



Review of Consultation Responses

Trade Union Legislation

March 2025

Context

The Department remains committed to the continued modernisation and improvement of employment legislation to ensure the Island remains an attractive place for people and businesses.

The consultation on trade union legislation was part of a series of seven calls for views on different aspects of employment legislation.

Opinions were sought on -

- Notice of industrial action
- Mandate for industrial action
- Ballot thresholds
- Industrial action in essential services
- Recognition of trade unions in the workplace

The consultation opened on 13 August and was withdrawn on 27 November 2024 following very strong objections from Trade Unions acting collectively who expressed concerns that the proposals, including those on ballot thresholds and union activities. It should be noted that the majority of respondents by this date had also disagreed with many of the proposals within this consultation.

Following extended discussion with the collective trade unions, the Department has committed to taking no further action including any legislative changes in regard to trade unions during this administration and in this commitment withdrew the consultation earlier than advertised at the direct request of the trade unions.

The Department acknowledges that the content and process of the consultation caused concern, which was contrary to the Department's intention.

The Department will prioritise other significant areas for change in employment legislation, as outlined in the other consultations.



Overview

- The consultation received 40 online responses.
- 1 offline response was received from a representative organisation.
- The Department recognises the comments made by the Trade Unions as a response to the consultation, noting the number of those that they represent in their response and weights these responses accordingly.
- 5 of the online responses were received from employers of varying sizes but the majority of respondents (31) declared themselves as employees.



**Approach to assessing consultation responses*

While quantitative data is valuable in assessing consultation responses, it often does not convey the full narrative or the strength of specific arguments. Therefore, we have presented quantitative data to indicate general sentiment. To complement this, we have performed a thematic analysis, which involves grouping comments that raise similar themes, such as economic competitiveness and flexibility.

It is also important to note that not every respondent answers each question or provides additional comments. There is also the potential for discrepancies where the chosen answers and subsequent comments may not necessarily align. Consequently, while quantitative data can be indicative, it should not be wholly relied upon.