Work and Equalities Institute Research Briefing

The rise of indie unions

Holly Smith

Summary

In the UK the term 'indie unions' was first coined by Pero (2020) to categorise the rise of new grassroots trade unions led by, and consisting of, predominantly migrant and precarious workers. The label refers to their independence in their general perspective and orientation, and to their independence of any trade union federation and political affiliation.

The label also refers to their independent status both organisationally - they are not affiliated to any political party or trade union federation - and politically. They are, however, legally registered trade unions in accordance with the Trade Union and Labour Relations Act, and examples include the Independent Workers' Union of Great Britain (IWGB), the Cleaners and Allied Independent Workers Union (CAIWU), and United Voices of the World (UVW).

Indie unions are small with their membership typically consisting of just a few thousand members. However, although they are based in London, their presence has spread to towns and cities throughout the UK in recent years.

For instance, in a high-profile case JustEat couriers, who were part of the IWGB, took more than 100 days of strike action in 2021 and 2022 in a dispute with subcontractor Stuart Delivery, the longest recorded strike in the gig economy. Strike action took place right across the UK in places as far afield as Sheffield, Middlesbrough, Chesterfield, Worcester, Huddersfield, Sunderland, Blackpool and Wolverhampton.

The gig economy

Indie unions typically represent workers in precarious and atypical forms of employment such as the contract cleaning industry (Alberti, 2016), private hire drivers (Aslam and Woodcock, 2020), and sex work.

However, as the JustEat case above shows, they are perhaps best known for their representation of workers in the gig economy, which has led to increased academic, practitioner, and media interest in recent years. This also places the indie unions within the broader picture of labour unrest within platform work globally (Bessa et al., 2022) which has seen a significant growth in both formal and informal worker resistance.

Many platform workers are outside of the scope of employment legislation, which means that without recourse to legal protections concerning industrial action and statutory recognition procedures, extant unions have been slow to respond to questions of worker organisation in the absence of a formal employment relationship (Bertolini and Dukes, 2021).

This is one of the reasons why platform work has seen an increase in new grassroots unions (Woodcock and Graham, 2020), although some scholars accredit the labour process itself, and argue that this is a characteristic response to historically familiar conditions (Joyce et al., 2023).

Lack of voice

The emergence of indie unions is directly attributed by members to their difficulties in attempting to organise within mainstream unions (Moyer-Lee and Chango-Lopez, 2017). Previous research has shown that trade unions have historically displayed exclusionary behaviour and attitudes towards migrant workers due to a belief that they undermine labour market conditions, although these perspectives have shifted and we have seen an increase in inclusive and integrative approaches (Marino et al., 2023).

This has resulted in a tendency in the literature on indie unions to not just portray them as being distinct from traditional unions, but also to characterise them as oppositional. However more recent contributions provide a more nuanced account. They demonstrate the complex inter-relationships and synergy between the two (Smith, 2022), emphasise the importance of overcoming dualist frameworks (Alcade-Gonzalez et al., 2023), and demonstrate how they can contribute to effective class struggle union renewal by sharing best practice and learning from each other (Weghmann, 2023).

Overcoming barriers

The strategies of indie unions are of particular interest due to the considerable logistical barriers they face, not least the lack of institutional support and resources. They also face challenges in terms of determining who is the direct employer in gig or outsourced forms of work. And there are also social challenges such as linguistic issues and a hostile legal and political environment.

Despite these formidable barriers indie unions have accumulated a number of successes disproportionate to their size and stature. For instance: they have obtained improvements in terms and conditions and employment status at a variety of employers; won watershed legal cases (Marshall and Woodcock, 2022); and organised workers in industries without a prior union presence (Kirk, 2020; Woodcock, 2020).

Indie unions also draw on different power resources, and use adversarial tactics which are not reliant on, and therefore not restricted by, institutional mechanisms such as collective bargaining. This means they are freer to innovate and mobilise in a variety of ways, and this often encompasses vibrant and militant forms of protest and direct action, and innovative communications strategies involving both mainstream and social media (Pero and Downey, 2022).

For instance, Alberti (2016) gives a detailed account of their tactics and strategy throughout the '3 Cosas Campaign' and describes their methods as a "dynamic interplay of formality and informality" (ibid: 98) combining 'traditional' union activities such as employment tribunals and strike action with creative direct actions.

Moyer-Lee and Chango-Lopez (2017: 242) elaborate on the more creative elements in IWGB's protests, including an example of a 'holiday camp' established in a university building with activists dressing in towels and snorkels to highlight workers' lack of holiday entitlement.

Litigation

Indie unions have also made much use of strategic litigation (Marshall and Woodcock, 2022), using individualistic legislation to launch collective claims by bringing a case which has the potential to have much broader implications in terms of employment rights and regulation, such as challenging the notion that gig workers are 'self-employed'.

Dias-Abey (2022) writes about their various attempts to use anti-discrimination legislation specifically to highlight practices that were racially discriminatory to their predominantly racialised membership, such as an application the IWGB made which argued that an ID check algorithm used by Uber was less accurate with individuals who had darker skin, and puts Black and Asian drivers at a disadvantage and at risk of the deactivation of their account.

Similarly, the UVW launched a claim on behalf of an outsourced section of a workforce in the Royal Parks estate which argued that the terms and conditions of the outsourced contract were discriminatory against their predominantly racialised membership. Dias-Abey argues that these strategies constitute effective representation and mobilisation of a multi-racial working class, and help indie unions organise efforts in diverse and precarious workplaces by securing respect, dignity, and justice for members.

Agency

Indie unions can also be characterised by sharing an ideological and organisational commitment to participatory practices, with an emphasis on democratised union governance, worker agency and power, and the fostering of cultures of solidarity which are inclusive of workers' material and non-material needs, such as dignity, respect, pride, and empowerment (Pero, 2014).

Pero (2020) argues that these 'communities of struggle' facilitate social inclusion and integration. This is similar to McAlevey's 'whole worker organising' approach, whereby both workplace and non-workplace issues are tackled in a holistic way. "Whole worker organising involves keeping workers consistently acting in their self-interest, while constantly expanding their vision of who that self-interest includes, from their immediate peers in their unit, to their shift, their workplace, their street, their kids' school, their community, their watershed, their nation, their world." (2016: 14).

The future for indie unions

Indie unions have effectively organised workers and achieved many notable industrial successes in many precarious and atypical forms of employment. However, membership heterogeneity has been identified as a problematic factor in the administrative and representative functions of trade unions (Marino, et al., 2019) and this only looks set to increase with the indie unions recently incorporating workers as diverse as computer game designers (Woodcock, 2020), foster carers (Kirk, 2020), yoga teachers (Booth, 2021), and cycling instructors (BBC, 2023) into their membership.

The indie unions are operating in sectors where generally they are unable to bargain directly, so they are instead reliant on mobilisation capacity and less institutionalised forms of membership participation. While some scholars argue that these methods of production can generate strong emotions amongst workers that are conducive to mobilising (Petrini and Wettergren, 2022), others have cautioned that the indie unions may be likely to experience processes of bureaucratisation similar to those of other trade unions (Bailey, 2023).

So it remains to be seen whether the indie unions' organisational methods are sustainable, but in the meantime they continue to provide an industrially combative (Weghmann, 2023) and participatory (Pero, 2020) form of trade unionism to some of the UK's most marginalised workers.

References

Alberti, G., 2016. Mobilizing and bargaining at the edge of informality: The '3 Cosas Campaign' by outsourced migrant workers at the University of London. *Journal of Labor and Society,* 19(1): pp.81–103.

Alcalde-González, V., Gálvez-Mozo, A. and Valenzuela-Bustos, A., 2023. Social movement unionism in Spain's feminized precarious service sector: Criticism, cooperation and competition. *British Journal of Industrial Relations.* Advance online publication: https://doi.org/10.1111/bjir.12742

Aslam, Y. and Woodcock, J., 2020. A History of Uber Organizing in the UK. *South Atlantic Quarterly,* 119(2), pp.412-421.

Bailey, D.J., 2023. Worker-Led Dissent in the Age of Austerity: Comparing the Conditions of Success. *Work, Employment and Society.* Advance online publication: https://doi.org/10.1177/09500170231169675

BBC, 2023. London cycling instructors hold strike over pay. BBC, [online] 30 June. Available at: https://www.bbc.co.uk/news/uk-england-london-66054656 [Accessed 10 July 2023]

Bertolini, A. & Dukes, R., 2021. Trade unions and platform workers in the UK: worker representation in the shadow of the law. Industrial Law Journal, 50(4), pp.662–688.

Bessa, I., Joyce, S., Neumann, D., Stuart, M., Trappmann, V. and Umney, C., 2022. *A global analysis of worker protest in digital labour platforms* (Vol. 70). International Labour Organization.

Booth, R., 2021. UK's first yoga union fights for fairer share of £900m-a-year industry. Guardian, [online] 4 February. Available at: https://www.theguardian.com/lifeandstyle/2021/feb/04/uks-first-yoga-union-fights-for-fairer-share-of-900m-a-year-industry [Accessed 10 July 2023]

Dias-Abey, M., 2022. Mobilizing for Recognition: Indie Unions, Migrant Workers, and Strategic Equality Act Litigation. *International Journal of Comparative Labour Law and Industrial Relations,* 38(2), pp.137-156.

Joyce, S., Stuart, M. and Forde, C., 2023. Theorising labour unrest and trade unionism in the platform economy. *New Technology, Work and Employment,* 38(1), pp.21-40.

Kirk, E., 2020. Contesting 'bogus self-employment' via legal mobilisation: The case of foster care workers. *Capital & Class,* 44(4), pp.531-539.

Marino, S., Bernaciak, M., Mrozowicki, A. and Pulignano, V., 2019. Unions for whom? Union democracy and precarious workers in Poland and Italy. *Economic and Industrial Democracy,* 40(1), pp.111-131.

Marino, S., Martínez Lucio, M. and Connolly, H., 2023. Migration, Trade Unions and the Re-making of Social Inclusion: The Case of Territorial Union Engagement in France, Italy and Spain. *In Migration and Integration in a Post-Pandemic World: Socioeconomic Opportunities and Challenges* (pp. 177-197). Cham: Springer International Publishing.

Marshall, A., and Woodcock, J., 2022. The IWGB and strategic litigation: using the law within the strategies and tactics of work organising. Institute of Employment Rights [online] Available at: https://www.ier.org.uk/comments/the-iwgb-and-strategic-litigation-using-the-law-within-the-strategies-and-tactics-of-work-organising/ [Accessed 10 July 2023]

McAlevey, J., 2016. *No shortcuts: Organizing for power in the new gilded age.* Oxford: Oxford University Press.

Moyer-Lee, J., and Chango-Lopez, H., 2017. From invisible to invincible: The story of the 3 Cosas Campaign. In: Lazar S (ed.) *Where Are the Unions?* London: Zed Books, pp. 231–250.

Però, D., 2014. Class politics and migrants: Collective action among new migrant workers in Britain. *Sociology,* 48(6), pp.1156-1172.

Pero, D., 2020. Indie unions, organizing and labour renewal: Learning from precarious migrant workers. *Work, Employment and Society,* 34(5), pp.900–918.

Però, D. and Downey, J., 2022. Advancing workers' rights in the gig economy through discursive power: the communicative strategies of indie unions. *Work, Employment and Society.* Advance online publication: https://doi.org/10.1177/09500170221103160

Petrini, E. and Wettergren, Å., 2022. Organising outsourced workers in UK's new trade unionism - emotions, protest, and collective identity. *Social Movement Studies,* 22(4), pp.513-529.

Smith, H., 2022. The 'indie unions' and the UK labour movement: Towards a community of practice. *Economic and Industrial Democracy,* 43(3), pp.1369-1390.

Weghmann, V., 2023. The tail that wags the dog: lessons from the UK's independent unions for class struggle trade unionism. *Employee Relations,* 45(4), pp.808-822.

Woodcock, J., 2020. How to beat the boss: Game Workers Unite in Britain. *Capital & Class,* 44(4), pp.523-529.

Woodcock, J. & Graham, M., 2020. *The gig economy: a critical introduction.* Cambridge: Polity.