Working for Climate Justice:
Trade unions in the front line against climate change

by Ben Crawford & David Whyte

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Executive summary

Trade unions have not yet made climate change a major area of bargaining and negotiation on behalf of their members. Trade-union approaches to climate bargaining have frequently treated climate and environmental issues as non-adversarial and separate from core industrial-relations issues.

British labour law does not allow for workplace climate action. In particular, the right to strike is limited to a narrow range of employment issues. Unions can however challenge these constraints through building campaigns which link climate and employment demands together.

Workers are directly materially exposed to climate and environmental harms in terms of the effects of physically and environmentally harmful production processes, and the impacts of climate change such as extreme heat.

Workers are indirectly exposed through the market effects of the climate and environmental crisis. This includes exposure in the workplace and the labour market to the employment effects of the energy transition and climate-related economic instability and restructuring. Workers' indirect exposures also include cost-of-living pressures such as climate inflationary impacts and energy-price volatility.

There is an umbilical relationship between the precarity of jobs – unsustainable labour practices – and the unsustainable **production** practices that stand at the foundations of our economy. Trade-union climate campaigns and bargaining models should embed employment security as a key climate and sustainability demand.

Workers' political education is a crucial step in developing a climate-bargaining approach. However, to be effective, political-education programmes must develop concrete understanding of the ways in which

workers, firms and sectors are exposed to present and future climate impacts and the development of worker-led strategies.

An effective response to the climate crisis requires unions to work cooperatively within and across sectors and supply chains. This also requires organising globally across supply chains.

Supply-chain mapping - which identifies opportunities for building workers' power across the supply chain – is an important element of building a climate-bargaining strategy.

Trade unions need to put climate bargaining at the centre of everything they do. This must include channelling greater resources to researching climate impacts on their sectors and members, and to climate campaigning.

Introduction

A great deal of analysis of the causes of climate change has rightly focused on the unsustainable consumption patterns visible in rich, Global North countries. It is often argued then that it is at this level – consumption and consumer choice – that change must occur. Whilst we would agree that the populations of Global North countries must be far more directly concerned with the social and environmental impacts of their consumption habits, this 'consumer-choice' framing ignores the driving force of contemporary economic development: capital accumulation through the endless search for new sources of profit. Moreover, individual consumers have little power or agency to transform the way we produce things, or to change the structural forces that shape patterns of consumption.

An analysis that stops at the question of what individuals can choose to do to save the planet removes the possibility for collective and political action. This analysis is depoliticising because it ignores the central role of profit-making companies and states in shaping our world. From our perspective, what happens in our world is primarily determined by the way we *organise production:* the materials we take from the ground, from the land and from the sea and the ways that we use those materials to produce things. Consumption by us as individuals is a secondary process. This is why tackling climate change and environmental destruction requires the active involvement of *labour.*

Despite over 200 years of automation, human labour is still at the centre of processes of production and distribution. Workers' bodies and minds are needed, whether to dig coal, build houses, assemble vehicles, operate transport systems, stitch garments, perform digital microtasks, or to grow, harvest and pack food. Paradoxically, workers are often made invisible in a climate-change discourse which prizes technological and market-based solutions, and prioritises the role of financial-market actors, large corporations and atomised consumers.

This is a point that remains largely absent from the debate on climate change: workers have the latent collective capability to challenge and

transform the production process towards a more sustainable model. When it comes to saving the planet, workers have power. Indeed, it may be that workers are the only group of people in capitalist societies who have the power to slow down climate change. To repoliticise the debate on climate change, workers – and their trade unions – need to be at the centre of the debate.

The central role for workers and trade unions in climate policy and climate decisions is not discussed much in public. Yet we can find acknowledgment of this role in some of the highest-level policy debates on decarbonisation and renewable energy. For example, in the guidance notes accompanying both the *Paris Agreement* and the *UN Sustainable Development Goals* (SDGs), there is a recognition that the promotion of labour rights is a necessary feature of the transition to low-carbon economies.

The *Paris Agreement* notes the centrality of "a just transition of the workforce and the creation of decent work and quality jobs". The paper implementing this aspect of the *Paris Agreement* foregrounds the work of the ILO as the means to achieve this, noting that *ILO Guidelines for a Just Transition Towards Environmentally Sustainable Economies and Societies for All* provide "a policy guiding framework" for the relevant section of the *Paris Agreement*.[1]

Those ILO Guidelines note that as a guiding principle "[t]he transition to environmentally sustainable economies and societies depends upon" the realisation of "fundamental principles and rights at work."[2] Significantly, the guidelines state that workers must be 'agents of change' who are able to develop new ways of working that safeguard the environment.[3]

The role of work and workers in the transition to low-carbon economies is also covered by UN Sustainable Development Goal 8:

> *"Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all."*

Trade-union rights are a central tenet of those provisions. Thus, section 8.8 of the SDGs requires member states to:

> *"Protect labour rights and promote safe and secure working environments for all workers."* [4]

Indeed, meeting this requirement is indicated by the level of national compliance with ILO standards on freedom of association and collective bargaining.[5]

There is however, one observation to be made about the way that labour rights are framed in those documents: the connection between labour rights and transition is always couched in terms of climate justice: as something that *should* happen, or as something that UN member states and employers have the moral obligation to ensure.

We view this connection differently: we do not believe that a moral obligation is going to be enough. We do not believe that a transition to a low-carbon economy is possible without workers taking the necessary action to *challenge* their employers and the state. Our argument is that any transition rests upon the ability of workers and their trade unions to take collective action to challenge the ways in which the economic system generates social and environmental harms through the drive to maximise the extraction of value at any cost. It is this position that we develop in this pamphlet.

We also need to recognise that the ability of workers and their trade unions to take collective action is not being strengthened – but is progressively being weakened – in many jurisdictions. Despite the high-level acknowledgment of the central role of workers and trade unions in the transition to low-carbon industries, in practice their voices remain largely excluded. In the context of Britain, workers' voices are likely to be further diminished in this respect, as ILO standards are increasingly breached by anti-trade-union laws, and restrictions on the right to protest. Indeed, there is a very strong link between new legal restrictions on the right to strike - such as the exemptions from protections in the 2023 Strikes (Minimum Service Levels) Act - and new legal restrictions on the right to protest - in the 2023 Public Order Act – which specifically target climate protest. The link is not merely that they both breach established 'rights' standards. A more significant link is that both are ostensibly designed to guard against any disruption to the normal operation of national infrastructure. As a starting point in this discussion, we also need to contemplate the flipside of this link: that the disruption of an infrastructure based on high carbon emissions may be crucial and indeed necessary to achieve a sustainable world.

The aim of this pamphlet is to stimulate debate in the labour and trade union movement about how workers and their organisations can lead the transition

to low- and zero-carbon economies. Many have argued for the "inclusion" of workers in just-transition and climate-justice strategies. We argue that because workers are already being affected by those strategies, they are *already involved,* because their co-operation is needed to develop new and restructure old industries. Therefore, what really counts is *how* we recognise and exert our power and collective action as workers in this process.

From our perspective, then, the transition from high- to low-carbon industries depends upon workers and their communities.

This pamphlet therefore aims to raise questions about how workers and their trade unions should respond to the transition from high-carbon to low-carbon industries. It will argue that this transition will depend much more on the ability of workers and their communities to demand and fight for a better social and economic system than on decisions made in boardrooms and cabinets.

The connection made in UN SDG 8 is one that is rarely made in public debates on the challenges of climate change. This is the connection between eradicating precarious working and achieving economic, social and environmental sustainability. It is quite simply not possible to achieve environmental sustainability when our economies are built upon the foundations of precarious labour. Consider for a moment, in the widest sense, what precarious work means. Not only the use of insecure contracts, but also the conditions of economic precarity generated by the ever-present risk that work may be offshored, outsourced or relocated to wherever the cheapest labour and material costs can be found. In the first instance, this precarious labour condition guarantees that workers and unions must defend 'dirty' jobs and industries. In the absence of a planned, clear pathway to sustainable industries, workers and communities face an existential threat and must resist change. Secondly, consider the democratic and participatory dimensions inherent to any planned and 'just' transition. An externalised, vulnerable, and transitory workforce enjoying few rights are unlikely to be able to develop and apply their skills towards the transition to genuinely sustainable production models. We cannot develop new ways of working, organising energy, food, water, clothing and essential services in ways that protect the natural world if they remain based on a system of labour that forces costs and working conditions down, moves to where people can be exploited the most, and encourages the deployment of both labour and capital in ways that accelerate climate change. This is not merely a moral but

a practical issue. We cannot build economies based on sustainable ways of organising production, distribution, transportation and so on, if labour markets are geared up to achieving the opposite. As we explore further below, there is a mutual incompatibility between the precarious labour condition and environmental sustainability. This is a connection that we rarely hear about in debates either on the challenges of climate change, or in labour and trade-union rights, and yet it is so fundamental that trade unions must force this basic argument into the front and centre of their political and industrial interventions on behalf of workers.

Questions of environmental sustainability are not new to trade-union debates. For at least five decades now there have been key voices in the British trade unions that have sought to bring environmental degradation and environmental quality into the core of their work. One of Britain's largest unions, the Transport and General Workers Union (TGWU; the earlier guise of Unite) committed to playing an "active part in combating all forms of environmental pollution and contamination" at its 1973 annual delegates' conference.[6] The TGWU had developed policy on road transportation which opposed expansion of the motorway infrastructure "until societal benefits could be measured against a public transport policy inclusive of all modes of travel".[7] The union's motivation for stressing the environmental benefits of public transport of course coincides closely with its members (many of whom work in transport infrastructure). Yet, in policy terms, the TGWU's environmental concerns end in a place that might surprise many critics of the trade-union movement today. At the 1991 biennial TGWU conference, the union was mandated to establish a high-level environmental action group, to organise environmental education of members (including training on 'how to complain' about environmental damage inside and outside the workplace), and to encourage the building of links with environmental groups. The conference also agreed to campaign for a new regulatory agency to promote sustainable methods of production, and to demand that trade-union health and safety representatives be granted a statutory environmental role.

The brilliance of the TGWU's 1991 proposals was in that they united demands for political change outside the workplace to demands for action inside the workplace. This aspect provides a warning against understanding climate action as a matter for 'big' politics. So many of the books and articles and pamphlets that bemoan the lack of trade-union action on climate change end up arguing for workers to move trade unions onto a *political terrain*

outside the workplace. The argument generally goes that because trade unions are set up within narrowly bounded constitutional parameters – i.e. their legally constituted role is to negotiate and take action to achieve improved pay and conditions for workers – they are not inclined or indeed legally empowered to take action beyond this remit. We agree in part with this analysis. The ways in which trade unions are constituted means that they do not have a remit to represent the interests of a wider population beyond their membership, even in the communities that are largely made up of their members. This tension can result in opposing interests being expressed by trade unions and communities. For example, in the midst of the TGWU's initiatives in the 1990s that we discuss above, the trade union came into conflict with a local clean-air campaign after deciding not to oppose the burning of hazardous waste in cement kilns.[8] The ways in which workers and trade unions are positioned in law and in practice poses a challenge to industrial responses to climate change that cannot be underestimated.

One aspect of climate-related bargaining that has being applied relatively widely is demands for improved transport and workplace facilities that coincide with a green agenda. Energy audits have given trade-union reps leverage to develop better waste policies, energy efficient procurement policies, energy-saving measures and even on-site wind turbines. Agreements between workers and managements on greening travel to work have grown in recent years. They include subsidised public transport, subsidised cycling schemes and even car-sharing schemes that provide workers with free breakfasts as an incentive.[9]

These types of schemes are all about reducing the carbon footprint of a particular employer or a workplace. They are very valuable in the sense that they put workers at the centre of a drive for more sustainable working. Yet they tend not to deal with the most fundamental issues of sustainability: the things that workers produce and the way that they are produced, or the services that workers provide, the purpose of those services, and the conditions under which workers are expected to provide services. The 'bacon roll' approach to climate bargaining is important, but it does not get to the fundamentals of providing sustainable jobs within sustainable economies.

Despite these developments, one of the greatest tragedies for the labour movement in our time is that it has not been able to grasp the opportunity to bring climate change and sustainability into everyday workplace organising. The trade unions have failed to challenge both governments and

managements on this basis. In other words, as we will argue, trade unions need to make climate change a core area of bargaining and negotiation on behalf of their members. We need to put the politics of climate change onto an industrial footing.

We are not naive about this. We do not think that sufficient action can be taken in the workplace on climate change without being connected to a wider popular movement. Nor is workplace climate action easy or risk-free in a neoliberal world. In that respect we agree with the position that in order to harness workers' power, communities will need to be organised and other forms of social power will need to be mobilised outside the trade-union structures. Trade unions are *the* places where workers organise, agitate and negotiate with their employers for changes to their working conditions. This pamphlet makes a case for putting climate change squarely into the sphere of negotiating agendas and into the arena of industrial action.

Chapter 1

The failure of the British trade unions to lead debates on the transition to a green economy

It is often said that the trade-union movement has failed to represent workers' concerns about environmental quality and climate change. Indeed, many argue that in some of the most damaging industries, trade unions have promoted the interests of their members by defending the 'industry.' In some sectors, such as weapons manufacturing and nuclear power, trade unions have been accused of prioritising the protection of jobs above any other social aims. We should not be surprised by this. This, after all, is their role.

Over the years there has been extensive criticism of trade unions defending 'dirty' jobs, the GMB's promotion of the fracking industry[10] and defence of the North Sea oil sector[11] in Scotland, and Unite's defence of arms-manufacturing jobs[12] being perhaps the most widely cited examples.

We propose a slightly different approach to understanding such examples. The problem is not that in those cases, trade unions promote and prioritise jobs *per se*. Rather, in those examples, trade unions have failed to identify and articulate the broader, long-term, interests of workers. They fail to consider or explore, for example, how jobs can be sustainable, and how, in order to achieve this, workers might have a say over the nature and type of work that they do and play a role in determining the future of their industry.

One often-cited example to the contrary is the case of the Lucas Aerospace 'combine'. From 1976 onwards, workers at the major arms manufacturer Lucas Aerospace proposed an alternative production plan in order to allow the company to survive as it faced intense global market pressures. The combine plan developed by a large number of organised workers employed by Lucas is one that was years ahead of its time, even if just measured in

terms of its contribution to engineering technology.[13] The workers, fearful for their jobs on one hand, and on the other hand, unsatisfied with their skills being used to produce weapons, sought to develop a more sustainable basis for production in Lucas's factory. They developed prototypes of a number of socially useful technologies. Many of their inventions were ground-breaking and were not fully developed for many years: wind turbines, electric vehicles and a type of energy-efficient heat pump that is now widely used in British houses.[14] Those workers were responding innovatively to the collapse of the British manufacturing industry and sought to harness a capacity for making the things that conserved energy, rather than military technologies which do precisely the opposite. Tragically, despite the detailed plans and business cases, and the revolutionary inventions that came together years ahead of their time, the Lucas plan failed to gain the support of government or private investors.

Neither was the Lucas plan supported by company managers. This was not because of the social value of what was being proposed, but rather because the potential return on investment was neither guaranteed nor likely to be quick enough. In capitalist societies employers generally have a different agenda and different interests to their employees, as do governments and industry leaders. No matter how commercially innovative or socially useful it was, the Lucas plan was never introduced because neither government, Lucas management nor other industry leaders accepted it as a viable proposition.

The 'common interest' principle in climate policy and industrial relations

The Lucas plan was a salutary lesson that employers will always have a different agenda and different interests to their employees. Yet climate policy at the international level fails to recognise this fundamental conflict of interest. Climate policy is based upon the same basic article of faith that we find in systems of environmental regulation across all capitalist economies. This article of faith is the 'common interest' principle. At its most basic level the common-interest principle proposes that we all have an equal and common interest in protecting the environment. The common-interest principle does not distinguish between the core economies that dominate those on the periphery. It does not distinguish across racialised or gendered or class divisions, since all peoples in all parts of the world have an equal and common interest in saving the planet.

The common-interest principle enables policy to be developed in ways that does not depend upon enhancing the power of workers. In this sense, it is an approach that is best suited to maintaining the social and economic status quo. A common-interest approach assumes that managements of even the most polluting fossil-fuel companies should have a decisive input into just-transition agendas. The most powerful governments and corporations based in the Global North can be positioned as the solution to climate change rather than the problem.

The common-interest approach rejects that idea that environmental quality and climate change can or should be a subject for *dispute* in the workplace. In many jurisdictions, labour rights are framed by the idea that it is in everyone's interest to pursue harmonious workplace relations. The right to strike is always constituted as a last resort, and legal protections for taking strike action are never fully guaranteed but are circumscribed by particular limits.

In the British context, the common-interest principle can be traced back to early forms of health and safety protections for workers in the 19th century.[15] It is this principle that formally underpins the modern system of workplace health and safety, underpinned by the Health and Safety at Work Act 1974. The British government's Robens Report, which laid the foundations of the Act, asserted:

> *"there is greater natural identity of interest between 'the two sides' in relation to health and safety problems than in most other matters. There is no legitimate scope for 'bargaining' on safety and health issues."* [16]

Health and safety in Britain was thus constructed as a 'special case' in industrial relations: one in which relatively weak rights to industrial bargaining were granted.[17] For example, in British law, whilst there is the right of *individuals* to refuse to work under intolerably unsafe conditions, there is no collective right to do so. There are strong collective rights to *consult* the workforce over health and safety matters, and rights to representation and consultation over health and safety matters are relatively strong. Yet, beyond those rights to consultation, health and safety occupies a strange, rarefied space. The conditions of work that often have a direct impact upon the labour process such as the intensity of work, changes in systems of work, or even more obvious features such as lack of training, working long hours and so on are not generally seen as 'safety' matters and are outside

the jurisdiction of safety protections. Beyond representation and consultation, the most significant right that British workers have to act on those issues as 'safety' concerns is the individual right of an employee to stop work in circumstances that involve "serious and imminent [danger] to their health or wellbeing". This right, set out in Section 44 of the Employment Rights Act 1996 Act is not a collective right. It is not a right that can trigger industrial action in law. Effectively what Section 44 does is assert an individual right to safety precisely because, where there is a 'natural identity' of interests, the collective right to take action is not necessary.

And yet, throughout history, any improvements in health and safety conditions at work have been won only by workers themselves organising and taking action.[18] This was perhaps most recognised in the period of industrialisation in European and Western jurisdictions. Yet it is a universal phenomenon. In the farms and factories of the Global South, workers only keep themselves safe through organising.[19] The failure of employers' voluntary efforts in this respect warns us against a naive acceptance of the common interest principle.

Health and safety struggles as indivisible from climate and environmental struggles

This matters because, as a number of authors and activists[20] have shown, workers are created as subjects who experience the front line of environmental harm. This has been the case throughout the history of heavy industrial work, especially the chemical industries, mining, ship building and other forms of heavy manufacturing.

It is also the case that many of the struggles that we describe as workers' health and safety struggles have actually been struggles around environmental damage and destruction. Indeed, workers' struggles that have been organised around *environmental* protection are much more common than industrial history has recognised. Such struggles have cut across mining, agriculture, manufacturing and transportation.

In Britain, demands for environmental protection have generally been framed as *health and safety demands*.

The clearest example of this is perhaps the British chemical industry. When the industry emerged at the end of the 19th century, trade-union organisation was patchy and uneven, due to the precarious nature of the work. As Eaton and colleagues (pD1234) note:

> "chemical works were regarded as places of employment of last resort for those desperate for work at any price, those among the mass of general labourers who were least capable of union organisation." [21]

In the most important region for chemical works in Victorian England – in the Lancashire and Cheshire towns of Widnes, Runcorn and St Helens – unions eventually took hold as the only means of challenging what were almost certainly the highest rates of fatal industrial disease and illness in the country.[22] The Chemical and Copper Workers' Union emerged for a brief period to represent the workers in the alkali industry in the North West of England. The union's main demands were an eight-hour day and closed shop in chemical works. But significantly it also sought the broader social and political aims of union representation on local councils and, when the industry began to collapse, it sought the union ownership of an alkali works.[23] There is no doubt that part of the motivation was the impact of the chemicals industry in Widnes on both the workers and their families who lived in the surrounding areas. As one writer noted in 1876:

> "The foul gases which, belched forth night and day from the many factories, rot the clothes, the teeth, and in the end, the bodies of the workers, have killed every tree and every blade of grass for miles." [24]

The testimonies of the time referred to green liquid and noxious gasses turning hundreds of acres of land around the factories where workers and their families lived into barren, poisoned, waste ground.

In evidence to Parliament in 1891, the Chemical and Copper Workers' Union made precisely this point: that the chemical firms were ruthlessly poisoning both workers and the immediate environment in which their families were forced to live.[25] This short-lived trade union very explicitly united workers' struggles with the destruction of all nature in their immediate surroundings.

The main successor of the chemical workers unions of the 19th century, the Chemical Workers' Union, sporadically organised around similar themes. Ultimately, their incorporation into a clearly mapped out system of national collective bargaining and factory tripartism appears to have blunted this,[26] but there are a number of surviving examples of how the Chemical Workers' Union continued to link the effect of chemicals on workers inside the factory to their environmental impact outside the factory. In 1932, its General Secretary, Arthur Gillian issued a pamphlet titled *The Menace of Chemical Warfare to Civilian Populations*. In it, he documented the devastating effects of chemicals used in warfare and warned against the next global war as one likely to draw its main source of weapons from his industry, calling on an anti-war movement to organise against the warmongers, including the chemical and munitions manufacturers, the financiers and politicians to ensure people are kept safe from the horrors of war.[27]

It was a concern with chemical and biological weapons that led to the founding of the Hazards Campaign, a hugely important workers' organisation that organises grassroots workers and their trade unions around taking action on both occupational and environmental health. In the late 1960s, a number of prominent scientists and campaigners had come together to organise against the provision of public funding for chemical weapons, forming the British Society for Social Responsibility in Science (BSSRS). Some of those who joined in the early days had a previous record of activism against nuclear weapons, through Scientists Against the Bomb, and the Campaign for Nuclear Disarmament, and in the labour movement. The Hazards Campaign emerged as a result of the work of some members of the BSSRS and some prominent trade-union safety campaigners doing pioneering work demanding the banning of asbestos and other hazardous substances. In the mid-1980s a number of Hazards Centres providing occupational and environmental health advice to workers were set up in major British cities.

In its current guise, the Hazards Campaign was established in 1988 to bring together those Hazards Centres, other occupational health projects and campaigns, trade unions and individual health and safety activists. Specific campaign groups supported by the Hazards Campaign include the Construction Safety Campaign, Families Against Corporate Killers and various asbestos victims' support groups. Hazards Magazine provides a centre point for disseminating news on workplace health and safety campaigns and workers' struggles around occupational and environmental

health. Indeed, as a movement, Hazards has always taken an approach that unites trade-union occupational-health campaigning with environmental-health campaigning. In practice this has meant building links with communities affected by work as well as directly with safety representatives. In many ways its approach is years ahead of its time for the trade-union movement.

The Hazards Campaign's coordination of struggles around cancer at work draws attention to "a barrage of rapidly evolving substances, work methods, processes and environments with little thought given to the health consequences that will face society – workers, families, entire communities – a working generation down the road."[28] Similarly, its concerted exposure of the global asbestos industry links the exposure of works and communities in sites of asbestos consumption, production and disposal, from the Turner and Newall factory in Rochdale[29] to leading the demand for a register of all homes and public buildings containing asbestos.[30] The work of the Hazards Campaign provides a model approach that sees the occupational threats to workers' health and threats to the environmental health of the community as indivisible.

If the Hazards Campaign is a model, it is by no means unique. There is nothing new about the way those issues impact directly on workers and their working conditions. Those issues may have been more or less visible at different stages in the process of industrialisation, and they may present themselves differently between the shifting core and the periphery of the global economy. However, they exemplify that workers' *environmentalism* has been ever-present in industrial economies.

The examples cited above begin in the process of European industrialisation from the late 19th century and early 20th century onwards, and broadly focus on two types of conflict with employers.

First, demands to limit exposure to pollutants in the workplace. Those conflicts have focussed upon exposure times, personal protective equipment, the right to cease or suspend dangerous working and the right to permanent representation on safety matters. Some of the most significant strikes in British trade-union history have been waged on this basis. The spate of factory struggles throughout the 19th century were waged around working hours, many of them involving exposure to dangerous substances at work, including in mines and in shipyards. Exposure to white phosphorous and the horrific condition of 'phossy jaw' it

caused to workers was one of the issues that lead to the London match-women's strike of 1888. Miners' strikes over shorter hours, such as the campaign of 1921, have not been written in history as strikes over occupational health, but they were commonly about working hours and thus the health effects of exposure to coal dust. The relationship between reducing working time and reducing the risk of pneumoconiosis, silicosis, mixed dust pneumoconiosis, dust-related diffuse fibrosis and chronic obstructive pulmonary disease, is something that has been known to coal workers since at least the early 19th century.[31]

Second, conflicts over pollution *outside the workplace*. Such conflicts have been ever-present in some sectors, even if they are relatively undocumented. Our discussion of the chemical industry above noted that demands for clean *air* outside the workplace have been around for a long time and in some industries been indivisible from trade-union struggles inside the workplace. As academic Stefania Barca notes in relation to the Italian labour movement:

> *"The awareness of environmental health connections as a shared bodily experience among factory workers and local people – the many women who experience breast cancer and those who are faced with foetal malformations, the parents of children with asthma, the fishermen and farmers who become aware of unusual death and illness in the non-human living world – is a common feature of Italian working-class communities, and a leading thread throughout the period 1970s-2000s."[32]*

Those struggles became particularly fierce in the petrochemical areas of Augusta, Sicily and Porto Marghera in the Veneto region. This experience is also shared in numerous contexts in the Global North. In Scotland for example, trade unionists have been at the heart of semi-conductor manufacturing in Greenock[33] and the petrochemical sites of Grangemouth[34] and Mossmoran.[35]

There have also been a number of campaigns in the UK that specifically address the connection between occupational and environmental health inside and outside the workplace. The British Women's Environmental Network (WEN) is perhaps a model for connecting workplace/community campaigns. WEN is an autonomous campaign organisation that is closely connected to the trade-union movement. Its role has been to highlight and

organise around threats to occupational and environmental heath that affect women (such as carcinogenic chemicals used in cosmetics that poison workers in salons and consumers). In 2019, the Hazards Campaign launched the Trade Union Clean Air Network with a charter signed by 16 national trade unions. The charter calls for "strict enforcement by relevant agencies of the occupational and environmental legislation with the power to hold public bodies and employers to account." [36]

The environmentalism of the poor

Despite the frequency with which working-class and environmental struggles appear indivisible, it is probably the case that both inside and outside the trade-union movement, environmentalism has been broadly understood as "largely [an] academic and middle-class trend." [37] The misconception that working people are interlopers in something that is either a middle-class preserve, or is outside the realm of class interests, has been challenged consistently by non-Western scholars and from observers of anti-racist and anti-colonial struggles.

In his book *The Environmentalism of the Poor,* Joan Martinez-Alier [38] demonstrates that far from being a minority middle-class concern in the Global North, environmentalism is part of everyday survival for huge numbers of ordinary people in the majority world. People who survive on subsistence agriculture, or who rely on clean water supplies from natural sources, people threatened by displacement from the land or by environmental health threats due to industrial development, are all forced to resist the destruction of their environment. Direct action by workers' and peasant movements to defend the environmental quality of water and air and to protect the land on which they work is therefore at least as old as European colonisation. The environmentalism of the poor in Latin America, Asia and Africa is of immeasurably greater historical significance in comparison to the post 1970s middle-class Western environmental movement. Indeed, it would not be an exaggeration to say that *environmental* struggles by workers fighting back against the commodification of their lives and livelihoods has been an ever-present dynamic across the history of European colonisation.

Indeed, compared with workers' movements in the Global South and in the colonised world, workers' movements for environmental justice in the

Global North have had rather narrow concerns (which are bifurcated into the two dimensions of pollution noted above). Once we begin to look at workers' environmental struggles through a lens of *global* inequality, we begin to see a clear rupture between the ever-present nature of workers' struggles in the Global South and the struggles that have taken place in the core of capitalist economies.

Thus, agricultural workers face pollutants that threaten their lives and the livelihoods of their communities. The struggle of Kenyan, Zambian and Colombian flower pickers[39] is supported by some trade unions, but is a struggle that takes place in industries that have low trade-union coverage and where violent union-bashing is part of the industry. The same goes for countless other agricultural products from bananas[40] to palm oil.[41]

A major pan-Asian organisation, the Asian Network for the Rights of Occupational and Environmental Victims (ANROEV) organises across workplace and community environmental campaigns to build the capacity for trade-union organisation and resistance. It works with trade unions and the communities polluted by industrial activity (for example agriculture, chemicals, mining, shipbuilding) to build the capacity to fight back.

The work of ANROEV reflects the unity of struggles involving workers-communities across the Global South. Such struggles typically unite environmental demands, demands for labour and trade-union rights, and demands for land rights. Just as workers' environmentalism has been ever-present in industrial economies, so has the workers' environmentalism as a resistance to colonial industrialisation also been ever-present in the Global South. Yet it is the dominance of Global North economies – rooted in colonialism - that has meant workers in the South have always faced predatory working practices that exploit them and exploit their environment with an intensity that is barely comparable to the situation of most workers in the North. The environmentalism of workers in the South therefore has a deep and enduring historical character, and has tended to focus on fundamentals of land ownership and control, the commodification of the plantation, and the need to defend food, water and supplies.

This chapter has shown that despite the common perception, and even if it has never been described as such, workers' environmentalism has been an ever-present feature of industrial economies. More significantly, workers'

environmentalism in the Global South has been at the core of anti-colonial anti-racist struggles for centuries.

This tells us that there is nothing *un*natural about workers' environmentalism. It also tells us that workers have always understood that confrontation with employers is necessary to protect their environment, and to protect against exposure to dangerous substances in the workplace. If workers' *environmentalism* has been an ever-present feature of industrial economies, so have industrial struggles and industrial action around such disputes. Whether expressed as struggles for rights to land and water, to reduce exposure to chemical harms, or to shorten the working day, there is no natural identity of interests between employers and employees.

Reasons to be bargaining

As the previous section argued, it is precisely because workers are at the front line of the production of environmental harms, and because their bodies are the first casualties, that there is no natural identity of interests between workers and employers. We can also express this in broader class terms: workers disproportionately absorb the environmental costs of production, but are less able to afford the mediation or mitigation of those costs.

There is a deeper point that we would make: the extraction of surplus value from work is a process that *almost always* simultaneously exploits workers and their environment. Think of any industry that relies on a long supply chain. Contemporary supply chains have developed to coordinate production in ways which maximise the speed of material throughput and reduce labour costs at every stage. Modern 'just-in-time' supply chains and associated practices of 'lean' working and 'management by stress' have underpinned enormous productivity gains in some sectors. Yet the source of these apparent 'gains' can often be found in the intensified exploitation of both labour and nature. Many sectors which present the greatest threats to climate and biodiversity – extractive industry, agriculture and livestock, and manufacturing, are all based upon this principle: extend the supply chain to force labour costs down.

Take the manufacture of high-street clothing. In this sector there is a direct link between driving costs down along a supply chain for the manufacture of clothes and its unsustainability. So, unsustainable forms of production of primary materials (cotton, synthetics) proceed by exploiting labour under often horrendous conditions. The production of natural fabrics using cotton, silk or hemp very often relies upon highly exploitable forms of migrant labour. The production of synthetics often comes at a different cost to workers, in factories with very high rates of industrial disease experienced in the production of nylon and rayon-based fabrics. The conditions under which those fabrics tend to be produced also tend to have

major environmental costs. Cotton production relies upon the depletion of water resources, and large-scale use of industrial fertilisers which cause major pollution problems in many parts of the world. Synthetic fabric production involves toxic by-products, many of which are persistent 'forever chemicals'. The work of cutting and stitching these fabrics into garments is conducted primarily by women and young girls, living in poverty and facing working conditions so intense that they face physical 'burn-out" by their 30s.[42] In this way, the labour conditions facing workers are precisely the same conditions that threaten our air, land and water. This secret solidarity between workers and 'nature' is no secret to those who experience those conditions on the front-line. And this secret solidarity doesn't stop at the point of production. Transportation and consumption also reveals this relationship. In the high-street clothing market, production is often located on the other side of the world from consumer markets (i.e. where labour costs are cheaper). This leads to greater distance for transportation, more carbon emissions, and more energy inefficiency. In summary, then, we can say that capitalist forms of production are set up in ways that cannot do anything else but simultaneously exploit labour and 'nature' for profit.

As a number of eco-socialist writers have argued, exhaustion of the soil/seas/forests/air by capital's self-propelling logic is the same process as the exhaustion of workers.[43] In capitalism, it is impossible to separate the exploitation of labour from the exploitation of nature: this is one and the same process.

The Political Economy of Speed.

In his classic study of the North Sea, WG Carson identified the political economy of speed that dominated the labour process and ensured workers paid "the other price of Britain's oil."[44] In his book of the same name, Carson argued that the political context had shaped the degree to which the oil companies were able to take risks. The British government, facing an acute balance-of-payments crisis and desperate to get the oil out from under the North Sea, had deliberately ensured lax regulatory conditions and provided commercial incentives and tax breaks to the oil companies. Although the chances of being killed on an oil rig or platform was many times that of an equivalent onshore worker (eleven times the fatality rate in the construction industry and nearly nine times the rate in mining), the British

government effectively exempted offshore platforms from labour standards and turned a blind eye to union busting. This 'political economy of speed' created unbearable tensions which pushed production rates beyond safe limits and created the catastrophic conditions that led the sudden explosion on the Piper Alpha platform in July 1988. The Piper Alpha disaster killed a total of 167 workers.

This political economy of speed had been accelerated by events in the geo-political system. The collapse of the OPEC cartel quota in 1985 saw the average price of a barrel of oil plummet from more than $30 in November 1985 to around $10 in April 1986. The implosion of the oil market had a dramatic effect on the industry and placed more pressure on a casualised and non-unionised workforce vulnerable to the notorious 'Not Required Back' system of blacklisting. In order to defend profit levels, oil companies slashed their operational budgets by between 30% and 40%.[45] Wage levels fell dramatically and 1986 saw up to 22,000 jobs lost in the industry. The oil companies' response to the collapse in the oil price had far reaching implications for workplace safety, and the regular maintenance of plant equipment was a major casualty of operational cost cutting. It is not difficult to see how the collapse of the market price can affect the balance of power between shareholders, managers and workers. When the oil price is low, the demand to make more profits for less investment intensifies. Workers' ability to respond and defend themselves is reduced as exposure to layoffs and production cuts increases. Almost precisely, the same political and organisational conditions described above were repeated when BP's Deepwater Horizon rig exploded in the Gulf of Mexico. Similar characteristics (lax regulation, market instability, aggressive management cost-cutting, and a workforce whose warnings are too easily ignored) are present in countless industrial disasters.[46] An almost identical combination of factors can be found in the circumstances surrounding the Bhopal chemical disaster,[47] the Rana Plaza[48] collapse and the Brumadinho dam collapse[49] to name but three. Explanations for all of those incidents can be understood as part of a complex but irresistible political economy of speed.

Profit-making ventures are always framed by a political economy of speed. When forests are cleared at a pace too fast to be renewed to meet a demand for mining or crop farming or cattle grazing, this is the political economy of speed at work. When industrial processes are developed to ensure that we can have mangetout on our plate within 48 hours of being picked, this is the political economy of speed at work. And when chemicals that end up in the

atmosphere are produced because the alternatives take too long to develop, this is also the political economy of speed at work.

The corollary of this is twofold: a) it means that workers generally have the power to slow the impact of their work on the environment as they protect themselves; b) this reveals a kind of secret solidarity between workers and 'nature'. It is in the interests of both to slow down production as far as possible. There are of course limits to this.

And this brings us directly back to the question of a 'natural identity of interests' raised in the previous section. Slowing down production as part of the labour process is, by definition, confrontational. It requires collective power, expressed as industrial action. Slowing production is rarely agreed consensually between employers and employees. This level of interference in the labour process generally requires a strike or other type of industrial action. Moreover, employers, especially if they are profit-making enterprises, operate in a competitive environment and generally cannot afford to lose control of the rate of work. If one group of workers slows the labour process, this can give opportunities to other employers to strengthen their market position. In many circumstances, this may mean that they are able to increase productivity, capture more profit, and extend their control over more workers and supply chains. Workers seeking a more sustainable work rate may instead find themselves out of a job. This is why workers and their organisations need to work as collectively as possible within and beyond their sector. In other words, workers and their organisations need to think about climate organising at workplace, supply-chain and sectoral levels precisely because the power of employers to exploit workers and nature simultaneously lies at those multiple sites simultaneously.

Precarity and sustainability

Precarity and the broader market conditions within which particular jobs are positioned shapes the political economy of speed in any industry. Carson's North Sea for example had up to 90% of workers on casualised contracts. As we note above, the global textiles industry is dominated by long supply chains with precarious workers who are vulnerable at every stage in the supply chain. They are vulnerable because the labour market is created in this way. This is crucial in terms of the argument outlined above, precisely because it exposes a relationship between the position workers

hold in the labour market and their ability to challenge the working conditions that arise from the labour process.

Workers who are less able to challenge employers in any significant way are less empowered to push back against anything. This is why the most significant factor in the occupational and environmental health of workers is their job status, and the closely related factor of trade-union membership. It is trade-union membership more than any other factor that reduces the chances of a worker being killed or injured at work.[50]

Job security becomes crucially important in achieving environmental sustainability for exactly the same reason. When workers are on permanent contracts and enjoy better pay and conditions, they are more able to push for environmental improvements in their daily lives. Chemical workers are more able to demand shorter exposure times for hazardous tasks or demand controls on air pollution; agricultural workers are better able to limit the use of the chemicals they are forced to use. The same goes for transport workers, factory workers and so on.

In a broader sense, precarity in the workplace and in the labour market limits the possibilities for securing environmental sustainability in the wider economy. This is because the conditions of precarity undermine any ability to make strategic decisions that are not in line with the immediate needs of business. Precarity in the workplace enables work to be more closely aligned to the short-term needs of business.

Precarious work directly undermines the central mechanisms for greater economic democracy – trade-union organising and representation of workers. It is widely understood in the labour movement that it is harder to organise workplaces and sectors characterised by a high levels of casualised forms of labour contracting. Casualised workers also face much higher barriers to participation in union and employer structures of representation. For example, the McDonalds European Works Council – a statutory mechanism designed to mitigate the harmful impacts of the economic decision-making of multinational corporations across the EU – has been subject to 'management capture' since its inception precisely because of the high proportion of McDonalds workers who are on temporary, zero-hours or part-time contracts.[51] The basic possibility of contesting harmful decision-making is eroded by the employment model. When we consider the types of engaged, deliberative and strategic, worker-led processes which must underpin any 'just transition', it is clear that such

processes will fail where the most vulnerable and precarious workers are excluded.

Together, those points add up to a crucial lesson that the trade-union movement has been slow to learn: precarity and casualisation create conditions that prevent us developing 'clean jobs' and more environmentally sustainable forms of working. This is the case in every industry. There is an umbilical relationship between the precarity of jobs – unsustainable labour practices – and the unsustainable environmental practices that stand at the foundations of our economy.

In short, the secret solidarity between labour and nature at the front line of production has another, crucial dimension. A challenge from organised labour against precarity is a necessary condition for developing environmentally sustainable economies. For this reason, workers and trade-union campaigns *against precarity* in the labour market are indivisible from workers and trade-union climate campaigns.

Defending Dirty Jobs?

The sting in the tail of this relationship is that in capitalist economies, no matter how secure jobs are, job security is dependent upon a combination of decisions made by employers, and decisions made by policy makers to protect particular jobs or subsidise particular sectors. Ultimately, the viability of jobs depends upon the viability of firms. And this is where the absolute limits on climate bargaining come in. In economies based upon dirty jobs, workers may not be in a strong position to demand clean jobs, even if they are organised in ways that allow them to do so.

In a recent survey of oil workers, 81.7% responded positively to the question. "Would you consider moving to a job outside of the oil and gas industry?"[52] The follow up questions were more revealing. Of those that answered no, a majority said that "job security" was the most important consideration in

this decision.[53] On one hand, this response reinforces the link we make above between precarity and sustainability of the economy. On the other hand, it draws attention to the lack of control that workers have over the transition of their jobs away from carbon economies. Later in the survey, workers were asked whether they had heard of the term "just transition." A full 91% said no.[54] This speaks volumes about the lack of discussion, never mind involvement, in the transition.

How can we expect workers to be involved in a just transition when they have no agency in the process and are simply expected to be shunted from job to job based solely upon employers' decisions? The countless examples of trade unions defending unsustainable jobs has to be understood in the context of a capitalist labour market that forces people to make choices they don't want to make.

Yet it is because of precarity in capitalist labour markets generally that workers in the dirtiest industries must *defend* their jobs. If they had real choice and control over the work in different well-paid jobs, it is hardly likely they would choose to work in oil or chemicals. People do not choose a job or a career because of the acute occupational or the environmental hazards or the high risk of death that a job involves. We make decisions to accept jobs under conditions that we don't choose.

It is for this reason that some of the dirtiest jobs and most dangerous places to work are the 'just transition' jobs. In the North Sea, where wind farms are being constructed, we can find almost identical conditions experienced in the early days of the North Sea oil and gas industry. Indeed, similar vessels are being used with similar work patterns and similar levels of precarity. Precisely the same stories are emerging of a lack of occupational safety on the vessels being used to construct wind turbines.

In the waste industry, crucial for reducing the environmental impact of industrial by-products, and for recycling, the death, injury and illness rates are amongst the worst of any sector. For example, the fatal injury rate in the waste and recycling industry may be around 11 times the national average in Britain.[55] One academic review has concluded that in the waste industry there is:

> *"[A]n increased prevalence of respiratory, gastro-intestinal and skin complaints in workers exposed to compost relative to*

controls. They may also be at increased risk of extrinsic allergic alveolitis, allergic bronchopulmonary aspergillosis, occupational asthma and abnormalities of lung function. Workers involved with the recycling of batteries and cables may be at risk of lead poisoning and exposure to other heavy metals."[56]

Right now workers are absorbing the considerable health costs of so many so-called green jobs. Levels of risk and exploitation associated with just-transition jobs in the Global South are on a different scale. There is an asbestos epidemic about to unfold in Bangladesh as a result of the ship-breaking industry,[57] which is increasingly positioned as a "recycling" industry. Workers in this sector are exposed to persistent organic pollutants and heavy metals.[58] Electronic waste recycling in major centres like Accra in Ghana and Lagos in Nigeria is based on informal economies in which children and the poorest workers are exposed for long periods to heavy metals and other highly dangerous toxins. China is also now a major centre for an informal economy in electric recycling.[59] Those economies rely on cheap labour to reproduce the same old colonial inequalities, and enable the transfer of toxic economies from North to South. At the same time, those industries further enable wealth to be transferred from South to North.[60]

To this, we can add the appalling conditions that workers mining the metals needed for batteries face.[61] Indeed, the intensification of political economy of speed combined with the extreme precarity that structures this industry means that this just transition will inevitably mean an even steeper rise in the rates of death, injury and illness in this sector.[62]

All of this provides two crucial lessons for us. First, as trade unionists we cannot permit one set of dirty jobs to be replaced by another set of dirty jobs in the name of just transition. Second, neither can we permit a just transition to intensify the export of hazards that are absorbed by workers and communities in the Global South.

British labour law and climate bargaining

So far in this pamphlet, we have argued that a transition to low-carbon economy is not possible without workers taking the necessary action to challenge their employers. And we have provided a number of historical examples to show how workers' environmentalism has been an ever-present feature of industrial economies. We have further argued that there is an enduring 'secret solidarity' between workers' interests and the struggle to limit environmental degradation. So how do we bring this solidarity out into the open; how do we make workers' action on climate and environmental quality central to the aims of trade unions?

This chapter approaches this question from the perspective of the way that law positions workers as climate actors, and the ways in which this has shaped and constrained union approaches – driving a de-politicisation of approaches to climate in the workplace and constraining *industrial* responses.

Despite the high-level policy recognition that workers and unions have a crucial role to play, including through collective bargaining, British workers and unions face an imbalanced and restrictive legal framework which both constrains the scope of collective bargaining issues and the right to strike, and excessively confers decisional authority over production to the owners of capital.

However, in contrast to recent studies which have suggested that labour law *determines* union approaches to climate bargaining,[63] we point *beyond* the immediate legal constraints to consider the ways in which law has shaped the class politics of unions, and the extent to which responses to the climate crisis may drive a reinvigorated class politics of climate change which seeks to challenge these legal boundaries. More concretely, we argue that workers are facing the climate crisis in the context of a deeply flawed and failing

economic, legal and regulatory institutional context, and increasingly are driven to find new ways to secure their interests.

This chapter considers how the law can be used to support climate bargaining, gives an overview of emergent models of union climate action, and indicates the strengths and limitations to these approaches. The following chapter goes on to consider some examples which attempt to bring a wider class politics of climate change to bear through articulating climate and environmental issues to industrial bargaining claims.

Labour law and British union models

As described in the introduction to this pamphlet, the policy framework of 'just transition' envisages a clear role for workers and unions as climate actors through collective bargaining and multi-level social dialogue. ILO research papers suggest that support for climate bargaining within the ILO framework can be assumed to be provided by core conventions.[64] Yet in practice workers face a set of legal constraints on the scope of lawful industrial action, and a set of statutory rights which deprioritise worker voice on key matters essential for climate bargaining.

Rights to bargain collectively and to strike are tied to a list of matters limited to terms and conditions, workplace conditions, allocation of work duties, terminations and disciplinary matters, and union membership, facilities, and consultation and negotiation machinery.[65] Employers know this: unions bringing environmental bargaining claims report opposition by employers to recognising environmental issues as matters for negotiation and consultation under recognition agreements.

Climate bargaining issues would appear to be further out of scope for escalation to industrial action. Lawful industrial action must be taken 'in contemplation or furtherance of a trade dispute'.[66] This entails a temporal aspect: if the action is taken 'in contemplation' of a trade dispute, the dispute must be immediate or imminent. The question of proximity is crucial in the context of climate. For example, workers perceiving an employment risk where an employer is refusing to reduce emissions or transitions to production of environmentally friendly products or technologies would not be able to take lawful industrial action until redundancies are being 'contemplated': usually a point far too late to save jobs.

These constraints are the legacy of the legislative attacks on trade unions and the right to strike which occurred from the 1980s onwards. Yet this legal context is – for our purposes – principally of interest only for the ways in which it has shaped trade unions as social actors. As Robert Knox has argued, the net effect of legislative changes at the end of the post-war consensus was to discipline and shape the 'political subjectivity' of trade unions.[67] This reshaped unions' function from representing the working class as a whole to a narrow, member-serving function. Attacks on secondary picketing and secondary action, the ban on 'political strikes', and the restriction of lawful action to ones 'own employer' had the effect of de-collectivising industrial relations, promoting more individualised institutions.[68] At the same time mechanisms for horizontal extension of collective bargaining coverage across the economy - the wages councils, sectoral bargaining arrangements and extension agreements - were dismantled. The effect was to discipline and encourage unions "to act as 'economic-corporate' organisations, whose sole function was to represent their members' immediate interests as against their immediate employers. Unions' economic and political functions were separated: questions of class and social justice could only be pursued through political means – of lobbying and policy advocacy.

Paradoxically, this process of narrowing of rights and bargaining coverage to the individual 'employer' was paralleled by a rapid expansion of complex corporate forms which have served to both concentrate corporate power, and to fragment the workplace and conditions of employment. Complex chains of private-equity ownership, corporate conglomeration, franchising and other forms of 'network' employment, and extended supply chains have all served to abstract workers' rights from the locus of decisional authority and control over the labour process. Patterns of fragmentation of sites of production has been accompanied by the concentration of the capital both at the level of lead firms – through the rise of huge multinational corporations – and at the level of corporate ownership through the consolidation of shareholding into large investment funds. The effect of this is to confer significant power over production to parties with whom workers have *no legal relationship,* who are "economically, if not legally, their boss".[69] This is in part because labour law, being significantly grounded in the bilateral contract of employment, can only provide redress at the level of the immediate employer. But the effect of this is intensified due to the way that corporate law protects the powerful

(often informal) parties to the labour relationship. Corporate law principles of limited liability and corporate legal personality ensure that shareholders cannot be held liable for social and environmental harms generated in production. The owners of capital are incentivised to maximise returns whatever the cost and get money out of the company and safely into the bank as quickly as possible. Therefore, the law confers control without liability onto large shareholders and lead firms and shifts risk and losses onto workers and the environment.[70]

This legal structuring directly exposes workers to the preferences of financial-market actors, and increasingly to the risks emanating from capital markets. The dynamics of capital markets impose their own 'political economy of speed'. For example, recent years have seen a boom in private-equity takeovers and leveraged buyouts which have left many companies heavily exposed to rising interest rates. The buyouts boom has been facilitated by the stripping out of legal protections in financial instruments in the drive for a rapidly trading marketplace – closely reflecting the conditions which led to the 2008 financial crisis. For workers, the effect has been to generate conditions of endemic precarity, as the effects of economic downturns are amplified, exposing workers to higher risk of job loss during downturns, higher risk of insolvency and liquidation, and endless rounds of finance-driven restructuring.[71]

At the economy-wide level, the net effect of these transformations is to fully expose workers to the effects of profit extraction and shocks emanating from capital markets. As the World Bank put it, workers and households can act as a "shock absorber of last resort" for financial-market turmoil.[72] In the terminology of mainstream economists, the social impacts upon workers' livelihoods are positioned as 'externalities' to corporate business models. This point extends the critique of the labour/nature distinction above. Contemporarily both workers' livelihoods and natural resources are positioned as disposable externalities to the profit imperative of economic production.

As a result of this, workers and households are increasingly exposed to the impacts of climate and environmental harms. For example, the current effects of inflation - which is increasingly being driven by climate impacts – and the related economic phenomena such as high interest rates – are driving hardship at the shopping checkout and instability at the workplace, as cost pressures, supply-chain vulnerabilities and the fragility of

overleveraged capital structures start to bite. The first victims of these impacts are of course the lowest-paid, most precarious workers. In short, the long run 'externalities' of the global production model appear to be starting to bite back, and are harming those least able to protect themselves. There is no 'limited liability' for workers facing the labour market: if you lose your job, you may lose everything else as well.[73] This is an outcome of the legal positioning of both labour and nature in relation to capital through corporate and labour law.

In this context, the split between unions' 'political' and 'economic' functions in British labour law – which limits industrial action to a narrow range of issues in relation to the immediate 'employer' - is completely untenable. As such, when considering workers' and unions' responses to climate change we must simultaneously consider how this legal positioning of workers in corporate and economic structures can be challenged.

Labour law and workplace climate action

So, how has union climate action developed in this restrictive legal context?

At the workplace level two principal mechanisms have emerged: the increasing prominence of 'green reps', and model agreements for information-sharing and consultation on environmental issues. The promotion of the green-rep role, and workplace-level agreements have emerged as a significant area of union environmental agendas. The TUC and unions have developed a raft of supportive materials such as negotiation guides, instructions on how to set up workplace environmental committees, and template environmental agreements (see appendices and resources sections for further details).

The TUC's 2008 *Go Green at Work* report contains a model agreement which sets out the range of issues a typical agreement may contain. The union green-rep role is understood as a means to encourage employee engagement in energy and environmental initiatives, to help to develop good practice, and to support implementation of environmental policies.[74] The model agreement sets out model terms of reference for establishing a joint environmental committee in order to enable dialogue on environmental issues, which encompass energy use, recycling, food and transport.[75]

The increasing prominence of workplace green reps has occurred despite the lack of direct statutory provision. Statutory recognition of green reps, and allocation of facility time has been a long-standing demand made by the TUC. In the absence of this statutory recognition, unions have utilised health and safety rep roles, due to the particular rights to consultation given to them (see the discussion in chapter 2 above). Whilst those rights do not provide concrete bargaining rights, they do allow health and safety reps to claim as much time off as is reasonably needed to conduct duties such as inspections and reports, hold toolbox talks and so on. This is where facility-time allocation and the statutory information, consultation and inspection rights on health and safety really matters.[76] Reps are entitled to information from their employers to enable them to carry out their functions involving changes that may affect health and safety, and information on risks and preventative measures including the health and safety aspects of the introduction of new technology.[77] Employers must consult on introduction of measures or technology which may affect health and safety, as well as on information arrangements, personnel and training arrangements regarding health and safety. As such these rights can be exercised with regard to direct impacts of climate, such as workplace temperatures and some indirect impacts such as changing technological processes. More substantially, the Information and Consultation of Employees regulations (ICE) 2004 'standard provisions' encompass a wide range of matters pertinent to climate bargaining, including a) the recent and probable development of the undertaking's activities and economic situation; b) the situation, structure and probable development of employment within the undertaking and on any anticipatory measures envisaged, in particular, where there is a threat to employment within the undertaking, and c) decisions likely to lead to substantial changes in work organisation or in contractual relations.[78] It is notable however that the category a) right is information only, bringing no obligation to consult, and is qualified in that the scope of the information provided may be decided by the employer.[79] Recognised unions also have rights to request information for the purposes of collective bargaining. Employers must provide all information without which union representatives would be to a material extent impeded in carrying on collective bargaining,[80] or information which it would be in accordance with good industrial relations practice to disclose.[81] As such the information right is tied to the scope of collective bargaining under union recognition agreements.

UK climate bargaining trends

The majority of workplace environmental arrangements take place through the use of health and safety mechanisms. A 2012 TUC survey showed that a quarter of workplaces surveyed (312 workplaces: 26%) reported union/management discussions on the environment/climate change. Of these 46% took place through joint union-management health and safety committees and 28% through the establishment of a joint union-management environmental agreement. As such 7% of workplaces surveyed had established dedicated environmental mechanisms, having grown only slightly from 6% in the previous (2009) survey.[82]

Indeed the extent to which unions are reaching formalised arrangements or embedding in collective agreements along this model appears patchy. This lack of formalisation was also reflected in the findings of the European Union 'Agreement' project which surveyed the environmental clauses in collective-bargaining agreements. In the case of Britain the project found that, whilst some workers' and employers' representatives stated that environmental protection measures were being negotiated and implemented, these measures are seldom integrated into collective agreements.[83] Across the five countries studied, the report found that environmental clauses in collective agreements "are still exceptional and lack momentum".[84]

As part of the research conducted for this pamphlet, five trade-union officers and officials involved in developing various aspects of green/climate representation were interviewed. Interview participants included one UCU official, 2 PCS officials, a BFAWU officer and a Unite official. In addition, an educator from the Global Labour Institute involved in delivering training on climate bargaining was interviewed. The interviews took place between 25th May and 9th June 2023. Across those interviews, participants consistently acknowledged that whilst unions were actively promoting model agreements, and green-rep networks were expanding, examples of formalised, core, arrangements for this remain relatively rare.

The Bakers' union has developed an effective network of green environmental reps within branches at Greggs as part of a partnership approach to energy savings and workplace environmental improvements. The BFAWU green reps support implementation of energy-savings practices in alignment with company environmental commitments, and

coordinate campaigns, including building links with community campaigns such as anti-fracking. The union has also begun putting pressure on the employer over sourcing, food miles, and sustainability and labour-rights issues in supply chains. The green reps feed back to the employer through the Greggs national health and safety committee, following employer opposition to the creation of a dedicated environment committee mechanism. The extension of the model to other employers however has been constrained by a lack of national-level bargaining with other major employers. Employer-level representation is critical as many initiatives need implementation from this level.[85] Inter-union coordination at the sectoral level on environmental agendas is also a challenge, with union relations characterised more by competition for members than by cooperation on organising for sustainability. [86]

PCS has a well-developed green-reps network, with over 200 reps. The union advocates that every branch has a green rep, which feeds into a committee structure at the employer group (departmental) level. Green reps work with members to identify energy-saving and sustainability issues in the workplace, and support the development of workplace environmental audits, as exemplified in the case of Defra in York.[87] The roles are distinct from health and safety reps, but there is significant crossover regarding issues such as responding to extreme heat. The building-inspection powers and facility-time allocation of health and safety reps support capacity to carry out audits, and to link up sustainability of estates and travel with issues such as health and wellbeing. At the same time activists have been articulating the links between cost-of-living struggles, real pay, energy prices and climate change, and linking up climate campaigns with strike days. Yet despite the success of the growing green-reps network there are few examples of these group-level Environmental Advisory Committee structures being established and engaging in talks with the employer, with a HMRC group-level arrangement being a notable exception.[88] The limited progress at the group levels is ascribed by PCS officials to the political climate, both with regards to the conservative government's hostility to engaging with unions in general, and its de-prioritisation of climate and sustainability issues. Indeed, since 2010 the developing union environmental agenda has been constrained by a narrowing of the range of issues employers are willing to engage on.[89] Given that the government is the ultimate employer, PCS industrial relations are heavily shaped by the political aqenda. At departmental and local level, the

scope for meaningful engagement on climate issues has been significantly reduced due to the lack of political prioritisation.[90]

Core issues for bargaining

Despite the many strengths of these models, the collapsing of climate and environmental bargaining into the sphere of health and safety remains problematic. No matter how agile and inventive trade unionists might be with this approach, climate and environmental claims are not reducible to health and safety claims. Moreover, the use of health and safety frameworks is positioned outside of collective bargaining. At the same time, the adoption of dedicated environmental committees in line with the 'Greener workplaces' model is completely voluntary from the perspective of employers, and green reps have no statutory footing. Again, these models have been positioned as falling essentially outside collective bargaining.

Indeed, the 2008 model agreement promoted by the TUC completely hives off climate and environmental issues from employment issues. Whilst the model strongly promotes employee engagement, there is little link-up with employment issues. Questions of the potential employment impacts of climate change and the energy transition, the question of precarious work, or company plans for investment and capital development are conspicuously absent. This depoliticised framing was not accidental but rather reflected both a strategic approach on the part of the TUC that emphasises 'co-benefits' and the value to employers (based upon the lack of statutory support), and a 'genuine belief' that climate and environmental issues were more universal.[91] This approach had characterised TUC climate policy from the early 1990s onwards, which argued that 'the traditional adversarial approach' to industrial relations was 'not sufficient and may harm environmental protection'.[92] As such union responses have been heavily shaped by a model that puts climate and environmental issues outside of industrial contestation.

Despite these problems, it is important to recognise that this emergent 'partnership' model on environmental issues has been shown to have a genuinely positive environmental impact, supporting and in some cases directly driving significant reductions in workplace carbon emissions.[93] Whilst the development of green-reps networks and environmental committees may have been couched in a relatively de-politicised narrative,

these initiatives represent the beginnings of a crucial mobilisation of workers on climate. The combination of worker education on climate issues, information gathering and monitoring of workplace environmental impacts are critical steps in developing a climate-bargaining approach. Furthermore, as we discuss further below, in practice the role of workplace environmental reps has been far more wide ranging, from energy use and recycling to the development of strategic product development and workplace control.

However, positioning these issues as *outside* of core industrial relations presents practical problems, and fails to recognise the class dimensions of climate change.

Practically, unions face a major capacity issue when it comes to (any kind of) climate bargaining. Where unions are facing struggles on multiple fronts, climate and sustainability issues may appear to be a burdensome 'add-on' to core industrial-relations issues. Under such circumstances, these issues can easily fall to the bottom of branch priorities, despite workers' clear long-term interests in addressing them. This is reflected in the ongoing ways in which legislative attacks on union rights have hampered the development of union climate activism. The restrictions on facility time, ballot thresholds and strikes introduced by the Trade Union Act 2016 triggered a decline in union class-based climate activism as unions' capacity became bogged down in managing the additional administrative and organising challenges.[94] The question of capacity and mobilisation is also linked to union models, and the British industrial-relations model which mobilises workers around industrial action and disputes rather than more cooperative, partnership approaches.[95] At the same time, due to the voluntary nature of any formalised climate or environmental committees, hostility from employers can rapidly shut down the possibility of generating significant change.

All of this points to a set of tensions and challenges which will need to be navigated in the development of an *industrial* climate-bargaining approach:

First, the British model of trade unionism is reactive, based around organising industrial responses to jobs threats which, in the context of the climate crisis, will invariably be too late. Workers and unions need to get on the front foot to shape change through the workplace. This requires identification not only of the ways in which climate change and the energy transition will shape their sectors, firms and jobs, but also a process of

identifying how workers' long-term interests overlap with issues of environmental sustainability.

Second, depoliticised union responses to climate change which fail to embrace an industrial response are insufficient in relation to the scale of the threat. Voluntarism and consensual agreement will be wholly incapable of dealing with the major shifts that are coming to the labour market and the economy. At the same time, climate organising and bargaining are on a weak statutory footing. Unions need access to information and productive discussions with management on the direct environmental impacts of the production model and plans for investment and organisational change. As described above, there is statutory backing for some of this information under ICE 2006, such as information regarding the 'probable development of the undertaking's activities and economic situation'. This is however stronger where it can be tied to employment impacts.

Third, workers' collective and individual rights are closely tied to the workplace or immediate employer level, yet the environmental impacts of contemporary production models are spread across fragmented organisational models and long supply chains.

The following chapter explores the ways in which union responses to climate change are beginning to embrace, and seek to overcome, these challenges.

Bargaining for structural change

This chapter sets out some examples of union climate bargaining that go beyond the narrow 'greener workplaces' framing. All of the examples that follow seek to shift trade-union strategies from a reactive mode to a mode that proposes structural and sectoral change.

We first discuss the development of the UCU's 'Green New Deal Bargaining' approach. This approach is of interest due to the way in which it links questions of sustainable workplaces to the quality of jobs and educational provision, and develops industrial bargaining organised around political opposition to unsustainable marketisation. We then discuss the way in which the PCS union is bringing a workforce strategy for tackling climate change into its industrial bargaining, going significantly beyond the traditional role of trade unions in response to government inertia in the face of climate change. The third example explores responses coordinated through Unite's Chemicals, Pharmaceuticals, Processing and Textiles (CPPT) sector bodies, which seek to protect jobs through developing worker-led industrial strategies which support decarbonisation. We then discuss some of the emergent models which reflect 'Lucas Plan' type approaches which seek to utilise workers' skill sets for socially useful and environmentally sustainable approaches to production. Finally, we discuss how models which seek to challenge the effects of corporate power across fragmented organisational forms are being utilised to respond to the climate crisis. Across the examples we consider the extent to which models seek to stress workers' autonomy over the way the transition pans out, express ideas of greater economic democracy, and challenge the nature and boundaries of work and workers' rights.

UCU 'Green New Deal' bargaining

In 2020 the University and College Union launched a 'Green New Deal bargaining' framework to support branches to take climate action through collective bargaining. The Green New Deal bargaining model brings together policy jointly developed by UCU and Students Organising for Sustainability UK (SOS-UK) within a bargaining and negotiating framework. The model sets out a six-step process:

- Review and organise: the branch to pursue a GND claim, and your institution's position on climate and environment
- Decide priorities by reviewing current policies and activities of employer
- Submit the claim to the employer
- Negotiate and publicise the claim
- Step up the pressure through campaigning and gathering supporters
- Review implementation and either relaunch the claim or, if there has been a failure to agree, then consider escalation to an industrial dispute.[96]

Within the Higher Education (HE) sector, uptake of this model has been slow, but a number of branches have begun to adopt this approach. In October 2022 the University of Liverpool branch of UCU, alongside local branches of UNITE and Unison, and supported by the Liverpool Guild of Students, was the first branch to formally submit a GND claim. As well as direct calls for decarbonisation of the university campus, travel and supply chain, the Liverpool claim directly links the achievement of a sustainable university model to elements of the labour process and employment model.[97] Issues of workload, casualisation and working time are explicitly linked to the sustainability dimensions of teaching and research outputs. For example, the call for a process of 'decolonising and decarbonising' curriculum and research is directly tied to workload and training. The claim also directly raises the issue of casualisation, linking it to the achievability of employer goals of sustainable teaching and research. The capacities of casualised staff to participate in institutional processes of change, and the impacts of casualisation on the ability of workers to live sustainably are also foregrounded. UCU cite a context for this in which casualisation of education jobs in colleges and universities has risen steeply in recent years to the point that more than a third of

academics in higher education are now on fixed-term contracts of some sort.[98]

UCU have also taken steps towards integrating GND aims into national bargaining. The Further Education (FE) sector national pay claim for 2023-24 includes the demand for:

■ A national Green New Deal Agreement on a Just Transition for the sector which will include a Just Transition Commission in FE. The scope of which could include sustainability, new skills, climate justice and a road map to achieving a carbon neutral sector by 2030.[99]

The claim links questions of pay, workload, stress and staff retention to the critical role of FE in addressing environmental challenges, such as the capacity of the sector to deliver on a green skills agenda.

The strategic thinking behind the GND bargaining approach is that bringing climate and sustainability issues into mainstream union bargaining opens space for change through reframing some of the issues which have become entrenched:

"that's part of the rationale…around Green New Deal bargaining at national level is it provides a different lens within which to approach the bread-and-butter issues"[100]

This suggests sustainability presents an opportunity to link structural issues in HE such as the funding model to questions of sustainability and employment:

"…because the funding model is broken. Actually, we need to rebuild that funding model if we're going to decarbonise the sector and survive the climate crisis…[so] surely it would make sense to approach both of those things through that lens, because…everybody agrees that climate change needs to be addressed and the sector needs to address it…[so] does that form the conditions upon which we can build a new table to bargain across?"

Strategically the approach also seeks to shift towards a proactive claim structure which includes demands linked to horizon-scanning issues

understood as "bargaining for the future".[101] This is linked to the direct existing and future impacts of climate change on education workers globally and in Britain:

> *"In countries where the impact of the climate crisis is a daily occurrence working conditions are getting worse. Not only the physical conditions of unbearable heat or unstable infrastructure but the terms by which they are employed: casualisation; pensions; equality; employment rights; job security. Are all being eroded further. Employers are using the crisis to erode and attack worker rights"* [102]

This points to the ways in which workers' struggles in relation to direct climate impacts are also closely linked to wider conditions of economic and social crisis. Workers' capacities to respond to climate change are increasingly determined by the complex interplay of these multiple systemic crises, which means that unions need to address these issues together.

Mainstreaming climate issues is seen as a way to overcome the extent to which environmental issues are seen as peripheral to the education sector, and the challenge of organising on these issues when unions are engaged in multiple disputes and workers are faced with very immediate problems of falling real wages and endemic precarity.[103] In taking a future-orientated approach, the model also seeks to address the question of vulnerability of particular groups of workers to climate impacts.

Notably, the GND bargaining framework envisages escalation through industrial means where there is a failure to agree. Whilst recognising that the current level of organising on climate means that "we are not there yet" it is envisaged that where direct conditions shape working patterns, then climate industrial action may occur.[104] At the same time, it is hoped that in building climate issues into national claims the union's capability to both anticipate and avoid future attacks on workers is improved.

PCS workforce strategy: a National Climate and Bio-Diversity Service

Alongside the green reps' network described above, PCS have been developing a more radical strategy to mainstream climate into collective bargaining, challenge government inaction and overhaul civil service

structures to deliver on both climate and employment goals, through the establishment of a National Climate and Bio-Diversity Service (NCS).

These proposals emerged from the Campaign Against Climate Change Trade Union (CACCTU) group 'One Million Climate Jobs' report, which set out a workforce strategy in response to the climate crisis which would create good, well-paid, unionised jobs.[105] The NCS proposals concretise this into a staffing claim, which simultaneously makes the case for a radical overhaul of employer structures to deliver on climate goals. The NCS would coordinate departmental responses, provide coherence in climate change policy and implementation across departments, and ensure departments had the capacities to deliver on targets - including through an NCS-administered workforce strategy.[106] The service would direct job creation to meet capacity for climate policy goals across public works and construction, retrofit, energy, and education, as well as within the immediate NCS department. The service would support democratic policy development at local, regional and national levels, including through a collective-bargaining structure for workers covered by NCS.[107]

From a climate-bargaining perspective, the linkage of the NCS policy proposals to the mechanism of staffing claims brings the proposals within the space of PCS industrial relations. The proposals reflect a shift from a purely workplace-focused strategy – based upon green reps seeking to drive employer accountability on climate commitments – towards questions of the changing nature of work in the workplace and the kinds of jobs needed in the context of the climate emergency:

> *"Everyone's very excited about this project...because it's about, [if] we were running the civil service what would it look like? What would we do? So it's really bringing [workers'] knowledge and experience into this. And... it can be transformative because it's about creating jobs, but it's not just about PCS members' jobs, it's about future jobs. It's about other unions jobs as well, because...we're talking around things of public ownership...transport, energy, would come into the civil service. So it's a big discussion, but I think anyone getting involved in that discussion will see the real potential and there is quite a bit of excitement around that"*[108]

As such, the proposals go significantly beyond a reactive trade-union model focused on protecting pay and conditions. Instead, it proactively identifies the ways in which workers are needed to effectively respond to the climate crisis.

Unite CPPT sector: Capacity building for a worker-led industrial strategy

This section focuses on the Unite Environmental Agenda (EA), and actions within the Chemicals, Pharmaceuticals, Processing and Textiles (CPPT) sector which are supporting the development of worker-led industrial strategies, and the ways in which this links to workplace organising and bargaining on climate issues.

The Unite EA is explicitly framed in terms of industrial power and collective-bargaining strengths. The EA directly links to the union's core strategies for building industrial power and defending jobs, pay and conditions.[109] Officials perceive the capacity to expand bargaining agendas to include climate and environmental issues as primarily a matter of industrial strength.[110]

At the workplace level, the implementation of the EA has entailed developing environment reps using health and safety rep roles. Reflecting the position of the other unions described above, the EA strategy has included training on embedding environmental claims in collective agreements, but there are relatively few concrete examples of this. Another nascent strategy at the employer level is the development of 'future of work agreements' to ensure planning around business and technological changes delivers for worker's and community's interests in terms of jobs, pay and skills development.

At the CPPT sector level action has been prompted by the recognition that workers are extremely exposed to the energy transition. The sector includes four of the eight highest-emitting sectors in Britain: ceramics, chemicals, glass and oil refining. This places these workers in the front line of the impacts of energy prices and the effects of the energy transition. At the same time, Unite members are strongly represented across these energy- and carbon-intensive sectors.[111]

In response to these exposures Unite, in partnership with the Global Labour Institute (GLI) have developed a combined education and research

programme focused on building an industrial strategy for a workers' transition. The GLI delivered education sessions at the National Industrial Sector Committee (NISC) level encompassing elements of education, research and strategic development aimed explicitly at shifting the footing of the NISC onto proactive ground anticipating changes in the sector.[112] This reflects a growing awareness that employers have been well ahead of unions in terms of thinking about climate-related industrial change.[113]

These sessions are becoming embedded annually as mini-conferences linked to the national and regional sector conferences. The sessions bring in outside experts and colleagues from partner unions in Europe as part of process to understand changes and possible trajectories of development. Reps are provided with supportive template documentation to take away and explore what's happening at the workplace and sub-sector level in terms of climate impacts and other risks and opportunities, and report back into the annual conferences.[114] Examples of such reporting by National Officers can be found in Unite's 'Environment Quarterly' newsletters.[115]

The first major output of this process was the research paper 'A Green Economy: CPPT – "A workers' transition"' document focused on the environmental and employment implications of adoption of hydrogen energy for industrial production. This process has informed reps' responses to the development of a new hydrogen hub in the Tees valley. Four large regional employers have already agreed to decarbonise through burning hydrogen from the plant.[116] Regional CPPT reps have established a cross-sectoral group to monitor developments within the project in terms of impacts on workers and the environment. This includes developing an information bank, developing political links, inputting worker perspectives into consultations and identifying cross-cutting issues such as the Tees Freeport.[117]

The development of worker- and union-led industrial strategy reflects the failure of the government to support the development of renewables and to provide clear jobs pathways for workers who wish to shift to clean-energy industries. Workers need to see sustainable jobs 'pathways' if they are to support decarbonisation and the closing down of fossil-fuel industries.[118] The lack of clear jobs-transition pathways is closely linked to the absence of a meaningful government industrial strategy and is driving skepticism towards ideas of 'just transition'. Current developments in renewables suggest good reason for such scepticism. The sector appears to be developing along the same exploitative corporate model as hydrocarbons:

"we're not saying you have to have fossil fuels forever, we understand wholly that there will be a transformation and a transition, but that whole aspect of it being just and being done in a way so our members in those industries can see that pathway...[but] that constant profit maximisation in some companies and the way that they operate, that model is not akin to doing that because what they'll eventually do is just offshore and, we see it anyway in terms of globalisation that the cheapest labour costs are where they look to develop production so it's about what does it look like?

These issues are closely linked to the question of ownership:

"And that again comes back to the point about a public stake and that unfettered profiteering has to end, and we focus quite largely on that and quite rightly...perhaps we could be reshoring jobs that allow us to develop that net-zero economy but in a sustainable way that protects people's dignity and respect in the workplace, you know?"[119]

As such, questions of precarious work, job quality, and a planned and managed transition are closely linked to questions of industrial strategy and questions of ownership. In this sense the worker-led industrial strategy approach is about challenging who has power in the economy, and extending social control over the transition. Unite's Environmental Agenda also directly calls for public ownership or public stakes in energy assets.

The example from the CPPT sector shows the challenges facing workers in industries requiring extensive investment and restructuring in order to decarbonise. What stands out is the process of capacity-building through research, worker education and strategic development which can enable the union to get on the front foot, and challenge both governmental failings on just transition, and the fundamentally unsustainable corporate models currently being reproduced in the energy transition.

Challenging corporate power

As we have argued above, an effective worker-led response to climate change cannot occur at the workplace level alone but must respond to the

positioning of workers – and harmful processes of extraction and production – within complex corporate organisational models and long supply chains.

Unions are beginning to respond to this positioning, and the challenges posed by concentrated corporate power, in ways which have significant potential for supporting effective climate bargaining. A recent research and strategy document by the Unite Research Department calls for a new approach to collective bargaining which coordinates workplace reps across industries and sectors, "in recognition that industries are now organised so that all workplaces exist within supply chains".[120] Some 97% of reps participating in the research agreed that a supply-chain collective-bargaining strategy was needed to counter the industrial impacts of globalised trade.[121] Notably, the research was in part prompted by the strategic responses by employers to the shocks to the globalised production and trade model caused by Brexit and the impacts of Covid 19.[122]

These shocks have driven significant changes in supply-chain organisation with inevitable employment impacts. Whilst climate change is not the direct focus of the report, it is important to note that the increasingly disruptive effects of extreme weather as a result of global warming have already driven employers and states to begin reassessing risks within supply chains.[123] This, alongside the impacts of Brexit and Covid, has been linked to patterns of 'reshoring' and relocation of production and vertical integration of supply chains for greater control. These strategies have been overwhelmingly at the expense of workers as employers cut costs and seek 'flexibility of supply'.[124]

Unite's strategy aims to turn the very characteristics which make fragmented supply chains harmful for workers into a source of strength by understanding and organising the whole production chain. This approach is described well by US labour organiser Kim Moody:

> "Seen this way, the supply chain is in fact one long assembly line. These chains can be broken. Along with their interconnectivity, their very time-bound tension makes them extremely vulnerable to worker action."[125]

Reps are encouraged to develop an understanding of the vulnerabilities to trade impacts and employer strategies (such as relocation or mothballing of sites), and then to build a picture of how their direct employer is situated in

the supply chain or corporate structure (such as by figuring out the top ten suppliers, and top ten customers). Identification of strategic chokepoints, including both structural vulnerabilities and the strength of union organising at each stage can then be used as a guide to build power across the chain by establishing relationships with reps and supporting organising. The supply-chain mapping method has also been brought into the Unite/GLI climate education and research training sessions for reps, including in both the CPPT sector and Food Drink and Agriculture (FDA) sector, receiving keen interest from participating reps.[126]

In the context of climate bargaining this kind of mapping is crucial both for recognising the power and leverage workers have to take action on climate-related threats, and also for understanding exactly what those threats are likely to be. For example, Unite officers in the FDA sector have recognised the exposure of workers to climate-related shortages of raw materials and the need to transition to more sustainable ingredients and agricultural models. At the same time large corporations such as the supermarkets are seen as having a 'stranglehold' on the sector, limiting the ability of smaller producers to adopt more sustainable approaches.[127] At the same time there are huge variations in the extent to which different stages of the agri-food supply chain are organised.

One key response to this is the process of supply-chain mapping to identify the upstream and downstream environmental impacts of the production model, the exposure of workers across the chain to the impacts of climate change, and the potential for building workers' power to challenge these harms simultaneously by driving change in both the employment and production model.

Such an approach has also been articulated by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and the GLI in a recent research paper looking at climate organising in intensive livestock production.[128] The report sets out a template for building trade-union power along the livestock supply chain as an imperative for transforming the global food system. This links the fundamental demands of workers in the food system – for a living wage, stable employment, and a safe working environment – to the models of agricultural production which are generating huge environmental impacts. Alternative production models such as agroecological methods, and models to support better local democratic

control over production are explored in direct correlation to more effective workers' rights.[129]

As such, understanding where workers' power lies across the supply chain is a crucial *first step* in building an industrial response to social and environmental harms of contemporary systems of production.

From surplus value to use value

Climate change, because it is bound to produce radical uncertainties in supply chains, in labour markets and in manufacturing generally, will necessitate radical responses. And because of the nature of those market insecurities and uncertainties, we will never be able to rely on managements to respond in ways that protect jobs and protect the future of the planet.

Take the recent example of GKN Driveline. In the UK, following a (suspected) hostile takeover of GKN Driveline by Melrose Industries – a private equity group – workers at GKN's Birmingham driveshaft manufacturing plant (obsolete for hybrids and EVs) faced a programme of costs reductions and began to explore possibilities to improve operating profits to secure jobs. Shortly after Melrose announced the closure of the plant with the loss of 519 highly skilled jobs, Unite members responded by developing a 90-page 'Just Transition Plan' to address costs by shifting production to new components consistent with e-drive systems. The plan was supported by local politicians, automotive industry experts and the Department for Business Energy and Industrial Strategy. Management declined to take it forward. Facing mass redundancies, Unite balloted for industrial action, which brought GKN back to the table on the plan – but which they again declined, offering instead an improved severance package, which members voted to accept.[130]

And yet one of the things that the Covid-19 pandemic reminded us of is that we are able to quickly repurpose some of the most technically advanced forms of manufacturing. At the onset of the COVID-19 pandemic in the UK, the military company, BAE Systems, and the aircraft manufacturer Airbus very quickly started producing essential medical supplies, including face masks and ventilation units.[131] Although those examples of an immediate switch in productive capacity were for a very specific purpose, such cases do show the potential we have to transform our economy.

This experience of transforming production in response to covid has in fact triggered similar responses to the far more profound threat of climate change. Unite and GMB reps at Rolls Royce plants in three UK sites (Ansty near Coventry; Barnoldswick, Lancashire, and Inchinnan near Paisley) manufacturing parts for jet engines have developed plans for "green manufacturing." Those plans were developed after management announced that the three sites would close in response to the shut-down of aviation resulting from the pandemic. After a long campaign of protests and strikes, a memorandum of understanding (MOU) was agreed in February 2021 to keep each plant open for five to ten years. The MoU included a commitment by Rolls Royce to open a 'centre of excellence' training school at Barnoldswick to support the development of 'zero-carbon technologies'. Workers and union reps said that they had been inspired by the Lucas Aerospace combine.[132]

The left-wing thinker and writer Hilary Wainwright argues that we need to understand the demand for a just transition as a shift from a system based on surplus value (where production is geared up to making a profit from the surplus that can be extracted by the business owners and managers) to a system based on use value (where production is geared up to generating socially useful products).[133] This is not merely a question of what is desirable, but a question of social survival. Right now, we cannot afford to organise our systems of production and consumption to create endless profits from a fossil-fuel-based economy.

Creating a radical, non-capitalist mode of production and consumption means changing the basis of the economy entirely. And this means changing both the ways in which we work and changing who has control over the work we do. In many ways this was the significance of the Lucas Aerospace example introduced earlier in this pamphlet. The Lucas Aerospace plan sought to change fundamentally how skilled engineering workers worked and what they produced. They sought to transform the social contribution of the products they produced. No matter how innovative and revolutionary their proposals were, they were bound to fail in the context of a system of production that is orientated towards securing immediate profit for a relatively small number of shareholders. This experience tells us that what workers do will always be delimited by the capitalist system within which we work. But more optimistically it also tells us that we can use our labour to assert our agency, our control, and indeed to assert a different way of doing things.

This means acting politically in two senses: in the 'big' challenge to the bankrupt politics of capitalism, and in political struggles in the workplace to reshape the nature of work itself. In 2009, workers occupied the Vestas wind-turbine factory on the Isle of Wight to save their jobs. One of their leaders articulated this dual political struggle perfectly:

> *"Just as they could not afford to let the banks fail, they can't afford to let this fail. It's about the history of humanity."*[134]

For us, workers' assertion of their autonomy in the workplace and their capacity to change may be decisive in the struggle for the future of the planet.

Conclusion: trade-union action and transformation

In this pamphlet, we have made the case that transition away from a carbon-based economy depends upon the ability of workers and their organisations to take collective action to challenge the economic system that seeks to maximise the extraction of value at any cost. We have addressed most of our analysis to the British context. And we realise that is a very particular context. However, we also recognise that ecological sustainability depends upon a transformation that is global and that transforms social existence inside and outside the workplace. This pamphlet is concerned with the economic sphere of production because this is the engine force of climate change.

If we understand the economic sphere of production as the engine force of climate change, then the future of the planet largely depends on how we exert our power and collective action as workers in this process. A transition to a sustainable economy depends much more on the ability of workers and their communities to organise a new social and economic system than it does on decisions made in boardrooms and cabinets.

Workers' organisations – trade unions – have not yet made climate change a major area of bargaining and negotiation on behalf of their members. Yet a cursory look at the history of industrialisation in Britain tells us that workers' environmentalism has been an ever-present feature of our economy, as have industrial struggles and industrial action around environmental disputes. On a global scale, it would be no exaggeration to say that environmental struggles by workers fighting back against the commodification of their lives and livelihoods has been an ever-present dynamic across the history of European colonisation. As we have argued, it is impossible to separate the exploitation of labour from the exploitation of nature: this is one and the same process. In this pamphlet we have argued that there is a secret solidarity between workers and 'nature'. It is in the

general interests of both, to slow down the speed of production processes which generate social and environmental harms.

This is why workers and their organisations need to work as collectively as possible within and beyond their sector. In other words, workers and their organisations need to think about climate organising at workplace, supply chain and sectoral levels precisely because the power of employers to exploit workers and nature lies at those multiple sites simultaneously. At the same time, it is the sphere of social reproduction: the organisation of life, of care and of relationships outside the economic sphere upon which a transition really depends. The quality of our working life is inseparable from the quality of our social, family and community life. As such demands for sustainable work must always be articulated as demands for sustainable living.

We are also aware that not everything that needs to be won can be won in a series of isolated workplace struggles, no matter how co-ordinated those struggles. In the absence of any serious proposals for a transformative industrial strategy in the political mainstream – from ether the Conservatives or Labour - the trade-union movement also need to contemplate how we will use that political space. How can workers' organisations develop a new industrial strategy? Is the trade-union movement capable of developing its own industrial strategy by working together across sectors, and across different trade unions, to set out the industrial change that is necessary? In the spirit of the Lucas Combine, can the trade-union movement harness the dynamism, the expertise and the organising capacity that we need for a transition to a low-carbon economy? Action at the level of the workplace is necessary but not sufficient for a transition at the scale and the pace required.

We need to harness our labour power to transform the world. Nobody else is going to do that for us.

With this in mind, we propose the following priorities for the trade-union movement to assert its role in managing and taking control over the transition from a high-carbon economy:

1. **Members must be empowered to put climate change on an industrial footing**.
    Virtually all of the initiatives that we have discussed in this pamphlet have come from the grassroots of the trade-union movement. In

order to build this power base as a means for leveraging clean jobs and for managing our way out of declining industries without losing out, we will need to build an army of workplace reps coordinated across industrial sectors. The Hazards Campaign serves as a model for this. For years it has managed to organise a non-sectarian movement, not anchored to any political party, funded by the trade-union movement but autonomous from any single trade union. The Hazards annual conference has attracted hundreds of angry and committed trade-union reps, exchanging experience and building mutual support. We need to build something along those lines and build it even bigger. Workers' political education is another crucial step in empowering members to build a climate-bargaining approach. However, to be effective such programmes must develop concrete understanding of the ways in which workers, firms and sectors are exposed to present and future climate impacts. Union research into these exposures underpins effective education programmes and the development of worker-led strategies. One crucial aspect of this is supply-chain mapping, which links analysis of social and environmental harms within supply chains to analysis of how to build workers' power across the supply chain.

2. **Climate bargaining needs to be integrated into trade-union campaigns for employment rights**.
    We need to demand that climate organising and bargaining are given a stronger basis in law. As we have argued, this must be integrated into the architecture of the right to take industrial action, rather than segregated into a separate sphere of consultation. In order to give some of the initiatives showcased in this pamphlet impetus, we need to put the right to bargain on climate and ecology on a statutory footing. Trade unions need any legal obstacle that prevents industrial action to be taken on climate and environmental issues to be removed. The Institute of Employment Rights could play its role in this by developing a section in its Manifesto for Labour Law setting out the reforms needed to strengthen the role of reps and their unions in climate bargaining.

3. **Trade unions must channel greater resources to climate campaigning.**
    The trade-union movement will face increased pressure from a false market logic that says the battle ahead is between jobs and a

green economy. At the moment, working-class people are disproportionately paying the price for many 'green' reforms such as Ultra Low Emission Zones. Instead of taking on arguments about inequality and taking seriously the impact on some working people those policies are clearly having, the Labour Party is leaving a vacuum for the Conservative Party to gain ground. The trade-union movement must step into this gap. A coordinated campaign for taking key public amenities into public ownership is a crucial part of this. The argument for public ownership of energy, public transport and of key infrastructure and sectors such as steel, road and housing construction is where trade unionism and climate activism come together. We must step up organising around unified demands for sustainable jobs and economies in those sectors. At the same time, we must take seriously people who are being left behind by a half-baked green policy agenda now. One way of doing this is to build cross-sectoral demands for a reversal of precarious working and casualisation into bargaining as a *climate* demand. Struggles against workers' precarity are struggles that allow us to build sustainable economic alternatives. As we have argued, there is an umbilical relationship between the precarity of jobs – unsustainable labour practices – and the unsustainable production practices that stand at the foundations of our economy. One of the most inspiring trends in the British trade-union movement in recent years is the number of initiatives that seek to organise workers in the gig-economy sectors, workers on zero-hours contracts and agency workers. Such initiatives have involved established trade unions like BWAFU and Unite targeting large parts of the workforce that they previously did not recruit from, and has led to the emergence of new trade unions organising gig-economy and migrant workers like the UVW and the IWGB.

4. **Trade unions must organise and recruit along global supply chains. It is not new to argue that workers' movements must be more closely connected and interlinked across the globe.**
Securing a just transition will rely on workers' ability to coordinate global action effectively. International bargaining strategies may seem like a remote prospect, but trade unions can *organise* and *recruit* internationally. Examples of this include the United Workers' Union in Australia, who have for a number of years (formerly as the National Union of Workers) sought to organise along the length of

domestic food-production supply chains - from farm to supermarket - and at the same time make contact with workers across the supply chain to coordinate action. As part of this strategy they set up offices in China and Vietnam in order to recruit migrant workers before they leave for Australia. The ILO has pointed to a similar practice of recruiting migrant workers before they arrive, for example, in Jordan, Uzbekistan, Moldova and Kyrgyzstan.[135]

Trade unions themselves need to think about how they put climate *bargaining* at the centre of everything they do. There is not enough time to leave this to volunteerism or to a vague hope that employers will wake up and see there is indeed a 'natural identity of interests' between themselves and their workers on this issue. Ultimately the only effective way to approach just transition is to do so in a truly transformative way. We must rethink the production and purpose of value: we must, as workers and trade unionists, seek to use our collective power and strength to ensure products and our services are geared towards socially useful and sustainable things, and not just things that make someone else a profit.

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Appendix: List of legal mechanisms which can support climate bargaining

This list is adapted from the Labour Research Department's pamphlet Union Action on Climate Change. The list provides an indicative overview of some of the legal mechanisms which can support workplace climate action and climate bargaining.

Health and Safety law

The *Control of Substances Hazardous to Health Regulations 2002* provide a mechanism through which workers' protections against exposure to hazardous substances also may be invoked to challenge the use of substances harmful to workers' bodies and the environment.[136] COSHH requires a risk-assessment process regarding harmful substances, and measures to reduce or eliminate workers' exposure. The assessment must include a Work Exposure Limit (WEL) which provides a maximum concentration of any harmful airborne substances workers are exposed to. The COSHH emphasis on *prevention* means that the best route to compliance is to eliminate harmful substances from the workplace altogether.[137]

Safety reps' rights

Trade unions have the right under the *Safety Representatives and Safety Committees Regulations 1977* to appoint workplace safety reps. The Regulations give various rights to safety reps, require employers to set up a safety committee and to inform and consult safety reps in good time on matters relating to health and safety. Safety reps have the right to:

- take an active part in workplace risk assessments;
- investigate potential hazards and 'dangerous occurrences', and examine the accident book;
- investigate members' complaints;
- carry out inspections of the workplace in work time, at least every three months;
- require their employer to set up and attend a safety committee (where two or more safety reps request this);
- be consulted on new working practices and new technology;
- receive safety information from their employer (e.g. inspectors' reports, hygiene surveys and risk assessments);
- attend union-approved training courses without loss of pay; and
- have access to a phone and office equipment, and paid time off work, both to carry out inspections and to meet staff and other safety reps.[138]

Climate and sustainability-related issues which these rights may encompass include: pollution and workplace air quality, maximum working temperatures and the impacts of extreme weather events, changes to production methods and the introduction of new technology.

However, the exposure of outside workers to ambient air pollution is not sufficiently covered, as outdoor workers do not operate in a workplace where a WEL can operate. Mechanisms designed to limit exposure to air pollution such as the *UK Air Quality Standards 2010* lack a clear mechanism to create effective duty holders or enforce such regulations. [139]

Environmental law

The *Energy Savings Opportunities Scheme Regulations 2014* requires all large undertakings (employing 250+ people, or with annual turnover of EUR 50m +), or small or medium undertakings which are part of a group structure which meets the definition of a 'large undertaking', to carry out comprehensive assessments of their energy use and energy-efficiency opportunities at least once every four years.

The *Climate Change Act 2008* (the Act) made reporting greenhouse-gas emissions mandatory for all UK quoted companies, including their global energy use and emissions, within the annual directors' report.[140]

Also under the Act, UK government can request additional adaptation reporting on the current and future predicted effects of climate change on their organisation and their proposals for adapting to climate change, from particular companies and sectors including: water companies, energy companies, road and rail companies, strategic aviation operators, financial regulators, digital and telecommunications, harbour authorities, lighthouse authorities, Defra agencies and public bodies. A list of these reports can be found on the Gov.uk website under the title 'Climate change adaptation reporting: third round reports'. [141]

The *Environment Act 1955* requires he government to produce an air-quality strategy, and requires local authorities to review air quality, select air-quality management areas where improvements are needed, and to produce and implement air-quality action plans.

The *Air Quality Standards Regulations 2010* set legally binding limits for concentrations of air pollutants including particulate matter and nitrogen dioxide.

The *Environmental Information Regulations 2004* provide statutory access to environmental information held by public authorities. Under those regulations, members of the public are entitled to request environmental information from public authorities.

Labour law

As described above, the requirement in the *Trade Union and Labour Relations (Consolidation) Act 1992* that lawful strike action be taken 'in contemplation or furtherance of a trade dispute' appears to put climate and sustainability issues out of scope for strike action. However, a lawful trade dispute can be identified despite workers being motivated by other issues. Therefore, linking climate and sustainability issues to employment matters is a crucial tactic for leveraging labour rights in support of climate bargaining. Demands around working time (shorter working week), casualisation, travel for work and workload could be a basis for trade disputes linked to climate.

The *Employment Rights Act 1996* provides whistleblower protection for workers who make public-interest disclosures regarding activity by employers as a result of which someone's health and safety is in danger, or there is risk or actual damage to the environment.[142]

The Information and Consultation of Employees Regulations 2004 require employers to provide information to employee representatives on:

(a)   the recent and probable development of the undertaking's [employer's] activities and economic situation;

(b)   the situation, structure and probable development of employment within the undertaking [employer] and on any anticipatory measures envisaged, in particular, where there is a threat to employment within the undertaking; and

(c)   subject to paragraph (5), decisions likely to lead to substantial changes in work organisation or in contractual relations, including those referred to in—

    (i)   sections 188 to 192 of the Trade Union and Labour Relations (Consolidation) Act 1992(1); and [regarding collective redundancies]

    (ii)   regulations 10 to 12 of the Transfer of Undertakings (Protection of Employment) Regulations 1981(2). [regarding transfers].[143]

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About the Institute

The Institute of Employment Rights seeks to develop an alternative approach to labour law and industrial relations and makes a constructive contribution to the debate on the future of trade union freedoms.

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Trade union approaches to climate bargaining have frequently treated climate and environmental issues as separate from core industrial relations issues.

Yet workers are increasing exposed to climate and environmental risks in their workplaces and in their communities. Those risks include cost-of-living pressures such as climate inflationary impacts and energy price volatility. But more fundamentally, those risks are closely bound up with the intensity of the labour process, job precarity and unsustainable working practices.

This pamphlet demonstrates why trade unions need to put climate bargaining at the centre of everything they do and maps out the step that must be taken to achieve this.