cannot explain the prevalence of such groups. The rank and file networks are shaped by a dialectical interaction between human agency and structural factors.

Concentration on the more structural factors to explain the level and nature of strike action has been suggested by a number of scholars (Daniels & McIlroy 2009; McIlroy 2009, Fairbrother 2000,2003). While the groups would not exist without the activists involved, the repeated incidence of such groups in construction compared to other sectors, suggests that such networks are heavily influenced by the industrial relations landscape within which they operate. Such structural factors as the nature of the labour process, the restrictive legal framework, employer hostility and official union strategies are all influential.

If union hierarchies that endorse the partnership approach or become incorporated into the employers' HR apparatus represent the pessimistic limitations of trade unions as a bureaucracy; then grassroots rank and file networks are symptomatic of the labour movement's optimistic potential (Anderson 1967; Hyman 1971; Cohen 2006; Darlington 2014). It is unsurprising therefore that when reflecting on rank and file movements, academics have frequently viewed their existence as a response to the perceived ineffectiveness of the official unions. Allen (1966:115) suggests that a high level of unofficial industrial action linked to militant trade unionism indicates a defect in formal union activity, arguing that:

"It is an indictment of unions… Unofficial action is informal trade unionism, occurring when formal unions are incapable of fulfilling their functions satisfactorily"

Hyman argues that unofficial strikes are a safeguard for democracy within trade unions, because even those union leaders who consider themselves statesmanlike and generally opposed to industrial action are obliged to articulate the demands of their rank and file members. In relation to rank and file led unofficial action, Hyman (1972:51) argues that,

"Only those that see the proper status of trade unions as the junior partners in the application of managerial discipline can view this as an unhealthy development"

Even archetypal pluralist researchers such as Clegg, acknowledge that unofficial strikes in which workers "follow their unofficial leaders in defiance of their union, by striking for what the unions will not demand or against what the unions will accept" help to restrict the more bureaucratic centralised aspects of trade unionism (Clegg 1970:107). Yet while Callinicos (1982) recognises the potential for rank and file movements to play a significant role both inside the workplace and the unions, he argues that attempting to build this form of worker organisation is a wasted effort during periods of downturn in the class struggle.

While rank and file opposition to union bureaucracy takes many forms, Ness (2014) and Hinton (1977) have identified formations that mirror the nature of such groups in UK construction. Ness (2014) identifies 'council communism', or 'parallel unions' as one of many various 'new forms of worker organisation' that are operating around the globe in the age of austerity. Parallel unions exist as class conscious groupings within, and alongside existing unions, leading direct struggle in opposition to capital in the US, Europe, South Africa, India and China when the official unions fail to lead the fightback. While it may be worth questioning whether there is anything particularly 'new' about these formations, the parallel union examples cited by Ness are all rooted in direct action, worker mobilisation, often in opposition to union hierarchy and to a significant extent correspond to the bottom up approach of the rank and file groups led by activists in this thesis.

Hinton's (1977) study of the shop stewards movement during and after the first world war, identifies a theory of independent rank and file trade unionism, in which activists who remain members of the traditional unions, set up co-existing unofficial structures to organise the

fight against the employers. Rather than expending limited resources and energy fighting their own union officials, the syndicalist shop stewards movement by-passed them by creating alternate workshop centred structures capable of calling industrial in their own name (Hinton 1977; Darlington 1998).

> "the rank and file movement coordinated and led militancy… [through] committees capable of initiating and carrying through strike action independently of the trade union officials. It is this independence that primarily defines the rank and file movement" (Hinton 1977:116)

Definition

Unofficial action is by no means unique to construction, and widespread solidarity action coordinated by workplace reps rather than officially by the Communication Workers Union has also been a hallmark of militancy in Royal Mail (Gall 2003). However, what is uncommon outside of construction, are rank and file networks capable of calling industrial action in their own name across multiple employers and multiple workplaces. Tactical flexibility and the ability to respond speedily outside the formal industrial relations procedures was another hallmark of all the groups studied. This thesis identifies four criteria that are observable in the rank and file groups that periodically appear in construction. They are:

1. organised outside of the formal union structures,

2. led by lay activists rather than paid union officials,

3. successful in organising industrial action in their own name, independently of the unions,

4. not the sole preserve of one political faction or party.

In addition to the four criteria defined above, some rank and file groups were extremely active in internal union politics. However, as this thesis focuses on mobilisation of workers on building sites and explaining the process by which collective action takes place, in-depth discussion of the internal union politics aspect of some of rank and file groups falls outside its ambit. Therefore, various Broad Left style groupings and political factions that act primarily as election machines, or campaigns such as the *Blacklist Support Group* and *Construction Safety Campaign* with a broader political agenda are not the main concern of this chapter.

While various rank and file groups within construction fulfil the four criteria above, this thesis concentrated on investigating the; *Building Worker Group* (BWG) which led significant disputes during the 1980s, *Joint Sites Committee* (JSC) which operated in London from 1991 until 2004 (this was a reincarnation of a similar committee from the 1970s), the *Inner London Shop Stewards Committee* that led action by steel erectors, the *Construction Rank and File* originally set up by electricians at the start of the 2011 BESNA dispute and was subsequently involved in various disputes across the UK including on Crossrail, and the *Teesside Construction Activists* organising in the North East since 2013.[72]

This chapter argues that these rank and file networks that play a significant role in construction overlap substantially with the phenomena identified by Ness and Hinton. To a certain extent, they are a construction industry version of the combine committee structure that brought together shop stewards and convenors from different workplaces that emerged with the shop-stewards movement around the first world war (Hinton 1977; Darlington 2008) and flourished again throughout the 1960s and 1970s (Thornett 1987; Hyman 1975; 2001; McIlroy et al. 2007; Lyddon 2007). However, while there are similarities, there are also significant differences, the most important being the level of union organisation between the two phenomena. In most circumstances, the 1970s versions brought together union representatives delegated from heavily unionised workplaces such as the docks or car manufacturing (Thornett 1987; Lyddon 1977, 2007; Darlington & Lyddon 2001).

Given construction's transient nature, rank and file groups have always tended to be more self-selecting. The explosion of self-employment and decline in the number of unionised sites since the mid 1980s has meant that attendees were activists but very often not shop-stewards. The differing circumstances were identified by Bricklayer E, who participated in the *Joint Sites Committee in* the 1970s and then again during its re-emergence in the 1990s, he reminisces on how he viewed the differences between the two incarnations:

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[72] Two organisations are absent from this chapter. The *Offshore Industry Liaison Committee* (OILC) that coordinated occupations of oil rigs in the North Sea after the Piper Alpha disaster, now a section of the RMT and the Electrical Plumbing Industries Union (EPIU), which split from EETPU and later merged into TGWU and now UNITE. The decision to omit both is due to both organisations transforming into official union bodies, even if they initially displayed almost all of the traits of the other rank and file groups documented. Further research into the role played by both OILC and EPIU in mobilising workers can only enhance understanding of the phenomena.

"I remember the Joint Sites from when there were big organised jobs in the mid to late 70s. In the 90s, I was sceptical of its possibilities because I thought it couldn't reincarnate itself from what it was before with jobs like the Barbican and Horseferry Road: jobs of legend. So I looked upon it very differently. Main difference between the 70s and the 90s was the complete removal of the union from building sites. Complete saturation of 'self-employment' and sub-contractors. I didn't rate the possibilities of winning or organising jobs very highly. I was taking part to keep open my possibilities rather than seeing the possibilities. I didn't see the possibility of picketing any job out. I couldn't see us doing that".

The initial honest scepticism voiced above was to be overcome by events, as the 1990s reboot repeatedly mobilised self-employed workers in successful disputes (Summers 1992; McNeill 1992; Contract Journal 1996, 1997). However, while the industry context meant the JSC (and all other goups of this period) was different in terms of its make-up, its methods of working and strategic approach remained essentially the same as those adopted in the period of more direct employment.

Why so prevalent?

A number of the activists put forward explanations as to why rank and file groups were so common in UK construction, with recurring themes; blacklisting, the casualised nature of work, lack of employment rights and the perceived lack of fight by the official unions. Electrician 33, a young union activist in London since 2014 identified more than one of these factors, but his starting point was the ever-present threat of victimisation:

"The building industry has more rank and file groups because you're only a rep for three minutes and then you're sacked. It's a means of protection, we gather together and support each other because its sharing the knowledge and the manpower. If there is a picket or a protest, the other activists will turn up and share the work. Its strength in numbers. The union are like a rusty old car without a crank start, the *Rank and File* reacts very quickly, over a matter of hours and we aren't getting wrapped up with what we can or can't do according to the law… If we leave it to the 'union', their strength is in balloting. I don't think I have ever known it to take place in the construction industry. All our action is unofficial, so the union cannot officially

endorse it because it will open themselves up to litigation. We are the shock troops. We go in and do the things the union can't do, or won't do".

Activists viewed the unofficial networks as fulfilling a role that the official union was incapable of, either because of disinclination or wariness due to legal restrictions. The transitory nature of the construction industry was also identified as one of the reasons why rank and file networks were more significant than union structures. Bricklayer C was a UCATT branch secretary during the 1990s and reflects on their shortcomings as a vehicle for mobilising workers:

"The union branches were moribund, dead shells. My branch for instance was me, a few old pensioners and all I did was process accident claims for people. But the membership was on paper – no active membership. Most union branches [in other sectors] are based on one workplace and you get to know everyone. But on a building site, you're on one job for a month, then another job for 3 months with a continuously changing group of people. So in my case, I knew loads of brickies but only a few of them were union and even if they were activists they'd be dotted around lots of different branches. So as a structure, the union didn't work".

The above description of the numbers attending union branches is corroborated by the Agenda published at every UCATT conference, in which the number of branch members voting for and against a motion submitted to conference is recorded. Throughout the 1990s and 2000s, rarely would any branch record double figures.

By contrast an ability to quickly mobilise solidarity in support of industrial action was seen as one of the key roles played by rank and file networks. Electrician 32 explained how the support from the rank and file groups was often more important than that provided by the official unions:

"The rank and file act as a catalyst and give strength to those who want to make a change in construction. They are a major element in trade union activity in building, more than the official unions themselves. The officials and the bureaucracies of the

unions are there to administrate the organisation and lead negotiations. But I see the rank and file as the real face of the union".

Several activists described the role of the rank and file groups they participated in as a 'catalyst' or an 'accelerator', bodies able to deliver strength in numbers that altered the balance of forces in a dispute. However, the leading activists were always union members who overwhelmingly saw the rank and file groups as an adjunct rather than as a breakaway from the official unions. Bricklayer H viewed his involvement with the JSC in the 1990s thus:

"It's not there to replace the union. It's there as an auxiliary as it were. There are certain things we can do that the union can't do. We can break the law, they can't. We can't get sequestrated, they can. So if there's a bit of bother somewhere and you've got to do something that's termed illegal: secondary picketing or virtually any picketing nowadays, putting out black propaganda, we can do it. Obviously the union won't touch that with a barge pole. That's where we come in very handy." [73]

Activists understood the restrictions posed by anti-union laws, but rather than expend energy on internal union politics in order to push their own union to adopt a more militant stance, they created their own unofficial networks through which to fight the employers. This outlook was echoed by numerous interviewees who repeatedly explained that the various rank and file groups were not opposed to the unions but were a mechanism for activists wanting to organise action that the union wasn't prepared to. The attitudes of the activists coincide with Hinton's (1977) theory of rank and file trade unionism practiced by early British syndicalists and expressed succinctly by J.T. Murphy, the leader of the syndicalist shop stewards movement:

"We did not conduct the fight against the officials, but ignored them and fought the employing class directly".[74]

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[73] Quoted in Builders Crack: The Movie
[74] Quoted in Hinton (1977:113)

For bodies organising industrial action, often involving multiple employers across multiple projects, the almost complete lack of direct involvement by paid employees of a union is immediately noticeable. The lay activists' attitude towards their officials has already been explained in Chapter 6 and can be best described as a grudging acceptance that due to their role within the union hierarchy, officers would be of limited practical use in mobilising workers (although some activists were considerably more hostile). To an extent, the unofficial networks are a militant bottom up response to the more top down business-friendly strategies adopted by construction unions.

Unsurprisingly, union officials related to the rank and file groups in a variety of ways. One response by the more 'moderate' union officials was to view them with suspicion and actively seek to derail their attempts at organising action. However, other union officials viewed the rank and file groups differently, recognising the ability of the informal networks to circumvent the restrictions imposed by the anti-union laws. As some officials had come from a rank and file activist tradition themselves, they joined unofficial pickets and negotiated with employers on their behalf. Occasionally, the rank and file groups were even tipped off by union officers about potential disputes, an example of the official and unofficial arms of the movement working together. This observation would lend weight to the argument that differing political outlooks of union officials can result in different responses to industrial action, irrespective of what the official position of the union may be (Hyman 1979; Kelly & Heery 1994; Dromey & Taylor 2015).

Linked to industrial action

Construction has always been an itinerant industry, and as has been identified above, rank and file groups have been a common feature of the sector long before the structural changes to the UK economy and employment laws in the 1980s. The primary purpose of all the rank and file organisations studied was as a support network for lay activists involved in collective mobilisation. Numerous interviewees explained how rank and file groups were intrinsically linked to industrial action. In many cases, the ad-hoc networks were deliberately formed in order to lead a strike, this coincides with Cohen's (2006) observation that workers' economic struggles appear to give birth to the same forms of organisation time and again.

For example, rank and file ad-hoc committees of steel erectors have led significant industrial action twice during the period under investigation. In the late 1980s, the *Inner London Shop Stewards Committee* coordinated a six-week dispute that led to a significant pay rise, a £1 an hour London bonus within the M25. During the recession of the mid 1990s, the employers withdrew the London weighting payment, but when the building boom returned in 1998 steel erectors working on the Millennium Dome organised a renewed wave of industrial action that resulted in the bonus payment being reinstated. Steelworker A remembers how a small group of activists built a mini-committee to lead the dispute:

> "We did it ourselves. There was the Opera House guys doing the structural steel, another job in Farringdon, a job in Blackfriars. About five jobs with the big major companies on at the time in central London, probably talking 2-300 men. Being a close fraternity, we all knew one another, steel erectors all across the country, your name gets round quickly. I rang a couple of the stewards on the other jobs, they all knew what the issue was and they said 'we totally agree'. We had mass meetings in the cabin".

Steelworker A went on to explain that the activists coordinating the action were fully aware that they were acting outside of the formal negotiating structures:

> "Obviously, it wouldn't be official because they wouldn't recognise it, it was totally against the principle of procedures we had to adopt. But this was the only way that we could vent our feelings. We'd wrote letters but nothing. We met in Conway Hall and discussed what we should do next. Everyone came out across London… it was fully supported. We got 200 in Conway Hall. Obviously, repudiation letters go flying around and that frightens a few people, repudiation from your own union. But many times I've had that down the road. It didn't deter us."

In the same period as the steel erectors pay dispute, electricians were involved in nationwide unofficial industrial action over the planned introduction of a new semi-skilled electrical grade of 'Skilled Mechanical Assembler' (SMA). The electricians saw the SMA grade as an attempt to deskill the trade because of the cyclical skills shortage and responded with a series of one-day strikes and demonstrations outside Downing Street and the JIB headquarters in

Kent. Electrician M was a steward on the Jubilee Line, where 400 workers downed tools during a national unofficial strike in 1999:

> "Another 3-4,000 in London came out with us. We took out the whole of Sellafield, Methylls in Scotland: a total day of action that the AEEU had never seen before. This was just solidarity, stewards talking to each other, sticking together" [75]

More than just a strike committee

While all of the rank and file groups were intimately linked to industrial action, their purpose often extended far beyond that of a strike committee. Many of the groups were established in response to a collective workplace grievance, pre-empting industrial action or else continued in existence after any initial dispute was concluded. The rank and file networks commonly played the role of an informal but semi-permanent support group, holding rough and ready meetings that any construction workers in struggle could attend. Interviewees described meetings held in pubs where attendees would simply go around the room explaining what the issues were on their site. If a building site was paying particularly good money or was unionised, telephone numbers would be swapped, if someone was in dispute, those in attendance would be encouraged to turn up and show solidarity.

This function was mentioned repeatedly, as Bricklayer D explained when recalling his involvement with the Building Worker Group in the 1980s:

> "What we really did was allowed activists to get together to talk to the lads. Say you'd have 30 people in the room and they'd be on 10 different building sites, complaining about this that or the other. You'd support them if there was ever a dispute and they'd come and support you. That's what *Building Worker* was all about".

This description of solidarity in action from the early 1980s is echoed by the experience of Bricklayer C when he attended JSC meetings in the 1990s:

> "The whole thing was based on things that were happening: people getting their wages cut, people getting knocked or victimised. The whole point of the JSC was to

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[75] Quoted in *Builders Crack: The Movie*

create a rapid reaction and not wait for the slow bureaucracy of the union to do something about it. Started monthly, then weekly if stuff was happening, if nothing was happening less. Conway Hall, pub in Euston or White City wherever there was action. Only real agenda item was site reports; this site is paying rubbish, can anyone go down there during the day?"

First and foremost, the rank and file groups are 'industrial' rather than 'political' forms of organisation, despite the activists being overwhelmingly left wing in their political outlook, most stated that politics was rarely explicitly mentioned at most meetings.

In addition to being the vehicle through which unofficial industrial action is organised, those rank and file groups that continued for a number of years held regular meetings, elected a steering committee and published their own literature. Even when some form of ad-hoc committee had been elected, there was rarely any kind of subscription fees or formal membership list (other than a signing in sheet), meetings were often open to any construction worker to attend. Election to the rank and file committee did not bestow upon the position holder any kind of payment or elevated status, instead it usually just meant that those individuals were willing to carry out some of the tasks required to keep any form of network operating, such as booking rooms or mailing out flyers. If people wanted to become more active, they were often simply co-opted onto the committee. But as decisions were still taken at meetings, in many cases being a member of the committee was effectively symbolic and came with some additional administrative workload attached.

It was common for the rank and file groups to actively encourage activists in other regions to set up their own versions of the same campaign, which operated semi-independently. *Construction Rank and File* and *Blacklist Support Group* both operate in this fashion, with publicity, press releases and direct action organised on a local basis, without requiring authorisation or permission from any central committee. Activists cooperated on a non-hierarchical basis based upon a shared commitment to mobilising workers into action around either specific demands or to advance a dispute. Those coordinating the rank and file networks, would invariably be the same individuals who were activists on building sites involved in the action.

Propaganda

As well as acting as mutual solidarity networks, rank and file bodies were also a mechanism to distribute propaganda amongst building workers, and every group that lasted longer than one dispute had its own paper. Printing was carried out by supportive political organisations or occasionally in union offices with the support of sympathetic officials. Regardless of the group, distribution followed a similar pattern, activists took the journals back for their own building sites or they were sent out to supporters and union branches. Size of readership varied, one interviewee claimed that *Contact*, aimed at electricians in the 1980s published 6000 copies in some editions; while *Building Worker* had a maximum print run of 2000 (Callinicos 1982:22). Between 1996 and 2003, the JSC brought out twenty editions of their journal *Builders Crack* with a maximum print run of 5000 and distributed almost exclusively on building sites in London[76]..

Bricklayer C described the thought process behind *Builders Crack*:

> "Up til that point there had been different rank and file magazines that were distributed at union meetings or in DLOs where we were still organised, limited circulation and the only people who knew about it was the activists. It was all a bit too serious. What we produced was aimed at lads who were not in the union as well as lads who were, and written in ordinary language. We didn't want to have things about Rules Revision Conference; have you got your amendment to Part B in yet? That was fucking irrelevant. It was the time when *Loaded* first came out, so it was based along those lines and football fanzines definitely. The idea was that anyone who was a builder reading it would have a laugh but at the same time make political statements, but in the way ordinary people talk. It just went down a storm".

The deliberate use of humour as a part of union agitation has been identified by Taylor & Bain (2013) who describe the technique as a 'subterranean' method of undermining management's authority in a conscious attempt to foster a 'them and us' attitude amongst the workforce. While declaring an interest, the author boasts that *Builders' Crack* is an exemplar of this phenomenon.

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[76] Quoted in JSC AGM Report 1999

What is also noticeable in *Builders Crack* and also *Site Worker* produced by the Construction Rank & File from 2012 onwards (as a paper and online edition), is that none of the articles publish the names of the authors, they are either anonymous or use a false name, often a shared pseudonym. Anonymity is primarily a conscious attempt to avoid detection by blacklisting employers, however, it is also indicative of purpose; agitation amongst workers at site level rather than participation in internal union debates or union elections.

The covert union organising techniques developed by activists as a response to their expectation of victimisation, meant that on many workplaces copies of rank and file journals would mysteriously appear in the site canteen or changing room overnight. The lack of union organisation on most building sites, also meant that rank and file groups could not rely on sending literature to stewards on all the large projects, instead they had to make conscious efforts to ensure their publications were read by construction workers. Bricklayer C recalled how *Builders Crack* found its way onto major projects:

> "These days, with social media you just press a button. But in those days we physically had to go out and meet people. In some ways I think that was better because you got feedback and get conversations going. So we'd agree to meet up outside the biggest sites and hit all the gates. Everybody would get a copy. Once we'd done that we'd go to other sites and do canteen meetings until dinnertime, maxing out the day to get the most out of it. Through that we'd get feedback from people, 'we're in this dispute, we've just won this'. People would turn up to meetings and it just kept on rolling".

As highlighted above, one of the key reasons for distributing literature was to allow activists to meet other like minded workers on building sites. This was described by multiple interviewees including Bricklayer H, who described how distribution of literature resulted in a strike over holiday pay by self-employed workers in the late 1990s:

> "We happened to meet some blokes when we were giving some stuff out. They came to the meeting the next night. I've ended up going to work with them, on this

particular site. Within three weeks the job was out on strike and we were the only site in London getting bank holiday pay"[77]

The practice of activists deliberately gaining employment on a particular site that had been identified as ripe for organising was referred to during a number of interviews and has been observed by the author during participant observation. Belman and Smith's (2009) study of construction unions in the US describe an identical bottom up strategy as 'salting', where an activist starts working for a non-union firm in an attempt to unionise it. During the interviews, examples of some form of salting approach were quoted by bricklayers, scaffolders, carpenters and electricians.

The casualised nature of employment contracts, where it is common for workers to be in and out of work on a regular basis, makes the tactic easier to apply in construction than in other sectors. Activists will periodically be between jobs anyway and therefore are not being asked to leave long term stable employment in order to take up a worse job to assist the union. To a certain extent, salting was merely an extension of the usual word of mouth processes for gaining employment, but used by networks of rank and file activists to identify sites where their agitation might fall on receptive ears. This is another example of how the character of the labour process has an impact upon the mode of organising. Whilst rank and file meetings were often the venue for discussions between activists about which projects to target in a 'salting' approach, in most cases such decisions were taken on an ad-hoc rather than a strategically organised basis. Yet, employed union officials are once again absent from these informal discussions, and conversely rank and file activists are missing from any strategic union planning that may have taken place.

Dahl Jenson dispute

This next section presents a case study of a rank and file group organising self-employed workers on a non-unionised building site taking collective action, which allows a number of debates within the literature to be evaluated. At least six of the interviewees in this research participated in the action, as did the doctoral candidate, plus additional triangulation was achieved by means of contemporaneous press coverage and reference to rank and file published material. In 1999, during construction of a PFI hospital in Waterloo, around one

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[77] Quoted in Builders Crack: The Movie

hundred workers for the Scandinavian heating and air-conditioning contractor Dahl Jenson were owed several weeks unpaid wages. Within the industry, this is universally known as being 'knocked'. After four days of private discussions with the company had failed to resolve the issue, affected workers contacted the Joint Sites Committee (JSC). Next morning at 6:30am around ten activists[78], including a delegation from the adjacent Jubilee Line site, arrived with leaflets.

The role of the JSC activists was decisive, although the unpaid workers were angry; for nearly a week their anger had been undirected. The JSC activists persuaded the handful of assembled Dhal Jenson workers to set up a picket line. Initially this was a case of linking arms across the entrance, forcing workers to stop and talk. In this capacity, the rank and file group was acting as an external agency, providing weight of numbers and much needed experience that enabled the affected workers to effectively picket a site in order to stop deliveries. The majority of the affected workers were from abroad; "the speeches from up on a pallet bricks had to be translated into French, Russian, Danish, Portuguese, Latvian and Kosovan"[79]. Appeals to non-affected workers not to enter the site were successful, by 8:30am the picket had swelled, and all deliveries were physically stopped from entering the site. Engineer C recalled the action:

> "We had a couple of hundred people on the picket line and they weren't like Socialist Workers, they were fucking heavy built building workers. We put barricades across [the road] and the police were asking our permission to come through!"

Only once the JSC picketline had brought the site to a standstill did UCATT officials open negotiations with the main contractor, the French multinational, Bouygues. The talks dragged on all day but at 4pm a delegation of pickets went into the talks, telling the negotiators to either agree a deal or another Bouygues site at London Bridge would be picketed the next day. Dhal Jenson had no contract on the other project but the threat of the action spreading worked: thirty minutes later a payout in excess of £100,000 was agreed. At

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[78] One of the 'activists' on the Dahl Jenson picket line was Mark Jenner, the SDS undercover police officer who had infiltrated UCATT. Every one of the rank and file activists on the picket line that day has a TCA blacklist file.

[79] Quoted in Builders Crack #15

the completion of the agreement, a number of Portuguese workers who had been sleeping rough after being evicted from their lodgings were given paid flights home. In order to receive their unpaid wages, the knocked workers signed up to join UCATT, who also elected stewards, including from amongst the Latvian carpenters. The dispute did not only result in previously non-unionised workers winning back the money they were owed; it was also one of many examples cited in interviews where union organisation was established on the building site by the unofficial industrial action led by external rank and file activists.

The Dahl Jenson dispute highlights a number of issues worthy of note and that relate to debates within the literature. First is the participation of non-union members and self-employed workers in the industrial action. Their decision to join the picketline was based upon their conviction that the proposed course of action would be effective. Collective mobilisation was frequently the event that led to workers joining the union. This finding adds weight to McAlevey's (2016) contention that some form of industrial dispute is often crucial in building union organisation.

In some disputes over unpaid wages, a contractor paid a lump sum into the union bank account to end a dispute, and workers joined the union purely in order to receive the money they were owed. For those workers who had lost their wages, participation in collective mobilisation and union membership was a means of resolving their workplace grievance. This finding appears to support Fosh's (1981) claim that for the majority of workers, their support for industrial action and unions in general is primarily instrumental.

The Dahl Jenson dispute also provides evidence in relation to the debate regarding the relative importance of structural factors compared to organisation and leadership in the mobilisation process. It could be persuasively argued that given workers had lost several weeks wages, it was this grievance that caused the dispute. It seems obvious that a picketline involving hundreds of workers would not have been set up without this underlying factor. However, for every dispute in which the rank and file groups mobilised workers, there were many more building sites where wages were unpaid, and no such action took place. While the structuralist interpretation may appear to explain why self-employed workers participate in industrial action over unpaid wages, it fails to account for all the other cases in virtually identical circumstances where they do not. The clear difference between the two situations is the presence, or absence, of leadership, provided by the rank and file groups. The evidence

suggests that mobilisation would not have occurred without both the underlying objective issue of unpaid wages *and* the subjective input from activists.

Construction Rank and File – BESNA and beyond

While many of the rank and file groups cited in this chapter may appear to be primarily of historical interest, the *Construction Rank and* File has played a central role in the employment relations of the sector since it was set up in 2011. In August that year, electricians met in London to discuss news that eight major electrical contractors were intending to break away from the JIB national agreement and unilaterally establish an alternative pay structure called the *Building Engineering Services National Agreement* (BESNA). It proposed that unqualified workers should be allowed to carry out the majority of work currently undertaken by electricians at an hourly rate of £10 per hour, the JIB rate for electricians being £16.25. Under BESNA, a qualified electrician would only be required to make the final connection at the electrical junction box or fuse board, which would have a major impact on jobs, wage rates and qualification requirement for the workforce. The attempt at deskilling the electrical contracting sector was a virtual rerun of the SMA dispute of 1999. Six of the eight firms were subscribers to The Consulting Association blacklist; Balfour Beatty being the largest and driving force behind the employers' strategy.

The initial meeting in Conway Hall had been arranged via text-messages sent around by a small group of blacklisted activists who had previously worked on sites such as the Jubilee Line Extension, Pfizers and Heathrow Terminal 5. Originally the meeting was arranged for a room above a pub near Kings Cross station but when it became clear that there was considerable interest the main hall in Conway Hall was booked: 500 turned up. The electricians voted unanimously to launch a fightback against the BESNA proposals. A national *Construction Rank and File* committee was elected with the task of coordinating action across the UK; five of the seven committee members had TCA blacklist files.

The next Wednesday, UNITE organised a national stewards forum to consult about how to respond to the BESNA proposals, the meeting was made up of around twenty invitees from around the country, overwhelmingly appointed convenors. Despite not being invited two blacklisted activists elected at the rank and file meeting attended. Electrician X remembered what happened on the day:

"Me and [Electrician U] gate crashed the meeting at the UNITE offices in Leeds. We weren't meant to be there and it was made quite clear that we were not even meant to be in the room. 'What the hell are you doing here? Who the fuck are the rank and file? They haven't got any say in what goes on in this union'. It was quite threatening but eventually they agreed. UNITE didn't think they had the forces to take on the companies. We were outvoted but the rest of them said they would postpone the fight for 4-5 months to see how the land lies. I got back down in time for the London branch meeting: there were 300 people there. We held the meeting out in the street, pissing down with rain. There was a lot of anger and they basically decided that we would start the first protest outside Blackfriars station because of Balfour Beatty. The union was lagging behind but the rank and file just thought we needed to fight it."

Irrespective of the official union position, the following Wednesday hundreds of electricians turned up at Blackfriars station at 6am. This was to be the first action in seven months of unofficial industrial militancy. The rank and file industrial militancy mixed with music and fireworks attracted a new layer of younger activists to union activity. These younger activists made the dispute go viral with much of the unofficial action being videoed and uploaded within minutes of it taking place. The younger activists were co-opted onto regional rank and file committees, mobilising support through a Facebook group, which within weeks had 2000 members and a blog called *Electricians Against the World,* that according to its writer, Electrician E was receiving 800 hits a day. Meanwhile the older activists continued to organise via text-messages and by the publication of a new rank and file paper called *Site Worker*.

In response to the repeated rank and file mobilisations, a UNITE national officer circulated an email to senior officials of the union condemning the newly formed *Construction Rank and File* as a "small fringe group", "cancerous" and a "poisonous campaign".[80] Unsurprisingly, the email caused considerable anger amongst the UNITE activist layer. However, within weeks the union leadership had started attending the rank and file weekly mobilisations with Gail Cartmail, the UNITE Assistant General Secretary being present at Farringdon station when around 150 angry electricians occupied the site. The incident led to an escalation of the protests into direct action, including walkouts at major infrastructure

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[80] Email sent 15 September 2011 to 26 senior UNITE officials

projects, mass road blockades and occupations of company headquarters and building sites, fuelled to a large extent by YouTube videos. The national official who sent the offending email was forced to apologise, as the UNITE leadership tried to catch up with the rank and file body which was mobilising tens of thousands of workers across the country on a weekly basis. Millington (2012) opaquely noted, "tensions within the Unite leadership over how to beat the construction industry employers".

After weeks of unofficial action, the UNITE Organising Department came on board with the dispute, producing a leverage strategy to target the eight contractors. Far from distancing themselves from the official union intervention, activists welcomed the leverage campaign with open arms, taking advantage of the union's detailed research to identify potential targets throughout the remainder of the dispute. While there is a danger that leverage campaigns led by union professionals that only involve limited number of existing activists can become little more than publicity stunts (McAlevey 2016; Ness 2014; Holgate et al. 2018), the ability of the *Construction Rank and File* to repeatedly mobilise rank and file workers resulted in a wave of mass direct action UK wide. This memorably included the occupation of BBC Scotland in January 2011, a mass blockade of Park Lane on the night of the national Building Awards and a national day of action in November involving thousands.

Unite saw their membership in construction soar and the union came under pressure to ballot their members directly employed by Balfour Beatty. Despite winning the ballot, the company sought and won a High Court injunction declaring the strike unlawful. The rank and file simply ignored the injunction and on 7th December another unofficial national strike saw walkouts in London, Cardiff, Glasgow, Newcastle, Manchester and major infrastructure projects including power stations and Grangemouth oil refinery. Electrician Y was working on a Balfour Beatty site in Manchester and persuaded fellow electricians to walk off site,

> "All the workers on the site were employed by an agency. That was probably about 30 or 40. Less than 50% were in the union".

The author consciously checked whether this experience was indicative of those participating in the BESNA dispute. From the interviews and a group email sent to over 40 electricians who played leading roles in the dispute, it appears that the vast majority of the workers

attending the early morning rank and file picket lines were working on some form of casualised employment contract at the time.

The unofficial action and mass civil disobedience lasted seven months until in February 2012 it was announced that all the companies, "who instigated the development of the BESNA have now withdrawn from the initiative".[81] BESNA was one of the most significant industrial victories for UNITE in the era of austerity, but it was led by the *Construction Rank and File*. The official and unofficial wings of the union movement worked together to achieve an impressive success, which coincides those who argue that rank and file pressure from below can move official unions into taking action (Hyman 1975; Dromey & Taylor 2015, Smith & Chamberlain 2016; Darlington & Upchurch 2012). The ability of the rank and file to both mobilise the predominantly self-employed workforce and circumvent the anti-union laws was a key factor in the victory. However, the *Construction Rank and File* was not merely acting as a front organisation for the union. This was explained by Electrician 40, who using phraseology similar to that of the *Clydeside Workers Committee*, identified what he considered to be biggest lesson of the historic dispute:

> "You should always work with your union, for as long as they do what you want them to do. If you ask then to do something and they don't do it, then you should start acting independently of them and organise amongst yourselves. The working class is the biggest force for social change and when we stand together and fight together we can beat anyone".[82]

Whilst the organisational leadership provided by the *Construction Rank and File* is apparent, the activists' political ideology is also of note. Millington (2012) argues that central to the BESNA dispute was "independent organisation" led by "a determined group of activists" with "political will". This political aspect is particularly important in a sector such as construction where it has been noted that migrant labour has often been accused of driving down wage rates (Barnard 2009). How the activists' political ideology steered the dispute away from that direction is observable from a speech made during an early morning blockade of Oxford Street: "this dispute is not against Polish workers, it's not against Portuguese

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[81] Statement from Blane Judd, BESNA Chief Executive 24th February 2012

[82] Quoted in Millington (2012) Union News Video: *The Sparks*

workers, it's against multinational building companies"[83] The political element of the rank and file leadership was commented on by Basketter (2012) at the time:

> "The importance of political militants at the heart of the campaign can't be underestimated. For instance, it meant the campaign has been consciously anti-racist from day one"

The leadership provided by militants with overtly left-wing politics in the BESNA dispute adds weight to Darlington's (2002, 2018) observations about the key role and extended influence that even a small group of political activists can have on worker mobilisation.

The doctoral candidate searched for the BESNA dispute on the UWE Library website but was unable to find a single academic article on construction's largest and most significant industrial action of the past decade. BESNA was also barely mentioned in the mainstream media. In contrast, the dispute received almost blanket coverage in the trade papers (Construction News 2011, 2012) and labour movement press including extensive online coverage (Basketter 2012; Reel News 2011, 2012; Millington 2012a, 2012b). One such online video (Millington 2012) was produced by the *Union News* website, in which the *Morning Star* industrial reporter John Millington interviewed the employment relations academic Melanie Simms about the dispute. Simms argues that BESNA,

> "has shown that it is perfectly possible not just to organise these very precarious workers, but mobilise them and achieve something and challenge some of the law… Unions have obviously been chasing that agenda and find it very challenging and we are only just starting to see the opportunities that there are in some sectors to organise across workplaces".

This thesis wholeheartedly agrees with Simms observation above that this form of union organising shows that it is possible to organise casualised workers across multiple workplaces, however, it questions the implication that this form of industrial militancy is in some way particularly new. Instead, this chapter has shown that BESNA is following in a long tradition of industrial militancy amongst precarious construction workers led by rank

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[83] YouTube: Electricians block Oxford Street London and protest FRFI News – 5th October 2011

and file groups. Most of the leading figures at the start of the dispute had participated in this model of union organising for most of their working lives.

Following BESNA, the *Construction Rank and File* continues to play a significant role in the sector, holding quarterly meetings and expanding its scope to include other trades such as carpenters and bricklayers, previously part of UCATT. The rank and file group has played a significant role during waves of industrial action on the Crossrail project but also numerous victimisation and blacklisting disputes in Scotland, Wales and Liverpool. In 2016, four *Rank and File* candidates were elected as the UNITE EC members for construction. While mobilising solidarity action is still an important aspect of the purpose of the *Construction Rank and File* network, its trajectory suggest that it has also transformed itself into an organisation equally concerned with the internal politics of UNITE the union. Its future role is uncertain, but the evidence in this chapter suggests that some form of rank and file movement adopting similar tactics is likely to appear whenever construction workers mobilise again at some point in the future.

What do rank and file groups in construction represent?

The tradition of rank and file networks is a product of underlying structural factors particular to the UK construction industry. Yet as the class struggle declines, so does the need for solidarity action. Rank and file groupings may only appear for a short period of time and dissipate, but re-emerge every few years, under a slightly different guise. Their stubborn refusal to leave the sector suggests that the formal industrial relations mechanisms, even viewed from a pluralist perspective, are not adequate to deal with grievances of the industry's workforce. This failure is in part due to casualisation, lack of employment rights and the antagonism of employers highlighted in previous chapters. Yet, activists also continually counterpoised the dynamic role of their networks to the more cumbersome formal structures of their own unions, that were constrained by the anti-union laws. Electrician I posed the question, "If you've got a rank and file organisation within your structure, what's wrong with the structure?" As Allen (1966) suggests, in one respect, the rank and file networks are an indictment, highlighting how the official unions have failed to mobilise construction workers over many decades.

Evidence presented above indicates how informal networks outside of the official structures have successfully mobilised construction workers throughout the thirty years under

investigation. The groups flared up during periods of upturn in industrial militancy, but were often swimming against the tide of the wider class struggle. While often starting off with a small nucleus of activists, when reaching a certain number, a quantitative to qualitative change occurs and a rank and file group's impact becomes significantly greater than the sum of its parts. By mobilising activists from other building sites, rank and file groups are providing resource mobilisation (Klandermans 1997), which even if external to a particular workplace, assists in creating a critical mass for effective picketing. On a larger scale across multiple workplaces interviewees describe a process whereby a nucleus of activists persuaded fellow workers to commit to collective action and offer some protection from potential victimisation.

Far from being minor fringe groupings; the rank and file networks played, and periodically continue to play, a significant role in industrial disputes within the sector. Using techniques similar to those employed by social movement campaigners, rank and file activists often gave both union members and non-unionised workers the confidence to take collective action. In many cases, the collective mobilisation led by the rank and file groups was the undoubted catalyst for unionisation and the establishment of collective bargaining on a building site. Decisions regarding industrial action were made by show of hand votes in canteens, outside the site gates or in pubs, with little formal input from the full-time union officials except at the later stages of action when agreements are being negotiated. The evidence stands completely at odds with Simms et al.'s (2013) suggestion that there is virtually no evidence of organic organising led by grassroots activists in the UK and that organisers employed by unions are the movement's central actors.

Much of the unofficial action examined in this chapter was repudiated by the construction unions and could no doubt be described as 'wildcat' strikes but the evidence above makes it clear that the disputes required a high level of organisation. Structural factors such as the change in the macro economic cycle and legal constraints on industrial action may have set the scene, but the strikes would not have occurred without conscious organisation. In terms of mobilisation theory, whether the organisation was provided by the official unions or informal transient networks of groups of activists is of secondary importance. The evidence reinforces the assertions of Kelly and Darlington that some form of organisation is an absolute prerequisite for collective mobilisation, and tends to refute the claims of Atzeni of supposedly spontaneous action.

Electrician 30 tackled the issue of spontaneity head on, but went further by suggesting that within construction at least, some form of political motivation amongst those providing the organisation was important too:

> "I would think that there's no such thing as spontaneity. There can be spontaneous actions but they're usually somebody somewhere has said 'fuck it, we're not having this, or I'm going to organise that'. The idea that just some magical thing happens, it's very rare that that happens: it's a myth. It needed hard arguments, it needed organisation, it needed those people who were fighting to get militant action, to organise themselves. I think there is a subjective factor. I think if there is somebody who's generally knows something about trade unions, shares that philosophy or is a socialist or left wing or whatever, there is a better chance at the end of the day that that workplace will rebel against the prevailing conditions".

The opinion voiced above and numerous other examples cited throughout this thesis reflect Darlington's and Ness' suggestions that left-wing political leadership has a significant role in explaining the process of workers' collective mobilisation.

The rank and file groups act as informal networks for both practical solidarity and a broadly left-wing pedagogy. Batstone et al. (1978) describe how a long-term union presence in factories provides an environment where leader stewards promulgate the union ethos to other activists and workers. In construction, it is the rank and file networks that act as both a repository and vehicle through which the legacy of struggle is passed on from one generation to the next. This is particularly important in a casualised sector without static union structures, especially during periods when strike levels are reduced when opportunities for disseminating knowledge is limited. Electrician X explained: "Things die off but deep down there are going to be people involved and you just have to keep at it". If preserving the collective memory of past industrial militancy amongst activists increases the likelihood of future worker mobilisation, this would appear to question Callinicos' (1982, 1995) assertions that it is not worthwhile to attempt to build rank and file movements during downturns in the class struggle.

Chapter 10 – Drawing conclusions from an extreme case study

Six years have been spent researching the experiences of union activists in the UK construction industry. No claim is made that the activists studied are typical of union representatives in the rest of the economy, in many respects they are far from standard. They have worked on a self-employed basis or via employment agencies whilst carrying out their union activities. They have been victimised, dismissed and blacklisted as a consequence of their activism, with around 10% of them having been kept under surveillance by undercover police. All of them have participated in unofficial industrial action, led by rank and file networks operating outside of formal union structures, often involving occupations of site canteens, company offices or blockades of main roads.

Eight of the cohort had occupied a tower crane, which is likely to be unusual in any cohort of union activists anywhere in the world. Some are amongst the sector's leading industrial militants of the past two generations. While the activists are uncharacteristic, their collective experiences over a thirty year period act as what Flyvberg (2006) and Yin (1994) describe as a form of extreme or atypical case study, more likely to test debates and assumptions within the academic literature and amongst practioners. In particular allowing an evaluation of mobilisation theory and associated models of union organising including the conceptions of leadership and spontaneity.

The thesis reflects interviews with activists in their 80s and others in their 20s. In one sense, the thesis is partly historical and partly contemporary industrial relations research. However, despite sixty years difference in age range, the activists used strikingly similar language to describe their role and interactions with co-workers, unions and employers. Regardless of the decade in which the interviewees were active on building sites, their mode of activism, participation in unofficial strikes and involvement with rank and file groups is virtually indistinguishable. Such a longitudinal study of continuity is rare in industrial relations literature.

Although the experiences of the construction activists may be distinctive, changes in the labour market mean that their mode of activism should be of more general interest to scholars and union organisers. One obvious reason is because of the creep of precarious employment practices such as zero-hours contracts, bogus self-employment, umbrella companies and employment agencies across the economy. The inherently temporary nature of construction

means that activists' approach has developed in an environment where union organisation constantly needs to be rebuilt afresh. Given the trend towards increasing casualised insecure work, which Newsome et al. (2017), estimate at 3.2 million people across the entire UK economy, this research has potential implications outside of construction.

Given that for the majority of their working lives the interviewees in this research were not accredited union reps and often held no official position in the union, one obvious question is: what does a union activist even look like in the era of precarious employment? Some of the activists led the biggest industrial disputes in the industry over the past three decades. Yet many of them had only ever been an officially accredited shop steward or a safety rep on a handful of occasions, often only for a matter of months (or even weeks) during their entire working lives. One of the most prominent figures in the *Construction Rank and File* had been active for fifteen years before first being elected as a shop steward (he was sacked within a few weeks). While this approach might be unusual, it is not unique, the phenomenon mirrors the 'shadow shop-stewards' identified by Findlay and McKinlay (2003) in Scottish tech-industries but on a much larger extent and over many decades. At the very least, the covert methods and traditions of rank and file militancy merit inclusion in debates around the toolkit of union organising techniques (Nowak 2009; Simms et al. 2013).

What has been documented?

The thesis documents a previously unresearched model of rank and file union organising. In explaining how this mode of activism has been moulded by the sector's structural factors, combined with employers' and union agency, this thesis also offers a distinct input into academic debate. Perhaps its unique contribution to the academic literature is its examination of blacklisting, which offers the most comprehensive account of employers' counter-mobilisation in UK industrial relations scholarship.

This thesis has not just listed factors that influence union organising in construction. It has argued that the industry's notorious blacklisting operation should be conceptualised not simply as employer agency, but because of its longevity and systematic nature is part of the structure of construction's employment relations landscape. The thesis has explained how repeated victimisation by employers looms large in activists' collective consciousness and has shaped the distinct pattern of rank and file mobilisation so prevalent in the UK construction. While most employment relations studies into similar phenomena are based

primarily upon the testimony of workers, this means the motivations of employers are rarely recorded. This thesis has provided the employer perspective, which is another distinct contribution to the counter-mobilisation literature.

The thesis has shone a light on the dialectical interaction between structure and agency in collective action by 'self-employed' workers. It is in the areas of counter-mobilisation and the dialectical nature of the mobilisation process that this doctoral thesis has the potential to make a unique contribution to the literature on mobilisation theory. Consequently the findings feed into debates within mobilisation theory relating to notions of organisation, leadership and spontaneity and the elusive search for the rebirth of a rank and file union movement. The thesis also reflects on the contradictory tendencies of the partnership and organising approach to union renewal.

The nature of counter-mobilisation shapes union activism

A central theme of this thesis has been to document the two interrelated phenomena that have had a major impact on the nature of employment relations in UK construction. The anti-unionism of construction employers and the organising model adopted by union activists.

The extreme hostility of employers towards trade unions has resulted in a systematic form of blacklisting that was orchestrated by directors of multi-national building contractors. The employer's clandestine operations have been a constant since the 1960s, involving a constitution, quarterly meetings and protocols incorporated into HR systems. This extends far beyond mere employers' agency in opposition to specific threats of strike action; the industry wide counter-mobilisation is an endemic structural feature of the UK building industry. At the level of the building site, this anti-unionism results in activists being victimised, dismissed and in some cases assaulted by company thugs. When standard employment relations mechanisms such as grievance procedures are often non-existent, and legislation provides little if any statutory protection, the options available to those wishing to improve conditions for working people in the sector are severely constrained.

The result of employer hostility to union activity is that it understandably made the role of union steward unappealing. Amongst the activist layer, there is an expectation of victimisation. Their organic model of union organising is predicated on this well-founded misgiving. A sizable cohort of union activists in construction now operate a covert model of

union organising. Avoiding detection until such point as gaining enough support amongst the workers not only to address a particular grievance, but to give themselves some protection is an integral part of their psyche. The question of when and how to 'go public' by holding an on-site meeting that would almost always result in some kind of attempted victimisation, becomes a crucial tactical decision.

Given the impact on work prospects and family life, it is often only the most committed individuals, those sustained by an ideological framework, that continue their activism over prolonged periods. Like penguins during an Antarctic winter, they gravitate towards each other for mutual protection from the harsh environment. However, the temporary rank and file groups that periodically spring up in the sector are more than just mutual solidarity networks. They are vehicles for informal education, where iconic stories are retold, and organising tactics are repeatedly put into action. It is through these informal interactions, outside of the official union structures, that activists synthesise their experiences, and in so doing a shared activists' consciousness develops. Over time it has become a feature of their distinctive construction union sub-culture. The activists' consciousness is primarily a product of the construction industry environment they work within.

The dialectics of mobilisation

Blacklisting and covert union organising are not separate stand-alone phenomena, instead employers' counter-mobilisation and activists' mobilisation strategies are dialectically linked, one dynamically influencing the other. The more captains of industry driven by a right wing unitarist mindset utilise their considerable resources to expunge defiant trade unionism from their building sites, by means reminiscent of the 'fear stuff' and 'evil stuff' tactics employed by anti-union employers in the USA (Roy 1980); the more activism is driven underground and along unofficial lines. Workers prepared to speak out come into contact with left-wing ideas of other activists. This in turn is used by industrial relations officers in corporate HR departments to justify blacklisting. This is another example of dialectics in employment relations; the law of the interpenetration of opposites.

This thesis suggests that within the UK construction industry at least, employers' counter-mobilisation, instead of being viewed as a response to union organising, should be located at the very beginning of the process. When the extreme case study of blacklisting in construction is applied to mobilisation theory more generally, it is not so much a question of

where to place counter-mobilisation within the various 'stages' of mobilisation process, rather it is recognition that while mobilisation theory highlights certain pre-conditions for collective action, the process is by no means linear. Atzeni (2009) and Cohen (2014) both make entirely valid criticisms of the step-by-step approach in which mobilisation theory is often presented.

Collective worker mobilisation is a dialectical, often contradictory process with fluid interplay between structure and agency, between mobilisation and counter-mobilisation, between labour and capital. Every instance of collective mobilisation does not start from ground zero, requiring every stage to be rerun anew. The work process plus historical mobilisations may have already built a sense of collective consciousness amongst the workforce (Atzeni 2006; Beynon 1984; Batstone et al 1979; Moore, Wright & Taylor 2018) and led to long standing counter-mobilisation mechanisms being established by employers (Ewing 2009; Lubbers 2012; Smith & Chamberlain 2016).

This thesis contends that while the central assumptions and arguments of mobilisation theory are fundamentally valid, viewing mobilisation theory as a 'theory of stages' is wrong headed. This thesis suggests that a more explicit presentation of the dialectical nature of the mobilisation process allows a more rounded understanding of the phenomenon and provides nuance to mobilisation theory itself.

Gaps in the literature

Collective worker mobilisation is the frontline of the class struggle between labour and capital, and it is important to keep in mind that there are two sides involved in the conflict. The sentence above is not a mere aside. Academic knowledge is distorted when there is a lack of research into employers' malign and often deliberately hidden counter-mobilisation strategies. This is especially true when articles championing new HR developments or employee voice initiatives are widely published.

Blacklisting is counter-mobilisation writ large, and its recent documentation (Smith & Chamberlain 2016; Ewing 2009; Smith 2019; Chamberlain 2019) means that no employment relations scholar should be able to dispute its existence. Yet Workplace Employment Relations Survey (WERS) and the Labour Force Survey (LFS), the premier league of longitudinal quantitative employment relations research in the UK, have both been

completely silent on the phenomenon. How can that be? It is easy to imagine why those in authority might wish to keep their questionable activities hidden. Yet when statements made by HR representatives of large corporations are accepted at face value by researchers, this represents a failure of critical thinking. Equally, the lack of published research into the coercive role of the police and security services distorts the academic debate, allowing hegemonic assumptions about the supposed neutrality of the state in employment relations to go generally unchallenged.

Yet this thesis suggests that even radical employment relations scholars are guilty of understating the role of counter-mobilisation. While mobilisation theory provides a valuable theoretical framework by which to understand collective action, any researchers concentrating on union side agency to the exclusion of examining employers' strategies, are in danger of overlooking evidence crucial to understanding the phenomenon.

While Taylor and Moore's (2014) study of strikes on British Airways identifies an in-house security department, staffed by ex-police officers that used covert methods to keep union activists under surveillance, it is a rarity in employment relations literature. More typically, several blacklists that have been reported in the media or exposed by activists, such as the *National Staff Dismissals Register* in retail, *Not Require Back* (NRB) system in the North Sea and the *Subversion in Public Life* blacklist in the civil service (Landin 2017), have received scant if any scholarly interest. Similarly, multinationals have been exposed for deploying undercover corporate spies to infiltrate campaigns against asbestos (Cobain 2016) and disrupt various lawful environmental and human rights groups supported by unions (Evans & Jones 2017).

This thesis supports Lubbers (2012) assertion, that far from disappearing there has been an increase in corporations paying private companies to keep activists under surveillance; evidence suggests it is a thriving business opportunity, which is rarely the subject of academic investigation. The author has previously called for the research community to question its lack of investigation into the more malign aspects of employers' industrial relations strategies (Smith 2014). This thesis therefore addresses Marx's (1974), Kelly's (2018) and Gall's (2013) suggestion that more research into counter-mobilisation has the potential to provide greater insight into the process of workers' collective mobilisation.

In addition to the lack of academic interest in counter-mobilisation, the impact of ad-hoc rank and file networks on construction's industrial relations landscape has also been overlooked in the literature. With the exception of the role played by *Building Workers Charter* in the 1972 national builders strike, there has been scant investigation into the other rank and file groups. Even where research has been undertaken, it tends to have been by activists, published in the radical press or as rank and file pamphlets (Higgins 2000; O'Brien 2000, Socialist Appeal 2011; Smith & Chamberlain 2016). This relative lack of research into employer's counter-mobilisation and rank and file groups must have the effect of distorting the debate. Whatever the reason for the lack of academic interest in the particular subjects, it cannot be for lack of potential areas to study or the fact that the topic is already over researched.

Organisation or Spontaneity? Revisited

Another topic in the mobilisation theory literature where evidence from this thesis provides some insight, is in regards to the overlapping debates over the need, or otherwise, for workplace 'leaders' to provide some form of organisation, or whether collective action occurs spontaneously due to the exploitation workers face under capitalism. The vast majority of collective mobilisation events investigated throughout this research were cases of unofficial industrial action, neither sanctioned or pre-planned by the official union machinery. In some cases, those workers participating in the action were not even union members, with those who appear to guide the action often hidden from sight and holding no official union position in the workplace. When viewed from the outside, such instances of collective mobilisation may appear to have occurred 'spontaneously' without any pre-planning. This may appear to lend credence to those like Hyman (1975:187), who talk about "spontaneous strikes", or Atzeni's (2009) argument that mobilisation can take place without the need for any organisation or input from 'leaders'.

While unofficial rank and file action is often more explosive than official union disputes, to romanticise the phenomena by imagining that it appears out of thin air due to the inherent contradictions of the capitalist labour process is a fallacy. It fails to recognise the often years of patient undramatic preparation work carried out by shop-floor activists, who may hold no official union position but who are seen as "natural leaders" by their co-workers. This thesis refutes the claim of supposed spontaneity in its entirety, arguing that such an explanation misses the conscious under the radar efforts of activists or informal leaders in patiently

sowing the seeds of future collective action. While structural factors explain the pattern and forms of industrial action, specific occurrences are heavily dependent upon human agency.

The interviewees were unanimous in their insistence that all forms of industrial action required some degree of organisation. Whether the individuals providing this sometimes basic organisation are recognised union stewards or non-members, are classified as 'leaders', 'organic leaders' or 'rank and file', is of little consequence. The evidence strongly indicates that collective worker mobilisation is unlikely to *ever* take place without some degree of organisation and leadership at the level of the workplace; activist interventions documented in this study are the 'micro-mobilisations' described by McAdam (1988) and observed in various contexts by Fantasia (1988), Batstone et al. (1977,1978) and Taylor and Bain (2003).

Irrespective of whether or not the union was recognised on site, the data suggests that activists play a pivotal role not just in attempting to create a cohesive group amongst the workers but also in persuading them to participate in industrial action. Many activists clearly view themselves as more than merely articulating the issues that were raised by their co-workers, they consciously saw themselves as leaders. This finding generally corresponds with the core assumptions of mobilisation theory and those who highlight the centrality of a small number of workplace leaders in the mobilisation process (Kelly 1998; Darlington 2006, 2018; Moore 2004; Taylor & Bain 2003).

Agency or Structure? Revisited

Despite assigning a central role to activists, this thesis does not suggest that the activists were the cause of industrial action in the construction industry, the blame for that lies squarely with the action of the employers in trying to maximise profit at the expense of their workforce. Neither does the thesis suggest that the particular forms of worker mobilisation in the sector are driven by the ideological bent of the activists. Rather, it is the structural constraints, employers counter-mobilisation and the lack of standard employment relations procedures that has led to sporadic outbursts of unofficial industrial action.

Equally, this thesis suggests that any research evaluating union organising strategies, must first position them in their industrial context, taking account of structural factors that shape employment relations in that sector. This thesis has extensively referred to the structural factors that shape employment relations in construction. It would be impossible to understand

the mode or level of union organising in the sector without recognising the structural constraints. Warnings not to overlook the more structural and historical factors that influence the form and extent of industrial action have some weight (McIlroy 2009; McIlroy & Daniels 2009; Fairbrother 2003; Atzeni 2009; Cohen 2006).

However, while recognising that structural factors are a major influence, this thesis rejects Fairbrother's (2003) suggestion that mobilisation occurs due to structural factors *rather* than because of human agency. It is not a question of whether it is structure *or* agency that causes workers to participate in collective action. Either/or is a false dichotomy: both structure and agency are needed. Agitation without fruitful conditions falls on deaf ears. Equally, bad conditions alone do not result in industrial action; it takes human beings to plant the seeds of collective action in the fertile soil of discontent.

Political ideology

The thesis makes a contribution to mobilisation theory in identifying the ideological framework in which activists operate. This dimension to activist leadership is not political in the sense of adherence to a particular socialist programme, there were a range of views represented within the interview cohort, with most not being members of any political party. The interviews demonstrate an 'activist consciousness', which goes beyond abstract notions of fairness as identified by Moore (2011). It embodies a strong working class identity where generally anti-corporate and collectivist values are integral - a left-wing ideology. Activists viewed industrial skirmishes on building sites not just as disputes about pay or safety, but also as part of a larger struggle between labour and capital.

The activists' consciousness is primarily a product of their particular mode of class struggle rather than the cause of it. Yet, in a dialectical process, the more they participate in rank and file union activism, the more the activists' collective memory is shared and the greater its influence on union organising becomes. While not every activist will agree with every specific claim made in this thesis, the core elements of the activists' collective consciousness are accepted by the vast majority.

Activists are fully aware of the difficulties they face in terms of restrictive legislation, victimisation by employers and lack of concrete support from union officials. Yet rather than wallowing in pessimism or relying on union officials, lawyers or politicians to deliver

emancipatory change from above, activists display a *Do-It-Yourself* attitude and come together to fight the employers themselves. There is an essential optimism at the core of their organising approach, based on a belief in their ability to mobilise self-employed construction workers. For those activists who have been repeatedly victimised but still remain active, a left-wing ideology is an important aspect of their personal motivation. This finding adds weight to Darlington's thesis developed over a number of years that left-wing union activists, even when small in number, have a significant influence on industrial relations.

If, as evidence in this research suggests, there is an underlying political dimension to union activism in construction, with a broadly socialistic ideology sustaining victimised activists, it could be suggested that actively encouraging such a worldview would be beneficial for trade unions. It begs the question why elementary labour movement history and political theory does not form a more explicit part of basic training for shop stewards and safety reps. While some unions such as the FBU (Moore et al. 2018), UNITE and TSSA hold national political schools, and TUC Diplomas offer a wider political education, these tend to be aimed at more experienced activists.

Partnership revisited

This thesis ardently supports Danford et al.'s (2002; 2005) contention that the partnership model and union organising are fundamentally contradictory approaches. Far from being complementary aspects of a multi-faceted approach, their basic assumptions, aims and methodology are in opposition to each other. This thesis suggests that it is impossible for both strategies to run simultaneously against the same employer. Union organising and attempts at collective mobilisation undermine the efforts of those wishing to work in partnership with employers, and vice versa. The two strategies together would either cancel each other out, or more likely the dominant strategy would extinguish the likelihood of the other taking hold. A top-down pro-business partnership strategy that involves appointed convenors is diametrically opposed to a bottom up rank and file organising model in which unofficial industrial action is a major constituent.

In response to the unfavourable environment, trade unions' senior leadership, either due to a pessimistic view of the likelihood of being able to organise self-employed workers or an ideological belief in partnership, presented themselves to major employers as business-friendly partners who could add value in terms of resolving industrial relations problems. In

return for ensuring that workplace grievances did not escalate into industrial action, the very same employers responsible for blacklisting granted union's bulk membership agreements and a union presence on major projects. Given the nature of employment relations in the sector, the biggest potential threat of industrial action which causes the employers residual fear comes from rank and file activism.

Druker (2016) describes this apparent volte-face by the blacklisting employers as 'double-breasting', mere pragmatism dependent upon the differing circumstances of different projects. This thesis suggests that far from being contradictory, the appointed convenors system represents another aspect of employers' counter-mobilisation. There now exists a tiny cohort of appointed conveners incorporated into the main contractor's industrial relations apparatus, who travel from project to project reliant on the political support of full-time union officials and generosity of the employers for their continued employment. Union bureaucracy has been enlarged, with all the inherent pressures to keep 'good industrial relations' identified by Michels, Hyman, Anderson, Cohen and Darlington firmly entrenched.

Over decades, the generally business friendly strategies of the union leadership has had the effect of alienating a wide section of the activist layer busy with their own variant of grassroots union organising. This has resulted in periodic rank and file led industrial disputes in opposition to the official union position and subsequent disciplinary action by the union hierarchy. Fundamental disagreement between rank and file activists in UNITE and the layer of appointed conveners from UCATT has been one of the major sources of internal conflict since the two unions merged. One activist, described the dispute as a 'battle for the future direction of trade unionism in the construction industry'.

One of the initial contentions within Kelly's mobilisation theory is that union membership is only a proxy measure of union power. Genuine union power depends on a union's ability to mobilise workers at key moments in order to be able to exert pressure on an employer. The activists' critique of bulk membership agreements and the appointed convenor system is that the unions have gained membership, but based upon an explicit promise to curtail rather than encourage workers' collective mobilisation. Even with the best intentions, a union whose membership is based upon an employers' largesse is a toothless paper tiger; adversarial mobilisation of the workforce led by appointed convenors seems unlikely in all but the most exceptional circumstances. The hostile environment in construction means that unions have

to make difficult strategic choices. This thesis questions whether partnership deals that may ensure a union presence on projects but come at the price of self-pacification are actually detrimental to the long-term interests of construction workers and their unions.

The 'bureaucracy / rank and file' debate

The empirical evidence suggests that in the UK construction sector at least, the concept of a union bureaucracy / rank and file dichotomy is a valid means by which to appraise interactions between officials and activists, supporting similar claims by Darlington and Upchurch (2012). There is a danger of structural determinism, in which all union officials are viewed as mere apparatchiks employed solely to suppress worker mobilisation. Agency matters and evidence identified left wing officials and union organisers able support rank and file action. Yet the thesis also demonstrated that even the most left wing of union officers are subject to pressures to conform with the official policies endorsed by the leadership, challenging those who suggest a left-right political analysis could provide a fuller understanding of officer behaviour (Kelly & Heery 1994). A theory of union bureaucracy identifies the structural constraints that weigh heavy on *all* union officers, limiting the potential for human agency irrespective of their individual political outlook. They are working for the union, not themselves.

Bulk membership agreements and the appointed convenor system are viewed by senior union leaders as important strategies for ensuring a union presence in construction; whereas the activist layer perceive these same mechanisms as tantamount to collaboration with management. While there may be political differences between officers about the efficacy of such business friendly strategies, only in the most exceptional circumstances will any be willing to actively undermine them. While this thesis acknowledges that there are multiple factors that influence the actions of union officials; it concludes that, in construction at least, their position in the union bureaucracy is of central importance in understanding their relationship with the activist layer.

Rank and file union organising

In contrast to the top down business friendly approach, the building site based activist layer developed an alternative approach founded on rank and file militancy. The itinerant nature of the work and lack of direct employment status means that the full balloting procedure for industrial action is all but irrelevant in construction. Therefore, instead of being organised

through the official union structures, the key support network for activists was more likely to be ad-hoc rank and file groups, which re-emerge in every generation.

The lack of direct involvement by paid union employees in directly coordinating organising efforts is clearly observable throughout this thesis. This general approach, where officials take a back seat and allow workplace based activists to lead action may be atypical but it is by no means unique. Similar phenomena were observed in Beynon's (1984) study of Ford Motor Company and Gall's (2003) research into militancy in Royal Mail. Noticeable differences however are the differing levels of union strength and the related degree of victimisation by employers – meaning that in construction much of the activism was intentionally underground.

However, whilst the construction activists attempted to keep a low profile as a form of self-protection, they were prepared to put their heads above the parapet and the disputes they led were well reported in the radical press and occasionally in the mainstream media. Yet various left of centre employment relations scholars suggest that rank and file union organising of any variety is virtually extinct in the UK (McIlroy & Daniels 2009; Simms et al. 2013); which begs the question, where exactly were they looking?

Locating transformative change as primarily a function of national union leaders (Simms et al. 2019) or the remit of a cadre of paid union organisers movement (Simms et al. 2013) shifts the focus of academic attention onto internal union structures and processes and away from the workplace. Instead, this thesis suggests that union renewal in the UK is dependent upon fostering organic rank and file organising, wherever it springs up. This thesis supports the contentions of Cohen (2006; 2009) and Daniels (2009) that nurturing existing cultures of resistance rather than attempting to implant a template of organising from above is more likely to engage workers and build genuine organisation.

In some senses, the rank and file groups represent a form of social movement unionism albeit not based upon building alliances with faith and community groups (Holgate 2014; Simms et al. 2019), but in a mode of activism that shares many characteristics of social movements such as those based on civil rights and environmentalism (Moody 1999; Burgmann & Burgmann 1998). Their organising techniques and forms of industrial action are similar to, and predate, the methods ascribed to small unions organising precarious workers by Gall and

Holgate (2018:572), who ponder whether the limited scale of the independent unions "begs the question of whether it can be up-scaled to become something truly much more powerful". While there are many similarities with the approach of anarchist inspired unions such as the Independent Workers union of Great Britain (IWGB) and United Voices of the World (UVW), there are also differences. One obvious distinction being that the activists leading the rank and file groups in construction remain members of the established unions. This thesis suggests that a comparative study of the construction activists, and unions such as IWGB and UVW would be of value to debates around contemporary union organising amongst precarious workers.

However, this thesis concludes that it is not necessary to wait for either future research or the passage of time to draw conclusions about the value of such small-scale militancy. Within UK construction, rank and file unofficial militancy has already achieved significant success on an industry wide basis, especially notable in the 1972 national building workers strike (Darlington & Lyddon 2001; McIlroy et al. 2007; Lyddon 2007; Fawbert 2016), during the late 1990s and the 2012 BESNA dispute (Smith & Chamberlain 2016). This thesis also reflects upon Burgmann and Burgmann's (1998) study of the Australian Builders Labourers' Federation during the 1970s, where an almost identical strategic approach was adopted by a major construction union with impressive effect. This thesis has a more optimistic outlook than Gall and Holgate and argues that if properly resourced, it is entirely possible for the social movement approach of the rank and file groups to be scaled up across the entire construction industry, making trade unionism a force to be reckoned with once again.

Strike action as a union organising strategy

A possibly controversial conclusion from this thesis relates to the important role played by industrial action as a union recruitment and organising strategy. Time and again throughout this research examples were given where incipient union organisation was decapitated by employers dismissing activists before they were even elected as a representative. Almost always this led to some attempt to mobilise workers in defence of the victimised union member. Where workers were prepared to down tools to defend their sacked colleague this resulted in consolidating the union presence; whenever workers refused to come out in support this resulted in the emerging union organisation being crushed. Fighting and winning a successful strike over a victimised activist at the start of a unionisation attempt was often the decisive turning point. To put it succinctly, strikes boost recruitment and strengthen the

union, whereas losing a victimisation dispute is always a major setback, often fatal. Additionally, non-union members participating in industrial action and only joining during or after a dispute was cited on multiple occasions during the research.

This thesis provides rich and robust qualitative evidence suggesting that preparation for strike action is an integral part of any realistic organising strategy in construction. The quantitative research of McCarthy (2009) and Danford and Richardson (2016) also identifies a link between strikes and increases in union membership levels. The historical data signifies that union membership in the UK peaked during periods of increased industrial militancy such as the Great Unrest and the early 1970s (Davis 2009; Sewell 2003). The 2018 pensions strike in Higher Education is a contemporary example of a huge spike in union membership linked to industrial action (Ryan 2018).

For political reasons some academics and union leaders may prefer to downplay the importance of strikes in boosting union membership. For example, despite comments about building solidarities between workers based on intersectionality, talk of working with faith groups to place moral pressure on employers and a smartphone app to appeal to young workers, there is not a single explicit mention of industrial action in Simms et al.'s (2019) review of organising challenges and responses by UK trade unions. More research into this topic will always be welcome but unions may also wish to consider whether industrial action is dismissed as a recruitment strategy based on reliable data or questionable hegemonic assumptions which presume people are put off joining unions because of strikes.

Praxis

For Marxists, sociological research is not just knowledge acquisition for purely academic reasons, instead its purpose is to assist the broader fight for radical change, that the researchers themselves are part of. The author does not claim to be an impartial observer of the phenomena studied, he is engaged in participatory action research (Brook & Darlington 2013; Bradbury-Huang 2010) in the tradition of public sociology championed by Wright Mills (1959) and Burawoy (2005). The doctoral candidate is unapologetically an 'academic activist' (Chatterton et al. 2007): attending 6:30am picket lines to interview the pickets but also to give solidarity greetings on a megaphone.

Therefore, this thesis has not only sought to advance knowledge and contribute to academic debate, but the author has also stood alongside and provided practical support to workers engaged in class struggle. To a large degree this is merely a reclassification of the Marxist concept of praxis, that contends that theory and action do not occupy separate unconnected spheres, rather they have a dialectical interaction, the one influencing the other and vice versa. While the validity of this approach may be questioned by positivistic quantitative research, the author reminds the reader that the construction industry blacklist and especially the role of the police, was uncovered not by neutral arms-length researchers within the academy but by entirely partisan union activists, investigative journalists and lawyers working together. Access not only to the interview cohort but also an impressive range of original primary source data would not have been possible other than via the author's political activism. It is the campaign against blacklisting of which the researcher is a central figure that has forced the employers to go on the record about their previously hidden and unlawful employment relations malpractice.

Even prior to submission, evidence generated by this thesis has already impacted on social policy debates. The candidate has written mainstream media articles (Smith 2013, 2015, 2019) and guest edited an edition of the journal *International Union Rights* in 2014. He has also co-authored a book alongside the UWE, Head of the School, Film and Journalism (Smith & Chamberlain 2016), which Operation Reuben's the police internal investigation into police collusion in blacklisting describes as, "the most comprehensive collection of material on the subject"[84]. As a direct result of research into the police involvement in blacklisting, a stand-alone trade union strand has been established in the public inquiry into undercover policing and nine activists interviewed for this thesis have been granted core participant status.

By way of public dissemination and impact upon public policy, the research has been named in parliamentary debates, the candidate has given evidence to two select committee investigations plus spoken at officially organised events in Westminster, Holyrood and at the ILO in Geneva. He has been a plenary speaker at numerous academic and union conferences in the UK and abroad, while appearing as both an activist and a commentator on TV and radio news programmes.

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[84]Creedon Report on Operation Reuben section 8.3

The candidate's role as a researcher and as an activist overlap extensively. Just as important as the academic dissemination and political impact, have been the hundreds of events speaking to literally thousands of construction workers at union meetings, ad hoc events in rooms above pubs, as well at construction projects such as Crossrail and the Sullum Voe gas terminal on Shetland. This thesis has been discussed as part of the informal education aspect of the *Construction Rank and File* and the *Blacklist Support Grou*p, feeding into their organising and campaigning methods; and in a dialectical interaction, many of its findings have now become part of the collective activists' consciousness it documents. The five paragraphs above provide concrete examples of both involvement in emancipatory struggle and the transformative outcomes achieved by the participatory action research approach consciously adopted by this thesis.

Workers going from one insecure job to another with little in the way of employment rights and facing hostility from anti-union employers is not a particularly new phenomenon: it could easily be an account of employment relations throughout the nineteenth century. While still the exception in the most of the UK economy, it has been the norm in construction for generations. Equally, while victimisation of union activists occurs in every sector, an industry wide corporate blacklist with input from political policing units is not reported in most other industries. As such, the experiences of the blacklisted activists studied in this thesis may set them aside from the majority of union reps in TUC affiliated trade unions in 2020.

Yet the author contends that the findings, while based on the particular circumstances of UK construction, still provide empirical evidence that both feeds into and critiques more generalised debates within the employment relations literature. In the era of neo-liberal attacks on workers rights and organised labour, this thesis suggests that trade union renewal debates may learn lessons from how union activists have actually organised in a precarious and hostile environment over many decades, as much as devising new strategies to tackle a supposedly new phenomenon. By providing evidence that draws attention to hidden malign strategies of both state and corporate power against trade unions, and demonstrating how a rank and file model of union organising evolved to overcome the barriers, this doctoral thesis is of value to a labour movement audience beyond academia.

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Bibliography - Primary Source

Rank and file publications:

Blacklist Support Group (2009-2019) various leaflets & Facebook page

Building Workers Charter (1968-73) various leaflets

Building Worker Group (1990-2003) *Building Worker*, Northampton

Construction Safety Campaign (1992-2003) *Construction Safety Campaign News,* London

Construction Rank and File (2012-2019) *Site Worker*, London

Hazards Magazine (2009-2019) *Blacklist blog*
http://www.hazards.org/blacklistblog/

Higgins, B (2000) *Broad Left or Rank & File? The History of the Building Worker Group,* Building Worker Group, Northampton

Insight (1997) *Trade Union News - UCATT*, in *Insight #75*, London

Joint Sites Committee (1992-2003) various dispute leaflets, London

Joint Sites Committee (1996-2003) *Builders Crack,* London

Joint Sites Committee (1992;1999) *Annual Reports*

Joint Sites Committee (1999) *Builders Crack: The Movie*, Louder than Words Productions, London

Militant Builder (1992) *Anger on the Sites,* London

Militant Builder (1988-1994) various leaflets, London

Reel News (2011-2019) https://reelnews.co.uk/construction-blacklist/

Warren, Des (1980) *Shrewsbury - Whose conspiracy? The need for an Inquiry*, New Park Publications, London

Personal collections supplied by: Bricklayer P, Scaffolder 2, Bricklayer A

Official union publications

Brumwell, G (2000) *UCATT: The Challenge*, UCATT (unpublished)

Hand, J and Eady, J (1993) 'The Hand Report', UCATT, London (unpublished)

UCATT (1996-2016) *Building Worker,* London

UCATT (1998 - 2002) *Executive Council Report*

UCATT (1992-2010) *Report of proceedings of National Delegate Conference*, UCATT, London

UNITE Organising Department (2012) *BESNA leverage document*, UNITE, London (unpublished)

UNITE Organising Department (2013) *Crossrail leverage document,* UNITE, London (unpublished)

Blacklist documents

The Consulting Association & Economic League (1964-2009) including blacklist files, invoices, accounts, constitution (unpublished)

Economic League pamphlet: *The Agitators* (published in mid 1970s)

Information Commissioners Office (2009-11) Third Party Disclosures in various court cases (unpublished)

FOI disclosures made to Electrician 32 and Electrician 37 (unpublished)

Police evidence

Creedon, M (2016) *Public Complaint Investigation - Operation Reuben,* Operation Herne, Metropolitan Police Service, London (unpublished)

Metropolitan Police (2012-2019) various letters to Imran Khan and Partners (unpublished)

Legal cases

Acheson & others v Sir Robert McAlpine & others HQ12X01115 & others

Autoclenz v Belcher [2011] ICR 1157

Baird & Others v Byrne Bros (Formwork) Ltd Case No: 5100153/00 & Others

Carmichael v National Power plc [1999] UKHL 47

James v Greenwich LBC [2008] ICR 545

Nolan v Balfour Beatty Case no. 320223/2009

Smith v Costain Building & Civil Engineering Case No: 3202160/1998

Smith v Carillion [2015] EWCA Civ 209

Smith v United Kingdom ECHR Case No. 54357/15

Uber v Aslam & others UKEAT/00561/17/DA

Parliamentary sources

Hansard (23-1-2013) *House of Commons Official Report: Parliamentary Debates,* Vol: 557 No: 102 http://www.publications.parliament.uk/pa/cm201213/cmhansrd/chan102.pdf

Scottish Affairs Select Committee (2012-2015) *Investigation into Blacklisting in Employment – Reports 1- 6,* UK Parliament, https://www.parliament.uk/blacklisting-in-employment

Bibliography - Secondary Source material

Ackers, P & Payne, J (1998) *British trade unions and social partnership: rhetoric, reality and strategy,* in *International Journal of Human Resource Management*

Adoratsky, V (1934) *Dialectical Materialism: The Theoretical Foundations of Marxism-Leninism,* Martin Lawrence Ltd, London

Alinsky, S (1971) *Rules for Radicals,* Vintage Books, New York

Althusser, L (1971) *Ideology and Ideological State Apparatuses,* in *Monthly Review Press*, https://www.marxists.org/reference/archive/althusser/1970/ideology.htm

Anderson, P. (1967) *The Limits and Possibilities of Trade Union Action.* In: Blackburn, R. and Cockburn, A., Eds., *The Incompatibles: Trade Unions Militancy and the Consensus*, Penguin, London.

Anderson, P (1976) *The Antinomies of Antonio Gramsci,* New Left Review.

Andrew, C (1986) *Secret Service: The Making of the British Intelligence Community*, Sceptre, London

Armstrong, F & Ross, W (2002) *Using libel laws to silence critics*, in *Battling Big Business: Countering Greenwash, Infiltration and other forms of Corporate Bullying* (Ed): Lubbers, E, Common Courage Press, Monroe

Arnison, J (1988) *The Shrewsbury Three: strikes, Pickets and "Conspiracy"*, MTUCURC, Liverpool

Atzeni, M (2009) *Searching for injustice and finding solidarity? A contribution to the mobilisation theory debate,* Industrial Relations Journal 40:1, 5–16

Atzeni, M (2010) *Workplace conflict: mobilization and solidarity in Argentina,* Palgrave MacMillan, Basingstoke

Atzeni, M (2014) *Workers and Labour in a Globalised Capitalism: Contemporary themes and Theoretical Issues,* Palgrave MacMillan, Basingstoke

Ayre, D., Barker, R., French, J., Graham, J. & Harker, D (2008) *The Flying Pickets: The 1972 Builders' Strike and the Shrewsbury Trials,* The Des Warren Trust Fund, Cambridge

Badigannavar, V & Kelly, J (2011), *Partnership and Organising: An empirical assessment of two contrasting approaches to union revitalization in the UK, Economic and Industrial Democracy*, 32(1), 5-27, Sage Publications

Bacon, N & Storey, J (1996) *Individualism and Collectivism and the changing role of the Trade Unions* in *The New Workplace and Trade Unionism: Critical Perspectives in Work and Organisation* Ed: Ackers, Smith & Smith, Routledge, London

Bailey, V (1991) *Forged in Fire: The History of the Fire Brigades' Union,* Lawrence and Wishart, London

Ballantyne, D (2004) *Action Research Reviewd: A Market-oriented Approach*, in *European Journal of Marketing,* 38(3/4):321-337,

Bano, N & Blackburn, D (2014) *Strength in Secrecy,* in *International Union Rights* vol 21: issue 1, International Centre for Trade Union Rights, London

Baskin, O, Aronoff, C & Lattimore D (1997) *Public Relations: The profession and The Practice,* Brown and Benchmark Publishers, Madison, WI

Bass, B. M (1985) *Leadership and Performance,* Free Press, N.Y.

Bass, B. M. (1998). *Transformational leadership: Industrial, military, and educational impact.* Erlbaum, Mahwah, NJ

Bass, B.M. & Avolio, B.J. (Eds.) (1994) *Improving organizational effectiveness through transformational leadership,* Sage Publications, Thousand Oaks, CA

Basset, P & Cave, A (1993) *All for One: The Future of the Unions,* The Fabian Society, London

Batstone, E, Boraston, I and Frenkel, S (1977) *Shop Stewards in Action,* Blackwell, Oxford

Batstone, E, Boraston, I and Frenkel, S (1978) *The Social Organisation of Strikes,* Blackwell, Oxford

BBC (2015) https://www.bbc.co.uk/news/uk-politics-35047872

BBC (Feb 2015) *Hundreds at low pay protest at Wilton Sita Plant* http://www.bbc.co.uk/news/uk-england-tees-31586710

Belman, D & Smith A (2009) *Reconstruting Construction Unionism: Beyond Top Down and Bottom Up,* in Gall (ed), *The Future of Union Organising: Building or Tomorrow*, Palgrave Macmillan, Basingstoke

Beynon, H (1984) *Working for Ford,* Harmondsworth, Penguin

Blackburn, D & Puerto, M (2013) *Colombia: The most dangerous place to be a union member,* in Gall, G & Dundon, T (ed.), *Global Anti-Unionism: Nature Dynamics, Trajectories and Outcomes*, Palgrave Macmillan, Basingstoke

Blyton, P & Turnbull, P (1992) *Reassessing Human Resource Management,* Sage Publications, London

Boxall, P & Haynes, P (1997) *Strategy and Trade Union effectiveness in a neo-liberal environment*, in *British Journal of Industrial Relations*

Bradbury Huang, H (2010) *What is good Action Research? Why the resurgent interest? Action Research* 2010; 8; 93, Sage

Bradbury, H & Reason, P (2012) *Handbook of Action Research*, Sage, London

Bradley, H (2015) *Fractured Identities: Changing Patterns of Inequality*, Polity Press,

Brook, Keith (2002) *Trade Union membership: an analysis of data from the autumn 2001 Labour Force Survey*, Department of Trade & Industry

Brodeur, J-P (1992) *Undercover Policing in Canada*, in *Crime, Law and Social Change*, Kluwer Academic Publishers

Brown, Deakin, Hudson, Pratten & Ryan (1998) *The Individualisation of Employment Contracts in Britain*, University of Cambridge, Research Paper for the Department of Trade and Industry

Brown, G (1977) *Sabotage: a study in industrial conflict,* Spokesman Books, Bristol

Brown, G (9th April 2002) *The Chancellor of the Exchequers Budget Statement,* http://www.hm-treasury.gov.uk/budget/bud_bud03/bud_bud03_speech.cfm

Brown, Phelps (1986) *The Origins of Trade Union Power,* Oxford, Oxford University Press

Brownlie, N (2012) *Trade Union Membership,* Department for Business Innovation and Skills, London
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/32192/12-p77-trade-union-membership-2011.pdf

Bryson, A, Gomez, R & William, P (2004) *The End of the Affair?: The decline in employers' propensity to unionize*, in *Union Organization and Activity* (ed: Kelly, J & Willman, P), Routledge, London

Bryson, A & Gomez, R (2005) *Why Have Workers Stopped Joining Unions? British Journal of Industrial Relations*

Building (25th May 1990) *Militant organising walkout over Channel tunnel safety conditions,* in *Building* magazine, London

Building *(*2008*), Industry Professionals Fear Illegal Gangmasters are Rife,* http://www.bdonline.co.uk.ezproxy.uwe.ac.uk/news/industry-professionals-fear-illegal-gangmasters-are-rife/3113568.article

Burchill, Deakin & Honey (1999) *The Employment Status of Individuals in Non-Standard Employment,* Employment Relations Research Series No.6, Department of Trade and Industry

Burawoy, M (2005) Presidential address, *American Sociological Review*, Vol 70

Burns, J.M. (1978) *Leadership,* Harper & Row, New York

Burgmann, M & Burgmann, V (1998), *Green Bans, Red Union, Environmental activism and the New South Wales Builders Labourers' Federation,* University of New South Wales Press

Business Innovation & Skills, Department of (July 2013) *UK Construction: an economic analysis of the sector,* Crown Copyright

Business Innovation & Skills, Department of (May 2014) *Trade Union membership 2013: Statistical Bulletin,* Crown Copyright

Business Innovation & Skills, Department of (2015) *Trade Union membership 2014: Statistical Bulletin,* Crown Copyright

Business Energy & Industrial Strategy, Department of (2017) *Trade Union membership 2016: Statistical Bulletin,* Crown Copyright

Cahalan, P & Manning, S (9-6-2013) *Building firms could face bans over blacklisting of workers,* The Independent, London

Callinicos, A (1982) *The rank and file movement today*, in *International Socialism* # 17, London

Callinicos, A (1995) *Socialists in the trade unions*, Bookmarks, London

Campbell, D (25th May 1984) *Boys from the black and blue stuff,* in *City Limits,* London

Carter, B (2006) *Trade Union Organising and Renewal: a response to de Turberville*, in *Work, Employment and Society*, 20:2, 415-26

Carter, C, Clegg, S, Hogan, J & Kornberger, M (2003) *The Polyphonic Spree: The case of the Liverpool Dockers, Industrial Relations Journal,* Vol 34, Issue 4, 290-304

Centre for Corporate Accountability (2009) *Small isn't beautiful: construction worker deaths 2007/8: Employer size and circumstance,* UCATT, London

Chakrabortty, A (25 Nov 2013) *The University of London Cleaners Fighting for their Rights,* in *Guardian Comment is Free*
http://www.theguardian.com/commentisfree/2013/nov/25/university-london-cleaners-economic-apartheid

Chamberlain, P (28 June 2008) *Enemy at the Gate*, in *The Guardian*, London

Chamberlain, P (2009) *The construction industry blacklist: how the Economic League lived on,* in *Lobster magazine*:58, p42-56,
https://www.lobster-magazine.co.uk/free/lobster58/lob58-042.pdf

Chamberlain, P (2018) *How the state infiltrates, targets and blacklists activists: the revelations keep on coming*, in *Open Democracy*
https://www.opendemocracy.net/uk/phillip-chamberlain/how-state-infiltrates-targets-and-blacklists-activists-revelations-keep-on-co

Chamberlain, P (2019) *Union Blacklisting and Police Infiltration: Ten Years On*, *New Internationalist,* Oxford

Chapple, F (1984) *Sparks Fly! A Trade Union Life,* Michael Joseph, London

Charlwood, A (2002) *Why do non-union employees want to unionise? Evidence from Britain,* in *British Journal of Industrial Relations*

Chatterton, P, Fuller, D & Routledge, P (2007) *Relating action to activism: Theoretical and methodological reflections*, in Kindon, S., Pain, R. and Kesby, M. (eds.) *Participatory action research approaches and methods: Connecting people, participation and place*, Routledge, London

Choonara, E (2011) *Is there a Precariat?* in *Socialist Review* 362, London

Clarke, L & Wall, C (1998) *A blueprint for change: construction skills training in Britain,* The Policy Press, University of Bristol

Clarke, L & Wall, C (1998) *UK Construction skills in the context of European developments,* in *Construction Management and Economics* (16, 553-567)

Clarke, L (2002) *Working Time in Construction*, in *Construction Labour Research No 1/2002*, European Institute of Construction Labour Research, Brussels

• Clarke, L, McGuire, C & Wall, C (2013) *Battles on the Barbican: the Struggle for Trade Unionism in the British Building Industry 1965–7*, *History Workshop Journal* 75(1):33-57

Clarke, T & Clements, L (1977) *Trade Unions Under Capitalism,* Fontana Collins, Glasgow

Clarke, T (1977) The Raison D'Etre of Trade Unionism, in *Trade Unions Under Capitalism,* Fontana Collins, Glasgow

Clegg, H (1979) *The Changing system of Industrial Relations in Great Britain*, Basil Blackwell, Oxford

Clegg, H (1979) *The Changing system of Industrial Relations in Great Britain*, Basil Blackwell, Oxford

Clough, R & Sears, G (1994) *Construction Contracting,* Wiley, Oxford

Cobain, I (2016) *Corporate spy infiltrated anti-asbestos campaign, court told,* in *The Guardian,* London

Cohen, S (2006) *The Ramparts of Resistance: Why workers lost their power and how to get it back,* London, Pluto

Cohen, S (2009) *Opening Pandora's Box: the Paradox of Institutionalised Organising,* in *The Future of Union Organising* (Ed: Gall, G), Palgrove Macmillan, Basingstoke

Cohen, S (2014) *Workers Organising Workers: Grassroots Struggle as the Past and Future of Trade Union Renewal,* in Atzeni, Maurizio (ed), *Workers and Labour in a Globalised Capitalism: Contemporary themes and Theoretical Issues,* Palgrave MacMillan, Basingstoke

Construction Index (3 Nov 2011) *Brickie and chippy contest UCATT election,* https://www.theconstructionindex.co.uk/news/view/brickie-and-chippy-contest-ucatt-election

Construction News (8th April 1993) *Churton Redress,* Emap, London

Construction News (11/2011) *Trade Bodies in BESNA talks,* Emap, London

Construction News (02/2012) *Balfour Beatty pulls out of BESNA,* Emap, London

Construction News (September 2017) *Construction Industry Company League Tables*, Emap, London, https://www.constructionnews.co.uk/data/league-tables

Contract Journal (29th August 1996) *Storm in a tea break*

Contract Journal (2nd April 1997) *Two Bakerloo Line firms call in receiver*

Contract Journal (1998) *Site Sabotage Fears: Militants urge London workers in pay disputes to wreck completed work*

Conway, C (16th May 1992) *A summer series of lightning strikes?* in *The Irish Post*

Cowling, Mark (2008) *Marxism and Criminology Theory: A Critique and Toolkit,* Palgrave Macmillan, Basingstoke

Cregan C, Bartram T and Stanton P (2009) *Union organizing as a mobilizing strategy: The impact of social identity and transformational leadership on the collectivism of union membership, British Journal of Industrial Relations* 47: 701–722.

Crick, M (1986) *The March of Militant,* Faber & Faber, London

Crotty, M. 1998. *The foundations of social research: Meaning and perspective in the research process*. London: SAGE

Crouch, C (1979) *The Politics of Industrial Relations,* Fontana, Glasgow

Cullinane, N., J. Donaghey, T. Dundon and T. Dobbins (2012), *'Different Rooms, Different Voices: Double Breasting, Multi-Channel Representation and the Managerial Agenda'*, in *International Journal of Human Resource Management*, 23, 2, 368–384.

Cully, Woodland, O'Reilly, Dix (2000) *Britain at Work: As depicted by the 1998 Workplace Employee Relations Survey*, Routledge, London

Curtis, R & Zurcher, L (1973) *Stable Resources of Protest Movements: The Multi-Organisational Field,* in *Social Forces* 52. 53-61

Danford, A (1997) *The 'New Industrial Relations' and Class Struggle in the 1990s,* Capital and Class #61

Danford, A Richardson, M & Upchurch, M (2002) *"New Unionism", organising and partnership, a comparative analysis of union renewal strategies in the public sector*, in *Capital & Class #76*

Danford, A, Richardson, M, Stewart, P, Tailby, S & Upchurch, M (2005) *Partnership and the High Performance Workplace: Work and Employment Relations in the Aerospace Industry*, Palgrave Macmillan, Basingstoke

Danford, A & Richardson, M (2016) *Why Partnership Cannot Work and Why Militant Alternatives Can: Historical and Contemporary Evidenc'* in *Johnstone, S. & Wilkinson, A. (Eds.) Developing Positive Employment Relations: International Experiences of Labour Management Partnership, Basingstoke: Palgrave Macmillan.*

Daniels, G (2009) *In the Field: a Decade of Organising,* in *Trade Unions in a Neo-Liberal World*, (ed) Daniels & McIlroy, Routledge, Oxon

Daniels, G & McIlroy, John (2009) *Trade Unions in a Neo-Liberal World*, Routledge, Oxon

Darlington, Ralph (1998) *The political trajectory of J.T. Murphy,* Liverpool University Press, Liverpool

Darlington, R & Lyddon, D (2001) *Glorious Summer: Class Struggle in Britain 1972*, Bookmarks, London

Darlington, R (2002) *Shop stewards' leadership, left-wing activism and collective workplace union organisation,* in *Capital & Class #76*

Darlington, R (2006) *Agitator theory of strikes,* Labour History, Vol 47 No4 pp485-509

Darlington, R (2008) *Syndicalism and the Transition to Communism: An International Comparative Analysis,* Ashgate, Aldershot

Darlington, R (2009) *Organising, Militancy and Revitalisation: The Case of the RMT Union* in *Union Revitalisation in Advanced Economies* (Ed: Gall), Pallgrave, London

Darlington, R (2012) *the interplay of structure and agency in strike activity, Employee Relations,* Vol. 34 No. 5,pp. 518-533

Darlington, R (2010) *The State of Workplace Union Reps' Organisation in Britian Today, Capital and Class,* 34(1):126-135,

Darlington, Ralph (2014) *The Role of Trade Unions of Building Resistance: Theoretical, Historical and Comparative Perspectives*, in Atzeni, Maurizio (ed), *Workers and Labour in a Globalised Capitalism: Contemporary themes and Theoretical Issues,* Palgrave MacMillan, Basingstoke

Darlington, R (2018) *The leadership component of Kelly's mobilisation theory: Contribution, tensions, limitations and further development,* in *Economic and Industrial Democracy,* Vol. 39(4) 617–638, Sage Publications

Davis, M (2009) *Comrade or Brother? The history of the British Labour movement*, Pluto Press, London

DfEE (2000) *Labour Market and Skill Trends,* DfEE Publications, London

Department for Trade and Industry (2003) *Review of the Employment Relations Act,* Crown Copyright

DTI (2002) *The State of the Construction Industry Report*

Donovan, T (1968) *Royal Commission on Trade Unions and Employers Associations, 1965-68,* HMSO, London

Dromey, J & Taylor, G (2015) *Grunwick: The Workers' Story,* Lawrence & Wishart, London

Druker, J and White, G (2013) *Employment relations on major construction projects: the London 2012 Olympic construction site*, in *Industrial Relations Journal* 44:5–6, 566–583

Druker, J (2016) *Blacklisting and its legacy in the UK construction industry: employment relations in the aftermath of exposure of the Consulting Association* in *Industrial Relations Journal* Vol: 47, Issue: 3, 230-237

Dundon, T. (2002), *'Employer Opposition and Union Avoidance in the UK'*, in *Industrial Relations Journal*, 33, 3, 234–245.

Dundon, T., N. Cullinane, J. Donaghey, T. Dobbins, A. Wilkinson and E. Hickland (2015), *'Double Breasting Employee Voice: An Assessment of Motives, Arrangements and Durability'*, *Human Relations*, 68, 3, 489–513.

Dundon, T & Gall, G (2013) *Anti-Unionism: Contextual and Thematic Issues,* in *Global Anti-Unionism: Nature, Dynamics and Outcomes,* Palgrave, Basingstoke

Eccles, Ro (1981) *The Quasifirm in the Construction Industry*, in *Journal of Economic Behavior and Organization,* Elsevier, New Holland

Economic League (c. 1970s) *The Agitators: Who They Are, How They Work, What They Want,* Service to Industry Series Booklet No.3, The Economic League, London

Eldridge, J (1977) *Trade Unions and Bureaucratic Control*, in *Trade Unions Under Capitalism,* Fontana Collins, Glasgow

Elliott, J (2012) *The Great Payroll Scandal,* UCATT, London

Ellis, M (23-9-2013) *Labour will hold Building Industry Blacklisting Inquiry,* in Daily Mirror

Employment Select Committee (23 January 1991) *Second Report: Recruitment Practices,*

Volume 1: Report, HC 176-I, pp.xi-xii, paras 46-47

Engels, F (1976) *Anti-Duhring*, Foreign Language Press, Peking

Engels, F (1947) *Conditions of the English Working Class*, Foreign language Publishing House, Moscow

Engels, F (1876) *The Part Played by Labour in the Transition for Ape to Man,* Progress Publishers, Moscow

Evans, R (19-8-2013) *Police "spied on activists for blacklisting agency",* The Guardian, London

Evans, R (2017) *Probe into claim that police spy set fire to Debenhams could end in July*, in *The Guardian*, https://www.theguardian.com/uk-news/undercover-with-paul-lewis-and-rob-evans/2017/jan/16/probe-into-claim-that-police-spy-set-fire-to-debenhams-expected-to-end-by-july

Evans, R (2019) *UK political groups spied on by undercover police – search the list*, The Guardian, https://www.theguardian.com/uk-news/ng-interactive/2018/oct/15/uk-political-groups-spied-on-undercover-police-list

Evans, R & Lewis, P (2013) *Undercover: The True Story of Britain's Secret Police,* Faber and Faber, Bloomsbury

Evans, R & Dodd, V (2014) *Undercover Police gathered Evidence on 18 Grieving Families,* in *The Guardian*

Evans, R & Jones, M (2017) *Surveillance firms spied on campaign groups for big companies, leak shows,* in *The Guardian,* London

Ewing, K (2009) *Ruined Lives: blacklisting in UK construction industry,* Institute of Employment Rights

Ewing, K (2011) *Fighting Back: Resisting Union Busting and Strike Breaking in the BA Dispute*, Institute of Employment Rights, London

Ewing, K, Hendy, J & Jones, C (2016) *A Manifesto for Labour Law: Towards a Comprehensive Revision of Workers' Rights,* Institute of Employment Rights, London

Ewing, Ke & Smith Da (2012) *Blacklisting of trade unionists: what is the point of human rights law?* in *Confronting the Human Rights Act: Contemporary themes and perspectives* (Ed:Kang-Riou, Milner & Nayak), Routledge, London

Fals-Borda, O (2001) *Participatory (Action) Research in Social Theory: Origins and Challenges,* in: Bradbury, H & Reason P (2001) *Handbook of Action Research*. Sage. London.

Fantasia, R (1988) *Cultures of Solidarity: Consciousness, Action and Contemporary American Workers*, University of California Press, Berkeley

Fairbrother, P (2000) *British Trade Unions Facing the Future*, in *Capital & Class* #71

Fairbrother, P (2003) *Review of Union Organising: campaigning for trade Union Recognition*, in *Capital & Class* #87

Fairs, Ma (8th June 2001) *Learning Difficulties,* in *Building,* London

Fairs, Madine & Black (26th October 2001), *The Invisible Men*, in Building, London

Fawbert, J (2016) *Blacklisted! A history of rank and file class struggles on construction sites,* in *Socialist History 50,* Lawrence and Wishart, London

Ferguson, J. (2008) *The eyes of the needles: A sequential model of union organizing drives,* 1999–2004, in *Industrial & Labor Relations Review*, *62*, 3-21.

Ferner, A & Hyman, R (2001) *Changing Industrial Relations in Europe*, Blackwell, Oxford

Findlay, P & McKinlay, A (2003) *Organising in electronics: Recruitment, recognition and representation – shadow shop stewards in Scotland's "Silicon Glen",* in Gall Gregor (ed), *Union Organizing: Campaigning for Trade Union Recognition,* Chap. 7, pp. 114–132, Routledge Studies in Employment Relations, London

Fiorito, J (2003) *Union Organizing in the United States,* in Gall Gregor (ed), *Union Organizing: Campaigning for Trade Union Recognition,* Chap. 11, pp. 191–210. Routledge Studies in Employment Relations, London

Fiorito J, Bozeman Dennis P. (1997) *Fear and Loathing (and Bribery) in the Workplace: Worker Perceptions of Employer Responses to Union Organizing,* in *Journal of Individual Employment Rights*, Vol. 5, pp. 137–52

Flyvbjerg, B (2006) *Five Misunderstandings About Case Study Research,* in *Qualitative Inquiry* Vol: 12 No: 2, Sage Publications

Fosh, P (1981) *The Active Trade Unionist: a study of motivation and participation at branch level,* Cambridge University Press, Cambridge

Fox, A (1966) *Managerial Ideology and Labour Relations*, *British Journal of Industrial Relations*, 4/3: 366-378

Franzosi, R (1995) *The Puzzle of Strikes: Class and State Strategies in Post-War Italy,* Cambridge University Press, Cambridge

Freeman, R & Medoff, J (1984) *What do Unions do?* Basic Books, New York

Freeman, R & Rogers, J (1999) *What Workers Want,* ILR Press, Ithaca

Freeman, R (1985) *Why are unions fairing poorly in NLRB election?* in Kochan, T (ed) *Challenges and Choices Facing American Labour,* Cambridge, Massachusetts, MIT Press

Fried, A (1997) *McCarthyism: The Great American Red Scare,* Oxfoord University press, New York

Fuller, G (2003) *East European Workers on London Sites*, in *Construction Labour Research News No3/2002*, European Institute of Construction Labour Research, Brussels

Gall, G (2003) *The Meaning of Militancy? Postal Workers and Industrial Relations,* Ashgate, Aldershot

Gall, G (2005) *Union Organizing: Campaigning for Trade Union Recognition,* Routledge, London

Gall, G (2005) *Organizing non-union workers as trade unionists in the 'new economy' in Britain,* in Economic and Industrial Democracy, Vol. 26(1), 41-63, Sage Publications

Gall, G (2009) *Union Organising – Past, Present and Future,* in *The Future of Union Organising* (Ed: Gall), Palgrave Macmillan, Basingstoke

Gall, G (2013) *Employers Against Unions: the British experience of union victimisation*, in *Global Anti-Unionism: Nature, Dynamics, Trajectories and Outcomes*, Ed: Gall, G & Dundan, T, Palgrave Macmillan, Basingstoke

Gall, G (2017) *The new, radical independent unions – is small necessarily beautiful? Huffington Post*, 13 November

Gall, G & Dundon, T (2013) *Global Anti-Unionism: Nature Dynamics, Trajectories and Outcomes*, Palgrave Macmillan, Basingstoke

Gall, G & Holgate, J (2018) *Rethinking Industrial Relations: Appraisal, Application and Augmentation, Economic and Industrial Democracy,* Vol 39(4) 561-576, Sage Publications

Gallacher, W & Campbell J.R. (1977) *Direct Action*, in *Trade Unions Under Capitalism,* Fontana Collins, Glasgow

Gamson, W (1992) *Talking Politics,* Cambridge University Press, Cambridge

Gardiner, J (2014) *The Squeeze is on: Analysis and Comment,* in *Building* http://www.building.co.uk/Journals/2014/06/09/q/h/c/self-employment-crackdown.pdf

Giddens, A (1991) *Modernity and Self-Identity,* Stanford University Press, Polity Press, Palo Alto

Giddens, A (1998) *The Third Way: The Renewal of Social Democracy,* Polity Press, Cambridge

Giddens, A (1999) *Reith Lectures: Globalisation,* www.lse.ac.uk/Giddens/reith_99/week1/week1.htm

Gilbert, M. (2006) *Rationality in collective action: Philosophy of the Social Sciences*, *36*, 3-17.

Gill, P (2008) *Theories of Intelligence: Where are we, where should we go and how might we proceed?* in *Intelligence Theory: Key Debates and Questions* (Ed: Gill, P, Phythian, M & Marrin, S), Routledge, London

Gill, P, Phythian, M & Marrin, S (2008) *Intelligence Theory: Key Debates and Questions,* Routledge, London

Gillan, A & Sparrow, A (30 Jan 2009) *Strikes spread across Britain as oil refinery protests escalate,* in Guardian, London

Glackin, Michael (23rd April 1999) *Some kind of refuge*, in *Building*, London

Goffee, R & Scase R (1985) *Women in Charge: The Experiences of Female Entrepreneurs*, George Allen & Unwin, London

Goodman, J & Wittingham, T (1973) *Shop Stewards,* Pan Books, London

Gould, SJ (1977) *Ever Since Darwin,* Pelican, New York

Gouldner, A (1955) *Metaphysical Pathos and the Theory of Bureaucracy, American Political Science Review,* 49(2) 496-507

Gouldner, A (1955) *Wildcat Strike: A Study in Worker-Management Relations,* Harper Torchbooks, New York

Gouldner, A (1968) *The Sociologist as Partisan: Sociology and the Welfare State, American Sociologist*, 3(2) pp. 103-116.

Gouldner, A (1970) *The Coming Crisis of Western Sociology,* Basic Books, New York

Gramsci, A (2007) *Selections from the Prison Books*, Lawrence and Wishart, London

Grant, D (1996) *Japanization and New Industrial Relations,* in *Contemporary Industrial Relations – A Critical Analysis*, Oxford University Press, Oxford

Grant, T (2002) *History of British Trotskyism*, Wellred Publications, London

Guest, D & Hoque, K (1996) *Human Resource Management and the New Industrial Relations*, in *Contemporary Industrial Relations: a critical analysis*, Oxford University Press, Oxford

Guest, D & Peccei, R (2001) *Partnership at Work: Mutuality and the Balance of Advantage*, in *British Journal of Industrial Relations*

Guest, Pepinster & McLellan (21st July 1989) *Action in dispute*, in *Building*, London

Harvey, M (2001) Undermining Construction: The corrosive effects of false self-employment, Institute of Employment Rights, London

Harzing, A-W & Van Ruysseveldt, J (1995) *International Human Resource Management*, Sage Publications, London

Health and Safety Executive (2013) *Health and Safety in construction in Great Britain: work related injuries and ill health*, *Crown Copyright*

Heath, R (1997) *Strategic Issue management, organisations and public policy challenges,* Sage, Thousand Oaks, CA.

Heery, E (1996) *The New New Unionism,* in *Contemporary Industrial Relations – A Critical Analysis*, Oxford University Press, Oxford

Heery, Conley, Delbridge & Stewart (2000) *The Future of Work: Beyond the Enterprise? Trade Unions and the Representation of Contingent Workers,* Economic & Social Research Council Working Paper No.7

Heery, E. & M. Simms (2010), *Employer Responses to Union Organising: Patterns and Effects,* in *Human Resource Management Journal*, 20, 1, 3–22.

Hemmings, T (2013) Every Man a Capitalist: the long history of monitoring "unsuitable workers" in the UK, in Statewatch journal: reflections on the state and civil liberties in Europe Vol 23 n2, London

Hendy, J (1993) *A law unto themselves: Conservative Employment laws*, Institute of Employment Rights, London

Hendy, J (2001) *Union Rights….and Wrongs: The reform of Britain's Anti-Union laws*, Institute of Employment Rights, London

Higgins, B (2002) *Rank and File or Broad left? Workers Democracy versus British Bureaucracy,* in *Emancipation and Liberation*, issue 4, http://republicancommunist.org/blog/2002/12/03/rank-and-file-or-broad-left/

Hinton, J (1977) *The Theory of Independent Rank and File Organization*, in Clarke, Tom & Clements, Laurie, *Trade Unions Under Capitalism,* Fontana Collins, Glasgow

Hinton J. & Hyman R (1975) *Trade Unions and Revolution: the industrial politics of the early British Communist Party*, Pluto, London

Hobbs, R (2000) *Small Firms*, ESRC Centre for Business Research, University of Cambridge

Holder, M (2002) *Victimisation*, in *Hazards #79*, London

Holgate, J (2014) *An International Study of Trade Union Involvement in Community Organizing: Same Model, Different Outcomes,* British Journal of Industrial Relations, LSE

Holgate, J. & Simms, M. (2008) *Ten years on: the impact of the Organising Academy on the UK union movement,* London: Trades Union Congress

Holgate, J, Simms, M & Tapia, M (2018) *The limitations of the theory and practice of mobilization in trade union organizing, Economic and Industrial Democracy* 2018, Vol. 39(4) 599-616, Sage Publications

Holton, B (1976) *British Syndicalism 1900-1914,* Pluto, London

Hounam, P (22nd October 1993) *Exposed: Crisis tears at the heart of a great trade union,* in *Daily Mirror*, London

Hughes, A (2000) *On Enlarging Employment by Promoting Small Enterprises*, ESRC Centre for Business Research, University of Cambridge

Hurst, W (23-08-2013) *Citizen Smith*, Building, London

Hurst, W (2013) *Blacklisting: Human impact*, *Building*, London
nin.tl/BLhumanimpact

Hyman, R (1971) *Marxism and the Sociology of Trade Unionism*, Pluto, London

Hyman, R (1975) *Strikes,* Fontana, Glasgow

Hyman, R (1975) *Industrial Relations: a Marxist Introduction*, MacMillan, Basingstoke

Hyman, R (1979) *The Politics of Workplace Trade Unionism: Recent Tendencies and Some Problems in Theory, Capital and Class,* 8, pp. 54-67

Hyman, R (1994) *The Political Economy of Industrial Relations: Theory and Practice in a Cold Climate,* MacMillan, Basingstoke

Hyman, R (2001) *Understanding European Trade Unionism: between market, class and society*, Sage, London

Hyman R (2012) *Will the real Richard Hyman please stand up? Capital and Class*, Vol 36, issue 1:151-164, Sage

International Consortium of Investigative Journalists (3 April 2016) *Giant leak of offshore financial records exposes array of crime and corruption*,
https://www.occrp.org/en/panamapapers/overview/intro/

International Labour Organisation (1993) *Report in which the committee requests to be kept informed of development – Report No 287, Case No 1618 (United Kingdom)*
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:50002:0::NO::P50002_COMPLAINT_TEXT_ID:2902298

Jeffreys, S (1980) *The Communist Party and the Rank and File*, in *International Socialism*, Vol 10, Winter 80/81

Jefferys, S (2002) CWU Conference Activists Report, Working Lives Institute, London

Jeong, D Y (2010) *The role of the state in industrial relations, Seoul Journal of Business*, Vol 16, issue 2, 95-125

Joint Industry Board (2015) *JIB Handbook 2015*, JIB for the Electrical Contracting Industry, Swanley

Johnstone, S. & Wilkinson, A. (2016) Developing Positive Employment Relations: International Experiences of Labour Management Partnership, Basingstoke: Palgrave Macmillan.

Jones, O (2015) *The Establishment: And how it gets away with it,* Penguin Books, London

Jump, J (2002) *175 years of Building Trade Unionism*, UCATT, London

Just, A (2017) *A Manifesto Against Blacklisting*, Institute of Employment Rights, Liverpool

Kahraman, F (2017) *A New Era for Labor Activism? Strategic Mobilization of Human Rights Against Blacklisting,* in *Law & Social Inquiry,* doi:10.1111/lsi.12299

Keat, R & Urry, J (2011) *Social Theory as Science,* Routledge Revivals, Oxon

Kelly, J (1998) *Rethinking Industrial Relations: Mobilization, Collectivism and Long Waves*, Routledge, London

Kelly, J (1999) *Social Partnership in Britain: good for profits, bad for jobs and unions*, in *Communist Review*

Kelly, J (1988) *Trade Unions and Socialist Politics*, Verso, London

Kelly, J. & Willman, P. (2004) *Union Organization and Activity*, Routledge, London

Kelly, J & Heery, E (1994) *Working for the Union: British Trade Union Officers,* Cambridge University Press, Cambridge

Kelly, J & William, P (ed.) (2004) *Union Organization and Activity: The Future of Trade Unions in Britain,* Routledge, London

Kelly, J & Badigannavar, V (2004) *Union Organizing*, in Kelly, J & William, P (ed.), *Union Organization and Activity: The Future of Trade Unions in Britain,* Routledge, London

Kerr, A. Perks, L & Waddington, J (2002) *The Characteristics, Role and Activities of UNISON Stewards,* UNISON, London

Kessler & Purcell (1999) *Individualism and Collectivism in Theory and Practice: Management style and the Design of Pay Systems*, in *Edwards*, Blackwell, Oxford

Kirkpatrick, J (2014) *The IWW Cleaners Branch in the UK*, in (ed: Ness) *New Forms of Worker Organization: The Syndicalist and Autonomist Restoration of Class Struggle Unionism,* PM Press, Oakland

Klandermans, B & Oegema, D (1987) *Campaigning for a Nuclear Freeze: grassroots strategies and Local Government in the Netherlands,* in *Braungart,* Richards, G (Ed), *Research in Political Sociology,* Vol. 3 p 305-337, JAI-Press, Greenwich

Klandermans, B (1997) *The Social Psychology of Protest,* Blackwell, Oxford

Kohn, H (1983) *Who Killed Karen Silkwood?* New English Library, London

Labour Research Department (1937) *What is the Economic League?* London

Labour Research Department (1950) *The Federation of British Industries,* London

Landin, C (2017) *Thatcher's Plot to Crush Trade Union Leader*, in *Morning Star,* *https://morningstaronline.co.uk/a-1815-thatchers-plot-to-crush-trade-union-leader-1*

LaPiere, R. T. (1934) *Attitudes vs. Actions, Social Forces*, 13, 230-237.

Latham, M (1994) *Constructing the team: Report of the joint governmental/ industry review of procurement and contractual arrangements in the UK construction industry,* HMSO, London

Lenin, V.I. (1901) *What is to be done?* http://www.marxists.org/archive/lenin/works/1901/witbd/ii.htm

Lenin, V. I (1965) *State and Revolution,* Foreign Language Press, Peking

Lepie, J (2016) *The Union-Buster's Toolkit*, in *Employee Responsibilities and Rights Journal,* Vol 28, Iss 4, 249-264, New York

Levitt, M & Conrow, T (1993) *Confessions of a Union-Buster,* Crown Publications, New York

Lewis, J (14th November 2010) *Did police cutbacks allow extremists to hijack student demonstrations?* in *Daily Telegraph,* https://www.telegraph.co.uk/news/uknews/law-and-order/8131131/Did-police-cutbacks-allow-extremists-to-hijack-student-demonstrations.html

Lewis, T (2013) *Employment Law: An Advisor's Handbook*, LAG Education and Services Trust, London

Lipset, S, Trow, M & Coleman J (1956) *Democracy and Oligarchy in Trade Unions,* in McCarthy, W (ed) *Trade Unions*, Penguin, Harmondsworth

Little, G & McDowell, L (2017) *Responding to social movement trade unionism within education,* in Seal, M (Ed.) *Trade Union Education: Transforming the World*, Workable Books, Oxford

Logan, J. (2006), *The Union Avoidance Industry in the United States*, in *British Journal of Industrial Relations*, 44, 4, 651–675.

Logan, J (2013) *Employer Opposition in the US: Anti-Union campaigning from the 1950s*, in Gall & Dundon (eds) *Global Anti-Unionism: Nature Dynamics, Trajectories and Outcomes*, Palgrave Macmillan

Lohmann, S (2008) *Rational Choice and Political Science*, in Durlauf, S & Blume, L (Eds) *The New Palgrave Dictionary of Economics*, 2nd Edition, Palgrave Macmillan, Basingstoke

Lubbers, E (2002) *Battling Big Business: Countering Greenwash, Infiltration and other forms of Corporate Bullying* Ed: Lubbers, E, Common Courage Press, Monroe

Lubbers, E (2002) *McSpying* in *Battling Big Business: Countering Greenwash, Infiltration and other forms of Corporate Bullying* Ed: Lubbers, E, Common Courage Press, Monroe

Lubbers, E (2012) *Secret Manoeuvres in the Dark: Corporate and Police Spying on Activists,* Pluto, London

Lubbers, E (2018) *Undercover Policing Manual: Lessons in Abuse,* Undercover Research Group, http://undercoverresearch.net/2018/03/20/undercover-policing-manual-lessons-in-abuse/

Lukacs, G (1967) *History and Class Consciousness,* Merlin Press

Lyddon, D (1977) *British Leyland: The Shop Stewards and Participation, International Socialism*, No 102, pp20-26, London
https://www.marxists.org/history/etol/newspape/isj/1977/no102/lyddon.htm

Lyddon, D (2007) *Glorious Summer 1972: The High Tide of Rank and File Militancy*, in (eds) McIlroy, Fishman & Campbell (2007) *The High Tide of British Trade Unionism: Trade Unions and Industrial Politics, 1964-1979*, Merlin Press, Monmouth

Machin, S (2000) *Union Decline in Britain,* in *BJIR,* Blackwell, Oxford

Mair, L (2013) *Two Arrests in CSCS Fraud Investigation*, in *Construction News*, Emap, London

Mallary, G (2000) *Australia's Red-Green Pioneers*, in *Workers Liberty* # 64, London

Manky, O (2018) *Resource Mobilization and Precarious Workers' Organizations: An analysis of the Chilean Subcontracted Mineworkers' Unions, Work, Employment and* Society, 06/2018, Volume 32, Issue 3

Marenin, O (1982) *Parking Tickets and Class Repression: The Concept of Policing in Critical Theories of Criminal Justice, in Contemporary Crises,* Vol 6: Issue 3

Marshall, G (1988) *Some remarks on the study of working class consciousness,* in Rose, D (ed) *Social stratification and economic change,* Hutchinson, London

Marwell, G & Oliver, P (1993) *The Critical Mass in Collective Action: a Micro-Social Theory,* Cambridge University Press, Cambridge

Marx, G (1974) *Thoughts on a Neglected Category of Social Movement Participant: The Agent Provocateur and the Informant* in *American Journal of Sociology*, Vol. 80, No. 2, University of Chicago Press, Chicago

Marx, G (1988) *Undercover: Police Surveillance in America,* University of California Press, Los Angeles

Marx, G (1992)   *Under-the-Covers Undercover Investigations: Some Reflections on the State's Use of Sex and Deception in Law Enforcement*, in *Criminal Justice Ethics* vol 13

Mason, J (2002) *Qualitative Research,* Sage Publications, London

Mason, P (16th October 2017) *Stella Rimmington should stop fuelling paranoid fantasies about Jeremy Corbyn,* in *The Guardian,* London

McAdam, D (1988) *Micromobilisation Contexts and the Recruitment to Activism*, in *International Social Movement Research* 1:125-154

McCarthy, N (2009) *Union organising in a recognised environment: a case study of mobilisation* in *Union Revitalisation in Advanced Economies* ed: Gall, Gregor, Palgrave Macmillan, Basingstoke

McCarthy, W (1972) *Trade Unions,* Penguin Education, Harmondsworth

McCarthy, W & Parker, S (1968) *Shop Stewards and Workplace Relations*, Royal commission on Trade Unions and Employers associations, Research Paper 10, HMSO, London

McKay, S & Moore, S (2009) *The impact of economic and political changes upon workplace trade union representation in the UK*, *Bulletin of Comparative Labour Relations,* 70, 97-112

McGrath, M J (2017) *Backstory – a Unite Approach to Political Education*, in *Trade Union Education: Transforming the World* (ed: Seal, M), New Internationalist, Oxford

McGuire, C, Clarke, L & Wall, C (2013) *Battles on the Barbican: the struggle for trade unionism in the British building industry*, 1965-7. *History Workshop Journal.* 75 (1), pp. 33-57

McGuire, C., Clarke L. & Wall, C. (2016) '*Through Trade Unionism you felt a belonging – you belonged'*: Collectivism and the Self-Representation of Building Workers in Stevenage New Town. *Labour History Review.* 81 (3), pp. 211-236

McIlroy, J, Fishman, N & Campbell, A (2007) *The High Tide of British Trade Unionism: Trade Unions and Industrial Politics, 1964-1979*, Merlin Press, Monmouth

McIlroy, J (1988) *Trade Unions in Britain Today,* Manchester University Press

McIlroy J (1999) *New Labour, New Unions, New Left*, in *Capital & Class*

McIlroy J (1999) *"Always outnumbered, Always outgunned": the Trotskyists and the Trade Unions*, Ashgate Publishing, Aldershot

McIlroy, J (2009) *A brief history of British trade unions and neo-liberalism: From the earliest days to the birth of New Labour*, in *Trade unions in a neo-liberal world* ed: Daniels & McIlroy, Routledge, Oxon

McIlroy, J and Croucher, R (2009) *Skills and training: A strategic role for trade unions or the limits of neo-liberalism?* in *Trade unions in a neo-liberal world* ed: Daniels & McIlroy, Routledge, Oxon

McIlroy, J and Daniels, G (2009) *an anatomy of British trade unionism since 1997: Strategies for revitalisation,* in *Trade Unions in a Neo-Liberal World* ed: Daniels & McIlroy, Routledge, Oxon

McIlroy, J & and Daniels, G (2009) *an anatomy of British trade unionism since 1997: Organisation, structure and factionalism*, in Trade unions in a neo-liberal world ed: Daniels & McIlroy, Routledge, Oxon

McLeod, S. A. (2014). *Attitudes and Behavior*, Retrieved from www.simplypsychology.org/attitudes.html

McMeeken, R (28 Aug 2105) *Crossing the Line*, in *Building,* London

McNeill, I (1992) *London building picket escalates*, in *Morning Star,* London

Merson, A (1986) Communist Resistance in Nazi Germany, Lawrence & Wishart, London

Michels, R (1915) *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy,* The Free Press, New York

Millington, J (18-2-2012a) *Balfour withdraws from a BESNA showdown – where next for the sparks?* , Union News http://union-news.co.uk/2012/02/8478/

Millington, J (2012b) *The Sparks,* Union News

Milne, S (1994) *The Enemy Within: the secret war against the miners,* Pan Books, London

Mills, CW (1948) *The New Men of Power: America's Labor Leaders,* Harcourt Brace, New York

Mitchell, G & Mitchell, A (1947) *Building Construction*, Batsford, London

Moher, James (2007) *Trade unions and the law - history and a way forward?* http://www.historyandpolicy.org/policy-papers/papers/trade-unions-and-the-law-history-and-a-way-forward

Molloy, J & McDonald, R (2014) *Blacklist? What Blacklist?* in International Union Rights Vol 21: 1, ICTUR, London

Moody, K (1999) *Workers in a Lean World*, Verso, London

Moore, S (2004) *Union Mobilization and Employer Counter-Mobilization in the Statutory Recognition Process,* in Kelly, J & Willman, P (eds), *Union Organization and Activity*, Routledge, London

Moore, S (2006) *Collective organisation in small and medium sized enterprises – an application of mobilisation theory,* Human Resource Management Journal, Wiley

Moore, S (2011) *New Trade Union Activism: Class Consciousness or Social Identity?* Palgrave Macmillan, Basingstoke

Moore, S (2013) *Ten years of statutory recognition – a changed landscape in industrial relations?,* in *Centre for Employment Studies Research*, University of West of England

Moore, S, McKay S and Veale, S (2013) *Statutory Regulation and Employment Relations: The Impact of Statutory Trade Union Recognition,* Palgrave Macmillan,

Moore, S, Jefferys & Cours-Salies, P (2007) *Why do Europe's unions find it difficult to organise in small firms?* European Review of Labour and Research, Volume: 13 issue: 1, page(s): 115-130, Sage Publications

Moore, S & Newsome, K (2018) *Paying for Free Delivery: Dependent Self-Employment as a Measure of Precarity in Parcel Delivery*, *Work Employment and Society*, Vol.32, number 3

Moore, S, Wright, T & Taylor, P (2018) *Fighting Fire: One Hundred years of the Fire Brigades Union*, New Internationalist, Oxford

Morris, A (1984) *The Origins of the Civil Rights Movements: Black Communities Organizing for Change,* Free Press, New York

Morton, R (2002) *Construction UK: An introduction to the Industry*, Blackstone Science, Oxford

Mudd, A (2001) *Building a Future for Direct Services*, Association for Public Service Excellence, Manchester

Murphy, C (20160 *Fear and Leadership in Union Organising: An Examination of Workplace Activist Behaviour*, in *Journal of Workers Rights,* 1-11, Sage Open

Murray, A (1999) *Adding value or cutting costs?* in *New Statesman*

Neocleous, M (2000) *The Fabrication of Social Order: A Critical Theory of Police Power,* Pluto, London

Ness, I (2014) *New Forms of Worker Organization: The Syndicalist and Autonomist Restoration of Class Struggle Unionism,* PM Press, Oakland

Ness, I (2014) *Labour Migration and Emergent Class Conflict: Corporate Neo-Liberalism, Worker mobility and labour Resistance in the US*, in Atzeni, M (ed), *Workers and Labour in a Globalised Capitalism: Contemporary themes and Theoretical Issues,* Palgrave MacMillan, Basingstoke

Newman, A (9 October 2014) *Great Western Hospital slams failing PFI contractor but can it escape?* in *Open Democracy* https://www.opendemocracy.net/ournhs/andy-newman/great-western-hospital-slams-failing-pfi-contractors-but-can-it-escape

Newsome, K, Heyes, J, Moore, S, Smith, D & Tomlinson, M (2017) *Living on the Edge: Experiencing workplace insecurity in the UK,* TUC, London

Nichols, T & Beynon, H (1977) *Living with Capitalism*, Routledge and Kegan Paul, London

Nicholls, D (2017) *Introduction,* in *Trade Union Education: Transforming the World* (ed: Seal, M), New Internationalist, Oxford

Nolan, P & Walsh, J (1999) *The Structure of the Economy and the Labour Market*, in *Industrial Relations in Britain,* Blackwell, London

Norton-Taylor, R and Hollingsworth, M (1988) *Blacklist: The inside story of political vetting*, Hogarth, London

Novak, G (1957) *The Irregular Movement of History : the Marxist Law of the Combined and Uneven Development of Society,* Spark Publishers, Colombo

Nowak, P (2009) *Building Stronger Unions: a Review of Organising in Britain* in *Union Revitalisation in Advanced Economies* (Ed: Gall), Pallgrave, London

Oberschall, A (1973) *Social Conflicts and Social Movements,* Prentice Hall, New Jersey

O'Brien, T (2000) *The Fight to Ban Asbestos: 1995-2000*, Construction Safety Campaign, London

O'Brien, T (2018) *Tackling the Housing Crisis, with publicly owned construction Direct Labour Organisations,* London

O'Donnell, S (2002) *Private Spooks: Wackenhurst v Whistleblowers* in *Battling Big Business: Countering Greenwash, Infiltration and other forms of Corporate Bullying* Ed: Lubbers, E, Common Courage Press, Monroe

Offe, C & Wiesenthal, H (1985) *Two logics of collective action,* in C. Offe *Disorganised Capitalism,* Oxford, Polity Press

Office of National Statistics (February 2014) *Output in the Construction Industry, December and Q4 2013,* Crown Copyright *http://www.ons.gov.uk/ons/dcp171778_352540.pdf*

Office of National Statistics (June 2015) *Labour Market Statistics: EMP14,* http://www.ons.gov.uk/ons/rel/construction/construction-statistics/no--16--2015-edition/art-

construction-statistics--no--16--2015-edition.html#tab-Trends-in-employment-and-the-professions

O'Grady, F & Nowak, P (2004) *Beyond New Unionism, in Union Organisation and Activity,* (ed): Kelly, J & Willman, P, Routledge, London

Olson, M (1971) *The Logic of Collective Action,* Cambridge, Massachusetts, Harvard University Press

Owen, N (2017) *Taking Industrial Action: A Legal Guide,* Labour Research Department, London

Oxenbridge, S & Brown, W (2004) *Achieving A New Equilibrium? The Stability of Co-Operative Employer-Union Relationships,* Industrial Relations Journal 35(5):388 – 402

Pinitch, L (2017) *On Revolutionary Optimism of the Intellect, Socialist Register 2017: Rethinking Revolution,* Merin Press, London

Panorama (13 June 2013) *Blacklist Britain,* BBC, London
http://www.bbc.co.uk/iplayer/episode/b02xcn7d/Panorama_Blacklist_Britain/

Pearce, D (2003) *The Social and Economic Value of Construction: The Construction Industry's Contribution to Sustainable Development*, Construction Industry Research and Innovation Strategy Panel, London

Pearloff, R (1993) *The Dynamics of Persuasion*, Lawrence Earlbaum, New Jersey / London

Pelling, H (1963) *A History of British Trade Unionism*, Penguin Books, Harmondsworth

Postgate R. (1923) *The Builders History,* The National Federation of Building Trade Operatives, London

Press Association (9 May 2016) *Construction workers blacklisted for union activities to get compensation*, in *Daily Mail,* London

Prior, G & Lynch, R (23rd May 2002) *Union Rep hurt in CTRL scuffle*, in Construction News, London, emap

Public & Commercial Services Union (2012) *In Defence of Facility Time,*
https://www.pcs.org.uk/news/in-defence-of-facility-time

Ramchurn, R (24 August 2015) *Survey results: Homophobia remains rife in construction industry, Architects Journal,* EMAP, London

Ramirez, F (2014) *Focus: Blacklisting in Columbia,* in *International Union Rights,* vol 21: issue 1, London

Reed, T (1989) *Do Union Organisers Matter? Individul differences, campaign practices, and represntation election outcomes*, in *Industrial and labour Relations Review*, 43(1), 103-119

Renfro, W (1993) *Issue Management,* in *Strategic Planning,* Quoro, Westport, CT

Renton, D (2012) *Struck Out: Why Employment Tribunals Fail Workers and What Can Be Done?* Pluto, London

Renton, D (2014) *Blacklisting and the Law*, *International Union Rights* vol 21: issue 1, International Centre for Trade Union Rights, London

Retama, F (2014) *Use of 'Blacklists' in San Luis Potosi is a Violation of Human and Labour Rights,* in *International Union Rights,* vol 21: issue 1, London

Rhodes, C (13 June 2014) *The construction industry: statistics and policy: standard note: SN/EP/1432,* House of Commons library

Roderick, M (1999) *Mobilization theory: A New Paradigm for Industrial Relations?* Human Relations, Vol 52, No 9, 1999

Ross, R (2005) *Trade Unions and Workers' Education: Trade union Education 1945-1995*, in unionhistory
http://www.unionhistory.info/britainatwork/narrativedisplay.php?type=tuandworkereducation

Roy, D. (1980), *Fear Stuff, Sweet Stuff and Evil Stuff: Management's Defences Against Unionization in the South,* in T. Nichols (ed.), *Capital and Labour: Studies in the Capitalist Labour Process* (London, Athlone Press) pp. 395–415.

Salamon, M (2000) *Industrial Relations: Theory and Practice,* Pearson Education, Harlow

Scase, R (1999) *Employment Relations in Small Firms*, in *Industrial Relations: Theory & Practice in Britain* (edited by Edwards P), Blackwell, Oxford

Scottish Affairs Select Committee (2013) Blacklisting in Employment Interim Report, https://publications.parliament.uk/pa/cm201213/cmselect/cmscotaf/1071/107102.htm

Scott J.F. & Homans G.C. (1947) *Reflections on Wildcat Strikes,* ASR, 12:278-287

Seal, M (2017) *Trade Union Education: Transforming the World,* New Internationalist, Oxford

Seddon, V (1986) *The Cutting Edge: Women and the Pit Strike,* Lawrence & Wishart, London

Seery, J (2000) *Cracking Stuff*, in *Trade Union News*, Hull Trades Council, Hull

Sewell, R (2003) *In the Cause of Labour: History of British Trade Unionism*, Wellred, London

Sherry, J (2012) *Pressure at the Top*, in *Socialist Review*, London

Sherry, J (2013) *Taking the Temperature*, in *Socialist Review*, London

Sherry, J (2016) *Trade Unions and Corbynism*, in *Socialist Review*, London

Simms, M (2007) *Managed Activism: two Union Organising Campaigns in the not-for-profit sector,* Industrial Relations Journal, Vol 38, issue 2, pages 119-135

Simms, M, Holgate, J & Heery, E (2013) *Union Voices: Tactics and Tensions in UK Organising,* Cornell University, New York

Simms, M. & Holgate, J. (2010) *TUC Organising Academy 10 years on: what has been the impact?* International Journal of Human Resource Management. 21: 3, 355–370

Simms, M, Holgate, J & Roper, C (2019) *The Trades Union Congress 150 years on: A review of the organising challenges and responses to the changing nature of work*, in Nowak, P & Hodder, A (Eds) *Employee Relations*, Vol 41, Issue 2, pp.331-343, Emerald Publishing

Smith, D (2013) *Blacklisting Activists is a Human Rights Scandal: An Inquiry is Overdue*, in http://www.theguardian.com/commentisfree/2013/aug/20/blacklisting-activists-human-rights-inquiry

Smith, D (2014) *The UK Blacklisting Scandal*, in *International Union Rights* vol 21: issue 1, International Centre for Trade Union Rights, London

Smith, D (2014) *Blacklisting in Construction: Questions for the Research Community,* in Centre for Employment Studies Research, University of West of England

Smith, D (2015 Aug 8th) *Legal Protection of Agency Workers Has To Be Secured*, in Morning Star http://www.morningstaronline.co.uk/a-be76-Legal-protection-of-agency-workers-has-to-be-secured

Smith, D (2017) *Blacklisting: the need for a public inquiry,* Institute of Employment Rights, Liverpool

Smith, D (2017) *Carillion must now also face justice for blacklisting trade unionists,* Open Democracy, https://www.opendemocracy.net/dave-smith/carillion-must-now-face-justice-for-blacklisting-trade-unionists-too

Smith, D (2019) *Police Spied on Trade Unionists for an Illegal Blacklist: We Demand Justice,* The Guardian, London

Smith, D & Chamberlain, P (2016) *Blacklisted: The Secret War Between Big Business and Union Activists,* New Internationalist, Oxford

Socialist Appeal (1999) *Murder on the sites,* in *Socialist Appeal #70,* London

Socilaist Appeal (2011) *Construction Workers: the Struggle Continues*, London

Socialist Future (1992) *Building workers fight wage cuts*, in *Socialist Future,* Communist League, London

Standing, G (2011) The Precariat: The New Dangerous Class, The Policy Network
http://www.policy-network.net/pno_detail.aspx?ID=4004&title=+The+Precariat+%E2%80%93+The+new+dangerous+class

Stevens, R (1999) *Cold war Politics: Communism and Anti-Communism in the Trade Unions*, Ashgate Publishing, Aldershot

Stewart, P, Danford, A, Richardson, M & Pulignano, V (2010) *"Workers' experiences of skill, training and participation in lean and high performance workplaces in Britain and Italy"*, Employee Relations, Vol. 32 Iss: 6, pp.606 - 624

Storey, J (1992) *Developments in Management of Human Resources,* Blackwell, Oxford

Summers, D (22nd May 1992) *Building workers skirmish over pay*, in *Financial Times*, London

Taaffe, P (1995) *The Rise of Militant: Militant's 30 Years,* Militant Publications, London

Tarrow, S (1994) *Power in Movements: Social Movements, Collective Action and Mass Politics in the Modern State,* Cambridge University Press, Cambridge

Taylor, G & Mathers, A (2002) *Social Partnership or Social Movement? European integration and trade union renewal in Europe*, in *Labour Studies Journal* (Vol 27) West Virginia University Press

Taylor, M (2017) *Employment Practices in the Modern Economy,* Department for Business Energy & Industrial Strategy, London

Taylor, M (2017) *Good Work: The Taylor Review of Modern Working Practices,* Department for Business Energy & Industrial Strategy, London

Taylor, P & Bain P (2003) *Call Centre Organising in Adversity: From Excell to Vertex,* in (Ed: Gall) *Union Organising: Campaigning for Trade Union Recognition,* Routledge, London

Taylor, P & Bain, P (2003) *'Subterranean Worksick Blues': Humour as Subversion in Two Call Centres*, in *Organisation Studies*, Sage Publications, 24(9): 1487-1509

Taylor, P & Moore, S (2014) *Cabin crew collectivism: labour process and the roots of mobilization,* Work, Employment & Society

Taylor, R (2003) *Social Democratic Trade Unionism*, Catalyst, London

Taylor, R (1994) *The Future of the Trade Unions*, TUC, London

Terry, M (1999) *Systems of collective representation in non-union firms in the UK*, in *Industrial Relations Journal*, 30/1 16-30

Terry, M & Smith, J (2003) *Evaluation of the Partnership at Work Fund, Employment Relations Research Series No 17*, Department of Trade & Industry / University of Warwick, London

Teske, N (1994) *The Ethos of Politics as a Cause: A study of activism in American Life,* University of California, Berkeley

Thompson, E.P (1968) *The Making of the English Working Class*, Penguin Books, Harmondsworth

Thornett, A (1987) *From Militancy to Marxism: Personal and Political Account of Organizing Car Workers,* Left View Books, London

Tilly, C (1978) *From Mobilisation to Revolution,* McGraw-Hill, New York

Tomlinson, R (2003) *Ricky,* Time Warner Books, London

Thompson, E.P. (1968) *The Making of the English Working Class,* Pelican, Harmondsworth

Towers, B (1997) *The Representation Gap: Change and Reform in the British and American workplace,* Oxford, Oxford University Press

TUC (2002) *Small Firms – myths and realities*, TUC, London

TUC Partnership Institute (2002) *Annual Report 2001-2002*, London

TUC Partnership Institute (2002) *Partnership Works: a TUC Report*, London

Turnbull, E (2015) *Shrewsbury 24: The Truth Will Out,* in *Morning Star, https://www.morningstaronline.co.uk/a-925e-shrewsbury-24-the-truth-will-out-1*

Turner, L (1999) Book Reviews, British Journal of Industrial Relations 37:3 Sept 0007-1080 pp.507-509

Undy, R (1999) *New Labour's "Industrial Relations Settlement": The Third Way?* in *BJIR*, Blackwell, Oxford

Undy R, Ellis P, McCarthy W & Halmos A (1981) Changes in Trade Unions, Hutchinson, London

UCATT (18 August 2015) http://www.ucatt.org.uk/unions-protest-construction-workers-be-paid-london-living-wage

Undercover Research Group (2017) *Was My Friend a Spycop?A Guide to Investigating suspicions and Providing Emotional Support* http://undercoverresearch.net/wp-content/uploads/2017/07/wasmyfriend.vl3_.pdf

Undercover Research Group (2019) *Spycops Targets – A Who's Who,* https://undercoverresearch.net/#

Unison (2017) *The Organising Steward,* Unison, *London*

University & College Union (2015) *Union Reps Stage 1 Training,* UCU, London

Upchurch, M, Danford, A & Richardson, M (2002) *Research Note: Profiles of union workplace representatives : evidence from three unions in South West England, Industrial Relations Journal,* 33, 2, 127-140

Voss, K & Sherman, R (2000) *Breaking the Iron law of Oligarchy: Union Revitalization in the Labor Movement, American Journal of Sociology* 106: 303-349.

Walton, R & Lawrence, P (1985) *Human Resource management Trends and Challenges,* Harvard Business School, Boston,

Warren, D (1980) *Shrewsbury - Whose conspiracy? The need for an Inquiry,* New Park Publications, London

Warren, D (2007) *Key to my cell*, Living History Library,

Webb, S & Webb, B (1920) *The History of Trade Unionism,* Longmans, Green and Co, New York

Wedderburn, Lord (1986) *The Worker and the Law*, Penguin, Harmondsworth

Weil, D (2003), *Building Comprehensive Market Recovery Strategies for the Construction Industry,* WorkingUSA, 7: 26–48

Weil, D (2008) A Strategic Choice Framework for Union Decision Making, Working USA, 8:327-347

Williams, R (2012) *The State of the Unions,* in *Socialism Today, Issue 157*, London

Williams, S (1997) *The Nature of Some Recent Trade Union Modernization Policies in the UK*, in *British Journal of Industrial Relations*

Withers, I (11th March 2011) *UCATT forced to rerun election,* Building, https://www.building.co.uk/news/ucatt-forced-to-re-run-election/5015156.article

Wood, L. (1979) *A Union to Build-the story of UCATT,* London

Woodman, C (2018) *Spycops in context: Counter-subversion, deep dissent and the logic of political policing,* Centre for Crime and Justice Studies

Woods, A and Grant, T (1995) *Reason in Revolt: Marxist Philosophy and Modern Science,* Wellred Publications, London

Woolfson, C (1982) *The Labour Theory of Culture: A Reexamination of Engels' Theory of Human Origins,* Routledge, Kegan and Paul, London

Wright, C. and W. Brown (2013), *The Effectiveness of Socially Sustainable Sourcing Mechanisms: Assessing the Prospects of a New Form of Joint Regulation*, in *Industrial Relations Journal*, 44, 1, 20–37.

Yidirim, O (2014) *Focus: the Blacklisting of Trade Unionists in France,* in *International Union Rights,* vol 21: issue 1, London

Yin, R.K. (1994) *Case Study Research: Design and Methods.* 2nd edition. Thousand Oaks, CA: Sage.

Yorke, T (22nd November 1991) *Revealed: UCATT officers' links with subcontractors compromises union,* Building, London

Yorke, T (22nd November 1991) *Former TGWU official was corrupt,* Building, London