

PATTERNS OF UNION MEMBERSHIP AND COLLECTIVE BARGAINING: THE NORTHERN IRELAND EXPERIENCE

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Trade Union Density

The reasons for the decline in trade union density in Great Britain and its potential effect on collective bargaining structures have been the subject of much recent debate. An examination of this debate and the application of some of the theories developed within it to the Northern Ireland situation may provide some insights into the debate itself and the special local circumstances in the province.

As a starting point some figures on trade union density in the United Kingdom with Northern Ireland selected out for comparison are presented in Table 1. These figures are taken from the 1989 Labour Force Survey (LFS) which is probably the most reliable source available.

Table 1: Union Density in Great Britain and in Northern Ireland

	Great Britain Density %	Northern Ireland Density %
All employees	39	49
Male	44	51
Female	33	47
Non-Manual	35	51
Manual	43	47
Manufacturing	41	55
Non-Manufacturing	37	47
Full-Time	43	54
Part-Time	22	28
Less than 6 Employees	11	25
6 - 24 Employees		
23 25+ Employees	48	62

Sources: LFS: Analyses by Stevens and Wareing (1990).

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From Table 1 it is clear that trade union density is greater by some 10% in Northern Ireland than in Great Britain and that a differential is maintained throughout a number of important stratifications related to gender, manual/non-manual, manufacturing/non-manufacturing, full-time/part-time, and size of workplace. Proportionately more males than females have union membership and this is reflected in the NI figures though, interestingly, a greater proportion of females in Northern Ireland are union members than males in Great Britain. In Great Britain a greater proportion of manual workers have union membership than non-manuals. These proportions are reversed in Northern Ireland. This may have important implications for some arguments presented below. There is higher union density in manufacturing than non-manufacturing and amongst full-time workers as opposed to part-time and this pattern is maintained in both regions. The final stratification indicates the importance of size. The larger workplaces have a higher union density than the smaller.

Determinants of Trade Union Density

The current disparity between Northern Ireland and Great Britain in trade union density is the result of a sharp decline in density in Great Britain while the figures in Northern Ireland broadly held constant. Hopes that the decline had bottomed out in Great Britain in 1989 were dashed by the announcement at the 1990 TUC conference that a further decline of 2.9% had been recorded for that year. Trade union density in Great Britain in 1979 was given as "around 55%" (Swabe, 1990, Disney, 1990). While Black (1986) estimated trade union density in Northern Ireland at 48.9% and in Great Britain at 46.9% in 1983.

Some indication of the disparity of views on the causes of trade union density decline may be obtained from a consideration of two articles in a recent issue of the *British Journal of Industrial Relations*. In one Freeman and Pelletier (1990) offer evidence which explains the decline almost in total as a result of the government's industrial relations legislation. In the other, Disney (1990) explains similarly large proportions of the decline in terms of macro economic factors. Writing at approximately the same time Daniel (1990) explains the decline, again almost totally, in terms of changes in industrial structure throughout the period.

Freeman and Pelletier gave a pro/anti union score to the various pieces of legislation affecting recognition and bargaining rights, individual rights to associate or dissociate, immunities and the relative power of employers and unions since 1941 and claimed to demonstrate that these, in the long run, affect trade union density directly. The most recent battery of legislation since 1980 could then be used to explain large proportions of the decline.

Both Disney and Daniel dismiss legislation as a major cause. Disney concentrates on "business cycle" related factors such as fluctuations in unemployment, the fear of redundancies and the erosion of real wages through high inflation as an explanation. Daniel proposes the "mountain gorilla" hypothesis. The mountain gorilla is an

endangered species threatened primarily by the decline of its natural habitat rather than the activities of its predators. Thus lower trade union density is a result of the decline of the unions' natural habitat, large manufacturing workplaces, rather than the activities of their enemies, the Conservative Government. This view has received support from Beaumont and Harris (1991) who conclude that a fall in average plant size is a major predictor of trade union density decline.

In the face of this conflicting evidence the "safe" option of Metcalf (1991) is attractive. He views the causes of union density as multifaceted. He lists five factors, the three discussed above and two others. They are (1) macro economic factors; (2) the composition of employment; (3) Government legislation; (4) employer responses in the form of recognition and derecognition; and (5) union behaviour.

When applying the above views to an explanation of the differences between union density in Great Britain and Northern Ireland (see page 3 above), Government legislation immediately recommends itself. In a recent book Gaffikin and Morrissey (1990) argue that the full rigour of "Thatcherism" as it is understood in Great Britain has not been, or could not be, applied to Northern Ireland because of the special circumstances arising 'from the troubles' in any area of social policy. Whatever the strength of this argument in other areas of concern, it is certainly true of industrial relations legislation. At the time of writing Northern Ireland has received little of the legislation contained in the Great Britain Acts. Furthermore the implementation of such legislation as does apply in Northern Ireland has always lagged behind Great Britain. Thus Northern Ireland did not receive the full 1982 Act, and that part of the 1984 Act which was eventually implemented, until 1987. The full package is promised for 1991-92 but as yet it has not arrived.

This has led to important differences in the legislative frameworks within which industrial relations are conducted in Northern Ireland and Great Britain. One notable example is the statutory powers retained by the Labour Relations Agency to conciliate and investigate in trade union recognition disputes. The equivalent provisions were repealed in Great Britain in 1980, and it is in the period since then that the decline in Great Britain union density has occurred.

In the development of his models of the macro economic influences on union density, Disney (1990) isolated one effect as being of crucial importance: variations in the level of real wages. He postulates an inverse relationship with union density, if real wages are increasing then trade union density declines; and vice versa. This model is interesting in explaining the variations in union density in the two regions during the so called "Lawson Boom" which has been identified as beginning in 1983 and lasting for six years to 1989. During this period real wages in Great Britain enjoyed a rapid increase. However, Northern Ireland did not share fully in this mini boom, and lost out particularly in the accelerated growth that occurred from 1986 onward according to Gudgin and Roper (1990). They report a growth in real wages between 1983-89 of 2.5 per cent per annum in the United Kingdom generally, while the equivalent figure for

Northern Ireland was 1.1 per cent. Disney's model would, therefore, predict a sharp decline in trade union density in Great Britain with a lesser effect in Northern Ireland, a prediction which seems to fit the actual outcomes.

On preliminary examination the argument that the decline in trade union density is due largely to the closure of large manufacturing plants is not supported by the Northern Ireland experience. Manufacturing in Northern Ireland did not escape the ravages of the recent recession - in fact there is evidence that the Province suffered a greater depletion of its manufacturing base than the rest of the United Kingdom (Harris, 1990). However, there have been other changes in industrial structure in Northern Ireland which may have acted to offset the effect in manufacturing. Most notable of these were the increases in employment in the Northern Ireland public services, an area which has always been, and remains, highly unionised. Hewitt (1990) records an increase of public sector employment, from 35.9% of employees in employment in 1974 to 42.2% in 1987, an average annual increase of 1.3%. It should also be mentioned that this increase occurred during a period of privatisation of major public utilities, of which British Telecom is the most important example.

Black notes this increase in the public sector and observes that trade union gain in this sector "has been more than enough to offset the losses incurred in manufacturing" (1986: 76). Black observes that this expansion in public service employment had probably reached its limit and postulates a reduction in the public sector share in the future, which he feels will act to bring Northern Ireland's union density more into line with that of the United Kingdom as a whole. However, recent developments in the movement of public and recently privatised services from a labour-starved South East of England into Northern Ireland (eg the Social Security Agency and British Telecom) have made the expansion of public service work in Northern Ireland open ended. Given the population disparity between Great Britain and the province, even relatively small transfers of work from Great Britain could have a profound effect on employment in Northern Ireland.

Obviously, Metcalf's fourth determinant, employer responses in the form of recognition and derecognition - is, in Northern Ireland, linked with the effect of legislation. The statutory provisions for trade union recognition may be regarded as an incentive to recognition and a disincentive to derecognition. These provisions are discussed below. Whether there is any difference in the social and cultural attitudes of employers in Great Britain and Northern Ireland in relation to trade unions is still a matter of speculation and anecdote. However some information is available on general social attitudes towards trade unions and trade union concerns from the SCPR British Social Attitudes Surveys (Jowell et al, 1990; Stringer and Robinson, 1991). Table 2 summarises the responses to two relevant items in the SCPR self completion questionnaire for Northern Ireland and Great Britain.

Table 2: Responses to SCPR Survey items on Trade Unions

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
There will always be conflict between management and workers because they are really on opposite sides	NI	GB	NI	GB	NI	GB	NI	GB	NI	GB	NI	GB
	9.0	7.7	35.8	30.2	19.8	18.7	26.0	33.2	3.1	5.8	5.1	3.0
Workers need strong trade unions to protect their interests	NI	GB	NI	GB	NI	GB	NI	GB	NI	GB	NI	GB
	14.4	12.0	40.6	29.1	18.4	21.6	18.8	26.4	3.3	5.9	3.7	3.1

Source: Jowell et al (1990), and Stringer and Robinson (1991).

From this table people in Northern Ireland view the relationship between capital and labour as one of conflict more frequently than people in Great Britain and are considerably more likely to endorse the trade unions as proper representatives of labour. Arguably, therefore, social attitudes in Northern Ireland are more favourably disposed to trade unionism than those in Great Britain.

With regard to trade union behaviour, Metcalf's fifth determinant, there is also a lack of hard evidence comparing the two regions in regard to individual attitudes and actions of trade unions and trade unionists. However, there is one factor in relation to the position that trade unions hold within the socio political structure in Northern Ireland which is worthy of mention. Since the Conservative came to power trade unions in Great Britain have tended to be regarded as 'the enemy'. Unions have been excluded from any direct policy input; they have been the subject of legislation which has at times been arguably, vindictive; and they have been the subject of adverse media campaigns sometimes to the point of being seen as a threat to public order. The situation in Northern Ireland is different. The 'enemy' is the gunman and the trade unions have been more often seen as contributing to the struggle against terrorism in promoting anti-violence and anti-sectarian programmes, for example the "Better Life for All" campaign of the mid 1970s, the "Peace Work and Progress" campaign of the late 1980s and the current "Hands of my mate" campaign and the associated formation of an anti-intimidation unit, all organised by NIC-ICTU. This may have had some influence, firstly, on the Government's willingness to extend adverse legislation to the Province and, secondly, on individual decisions about membership.

Recognition and Collective Bargaining

Disney (1990) provides a useful classification of determinants for the consideration of the implications of trade union density decline for the collective bargaining structure. He identifies two sets of determinants of trade union decline: those which affect trade union coverage; and those which affect individual's decisions on membership. That is, one set of factors determines whether there is a union in the workplace for an individual to join, and another set affects the individual decision given that presence. For example, Disney's analysis of the influence of variations in real wages focuses on individual decisions to join, while Daniel's analysis of variations of industrial structure focuses on the presence of unions organising in the workplace.

Depending on which of the above sets of determinants is relevant, the current decline in trade union density may or may not affect the overall collective bargaining structure. If the reasons for decline are related primarily to individual decisions, then the collective bargaining structures may be relatively untouched. Since the purpose here is to examine this structure the remainder of the paper will concentrate on factors affecting coverage. This is not to denigrate the importance of individual decisions, for many areas of debate fall within this domain. For example, the presentation of trade union matters by the media, and trade union recruitment strategies have received warranted academic attention.

Swabe takes an optimistic view on coverage: "It is important to note that despite all the tales of woe about trade unions and their future, the majority of the structures of collective bargaining have remained largely intact" (1990: 7). He bases this view on the 1988 ACAS Annual Report which could identify no trend towards derecognition, apart from a few special cases (eg GCHQ). Towers some three years ago was less optimistic: "Whilst it is clear that there is no major movement towards derecognition by British employers what was once extremely rare is now becoming more commonplace and, in some sectors, derecognition initiatives seem to be becoming almost fashionable." (1988: 184)

Despite Swabe's optimism he is careful to draw attention to some recent developments within the industrial relations domain which may not have the starkness of, for example, the GCHQ dispute but which do lead to de facto derecognition. These may arise from privatisation, from variations in payment system or as a result of the movement towards the decentralisation of collective bargaining which has been in evidence over the past decades (Booth, 1989). However, Swabe's 'privatisation' does not refer to the disposal of major utilities - which did not lead directly to derecognition. What is important in this context are the minor privatisations arising from the contracting out of, for example, cleaning and catering sections within the public services. Once accomplished these contracting-out exercises remove members from recognition coverage with their old employer. The new employer may or may not choose to recognise a union.

The current vogue for performance-related pay is another source of erosion for the collective bargaining structure. Terry (1991) details the role 'personal contracts' played in derecognition of journalists in the newspaper industry. He also mentions the effects of such contracts in de-unionising senior managers in British Telecom and British Rail. These may be seen as a managerial preference for 'one step at a time' derecognition. In Northern Ireland similar provisions hold for the recently introduced management tier in the National Health Service, and performance pay is now a commonplace topic of debate within the public services generally.

Moves towards decentralisation may also act to erode the collective bargaining structure. For example, many establishments are subject to bargaining at more than one level. It is not uncommon for companies to bargain centrally on substantive agreements, that is on wages and basic conditions of employment, and to bargain at plant level on procedural agreements. If decentralisation implies that the central machinery simply disappears then the scope of collective bargaining will be radically restricted. Leopold and Jackson (1990) have commented on some of the difficulties facing unions and management on decentralisation. Union resources will be stretched as full-time officials face a proliferation of bargaining venues and plant level lay officials and senior managers will probably be lacking in experience of bargaining activity, and may require training.

Trade Union Recognition Provisions in Northern Ireland

In the event of a dispute between a trade union and an employer on whether that trade union should be recognised for bargaining purposes, either party may refer the matter to the Labour Relations Agency (LRA). Alternatively the LRA may intervene in a dispute where it feels that this intervention might be helpful. The LRA will offer advice to both parties and, if the dispute continues, will attempt conciliation. If conciliation fails the Agency is then empowered to conduct an inquiry, the results of which will be provided, in draft, to both sides. Should the matter still remain unresolved the Agency will issue a formal report which may contain a recommendation that a particular union should be recognised for bargaining for a particular group of employees. If after such a recommendation the employer continues to deny recognition, the trade union in question may request the LRA to issue a certificate of non-compliance. The LRA will issue the certificate if it is satisfied that its recommendation was not complied with, and the union may then use this to have the matter heard by an Industrial Court, which may decide to set legally-binding wages and conditions for the group of employees concerned.

In such cases the LRA will continue its conciliation activity up to the issuing of a certificate of non compliance and recognition may be granted or the case withdrawn at any point in the above procedure. Clearly, then, there is a strong incentive for employers to recognise unions where this recognition is warranted and the procedure may also be invoked in circumstances of derecognition.

Table 3: LRA Trade Union Recognition 1981 - 1990 (LRA Annual Reports)

	YEAR										TOTAL
	80-81	81-82	82-83	83-84	84-85	85-86	86-87	87-88	88-89	89-90	(%)
Cases Referred to Agency	39	34	34	31	32	23	16	13	19	22	263
From TU	22	27	30	24	22	21	16	13	18	22	215 (81.7)
From Employer	15	7	4	6	10	2	-	-	1	-	45 (17.1)
Agency Intervention	2	-	-	1	-	-	-	-	-	-	3 (1.1)
Cases Cleared	39	33	34	27	35	32	16	15	16	22	269
On advice or Conciliation	37	29	24	23	28	22	14	12	16	22	227 (84.4)
Inquiry Conducted	2	4	10	4	7	10	2	3	-	-	42 (15.6)
Certificate Issued	1	-	-	1	2	-	-	1	-	-	5 (1.9)
Trade Union Recognition (% of cases cleared)	NA	NA	NA	NA	NA	NA	NA	6 (40)	7 (43.8)	7 (31.8)	

Source: Labour Relations Agency Annual Reports.

Table 3 summarises the activities of the LRA in trade union recognition from 1981 to 1990. In this 10 year period 263 cases have been referred to the LRA, 215 (81.7%) by trade unions and 45 (17.1%) by employers. In three cases (1.1%) the LRA took the initiative. Two hundred and sixty nine (269) cases have been cleared by the LRA in this period, 227 (84.4%) on advice or conciliation with the remaining 42 (15.6%) resulting in an inquiry. Five (1.9%) certificates of non compliance have been issued. Records of outcomes have been given in the annual reports since the 1987/88 period. These indicate that around 40% of cases result in recognition either partial or total. Trends during the decade indicate a fall in referrals with a sharp decline in the 1985/86 period. This is arguably a reflection of the decline in private sector unionisation, the sector where more than 90% of referrals originate.

The Structure of Collective Bargaining in Northern Ireland

The LRA survey of industrial relations in Northern Ireland (Tipping and McCorry, 1988) estimates that 66% of establishments in the private sector in Northern Ireland employing 25 or more have collective bargaining arrangements. The presence of collective bargaining machinery was strongly related to size of establishment, 54.4% of the 25 to 49 size strata, 61.1% of the 50 to 99 size strata and over 92% of those employing more than 100. In comparison WIRS II (Millward and Stevens, 1986), which covered a similar population in Great Britain, indicated recognised unions in 56% of manufacturing establishments and 44% of private services in 1984. Coverage in Northern Ireland may therefore be argued to be greater than Great Britain.

Table 4 summarises the levels at which employers negotiate within the size strata. Clearly the smaller establishments depend heavily on their employers' associations for bargaining skills while the large firms tend to have developed those skills at plant level.

Table 4: Level at which employers negotiate, by number of employees (n=280)

Level of Negotiation	25-49 (%)	50-99 (%)	100-249 (%)	250+ (%)	TOTAL (Response)
Employers' Association	30 (68.2)	27 (38.0)	42 (44.7)	30 (31.5)	129 (285)
Central Management	10 (22.7)	29 (41.4)	30 (32.3)	33 (43.4)	102 (283)
Plant Management	14 (31.1)	28 (40.0)	50 (53.2)	47 (62.7)	139 (284)

Source: Tipping and McCorry (1988).

Trade union negotiations involve the full time union official in the large majority of cases. This applies to all size strata (97.7% of cases in the 25 to 49 strata and 94.7% in the 250+ strata). Lay officials are also frequently involved and this varies with size (30.2% of cases in the 25 - 49 strata; 63.2% in the 250+ strata) but it is reasonable to assume that the full-time official takes the leading role. Decentralisation, with its potential for the proliferation of bargaining sites, may, therefore, stretch the resources of full-time union employees at a time when trade union funds are constrained by falling membership. Lay officials may thus find themselves in more dominant roles and education and training in bargaining skills may become important for this group.

Many establishments bargain at more than one level. Table 5 summarises the combination of levels recorded within the LRA sample. Nine (9) establishments reported bargaining at all three levels, but 64 bargained at Employers Association level

only, 72 at central management level only and 69 at plant management level only. In addition 47 bargained at both employers association and plant level, 13 at both central and plant level and 6 at central and employer's association level.

Table 5: Distribution of establishments according to combinations of bargaining level employed (n=280)

	Employers' Association	Central Management	Plant Management	TOTAL*
Employers' Association	64	6	47	117 (+9 = 126)
Central Management	6	72	13	91 (+9 = 100)
Plant Management	47	13	69	129 (+9 = 138)

* 9 establishments negotiated at all three levels.
Source: Tipping and McCorry (1988).

With regard to the subject of bargaining at the different levels, 66.9% of the sample reported that substantive agreements were negotiated at a level higher than plant level. This proportion held for all size levels. On the other hand 49.6% negotiated procedural agreements higher than plant level. Again this proportion held across the size strata.

This implies that a significant number of establishments negotiated substantive agreements higher than plant level and procedural agreements at plant level. The implications of this structural feature for the effect of decentralisation means the simple scrapping of the 'higher than' plant level machinery will erode considerably the collective bargaining coverage of the plant, although it might be argued that the plant was still covered by collective bargaining.

As in Great Britain, collective bargaining in Northern Ireland cannot be described as wholly centralised or decentralised (Booth, 1989). Plant level bargaining is a major feature of the largest establishments but the smaller workplaces still rely largely on bargaining at a higher level. Many establishments are subject to bargaining at both levels, with a tendency for substantive agreements to be decided at the higher level.

The LRA survey data give a snap shot of the collective bargaining structure in Northern Ireland in 1987. Unfortunately the study (unlike the WIRS studies of which there have been two, with a third in progress) has not been repeated and it is not possible to chart changes in the collective bargaining structure. This must await further research.

Conclusions

The arguments on determinants of trade union density in Great Britain and Northern Ireland presented above defy conclusion. Three plausible and mutually exclusive explanations (in the sense that each claims to explain the major proportion of variability in density) are offered. Taking each investigation on its own terms the point should be made that what is demonstrated by the techniques deployed is a relationship between trade union density and another variable or set of variables. No causal direction is implied. Taking the 'legislation' model as an example it is equally valid to argue that the legislation was possible because the unions were weak as to argue that the legislation weakened the unions. Even an interactive relationship can be accommodated: that the first piece of legislation weakened the unions sufficiently to make the second possible, and so on - providing a perspective on the 'one step at a time' policy.

Secondly, using the Northern Ireland experience as a test of the theories outlined above could, with some justification, attract the criticism of the use of 'bad science'. To consider a number of theories and then rummage through the available Northern Ireland statistics in search of a set of figures which will support these theories is, perhaps, not the purest of approaches. However, again using the 'legislation' model as an example, Northern Ireland may soon provide an interesting laboratory for the exercise of some prediction. We have been promised that the arrival of the whole package of Great Britain legislation in the province is imminent. Predictions of the effects of this package, if and when it arises, on trade union density and the collective bargaining structure could be of great interest.

A final point on trade union density is related to situations in which a number of different studies seem to give adequate explanations of a phenomenon using different variables or sets of variables. In such situations the suspicion must always be present that the pattern of causation is much more complex than a single study would suggest. In the situation under consideration here the suggestion is that all variables - i.e. the legislative climate, the business cycle variables, the industrial structure variables *and* trade union density - have a common cause. They therefore vary together, giving a spurious impression of causal links between density and each of the other three in the single studies. Given the width of coverage of these four areas, any common cause must be surely deeply embedded in the dynamic of the capitalist organisation of production. This suggests that explanation must be sought in more general theories, such as those concerned with economic crises.

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