

Trade Union Rights:

Your Right to Organise

The right to join a union, take part in union activities, time off for reps, and full protection from anti-union treatment.



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TULRCA 1992 · ERA 2025



England, Wales & Scotland

ukworkrights.co.uk

The right to join and take part

- Every worker has the right to **join a trade union** of their choice — this cannot be restricted by your employer
- You have the right to **take part in union activities** at an appropriate time
- Your employer cannot **offer inducements** to give up union membership or collective bargaining rights
- You must not be **selected for redundancy** because of union membership or activities
- Dismissal for union membership or activities is **automatically unfair** — no qualifying period
- Blacklisting workers because of trade union activities is **illegal** under the Employment Relations Act 1999
- You have the right to **not join a union** — closed shop arrangements are unlawful

✓ **PROTECTED FROM DAY ONE**

Union rights protect you from your first day of employment — no qualifying period applies to any of these protections.

Time off for union representatives

🕒 UNION REPS — PAID TIME OFF

- Carrying out **union duties** (e.g. representing members in negotiations)
- **Union training** relevant to those duties
- Time off must be **reasonable** and at an agreed time

🕒 UNION MEMBERS — UNPAID TIME OFF

- Taking part in **union activities** (e.g. voting, attending meetings)
- Activities approved by the union
- Not for industrial action

✅ SAFETY REPS

Union safety reps have the right to **paid time off** to carry out their H&S functions and receive training. This is separate from ordinary union rep duties.

⚠️ REASONABLENESS

Time off must not disrupt the employer's business unreasonably. ACAS Code of Practice sets the standard — your employer cannot use this as a blanket excuse to refuse.

What ERA 2025 changed for unions

1

Strengthened access rights for union organisers

Unions have enhanced rights to access workplaces to inform and recruit members. Employers have fewer grounds to refuse entry.

2

Simpler statutory recognition process

The threshold for automatic statutory recognition has been revised — making it easier for unions to gain formal bargaining rights.

3

Strengthened protection against derecognition

Employers face a higher bar when seeking to derecognise an established union — particularly where collective agreements are in place.

4

Industrial action balloting reforms

Some of the 2016 balloting thresholds have been relaxed — making it easier for unions to take lawful industrial action.

Frequently asked questions

Q Can my employer find out I've joined a union?

Your employer has no right to know you are a union member. Unions do not disclose membership to employers. If your employer somehow discovers your membership and treats you worse as a result, that is unlawful detriment.

Q What if my employer doesn't recognise any union?

You still have the right to join a union and be represented. Your union rep can accompany you to disciplinary and grievance hearings even if the union is not formally recognised. Unions can also apply for statutory recognition if they have sufficient support.

Q Can I be dismissed for going on strike?

You cannot be dismissed for taking part in lawful, official industrial action within the first 12 weeks. After 12 weeks, dismissal is more complex — but selective dismissal (targeting specific strikers) is always unlawful.

Q What is the right to be accompanied?

You have the right to be accompanied by a union rep or colleague at any disciplinary or grievance hearing. Your employer must allow this. The companion can address the hearing and confer with you — but cannot answer questions on your behalf.

FREE RIGHTS GUIDANCE

Know your *union rights*

Get plain-English guidance on your rights and your employer's legal duties.

ACAS

0300 123 1100

acas.org.uk

TUC — FIND YOUR UNION

Find your union

tuc.org.uk/join-union

CITIZENS ADVICE

0800 144 8848

citizensadvice.org.uk

UK WORK RIGHTS — FREE GUIDE

**Trade Union Recognition and
Your Union Rights in England,
Wales and Scotland 2026**

ukworkrights.co.uk/guide-trade-union-recognition-gb.html

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Fire and Rehire

ukworkrights.co.uk/toolbox-firehire.html

TOOLBOX TALK

Zero Hours Contracts

ukworkrights.co.uk/toolbox-zerohours.html

TOOLBOX TALK

Whistleblowing

ukworkrights.co.uk/toolbox-whistleblowing.html

FREE GUIDE

Trade union recognition and your union rights (England, Wales and Scotland)

ukworkrights.co.uk/guide-trade-union-recognition-gb.html

Also: [Northern Ireland](#)