



**Why Would Contingent Workers Join a Trade Union?
Union Responses to Restructuring and
the Organisation of Contingent Workers in the Irish
Telecommunications Sector**

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Why Would Contingent Workers Join a Trade Union? Union Responses to Restructuring and the Organisation of Contingent Workers in the Irish Telecommunications Sector

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Abstract

This paper explores union responses to restructuring and the growth of contingent labour in the context of the Irish telecommunications sector. Acutely aware of the experiences of telecommunications unions in New Zealand, the union developed a strategy of proactive engagement to close off the threat of an unregulated labour supply. Organising contingent workers brought new challenges in terms reconciling the interests of different membership cohorts, and raised questions over why contingent workers would join the union and what union membership would mean to them. Often missing in studies of this area, the paper gives voice to new union members through interviews with a range of contingent workers.

1. Introduction

Over recent decades unions in many industrialised countries have faced challenges associated with labour market restructuring. Unions have been faced with the need to develop new strategies to cope with changes in their environments of operation and new regulatory contexts created by state policies of labour market liberalisation and privatisation (Katz et al 2003; MacKenzie 2000, 2002; Ross and Bamber 2000; Ross 2002, 2003; Arrowsmith 2003; Martinez Lucio 2006). One of the key manifestations of labor market liberalisations and restructuring has been the widespread growth of non-standard or contingent employment arrangements (Goslinga and Sverke 2003; Pernicka 2005; Heery 2004). Yet union strategies of engagement with such workers remain limited and inconsistent (Malo 2006). Some observers suggest unions may be seen as less relevant to the new demands and experiences of the 'flexible' workforce (Rifkin 1995; Sennett 1998). Others point to the imperatives created by the need to offset numerical declines in traditional members and crucially to prevent the undermining of terms and conditions by the use of contingent workers as compelling unions to engage with and indeed make themselves relevant to this increasingly important section of the workforce (Goslinga and Sverke 2003; Pernicka 2005; Heery 2004). Strategies of engagement (Heery 2004) with non-standard labour are, however, fraught with the challenges. Not least the challenge of representing the potentially competing interests of both traditional members and new members (Wever 1997), and overcoming the dangers of low union attachment often associated with contingent contract members (Goslinga and Sverke 2003).

This paper explores union responses to restructuring and the development of a strategy of engagement with contingent workers in the context of the Irish telecommunications sector. Restructuring associated with the liberalisation and privatisation of the sector saw the incumbent national provider, Eircom, follow the pattern witnessed in other national contexts of downsizing the direct workforce and increasing the use of subcontractors (MacKenzie 2000, 2002, 2008; Ross and Bamber 2000; Ross 2003). Through much of the 1990s the Communication Workers Union (CWU) fought a rearguard action against the use of subcontractors. Over the course of several years from the late 1990s onwards the union moved from a policy of exclusion towards one of engagement (Heery 2004). Aware of the experiences of telecommunications unions elsewhere, notably New Zealand, the CWU sought to close off the threat of an unregulated alternative to internal labour through organising the external labour supply. The paper examines the ways in which the CWU prosecuted this change. Such a strategy created new tensions and carried considerable risks for the union. The paper explores the new dilemmas and challenges faced by the CWU in terms of the representation of potentially competing members' interests and the appropriateness of union action in pursuit of these interests. Often missing in other studies of the organisation of contingent workers, the paper then gives voice to new union members working on various non-standard contract forms. Interview data with a range of contingent contract workers is used to explore tensions and perceptions of inequality between membership cohorts. By these means the paper explores the questions of why contingent workers joined the

union and what that membership actually meant to them. A range of views regarding membership and union attachment were expressed, including reluctance and indifference. It was notable, however, that those workers with experience of union membership through previous employment in national telecommunications companies such as Eircom were more predisposed to renewed collective organisation.

2. A review of debates

The growth of non-standard employment arrangements has been a common experience across Europe and beyond (OECD 2000; Goslinga and Sverke 2003; Pernicka 2005; Gallagher and Sverke 2005). Yet union membership amongst contingent workers remains low (Goslinga and Sverke 2003; Gallagher and Sverke 2005; Malo 2006). Whilst some observers have pointed to examples of higher work satisfaction and other positive outcomes experienced by certain contingent workers (De Witte and Näswall 2003; Wooden and Warren 2004; Silla et al 2005; Vitanen et al 2006; De Cuyper and De Witte 2007), low pay, precarious employment, and health and safety risks are common realities for many contingent workers (Kochan et al 1994; Heery 2004; Mayhew et al 1997). This illustrates two key issues. Firstly, contingent workers are not a homogeneous group but rather are made up of a variety of contract types including agency workers, direct temporary employees, subcontractors and the self employed (Goslinga and Sverke 2003; Forde and MacKenzie 2007). Secondly, within these groupings there are differing levels of skill giving differing levels of labour market power (Silla et al 2005; Kunda 2002), which impacts on the experience of work and attitudes of workers. This does not necessarily mean that such workers are less suitable for recruitment but variation does have implications for union strategy in terms of differences in workers' attitudes to unions and the working environment in which unions seek to organise (Gallagher and Sverke 2005; Malo 2006).

Unions face the challenge of creating policies that are of interest and relevance to all members (Gallagher and Sverke 2005; Pernicka 2005) which increasingly may mean addressing the interests of members employed on different contract forms (Malo 2006). Developing policies that address these interests means overcoming another longstanding assumption associated with the recruitment of contingent workers, the notion that the workers themselves would not be interested in union membership (Malo 2006; Pernicka 2005; Goslinga and Sverke 2003). There are a number of facets to this. In part this reflects the historic exclusion of the interests of contingent workers from collective bargaining agendas (Malo 2006). Even assuming a move towards greater engagement, issues of collective bargaining may be of less relevance to groups of workers engaged on individual contracts, or self employed workers (Gallagher and Sverke 2005). Yet for other forms of contingent workers, such as agency staff and subcontract employees the joint regulation of terms and conditions has been beneficial (Heery 2004; Lee and Frenkel 2004). This suggests both the need for unions to do more to include the interests of contingent workers within mainstream bargaining agendas, and also address the specialist needs of contingent workers (Malo 2006). Within the wider union revitalisation debate, Gall

(2005) points to the effectiveness of grievance-resolution based approaches to recruitment as a means of overcoming employee indifference or ambivalence towards the worth of joining a union. This may have resonance within the heightened contractual complexity of the various forms of contingent employment, although this could put a disproportionate strain on union resources.

Ambivalence and indifference to union membership, based on the view that unions can make little difference to their situation, is not the sole reserve of contingent workers but rather a challenge to recruitment in general (Gall 2005). Indeed, Goslinga and Sverke's (2003) international study suggest that *ceteris paribus* there is little evidence to suggest contingent workers are inherently more predisposed to indifference to union membership than direct workers, and importantly no more likely to quit their membership. Yet just as the recruitment of contingent members relies upon union strategies to appeal to their interests (Wever 1997, Malo 2006; Pernicka 2005; Goslinga and Sverke 2003) their retention largely depends on how unions treat them as members and value their membership (Goslinga and Sverke 2003; Malo 2006; Pernicka 2005; Gallagher and Sverke 2005). Goslinga and Sverke (2003) suggests that such members are less likely to have a positive experience of union membership than their directly employed co-members, and it is this that influences their likelihood of quitting rather than any predisposition associated with contract status.

Policies for the recruitment and retention of contingent workers based around appealing to their specialist interests may run the risk of appealing to instrumental reasons for joining and thus passive membership. Again this is not the sole reserve of contingent workers. It is not uncommon for workers to have an instrumental attitude to union membership (Waddington and Whitson 1997) regardless of contract status. Similarly, in the broader union revitalisation debate concerns have been raised that concentrating on membership growth without consideration of the broader qualitative aspects of union membership, such as the collectivist ideological underpinning, can lead to membership passivity, low union attachment and less robust workplace unionism (Gall 2005). The propensity to develop a broader ideological underpinning for collectivism amongst contingent workers may again be seen as a point of concern. Yet this can also be seen as crucial to the chances of developing solidarity between union members from different contract cohorts represents; a challenge beyond the need to develop policies that address the specialist needs of contingent workers (Pernicka 2005). It has been argued that the market oriented nature of contingent employment arrangements such as subcontracting, and workers divided from one another within the labour process by contract status, throws workers into competitive relations with one another and militates against collective behaviour (Mayhew et al 1997). Again, however, there may be important differences in experience between the various contingent contract forms (Gallagher and Sverke 2005). Echoing debates on variations in the structural organisation of work, some contingent workers may be thrown into a collective experience of the labour process by the nature of their contract type (Gallagher and Sverke 2005). Pernicka's (2005) analysis of the recruitment of contingent members invokes Offe and Wieselth's (1980) concerns for the development of a non-utilitarian collective identity as being crucial to the prospects of unions strengthening their position vis a vis employers and the state. The conclusion is that this prospect remains to be seen given an increasingly heterogeneous workforce (Pernicka 2005).

Given the growing numbers of contingent workers unions may be increasingly squeezed between the imperatives to attempt to organise these potential members and the challenges associated with doing so. In the words of Gallagher and Sverke:

“[T]he general question remains as to the extent to which unions and their leadership are going to be willing to accommodate the growth of contingent jobs, and what strategies they will utilize” (Gallagher and Sverke 2005, 195)

The strategic orientation of the union towards engagement with contingent labour is key (Malo 2006). These attitudes clearly vary and indeed may evolve: from policies of exclusion to policies of engagement; from a traditionally hostile position towards a position of greater accommodation (Heery 2004). Yet while the attitudes of the union leadership remain key (Malo 2006) such strategic reorientation creates challenges such as accommodating such new members within existing union structures (Pernicka 2005; Goslinga and Sverke 2003; Gallagher and Sverke 2005). Moreover, such strategies may face scepticism at branch level as this is where traditional tensions between new and existing membership groups will be played out (Pernicka 2005; Lee and Frenkel 2004; Kochan et al 1994; Geary 1992)). Promoting the interests of new contingent worker members may run the risk of alienating the traditional membership (Lee and Frenkel 2004). Yet, reconciling the interests of different membership cohorts is not a new challenge for Trade Unions. As Pernika (2005) points out, unions have always consisted of different groups of workers and different interest groups across various levels. Such challenges are not peculiar to the organising of contingent workers.

3. Methodology

The structure of the research design provided some degree of longitudinal insight, which was essential in understanding the development of union strategy and allowed an insight into this vital period of change. The data reported in this paper were collected over an extended period between 1999 and 2004. Semi-structured interviews provided the main research technique, which was supplemented by non-participant observation and the analysis of documentary evidence. Beyond the initial access and exploratory interviews the main body of interviews were carried out in two phases, the first in 2000 the second more extensive phase in 2003, with follow up interviews conducted in 2004. Interviews were conducted with representatives from the CWU at both a national and branch level. Interviews were also conducted with representatives from senior, middle and lower management within Eircom, including members of a local partnership group responsible for the joint regulation of the use of subcontract labour. Management representatives from four firms that were or had been in subcontracting relationships with Eircom were also interviewed. Two of these firms had signed recognition agreements with the CWU. A significant proportion of the second phase of the research was located within the main supply firm, Telserv, who accounted for 80% of subcontract work on a national basis. Telserv had grown out of Eircom's own subcontracting activities in the UK, working on contracts for BT in the mid-1990s. Following a management buy-out of the subcontract firm as Eircom

withdrew from the UK market, Telserv had continued working as UK based subcontractor for BT. Subsequently Telserv had re-entered the Irish market to tender for Eircom contracts. They employed around two hundred direct staff, including management and field operatives, plus around three hundred additional field operatives working via subcontract and employment agencies. Several interviews were conducted with the CWU officer responsible for the recruitment and representation of members from this firm. In addition, representatives from both senior and operational levels of management were interviewed, and crucially 20 field workers, and union members, who were engaged on various forms of contract. This lends a dimension to the study that is often missing in other contributions to the debate on organising contingent workers. More than fifty interviews were conducted over the various stages of the research process. The use of interviews was supplemented by non-participant observation within the main supply firm within two depots, including the national headquarters, and at the CWU national conference in 2004. The use of non-participant observation allowed a more naturalistic insight into the various perspectives on the issue of contingent workers as union members, and allowed for the triangulation of findings from the interview data.

4. The Context of Union Strategy

Developments in the Irish telecommunications have followed a familiar international pattern. Following privatisation in 1999 Eircom embarked on a major downsizing campaign that saw the direct workforce shrink from 18,000 in mid 1990s to 8,500 by 2003. This was paralleled by a rise in the use of subcontractors within the engineering function, often ex-Eircom employees re-engaged on a contingent basis. Such reconstruction mirrored development in other national telecoms firms (Katz et al 2003; Ross and Bamber 2000; MacKenzie 2000, 2002) and the way in which unions elsewhere had responded to these changes had been closely observed by the CWU. Due to similarities in demographics New Zealand was identified as a particularly useful comparator, leading the CWU to commission research into restructuring and union responses at Telecom Corporation of New Zealand (TCNZ). The findings of this research informed the development of union strategy in Ireland and were repeatedly cited by research participants as providing the rationale for a more proactive approach. TCNZ had gone through a similar 'downsizing' process, reducing its workforce from 24,500 in 1987 to 16,000 at the point of privatisation in 1990 and then to around 5,500 by 2002 (Ross 2003; Ross and Bamber 2000). Outsourcing had grown in parallel to this labour shedding to the point that by the late 1990s nearly all network build and maintenance engineering was outsourced (Ross 2003). This had a decimating impact on union membership to the extent that the financial viability of the Communications, Electrical and Plumbers Union was undermined and the union was forced into liquidation in 1995 (Ross 2003). Despite many workers transferring membership to the Engineering, Printing and Manufacturer' Union (EPMU), further redundancies and the outsourcing of the remaining network engineers in the late 1990s effectively ended active union involvement in TCNZ (Ross 2003).

The experiences in TCNZ were treated as a salutary warning by the CWU leadership. Yet despite the demographic similarities between the two countries there were

important contextual differences that presented the CWU in Ireland with some strategic opportunities that were not available to the unions in New Zealand. In New Zealand management had used the opportunities presented by a change in legislation, the 1991 Employment Contracts Act, to abandon a social partnership approach to restructuring in favour of more aggressive de-collectivist agenda (Larner 1998, Ross 2003). The context in Ireland differed in that the late 1980s saw the re-emergence of a national quasi-corporatist social partnership approach to industrial relations as a response to a prolonged fiscal, economic and political crisis (D'Art and Turner; 2000, 2003; Roche 1997, 2001). Although criticised for the limited pay-backs to labour, their association with a period of unprecedented economic growth lent political legitimacy to the periodic national partnership agreements (O'Connor 2002; O'Donnell and Thomas 2002). The take-up of commensurate arrangements at the level of the organisation has been limited, particularly in the private sector (D'Art and Turner 2003; O'Donnell and Thomas 2002; Roche 1997). Despite this broader trend, the then state-owned Telecom Eireann (later renamed Eircom) established its first partnership arrangements in 1997. Notable successes have been attributed to the influence the union has affected through these mechanisms, particularly steering the choice of Eircom's strategic partner away from a multi-national with an unfavourable industrial relations record and lobbying for the creation of the Employee Share Ownership Scheme (ESOP). With a staff holding that grew from 14.9% following privatisation to a height of 29%, held in an ESOP chaired by the General Secretary of the Union, management faced a context in which the marginalisation of the union would have been a far more difficult undertaking than faced by their counterparts in New Zealand. Yet it was the lessons presented by New Zealand of the union's loss of financial viability due to the haemorrhaging of membership through outsourcing that resonated with the CWU and informed their response to the increase in subcontracting in the Irish context.

5. Union responses to subcontracting

The partnership arrangements at Eircom played a key role in the development of subcontracting. Although subcontracting emerged in Eircom in the mid-1990s, initially in the civil engineering or 'civils' (building concrete chambers and ducts to house underground telecommunications plant), it was the 1997 'Bluebook' partnership agreement on restructuring that allowed for the use of subcontractors in the telecoms specific area of cable and jointing. Whilst Local Partnership Groups prescribed the boundaries of use and regulated the volume of subcontracting, they appeared powerless to stop its growth in the face of managerial justifications based on meeting recognised operational needs. Local Partnership Groups did however provide the means by which the CWU could steer the allocation of work towards 'union friendly' firms. In turn this proved a useful form of leverage in terms of encouraging subcontract firms towards recognition and organisation. This reflected the emergence of a union strategy for confronting the potential threat represented by an unregulated external supply of labour through intervening in the contractual structures and procedures Eircom was striving to develop (see MacKenzie 2008). A second key feature of this was the CWU's proposal and joint development of the 'Atypical Working Scheme' as an alternative to the traditional severance packages by which Eircom continued to pursue 'downsizing'. Through the scheme, departing workers

were guaranteed 3 years work with one of the main subcontract firms, employed via a designated employment agency and working on Eircom terms and conditions. Crucially the scheme provided the means for retaining the union membership of departing workers and also guaranteed a significant union presence within the subcontract firms they went to. The strategy of cultivating links with subcontract firms took a step change with the development of a strategic link-up with a new supplier. Telserv's re-entry into the Irish telecoms market provided a window of opportunity for the CWU in terms of organising within subcontractors. Through this link up Telserv became the CWU's preferred contractor, and a key recipient of Atypical Workers. The CWU gained full recognition for collective bargaining within Telserv and a member of the union's National Executive took a seat on the board of directors. Through the vehicle of the Atypical Workers scheme, and a campaign to recruit the existing workforce of direct staff and labour-only subcontractors, the union turned the firm into a de facto closed shop. The strategic objective of organising the subcontract labour supply had been achieved, however, the recruitment of new members working on non-standard contracts raised questions over the implications of this strategy at grassroots level.

6. The challenges of diversified membership

For a union whose membership had traditionally been relatively unified and homogeneous within a single organisation the shift to the representation of a more diverse group - now including Atypical Workers, Telserv direct labour, and labour only subcontractors – represented a major challengeⁱ. This is more so where the interests of new members may be interpreted to be in conflict with the interests of the traditional membership. Subcontractors were traditionally regarded by Eircom members as taking work away from traditional members. This perception had fuelled a long-standing antipathy towards subcontracting that would be difficult to reverse to a point where Eircom workers recognised subcontractors as fellow CWU members. National agreements on the way in which work was allocated to contract were aimed at ameliorating the perception of competition between Eircom members and subcontractors. However, agreements ensuring that only work that could not be performed in-house due to capacity limitation would go out to contract were regarded with some scepticism at grass-roots level, in the context of an extended period of downsizing. Interestingly therefore, the potential problems this raised in terms of the union's ability to represent both groups also reflected a tension between the national and branch level. Members working for subcontractors had been retained within, or integrated into, the existing local branches, and thus attended the same meetings as Eircom staff. The *National Officer* with responsibility for recruiting subcontractor members suggested that although tensions remained between the groups, this was a long way from the outright opposition that had existed historically: "They are all CWU members just working in different ways. It is not a big issue for us".

Whilst at national level broader strategic advantage may be perceived to lie in organising subcontractors, both in terms of closing off the use of non-union

alternatives, and in terms of membership levels, branch level attitudes seemed less effusive. The view of branch level officials put more emphasis on the tensions. According to local branch representatives, grass-roots opposition to contracting had diminished over time, given familiarity and in no small part due to unionisation, however problems still existed. The words of one branch official pointed to some fundamental challenges faced by the union in its attempts to diversify its membership.

“Yes it [tension between Eircom members and subcontractor members] causes major problems... I don't believe we can represent both successfully. My loyalties remain with Eircom people”.

The union strategy of building relations with a favoured supplier continued to grind against the residual unease amongst Eircom members regarding subcontracting. The Atypical Working scheme had blurred the boundaries between cohorts, through Eircom members working via the subcontract supplier, and to some extent had encouraged a greater acceptance of diversification. However, this also created new potential sources of tension between the new and the traditional membership cohorts.

7. Tension between membership cohorts

With longstanding associations with their local branches and personal relationships with ex-colleagues, atypical staff tended to be more favourably regarded by the Eircom membership than those working on standard subcontract terms. Similarly local union agreements to work going out to contract was based on the understanding that this provided work for Atypical Workers, and expected these workers to be favoured by Telserv in their internal allocation of this work. Despite the guarantee of a minimum number of hours of work over the course of a year, this did not mean there could not be periods of slack. Given that all those working via Telserv were paid on a piece rate the allocation of work was a crucial issue of material well-being. Concerns were raised within the union that the excessive use of subcontractors by Telserv was depleting the volumes of work too quickly and thus leading to periods of under-employment for atypical workers. Furthermore, there was a perception that Telserv were only using Atypical Workers up to the limit of the guaranteed hours and then allocating work to the less expensive subcontractors. Concern was raised on the basis that this was outside the spirit of the agreement, and thus appropriate for union intervention. The fact that the union were able to communicate concerns over the allocation of work directly to Telserv via their representative on the board of directors and thereby assert influence over such resourcing decisions demonstrated the new opportunities presented by this strategic response to subcontracting. Yet this put the union in a somewhat ambiguous position in view of its campaign to recruit Telserv's subcontract workers. Albeit within the letter of the agreement, by enforcing the prioritising of atypical workers the union could be seen to be working against the material interests of the newly recruited subcontract workers, again highlighting the problems of representing different cohorts of workers whose interests could come into conflict.

Furthermore, although many Atypical Workers felt the union represented their interests well, particularly having interceded in terms of the allocation of work, there was an ongoing perception amongst these members that their interests were effectively marginalised within the local branch structure. When asked if they felt the local branch effectively represented their interests the following responses were mixed.

“No. At the moment the branch have a policy of us not working on live cable. They are stopping us doing work - rather than getting more work for us. We’re only a small cog in a big branch, so we get out-voted all the time”.

“The local branch don’t do anything for us. The union make it so we can’t work on live cables, then they come to us and ask us to transfer cabinets – it’s a contradiction. They ask us when it suits them”.

“They do but it will be different when I come off Atypical. It will be different when I go on contract (become a subcontractor working for Eircom via Telserv)”.

The last quotation offers a more positive perspective in terms of Atypical Workers experiences of union support but then demonstrates the recognition of the tensions caused by the potentially competing interests of Atypical Workers and subcontractors. Even amongst the different cohorts of members working on various forms of non-standard contracts there was a perception of a hierarchy in terms of whose interests the union represented and by turn who received better treatment at the hands of the employer. The hierarchy of non-standard members was perceived to be headed by Atypical Workers, followed by direct employees of Telserv, and finally those working as subcontractors for Telserv and so two stages removed from Eircom. Each level perceived an inequity of treatment, mostly in terms of the favoured treatment received by those above them in the hierarchy, although as the above quotation demonstrates there was recognition of the experiences of those lower in the chain.

8. The representation of new members

This perception of inequity of treatment between groups of members was apparent in the interviews with newly recruited Telserv employees and those subcontractors working for Telserv via an agency. The first quotation is from a Telserv direct employee, the second and third are from subcontractors.

“I see they don’t represent other people’s interests. The Atypicals are in the CWU, the direct labour, the Agency labour, they are all CWU. I see a work shortage and the Atypicals go to the union, and the union goes to management and say “give the work to the Atypicals”. I see it that they are all in the union and the union should be working for all of them”.

“The Atypicals probably get first preference... The only time you see it is when the work is slack – we don’t get a fair crack of the whip compared to direct labour and Atypicals. It has happened”.

“They [Atypical workers] are ahead of subcontractors [working via an agency] – they were promised a deal when they left. They [the union] didn’t consider us much, when you go out on your own you’re on your own”.

Although these workers recognised this disparity, the final quote reflects another interesting theme in terms of the expectations held by some subcontract workers regarding the union. There was an assumed disassociation between subcontracting and union membership based on equating the union with direct employment within the patron firm. At one level this could be taken to reflect expectations shaped by the policy of exclusion (Heery 2004) practiced by the union historically. Furthermore, being a subcontractor was often presented by interviewees as an inherently individualist pursuit, which presented a challenge for unions in their attempts to recruit them. Many celebrated the notion of freedom from what was often presented as the constraints of employment within large bureaucratic organisations. Similarly the piece rate method of payment was celebrated as offering the opportunities for individuals to be more directly rewarded for their efforts. The logic of maintaining a link to the union, via such mechanisms as the Atypical Working as an interim between direct employment and full subcontract status, can be viewed in terms of offsetting this disjuncture between the collective of the internal labour market and the individualism of the external market. It was notable that such attitudes were less prevalent amongst the Atypical Workers interviewed.

What was interesting here however, were the differing views of the union held by the labour only subcontract workers. For many of these workers the union were pushing at an open door in terms of their attempts to recruit. Others tended towards indifference, yet it was notable that despite the portrayal of the occupation as being intrinsically individualistic there was little hostility expressed with regards to unionisation. Where this did occur it was amongst civil engineering subcontractors who had no previous experience of union membership or working for large unionised organisation. In the words of one such worker:

“I am a member, to my amazement. How I’m affiliated with a union I don’t know – I don’t agree with unions. I didn’t fill in the package, but it’s a closed shop here”.

The specialist nature of the work, however, meant that the vast majority of subcontractors were ex-employees of major national telecommunications operators, in most cases Eircom. There were also a significant number from overseas, including ex-BT employees from the UK and engineers trained by the national telecoms operators of New Zealand and South Africa. As such, these workers tended to have been members of the union in their previous working lives, and although none had retained membership after moving into subcontracting, they were content to join, or rejoin, the CWU.

Many, however, expressed the view that expediency lay behind their reasons for joining the union. They had been encouraged to join by union organisers,

management and the employment agency through which they worked. There was a perception that union membership was essentially a prerequisite for being engaged by Telserv on a subcontract basis, and several made reference to a de facto closed shop. For many respondents, there was little more to union membership beyond this. The majority regarded the union as being marginal to their working lives, with several suggesting they had stopped paying their fees shortly after joining. Interestingly there was praise from most for the role of the union organiser, suggesting at least the union had remained visible even if marginal to daily experience. Moreover some respondents had experience of the union successfully representing them in a grievance within the subcontracting process.

“They did represent us once. We had a complaint over the price they (Telserv) were paying us. The union got involved and it was resolved”.

The notion that unions are most appreciated when individuals face a problem is hardly restricted to such non-traditional members and suggests there is scope for the development of the union’s role in representing and recruiting such workers. This was not necessarily dependent on the success or failure of individual grievances but on developing the perception that subcontract workers did have collective interests that could be represented by the union. For example, the South African workers in particular spoke of the benefits of joining the union, given the role the CWU played in bringing these workers to Telserv. The previous year a group of 25 South African telecom subcontractors had been brought to Ireland by a major UK based construction company, with the promise of a 12 month contract. The company had then laid-off these workers half way through the contract. The subcontract workers took the case to the High Court and attracted a lot of media attention. The CWU approached these now redundant workers and brokered a deal with Telserv to engage the South African engineers on a subcontract basis. In the words of the union organiser:

“It was ideal, they provided a labour resource for Telserv, members for the union, plus the CWU was all over the media for what we did so contract workers have seen what we can do and have been approaching us”.

Ultimately this can still be interpreted as an instrumental reason for union membership but it can also be argued that the appeal of the union tapped into a residual commitment to collectivism from amongst many of these workers from their previous employment experience. As suggested below in the response of two more recently arrived South African workers to the question of why they joined the union, the initial trigger may be instrumentalist or compulsive, but this can tap an underlying commitment to collective organisation.

First worker: “It was the standard thing to do, we were told through the Agency”.

Second worker: “But we prefer to be part of a union.”

9. Discussion and conclusion

The growth of contingent labour that has been associated with restructuring has brought new challenges for trade unions in various contexts. In the telecommunications industry this has tended to reflect the decline in the regulation of employment through the internal labour markets of dominant national providers such as Eircom, BT or TCNZ (Katz et al 2003; MacKenzie 2000, 2002, 2008; Ross and Bamber 2000). Crucially this has also often meant the circumvention of established mechanisms of joint regulation. The existence of an 'unregulated' alternative to organised labour presents a number of potential hazards for trade unions: impacting on revenue from membership fees (Ross 2003); putting pressure on terms and conditions of organised workers; or weakening union bargaining positions by reducing the potential impact of disruptions to production through industrial action. The longer term strategic threat represented by the potential consequences of the displacement of union workers by an unregulated alternative was witnessed in the demise of Communications, Electrical and Plumbers Union in New Zealand (Ross 2003).

The responses to restructuring and in particular the experiences of organising contingent workers offer more generalisable lessons for unions in other contexts especially, although not exclusively, those operating in large denationalised or public organisations where the experience of restructuring has commonly meant increased contracting out in various forms. In contrast to the examples provided by the restructuring of the telecommunications sectors in the UK or New Zealand, where management engaged in the external market without union involvement (MacKenzie 2000; Ross 2003), in Ireland the boundaries of the union were extended beyond the boundaries of the dominant organisation to encompass the changes in the capital-labour relationship created by restructuring. Retention through the portability of membership of ex-Eircom workers moving to work for subcontract firms provided a crucial bridging device into the unregulated external labour supply. Further, proactive recruitment policies pursued in the context of a strategic agreement with the key subcontract firm proved successful in regulating the supply of contingent labour. This strategy was not without risk. The development of a relationship with the main supply firm could be seen to have facilitated the greater use of subcontractors, and destigmatised the role of subcontracting within the broader process of restructuring. The logic of this engagement was informed by the desire to promote an alternative restructuring agenda that recognised the ubiquitous nature of change within the sector worldwide but challenged the notion that employment outcomes were predetermined. This also offered an alternative to developments such as those witnessed in New Zealand where restructuring was pursued on the basis of unilateral management dictat, with disastrous consequences for organised labour.

This also represented a departure for a union that had traditionally drawn its membership from a single organisation and so created tensions associated with representing the interests of different cohorts of members with potentially competing material interests. Moreover this was no longer simple dichotomy between unionised Eircom employees and the external alternative but rather included potential conflicts of interest between several membership cohorts reflecting the plethora of contract conditions under which new and long standing members could be working. Attempts

to organise within the subcontract organisations also raised questions over why such workers would join the union and subsequently what union membership would mean to these workers. Such a range of attitudes towards membership as expressed by the subcontract workers can again be seen as symptomatic of the challenges of diversification by the union. There are obvious questions over the possibility of solidaristic behaviour between fellow members from these different cohorts. The lack of commitment to the union, beyond the expediency of joining, expressed by some of Telserv's subcontract workers, and the instrumental basis of the allegiance of others, suggests the possibility of mobilising such members into some form of collective action seems remote. It cannot be assumed, however, that issues of inconsistent mobilisation potential are solely associated with diversification, nor indeed are instrumental attitudes to membership peculiar to workers on non-standard contracts. Diversification brings new dimensions challenges, but also new dimensions to challenges unions already face with their established membership.

There are also questions over the longevity of new members' commitment to the union and indeed of the union's commitment to these new members. This latter point goes to the heart of the nature of 'organising'. Successful organising is not just a one-off exercise in recruitment but an ongoing process of building and strengthening the sense of mutual commitment between union and member. The legal and institutional context must also be recognised as being important in terms of facilitating, or at least not hindering, the prosecution organising campaigns. Yet without proactive strategies of engagement the gains made possible by a more conducive regulatory environment will remain unrealised or at best represent the short term capture of new members without a long term commitment to the union.

The successful recruitment of these workers was also achieved within a particular window of opportunity. The favourable disposition to union organisation on behalf of the main contractor had been key to developments. This had been carefully cultivated by the union as being in keeping with strategic priorities. These priorities were also reflected in the resources committed to organising the supply firm. This included dedicating a union officer to recruiting and representing contingent workers, whose work seemed crucial to shaping the attitudes of new members. Yet the success brought by this coincidence of conditions could be vulnerable to a change in circumstances. The management of the supply firm may change its position, or indeed its key personnel. New supply firms less disposed to union organising may emerge. Similarly, a change in union priorities or personnel, particularly the departure of the individual who had proved so successful in building the respect of contingent workers, could also lead to a reversal of gains made in this area. Human agency may play a key role in what is still a vulnerable nascent and fragile area of organisation but there are also structural forces at play.

One of the ironies of the deregulation of employment reflected in the emergence of subcontracting in this area, which in turn is associated with the wider deregulatory processes within the telecommunications sector, is that it is reliant on the pre-existence of structured employment relations regulated through internal labour markets (MacKenzie 2000, 2002). The occupational labour market was created and previously near monopolised by the internal labour markets of national telecoms providers such as Eircom, BT or TCNZ. The skills developed within this context provided for the downstream deregulation of employment through the creation of an

external occupational labour market through large scale labour redundancy programmes. There is however a counterpoint to this in terms of joint regulation. Although subcontracting may not be traditionally associated with union membership, the path of deregulation had created a subcontract workforce in which past experience of union membership as a norm was commonplace. The potential for a residual collective orientation could facilitate the recruitment and retention of such workers. Yet, the apparent contradiction that the process of deregulation may sow the seeds for re-regulation does not detract from the challenges of organising such workers and the need for proactive strategies from trade unions.

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ⁱ This must also be viewed in the context of wider changes in the union structure associated with the merger with the Postal workers union and the on-going campaigns to organise in new entrants to the Irish communications sector.

Trade union strategies, restructuring and contingent workers in Southern Europe}, author={Andreas Kornelakis and Horen Voskeritsian}, year={2016} }. Andreas Kornelakis, Horen Voskeritsian. The article considers the strategies of trade unions towards the representation of call centre workers. Using a comparative case study, it examines the divergent union responses to the growth of contingent labour by looking at the telecommunications industries in Italy and Greece. Although the trade unions in Italy pursued inclusive strategies embracing the call centre workers and negotiating the restructuri... View Contingent Workers Research Papers on Academia.edu for free.Â In the last few years the relative size of the contingent versus permanent workforce in organisations has been on the rise. Concurrently there has been an increased focus for organisations to become more agile. Whilst the economic effect more. In the last few years the relative size of the contingent versus permanent workforce in organisations has been on the rise.Â Why do contingent workers join a trade union? Evidence from the Irish telecommunications sector. Page 1. <http://ejd.sagepub.com/> Relations European Journal of Industrial <http://ejd.sagepub.com/content/16/2/153> The online version of this article can be found at: DOI: 10.1177/0959680110364829 2010 16: 153 European Most trade unions are independent of any employer. However, trade unions try to develop close working relationships with employers. This can sometimes take the form of a partnership agreement between the employer and the trade union which identifies their common interests and objectives. Trade unions: negotiate agreements with employers on pay and conditions.