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The role and impact of trade union equality representatives in Britain
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January 2013

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Abstract

Drawing on data from the first ever national survey of trade union equality representatives, this article assesses the role and impact of equality representatives in Britain. While the majority of equality reps report having had a positive impact on employer equality practice, the analysis also suggests that equality rep effectiveness might be enhanced via the introduction of statutory rights to time off. In addition, it points to the need for unions to include equality on the bargaining agenda, attract new reps to the role, and ensure that equality reps have the confidence and skills to represent members effectively within grievance procedures. It also suggests an important role for the government in encouraging employers to engage in meaningful dialogue with equality reps.

1. Introduction

It is generally acknowledged that trade unions have had a significant impact recently in terms of promoting fair treatment at work and advancing the interests of disadvantaged workers. Studies have shown, for example, that equal opportunities (EO) practices are more likely to have been adopted in unionised than non-union workplaces, and outcomes such as pay rates have been found to be more equitable in unionised workplaces than elsewhere (Bewley and Fernie 2003; Harcourt et al. 2008; Hoque and Bacon 2010; Metcalf et al. 2001; Noon and Hoque 2001; Walsh 2007). Acknowledging the potential for unions to influence equality practices positively, the previous Labour government in Britain identified an important role for the union movement in contributing towards the effective implementation and delivery of the recent extension of equality legislation in the areas of flexible working, disability, age, sexual orientation, and religion and belief (TUC 2009a). It also took some tentative steps to further develop the capacity of unions to promote greater fairness and equality at work (Dickens 2007: 484).

One particular union initiative the previous government supported financially was the Trades Union Congress's (TUC) equality representative initiative. Following the recommendations of the Women and Work Commission's (2006) inquiry into gender inequality in the labour market, the government-backed Union Modernisation Fund financed 8 union-led projects to recruit and train 500 union equality reps by mid-2009 (TUC 2009b, 2010). Equality reps are a new type of union activist appointed or elected from existing employees or reps in unionised workplaces. Their role is to help promote equality and fairness at work by encouraging employers to improve equality policies and practices, offering independent advice and guidance on equality issues to employees, and raising the profile of the equality agenda within their unions (BIS 2009a: 1). Although many existing lay reps have for a long time sought to engage in such activities, the establishment of a specific equality rep role is perhaps indicative of the increasing emphasis unions are now placing on equality issues (Colling and Dickens 2001; Gregory and Milner 2009; Heery 2006; Parker 2002).

The aim of this article is to offer an evaluation of the TUC's equality rep initiative, thereby providing the first representative assessment of the impact union equality reps have had in British workplaces. This evaluation is important not least given the role the previous government identified for unions in helping to deliver equality policy and the financial support it provided, and also given the resources unions themselves have committed to the initiative. It is also important given that equality reps have not been accorded statutory rights to time-off, training or facilities to undertake their equality rep

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duties (ACAS 2008: 4), the previous government having cited insufficient evidence of equality rep impact and employer support in its rejection of union-sponsored efforts to have these provisions included in the Equality Act 2010. Hence, it is important to know whether equality reps are able to have a positive impact in the absence of statutory backing, and also whether there are forms of support other than statutory backing that might be important in developing and supporting the initiative in the future.

Assessing the impact of equality reps is also important as part of a broader evaluation of the union modernisation agenda, one aim of which has been the creation of specialised union positions (such as Union Learning Representatives for example) seeking to achieve new goals by concentrating on specific issues. Increasing the focus on equality via the introduction of specialised equality reps has the potential to increase the appeal of unions to diverse and traditionally under-represented groups (Noon and Hoque 2001: 106-7; TUC 2009a: 10-11). The equality rep role may also attract new individuals into union representation, thereby increasing the numbers of females and ethnic minorities (and other traditionally under-represented groups) in lay posts (BIS 2009b: 3). Creating new equality rep positions may therefore help bring about internal change in trade unions and in the process help to develop future generations of more diverse union reps (ACAS 2008: 7).

2. Unions, Equality and Equality Reps

The article's first main aim is to consider whether equality reps have been successful in influencing employer equality practice. Existing theories of union effects point to several reasons why one might expect such an influence. According to the collective voice/institutional response model (Freeman and Medoff 1984), positive union effects on equality may result where unions negotiate for enhancements to equality policies and practices via equality bargaining (Budd and Mumford 2004; Heery 2006). As Delaney and Lundy (1996) argue, unions have historically sought to encourage employers to adopt formal rules and limit management discretion. Given this, it is perhaps unsurprising that equality practices such as systematic monitoring and reviews of procedures to guard against discrimination are more prevalent in unionised firms than elsewhere (Bewley and Fernie 2003: 102; Kersley et al. 2006: 248; Walsh 2007: 307). One might expect equality reps to amplify union voice effects of this nature by seeking to ensure that equality issues are established on the union bargaining agenda (Heery 2006: 538) and also by engaging employers in informal dialogue on equality matters.

In addition, unions might influence employer equality practice via facilitation effects. These effects result from union provision of information on equality policies to employees, the support and assistance they offer to members wishing to investigate harassment or discrimination complaints, and their representation of members within grievance procedures (Budd and Mumford 2004). Such actions are likely to raise employee awareness of their legal rights and of the union support available to them (Dickens 2007: 484; Kramer 2008). Should this increase the likelihood that employees will pursue equality-related grievances, this in turn will bring discrimination and harassment problems to the attention of employers, who may subsequently respond by improving equality practice to prevent such problems re-emerging in the future. One might anticipate that equality reps will augment such facilitation effects given their specific expertise and commitment to providing advice and support to employees on equality matters. They will also be ideally positioned to offer advice and assistance to the employer should they choose to redevelop equality policies in light of emergent problems.

Hence, there are several reasons why one might expect equality reps to have a significant positive impact on employer equality practice. The extent to which they are able to do this in the absence of statutory backing, however, remains to be seen. The first aim of the article is to address this issue.

3. Potential influences on the effectiveness of equality representatives – the 'Activity-Support-Characteristics' framework

The second aim of the article is to identify the factors associated with the ability of equality reps to influence employer equality practice. As suggested above, identifying the correlates of equality rep effectiveness has potentially important implications in terms of how to best develop and support the

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equality rep initiative in future, especially in the absence of statutory backing. As argued by Bacon and Hoque (2011) in their analysis of Union Learning Reps, the key determinants of rep effectiveness (ULR or otherwise) are likely to be the activities the rep engages in, the support they receive and their characteristics. Hence, they propose an 'Activity-Support-Characteristics' (ASC) framework, by which the effectiveness of union reps might be analysed. The analysis conducted here draws on this 'Activity-Support-Characteristics' framework to explore the potential correlates of equality rep effectiveness.

Equality rep activity

In exploring the activities that are likely to be associated with equality rep effectiveness, a useful starting point is to consider whether equality reps are engaging in the sort of activities that are likely to enhance the voice and facilitation effects outlined above. With regard to voice effects, a key factor might be the extent to which equality reps have been able to establish a meaningful and regular dialogue with managers on equality matters (Kirton and Greene 2006: 442). A further important related activity is whether they participate on equality committees or forums. Evidence from private firms in the US suggests such committees have a significant impact because they embed 'accountability, authority, and expertise' and integrate equality and diversity issues across the organisation (Kalev et al. 2006: 611). Equality rep participation on such committees might provide an important voice mechanism by which they can influence employer equality practice and monitor progress on equality initiatives.

With regard to facilitation effects, as outlined above, in instances where equality reps have offered information and advice to members on equality matters, supported members suffering discrimination and harassment, and represented them within grievance procedures, one might anticipate that this will alert employers to equality problems, and that improvements to equality practice might emerge as a result (Budd and Mumford 2004). The article will test this argument by evaluating whether equality reps are more likely to report having influenced employer equality practices positively where they have supported and represented workers in this manner.

It is unlikely, however, that equality reps will be able to have an impact via either the voice or the facilitation route unless they are able to spend sufficient time performing the role. This is considered to be a crucial factor for union rep effectiveness in general (ACAS 2008: 12) and it has also been identified as a factor that may prevent equality reps from fulfilling their duties (BIS 2009b: 5; TUC 2009b). Assessing how much time equality reps are able to spend on the role and the impact of this on their effectiveness is therefore a key issue, especially given that equality reps were not accorded statutory rights to time off in the Equality Act 2010. As such, a further aim of the article is to evaluate the extent to which the number of hours the equality rep spends performing the role is associated with their effectiveness.

Support given to equality reps

As argued by Colling and Dickens (2001) and Gregory and Milner (2009: 125), the likely success of unions in promoting equality practices may depend in part on employer encouragement and support, especially in instances where they are attempting to influence employer-driven diversity initiatives (Kirton and Greene 2006: 445). A number of specific elements of employer support might be particularly important. For example, equality reps currently do not have statutory rights for access to office facilities (ACAS 2008: 4), hence they are dependent on the employers' willingness to make such facilities available to them. The provision of information on equality matters might also affect the ability of the equality rep to perform the role effectively. According to Heery (2006: 524) and Gregory and Milner (2009: 128), however, few union reps report that their efforts with regard to equality are supported by employers. This in turn suggests that management support for equality reps may also be limited, and this, one might anticipate, will restrict their ability to play the role effectively.

Also in terms of support, equality rep effectiveness might be affected by the extent to which they operate in a supportive bargaining context within which negotiation or consultation over equality

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issues occurs (Colling and Dickens 2001; Heery 2006). Analysis of WERS 2004 suggests the positive union effect on equality practices largely only holds where practices are determined via either consultation or negotiation with the union (Hoque and Bacon 2010; Walsh 2007: 306). Hence, it is not union recognition per se that is important, but active union involvement in EO decision-making. Extending this argument, the impact of equality reps might be expected to be greater where equality practices are determined collectively, given the scope this provides them with to influence practices indirectly by working with union negotiating officers to formulate a bargaining position on equality, and by encouraging negotiating officers to prioritise equality matters. That said, the occurrence of equality bargaining is limited (Gregory and Milner 2009: 124; Heery 2006: 539-40). Hence, if it does influence equality rep effectiveness, only a minority of equality reps are likely to benefit from it.

Also with regard to support from the broader bargaining context, the Women and Work Commission recommended that employers and unions 're-negotiate recognition agreements to provide time off and facilities for equality reps' (TUC 2009b: 4). Where such agreements have been reached, these may be important in underpinning the equality rep role. Hence, a further aim of the article will be to identify whether equality reps report greater influence on employer equality practice in workplaces that have such an agreement in place.

Equality rep characteristics

A number of individual characteristics might influence the ability of equality reps to perform the role effectively. The first is whether the equality rep has prior experience in a union representative role. Unite claim over half of their equality reps are new activists (Bennett 2009: 446). Such reps may lack the experience necessary to perform the role effectively, with Heery (2006: 533), for example, reporting that equality bargaining tends to be the preserve of more experienced reps. Against this, however, new reps may have been attracted to the role because they have a specific interest in equality issues and may therefore play the role with particular vigour.

Second, the period of time the equality rep has spent in the role (irrespective of whether or not they are a new activist) could influence their effectiveness, given that as equality reps gain experience they are likely to accumulate the skills and knowledge necessary to perform the role effectively (Heery 2006: 533). This is an important issue given the equality rep role is relatively new – many equality reps may not have been in place for sufficient time yet to have had a positive impact.

A further characteristic that might prove important is whether equality reps hold another union post as well as the equality rep post (hybrid reps). A key element of several unions' efforts to recruit the first wave of equality reps was to encourage existing reps to take such a hybrid role (BIS 2009b: 4). Arguably, hybrid reps will focus less on equality issues than will dedicated equality reps, given that the other rep activities they are responsible for may crowd out equality issues. Against this, however, hybrid reps might be more effective given that they are likely to be better integrated into broader union networks and structures, and may be able to mobilise the influence this provides in playing the equality rep role (Moore and Wright 2010). In addition, given that equality reps currently lack statutory backing, it may not be possible to play the role meaningfully unless they also play another union role (shop steward or safety rep, for example), and use a proportion of the rights to time off this additional role accords them in which to conduct their equality rep duties (Bennett 2009: 445; Moore and Wright 2010). Hence, a significant proportion of equality reps for whom the role is their first experience of union representative activity might be expected to have subsequently taken another rep role in order to secure statutory rights to time off.

A final characteristic that might influence equality rep effectiveness is the rep's gender and ethnicity. As Heery (2006: 522) argues, union equality activities are likely to reflect the characteristics and preferences of the reps involved, and female and ethnic minority participation in representative union roles is widely regarded as a major influence on the likelihood that unions will promote equality and address the needs of female and ethnic minority members (Bewley and Fernie 2003: 98; Dickens 2007: 484; Heery and Kelly 1988: 502). By extension, where the equality rep is female and/ or from

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an ethnic minority background, they may well play the role with particular vigour.

To summarise, the second aim of the article is to explore the association between a range of factors relating to the activities equality reps engage in, the support they receive and their characteristics, and the extent to which they report having influenced employer equality practice positively. As discussed above, this is an important issue given that equality reps were denied statutory backing in the Equality Act 2010. The analysis conducted here will point to whether statutory backing (in particular with regard to rights to time off to perform the role) would have had a positive effect on equality rep effectiveness, and also whether there are other non-statutory forms of support that might be important in developing the equality rep role in the future.

4. Data and method of analysis

The data are drawn from a survey of equality representatives conducted on behalf of the TUC. The survey was distributed to all equality reps on the TUC's database of reps that had undertaken the TUC's equality rep training course. In total, 282 surveys were distributed via this route. In addition, surveys were distributed by Unite and PCS to their own equality reps. The survey was distributed in September 2009 with reminders being sent during October 2009. In total, 272 responses were received (a response rate of 46 per cent), of which 209 are used in this article, once respondents who stated they are not an equality rep are omitted from the sample, and once observations with missing data are excluded. The response rate to the survey is in itself notable. Similar large scale surveys (of the population of Union Learning Representatives, for example) have often yielded response rates in the region of 15 per cent (see, for example: Bacon and Hoque 2011; Wood and Moore 2005: 8), and this has been interpreted by McIlroy (2008) as indicative of high levels of rep inactivity. Following this line of argument, the response rate of 46 per cent to the equality rep survey in itself suggests a large proportion of equality reps are playing the role with considerable vigour.

The article's first aim (to estimate the influence of equality reps on employer equality practice) is addressed using self-report measures of the impact that respondents state their equality rep activities have had on employer practices with regard to gender, race, disability, age, sexual orientation, and religion and belief (on a scale of 1 to 4 where 1=none and 4=a lot).

In addressing the article's second aim, the self-report measures of equality rep impact described above are used as the dependent variables within a multivariate analysis that seeks to identify which of the 'Activity-Support-Characteristics' (ASC) factors are associated with equality rep effectiveness. The independent variables used with regard to the ASC factors are listed in the Appendix table. Given the categorical nature of the dependent variables, ordered probit maximum likelihood is used. This enables a range of observable characteristics that might influence the associations between the ASC factors and the impact of equality reps on employer equality practice to be controlled for. The controls used in the equation, which relate to both individual and workplace characteristics, are also listed in the Appendix table. The coefficients on these control variables will in themselves be of note given that they will demonstrate whether the impact equality reps state they have had on employer equality practice varies by public/ private sector, industry sector or organisation size.

Some of the means reported in the Appendix table are interesting in their own right, especially given how little is currently known about equality reps. First, it is notable that only 22 per cent of equality reps spend 5 hours or more a week on the role. This in itself suggests statutory rights to time off, denied to equality reps in the Equality Act 2010, would have played an important role in increasing the proportion of equality reps able to spend an appreciable amount of time performing their duties.

Second, it is notable with regard to employer support for equality reps that only just over 3 in 10 equality reps explicitly believe that managers at their workplace do not value their equality rep activities. This figure remains the same for both the public and private sectors. Also, half of equality reps feel that managers provide them with adequate information, while the majority of equality reps feel that employers provide them with access to sufficient office space and communication equipment.

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One of the previous government's justifications for not providing equality reps with statutory backing was that there was insufficient evidence of employer support for the initiative. However, the evidence presented here points to considerable levels of employer support. Hence, had statutory rights for equality reps been included in the Equality Act, employer objections might not have been as great as it was assumed they would be.

Also of note is that 85 per cent of equality reps are 'hybrid' reps who currently hold another union post as well as an equality rep post. As argued above, equality reps may be unable to play the role meaningfully unless they take another union post (shop steward or safety rep, for example) and use a proportion of the facility time attached to this post in which to perform the equality rep role (Bennett 2009: 445). Reflective of this, only 7 per cent of dedicated equality reps spend 5 or more hours per week on the equality rep role in comparison with 24 per cent of hybrid reps. Also, of the few equality reps for whom the role is their first experience of union representation, 43 per cent have now taken another union role in addition to the equality rep role, possibly as they have had to do so in order to receive any statutory rights. One might argue, however, that this could stifle new equality rep recruitment, with many potential equality reps being deterred from the role given that it would inevitably result in them having to take on other additional union responsibilities. Therefore, according statutory time off to equality reps would not only allow existing equality reps to spend more time on the role, but it might also facilitate the recruitment of equality reps in greater numbers. It might also help to increase the diversity of the union representative population – perhaps unsurprisingly, given that most equality reps are drawn from the existing union rep population (currently less than one-fifth of equality reps (17 per cent) are new activists), the majority (55 per cent) of equality reps are male. However, the potential for the role to increase diversity is demonstrated by the fact that of the few equality reps for whom the role is their first experience of union representation, 60 per cent are female and 26 per cent are from an ethnic minority background.

The characteristics of the workplaces in which equality reps are found are also noteworthy. One might expect the large majority of equality reps to be located in the public sector, given the relative strength of public sector unions, the statutory duty on public bodies to promote equality, and also because this is where existing equality bargaining is concentrated (Heery 2006: 523; Kirton and Greene 2006: 432). However, a significant proportion of equality reps (34 per cent) are located within the private sector. They would also appear to be located predominantly in large workplaces and large organisations, suggesting that although there is a paucity of equality reps in the SME sector, their 'reach' may extend across large numbers of employees.

5. The impact of equality reps on employer equality practices

The first main aim of the article is to consider the impact of equality reps on employer equality practice with regard to gender, race, disability, age, sexual orientation and religion and belief. The results, reported in table 1, demonstrate that more than three-fifths of equality reps report having impacted positively on employer disability practices, over half report having impacted positively on employer gender, race and age practices, and just fewer than half report having impacted positively on sexual orientation and religion and belief practices. While a significant proportion of the equality reps who report having had a positive impact state that they have had only 'a little' rather than 'some' or 'a lot' of impact, the results nevertheless suggest that the majority of equality reps have had at least some positive effect. Indeed, only 25 per cent of respondents report no impact whatsoever on employer practices with regard to any of the six equality strands asked about. In addition, only 8 per cent of equality reps report having impacted positively on only one area of employer equality practice, suggesting that very few equality reps are 'single interest' reps seeking to address issues concerning a single equality strand.

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Table 1: The impact of equality rep activity on employer equality practice (percentages)

	What impact have your equality rep activities had on employer equality practices in the following areas?			
	A lot	Some	A little	None
Positive impact on:				
Gender practices	8	22	25	45
Race practices	8	19	26	47
Disability practices	13	24	25	37
Age practices	6	25	25	43
Sexual orientation practices	9	16	24	52
Religion and belief practices	6	16	23	54

N=209

6. The factors associated with equality rep effectiveness

The second main aim of the article is to identify the 'Activity-Support-Characteristics' factors associated with reports of equality rep effectiveness. The results of the maximum likelihood ordered probit analysis conducted to address this issue are presented in table 2.

Table 2: Factors associated with the ability of equality reps to influence employer equality practice

	Influence of equality rep on employer:					
	Gender equality practices		Race equality practices		Disability practices	
Equality rep activity						
Contact with any level of management in role as equality rep at least once a month	0.847	(0.242)***	0.699	(0.235)***	0.952	(0.233)***
Does the employer have an equality committee or forum which the equality rep regularly attends (reference category: no committee or forum)						
Committee or forum that the equality rep does not regularly attend	-0.051	(0.279)	0.306	(0.265)	-0.020	(0.262)
Committee or forum that the equality rep regularly attends	0.604	(0.247)**	0.406	(0.241)*	0.722	(0.242)***
Reference category: has not investigated/ assisted employees with investigations of discrimination or harassment complaints in past 12 months or represented employees						
Investigated/ assisted employees	-0.334	(0.285)	0.173	(0.278)	-0.004	(0.274)
Represented employees suffering discrimination or harassment	0.206	(0.256)	0.282	(0.257)	0.860	(0.251)***
Five or more hours per week spent on equality rep activities	0.483	(0.246)**	0.368	(0.245)	0.493	(0.241)**
Support for equality reps						
Do you agree or disagree that managers at this workplace value your equality rep activities; (reference category: disagree)						
Neither agree nor disagree	0.359	(0.248)	0.339	(0.242)	0.375	(0.236)
Agree	0.153	(0.272)	0.195	(0.269)	0.320	(0.267)
Employer provides:						
sufficient office space	-0.322	(0.267)	-0.123	(0.261)	-0.258	(0.261)
sufficient communication equipment	-0.415	(0.339)	-0.021	(0.318)	0.042	(0.317)
adequate information to conduct the role	-0.051	(0.248)	0.200	(0.244)	0.176	(0.241)

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Arrangements for equality reps set out in formal agreement	0.000	(0.226)	0.130	(0.219)	0.273	(0.221)
When deciding equality policies and practices, managers normally: (reference category: do not involve union reps at all)						
Inform	0.816	(0.339)**	0.351	(0.326)	0.115	(0.313)
Consult	1.036	(0.333)***	0.468	(0.303)	-0.089	(0.303)
Negotiate	1.213	(0.328)***	0.808	(0.308)***	0.292	(0.303)
Equality rep characteristics						
Union post previously held	-0.739	(0.305)**	-0.525	(0.293)*	-0.362	(0.293)
Other union post currently held ('hybrid' reps)	0.724	(0.331)**	0.310	(0.328)	0.040	(0.329)
Time spent as equality rep (reference category: less than one year)						
1 to less then 2 years	-0.293	(0.253)	-0.299	(0.254)	-0.198	(0.245)
2 to less than 3 years	0.012	(0.285)	-0.021	(0.279)	-0.206	(0.275)
3 or more years	0.489	(0.268)*	0.070	(0.262)	-0.383	(0.262)
Female	0.168	(0.204)	-0.006	(0.197)	-0.200	(0.196)
Ethnic minority	-0.523	(0.268)*	0.174	(0.244)	-0.641	(0.255)**
Controls						
Sector: (reference category: public sector)						
Private sector	-0.411	(0.329)	-0.020	(0.318)	0.093	(0.312)
Not for profit/ voluntary sector	-0.820	(0.640)	-0.470	(0.624)	-1.291	(0.623)**
Organisation size: (reference category: 0-99 employees)						
100-249 employees	0.391	(0.779)	-0.839	(0.889)	0.542	(0.757)
250-999 employees	-0.243	(0.663)	-0.650	(0.664)	-0.080	(0.648)
1000-4999 employees	-0.411	(0.600)	-0.669	(0.588)	-0.208	(0.581)
5000-9999 employees	-0.644	(0.629)	-1.122	(0.626)*	-0.397	(0.606)
10000 employees or more	-0.349	(0.597)	-0.525	(0.591)	-0.079	(0.581)
Standard Industrial Classification major group: (reference category: public administration and defence)						
Education	0.503	(0.366)	0.077	(0.361)	0.034	(0.356)
Health and Social Work	-0.291	(0.395)	-0.015	(0.386)	-0.421	(0.384)
Transport, storage and communications	0.041	(0.333)	0.391	(0.319)	-0.017	(0.316)
Financial intermediation	0.312	(0.423)	0.067	(0.426)	-0.246	(0.420)
Manufacturing	0.903	(0.472)*	0.169	(0.472)	0.245	(0.450)
Other community, social and personal services	0.257	(0.337)	0.071	(0.336)	0.012	(0.332)
Other industry group	0.648	(0.534)	0.279	(0.528)	-0.036	(0.501)
Pseudo R2	0.226		0.180		0.226	
N	209		209		209	

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Table 2 continued

	Influence of equality rep on employer:					
	Age equality practices		Sexual orientation equality practices		Religion or belief equality practices	
Equality rep activity						
Contact with any level of management in role as equality rep at least once a month	0.572	(0.237)**	0.606	(0.253)**	0.731	(0.251)***
Does the employer have an equality committee or forum which the equality rep regularly attends (reference category: no committee or forum)						
Committee or forum that the equality rep does not regularly attend	0.367	(0.267)	0.162	(0.288)	0.222	(0.280)
Committee or forum that the equality rep regularly attends	0.584	(0.243)**	0.547	(0.257)**	0.653	(0.255)***
Reference category: has not investigated/ assisted employees with investigations of discrimination or harassment complaints in past 12 months or represented employees						
Investigated/ assisted employees	0.288	(0.278)	-0.402	(0.306)	-0.011	(0.302)
Represented employees suffering discrimination or harassment	0.678	(0.258)***	0.079	(0.272)	0.324	(0.273)
Five or more hours per week spent on equality rep activities	0.810	(0.243)***	0.635	(0.258)**	0.468	(0.253)*
Support for equality reps						
Do you agree or disagree that managers at this workplace value your equality rep activities; (reference category: disagree)						
Neither agree nor disagree	0.182	(0.239)	0.505	(0.268)*	0.013	(0.257)
Agree	0.180	(0.268)	0.695	(0.288)**	0.004	(0.278)
Employer provides:						
sufficient office space	-0.187	(0.264)	-0.210	(0.282)	-0.624	(0.276)**
sufficient communication equipment	-0.152	(0.324)	-0.473	(0.355)	-0.043	(0.328)
adequate information to conduct the role	0.346	(0.245)	0.185	(0.261)	0.458	(0.264)*
Arrangements for equality reps set out in formal agreement	0.075	(0.221)	-0.232	(0.235)	0.215	(0.230)
When deciding equality policies and practices managers normally: (reference category: do not involve union reps at all)						
Inform	0.512	(0.327)	0.600	(0.353)*	0.212	(0.344)
Consult	0.428	(0.312)	0.473	(0.335)	0.264	(0.322)
Negotiate	0.751	(0.311)**	0.999	(0.336)***	0.870	(0.322)***
Equality rep characteristics						
Union post previously held	-0.740	(0.298)**	-0.610	(0.326)*	-0.472	(0.314)
Other union post currently held (‘hybrid’ reps)	0.455	(0.334)	1.098	(0.389)***	1.044	(0.375)***
Time spent as equality rep (reference category: less than one year)						
1 to less then 2 years	-0.450	(0.248)*	-0.088	(0.277)	-0.554	(0.278)**
2 to less than 3 years	-0.140	(0.276)	0.375	(0.302)	0.125	(0.298)
3 or more years	-0.433	(0.266)	0.403	(0.285)	-0.234	(0.278)
Female	-0.131	(0.201)	-0.381	(0.217)*	-0.080	(0.217)
Ethnic minority	-0.354	(0.259)	-0.447	(0.278)	0.019	(0.257)
Control variables						
Sector: (reference category: public sector)						
Private sector	0.327	(0.322)	-0.209	(0.335)	0.024	(0.335)
Not for profit/ voluntary sector	-0.501	(0.612)	-0.106	(0.720)	-0.383	(0.725)

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Organisation size:						
(reference category: 0-99 employees)						
100-249 employees	-0.862	(0.788)	-1.533	(0.821)*	0.037	(0.822)
250-999 employees	-1.203	(0.641)*	-0.870	(0.676)	-0.681	(0.688)
1000-4999 employees	-0.759	(0.563)	-1.750	(0.628)***	-0.761	(0.626)
5000-9999 employees	-1.203	(0.641)**	-1.856	(0.655)***	-0.967	(0.656)
10000 employees or more	-0.949	(0.567)*	-1.301	(0.617)**	-0.603	(0.624)
Standard Industrial Classification major group:						
(reference category: Public administration and defence)						
Education	0.056	(0.358)	-0.591	(0.441)	-0.295	(0.393)
Health and Social Work	-0.181	(0.382)	-0.442	(0.418)	-0.331	(0.401)
Transport, storage and communications	-0.017	(0.323)	0.036	(0.339)	-0.004	(0.342)
Financial intermediation	-0.051	(0.429)	-0.250	(0.453)	-0.351	(0.461)
Manufacturing	0.278	(0.456)	0.431	(0.494)	-0.226	(0.499)
Other community, social and personal services	-0.236	(0.334)	-0.576	(0.372)	-0.151	(0.366)
Other industry group	-0.123	(0.538)	0.066	(0.553)	0.039	(0.570)
Pseudo R2	0.200		0.240		0.228	
N	209		209		209	

Notes:
Coefficients given. Standard errors in brackets. Ordered probit analysis.
*** significant at 1 per cent; ** significant at 5 per cent; * significant at 10 per cent.
Equations also control for: workplace size; whether the equality rep represents managers/ professionals, non-managers or a combination of both groups.

Turning first to the activities equality reps engage in, table 2 demonstrates that equality reps who have contact with any level of management at least once a month are more likely to report having positively influenced employer equality practices across all six equality strands than are those who have less frequent contact. This suggests that direct voice provides an important channel by which equality reps are able to influence employer equality practice. Post-estimation marginal effects calculations suggest the differences are sizeable, with equality reps that have contact with management at least once a month being 31 per cent more likely to report having influenced employer gender equality practices positively than are equality reps whose contact is less frequent.

Also in terms of direct voice effects, table 2 suggests that equality reps who attend equality committees or forums are more likely than equality reps in workplaces without a forum to report having positively influenced employer equality practices across all six equality strands (though the association is weak where race equality practices are concerned). The differences are substantial, the post-estimation marginal effects analysis showing that equality reps who regularly attend equality committees or forums are 22 per cent more likely to report having influenced employer gender equality practices positively than are equality reps in workplaces that do not have an equality committee or forum.

With regard to facilitation effects, there is some support for the argument that where equality reps have helped employees suffering discrimination and harassment and have represented them within grievance procedures, this will alert employers to equality problems and improvements to equality practices will emerge as a result. The results suggest that it is representation that is particularly important, with equality reps being more likely to report having influenced disability and age practices positively where they have represented employees suffering discrimination or harassment. In terms of the size of the differences, the post-estimation marginal effects analysis shows that equality reps who have represented employees suffering discrimination or harassment are 30 per cent more likely to state that they have influenced employer disability practices positively than are equality reps who have neither represented employees nor assisted employees with investigations of discrimination or harassment complaints.

Also concerning the activities equality reps engage in, the results suggest that reps spending five or more hours per week performing the role are more likely to report having influenced employer practices positively with regard to five of the six equality strands than are equality reps that spend less

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time on the role (though the association is weak where religion or belief practices are concerned). The marginal effects analysis shows that equality reps who spend five or more hours per week on the role are 18 per cent more likely to state that they have influenced employer gender equality practices positively than are equality reps who spend less than five hours per week on the role.

Turning to the support equality reps receive, table 2 points to the importance of a supportive bargaining environment. Equality reps in workplaces where negotiation over equality policies and practices occurs are more likely to report having influenced employer equality practices positively across five of the six equality strands (the exception being disability practices) than are equality reps in workplaces where union reps are not involved in such decisions. The differences are considerable, with equality reps in workplaces where negotiation over equality occurs being 41 per cent more likely to report having influenced employer gender equality practices positively than are equality reps in workplaces where reps are not involved in EO decision-making. It is also notable that it is negotiation rather than consultation that is important – there is little evidence that equality reps report a greater influence on employer equality practices in instances where consultation occurs than in instances where reps are not involved in EO decision-making.

Turning to equality rep characteristics, table 2 suggests that equality reps performing another union representative role as well as the equality rep role (hybrid reps) are more likely to report having influenced employer gender, sexual orientation and religion or belief practices positively than are dedicated equality reps. The marginal effects analysis shows that hybrid equality reps are 28 per cent more likely to state that they have influenced employer gender practices than are dedicated equality reps. There is also some evidence that equality reps with no prior experience of union representation are more likely to report a positive impact than are equality reps that held a representative post prior to adopting the role. In particular, new reps are more likely to state that they have influenced gender and age practices positively, and are slightly more likely (at the 10 per cent significance level) to report having influenced race and sexual orientation practices positively. With regard to the magnitude of the effect, equality reps with no prior rep experience are 26 per cent more likely to report having influenced employer gender equality practice positively than are equality reps that had a prior rep role.

Finally, some of the controls included in table 2 are noteworthy. First, given the statutory duty to promote race and gender equality within the public sector one might assume that equality reps would be better placed to influence employer equality practices positively in the public sector than in the private sector. There is, however, no evidence to support this assumption. Second, there is no evidence to suggest that equality rep effectiveness varies by industry sector, or consistent evidence that it varies by organisation size. Although there are very few equality reps within the SME sector currently (organisations with fewer than 250 employees), they are as likely to report having influenced employer equality practices positively as are their counterparts in larger organisations.

7. Discussion

This article had two main aims. The first aim was to consider the influence of equality reps on employer equality practice. The second aim was to identify the ‘Activity-Support-Characteristics’ factors associated with reports of equality rep effectiveness.

With regard to the first aim, the results demonstrate that the majority of equality reps report having had a positive effect. Indeed, three quarters of equality reps report a positive influence on at least one aspect of employer equality practice. It is also notable that their reported impact does not vary between the public and private sectors, between SMEs and large organisations, or between industry sectors. Hence, the majority of equality reps appear to believe that they are playing the role with considerable success across all of the areas of the British economy in which they are found.

With regard to the article’s second main aim, the analysis revealed that several ‘Activity-Support-Characteristics’ factors are associated with reports of equality rep effectiveness. In terms of the activities equality reps engage in, the results point to the importance of activities that are likely to enhance direct voice. In particular, supporting Kirton and Greene (2006: 442), equality reps are more

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likely to report a positive influence where they have been successful in encouraging managers to engage in regular dialogue. Also with regard to voice effects, the results point to the importance of equality forums or committees. Given this, it is perhaps concerning, as demonstrated by the Appendix table, that less than half of equality reps are in workplaces with equality forums, and of these, four in ten equality reps do not attend. Given broader evidence that equality forums have a significant impact on diversity management (Kalev et al. 2006), the work of equality reps might be assisted by encouraging their greater adoption and by encouraging managers to ensure equality reps are invited to them.

In addition, the results provide some support for the argument that equality reps will have positive facilitation effects in instances where they support and represent workers taking equality cases (Budd and Mumford 2004). However, it would appear that representing employees taking equality cases is more important than simply assisting employees, the former being perhaps likely to have a greater direct effect on employers than the latter.

Also in terms of the activities equality reps engage in, as with other union representative activities (ACAS 2008: 12), equality reps who spend longer on the role are more likely to report having had a positive impact. Given this, it is perhaps concerning that only 22 per cent of equality reps are able to spend five hours a week or more on equality rep activities. This suggests that statutory rights to time off, denied to equality reps in the Equality Act, would have contributed significantly towards helping them perform the role more effectively.

In terms of the support equality reps receive, the bargaining context would appear to be particularly important (Colling and Dickens 2001; Heery 2006), with equality reps being more likely to report having influenced employer equality practices in instances where negotiation over equality takes place. As discussed earlier, negotiation over equality provides equality reps with the scope to influence employer equality practices indirectly, either by working with union negotiating officers to formulate a bargaining position on equality or by encouraging negotiating officers to promote equality matters. The results here suggest that ‘indirect’ voice effects of this nature provide an important avenue by which equality reps might exercise influence. This in turn implies that a statutory right to bargain over equality would boost equality rep effectiveness significantly. Such a right might have particular potency given that only 26 per cent of equality reps report that negotiation over equality occurs in their workplace2. However, in the current political context in which equality reps have not even been accorded rights to time off, the introduction of a statutory right of this nature is highly unlikely. As such, the onus may be on unions to take steps to ensure equality is included on the bargaining agenda. The evidence here suggests that should they be successful in doing so, they will reap significant benefits in terms of assisting the efforts of equality reps to improve equality practices within British workplaces.

The analysis also revealed several equality rep characteristics to be associated with reports of equality rep effectiveness. First, hybrid equality reps are more likely to report having influenced employer equality practices than are dedicated equality reps. As discussed above, given the lack of statutory rights to time off, many equality reps would appear to have to use a proportion of the facility time attached to another rep role in order to carry out the equality rep role (hence the high number of hybrid equality reps) (Bennett 2009: 445). It is worth keeping in mind, however, that the equation in table 2 includes a dummy for the amount of time equality reps spend performing the role, yet a hybrid rep effect remains despite this. This suggests support for Moore and Wright’s (2010) argument that hybrid reps are likely to play the role more effectively as they are better integrated into broader union networks and structures given their wider union representative activity, and this may provide them with access to resources they can mobilise when playing the equality rep role. This may also have a spill-over effect in that hybrid reps, having been sensitised to equality issues as a result of playing the equality rep role, may be more likely to take equality issues into account in performing their other rep duties, thereby helping to mainstream equality issues within broader union activity.

Second, the analysis suggests that although most equality reps (83 per cent) are drawn from the existing body of union reps, the few reps for whom the equality rep role is their first experience of

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union representation report greater effectiveness than those who previously held a rep position, thus suggesting that new reps will be especially dedicated to the role and hence will play it with particular vigour. The effectiveness of the equality rep initiative might therefore be further enhanced if new reps with a particular interest in equality issues can be encouraged to take up the role. This is perhaps unlikely to happen, however, given the argument outlined earlier concerning the potential for the lack of statutory rights to stifle the recruitment of new equality reps.

It is notable, however, that certain equality rep characteristics are not associated with equality rep effectiveness. For example, the length of time equality reps have spent in the role is not associated with their reported influence. Instead, equality reps appear to be able to have a positive influence very soon after adopting the role. Hence, there are no grounds to argue that the impact of equality reps will be limited currently given that the initiative is new and it will take time before its effects become apparent. In addition, contrary to the arguments made by Bewley and Fernie (2003: 98), Dickens (2007: 484) and Heery and Kelly (1988: 502), there is no consistent evidence that equality rep effectiveness varies by gender or ethnicity – the evidence here (albeit based on self-reports) suggests that white males are just as effective as equality reps as are their female and ethnic minority counterparts. That said, one might anticipate that white male equality reps will be more committed to equality issues than will white males playing other union representative roles.

8. Conclusion

Overall, this article has revealed a number of notable findings. It would appear that although equality reps may not be as numerous as other new forms of union representatives, many of them are playing the role with considerable vigour. There would appear to be considerable management support for the initiative and equality reps report having impacted positively on employer equality practice. They also report as positive an influence in the private sector as in the public sector, and in SMEs as in larger organisations. This suggests that they may have the potential to improve employer equality practice within all sectors of the British economy.

However, these findings might also be interpreted as suggesting that there is no particular urgency to provide equality reps with statutory support in the future, given that they appear to have had a positive impact even in the absence of such backing. There are reasons, however, to caution against reaching this conclusion too readily. First, while the findings suggest that equality reps do indeed report a positive impact, they also suggest that this impact would be enhanced further by statutory rights. In particular, a statutory right to time off, denied to equality reps in the Equality Act 2010, would be of significant benefit not just in terms of boosting the amount of time equality reps are able to spend performing their duties (a key determinant of equality rep effectiveness), but also in terms of encouraging greater numbers of people with a particular interest in equality into the role. Second, one must keep in mind that equality reps are currently found in relatively few workplaces, and given that it is a new initiative, unions may have been particularly keen to establish the role in workplaces that are likely to be receptive to it. Whether equality reps would be able to continue to play the role with equal effectiveness in the absence of statutory support were the initiative to be rolled out across the economy more widely remains to be seen.

In developing and supporting the equality rep initiative, however, it is not just statutory rights that are likely to prove important. The results suggest that there is also an important role for unions in terms of: ensuring that equality is included and prioritised on bargaining agendas; attempting to attract new reps with a particular interest in equality matters to the role; and ensuring equality reps have the confidence and skills to represent members within disciplinary and grievance procedures. The results also point to an important role for the government in enhancing equality rep voice effects by encouraging employers to engage in meaningful dialogue with equality reps, possibly via the establishment of equality forums. If the equality rep initiative can be supported in this manner, this may prove invaluable in helping to ensure its continued future success.

When drawing these conclusions, however, it is important to note certain caveats and directions for future research. In particular, one must keep in mind that the measures of equality rep impact used

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here are based on self-report data, within which there is the possibility that respondents have exaggerated reports of their influence. As such, there is scope for further research exploring the precise nature and extent of the influence of equality reps on actual workplace practice, perhaps via in-depth qualitative studies. One must also keep in mind the potential for common method bias – equality reps that report engagement in activities likely to generate voice and facilitation effects or report support from management and the bargaining environment, for example, may have also responded positively to questions concerning their influence. This might be addressed by conducting a matched-data analysis within which data relating to equality rep impact and data relating to potential influences on their effectiveness are drawn from different data sources (for an example of research taking such an approach, see: Hoque and Bacon's (2011) study of Union Learning Representatives). If analyses of this nature are able to replicate the results reported here, this will provide further grounds to argue for the positive effects equality reps have had on employer equality practice in Britain, and provide further corroborating evidence for the factors that might influence their effectiveness.

Notes

1. The post-estimation marginal effects analysis discussed here is not reported in table 2 but is available on request from the authors.

2. This figure is somewhat higher than in the economy as a whole. WERS 2004 shows, for example, that in workplaces with a recognised trade union, negotiation over equality occurs in 15 per cent of workplaces (Kersley et al. 2006: 194). One possible explanation for this discrepancy is that unions may have sought to establish equality rep posts in workplaces that have a bargaining context that is likely to be receptive to them. This is perhaps unsurprising given that this is a new initiative that the union movement will not wish to see fall flat.

Acknowledgement

We would like to thank the Trades Union Congress for funding the research presented in this article and in particular Theresa Daly and Sarah Veale for the help and advice they provided.

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