

The Utopian 'Not Yet' of Pop-Up Unionism

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In 2013 a Pop-Up Union was formed by grassroots members of the three campus trade unions (Unison, Unite and UCU) with support from students in the Occupy Sussex movement, to try and stop the outsourcing of 235 campus jobs including porters, cleaners, security and catering.ⁱ The creation of this first (and to date only) single issue trade union formed to fight for workers' rights, can be seen as a legal milestone in UK trade unionism.

This idea grew from within the student occupation on campus opposing the outsourcing. Staff met with occupying students, formed a working group, conducted legal research, and had discussions with other rank and file workers and union reps, while raising money to apply for legal recognition.ⁱⁱ The new union formed in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 and was added to the List of Trade Unions May 2013, establishing that a temporary and single-issue union can fulfil the legal criteria for a trade union.ⁱⁱⁱ

This Pop-Up Union was set up to unite campus workers to oppose the outsourcing proposals, but only for the duration of that campaign. Most workers on campus were not previously unionised, and those who were had found themselves divided by sector into three established unions. The activists in creating this union aimed to create a structure where workers across the whole campus could oppose the outsourcing and strike without breaking the law, as the fully certified union would be able to take strike action.^{iv} It was a new form

of resistance within the law which protected those taking action against the university from risking jobs and disciplinary action.

Significantly, This Pop-Up Union reformed relations so staff could be members without giving up their current Trade Union membership. It aimed to take action without undermining the other unions^v and in doing so formed networks, able to resist in new ways. They aimed to simultaneously drive up their own membership and promote membership of the other unions:

The Pop-Up Union is a temporary organisation that does not seek to duplicate or compete with the other unions. Membership is open to all workers on campus whether you're already in a union or not. There are advantages to joining one of the recognised campus unions which offer representation and a range of other member services

The Pop-Up union balloted for legal industrial action in June 2013. It did not succeed in calling a ballot on a general strike because of a technicality.^{vi} However, the negotiations around the transfer combined with the ongoing pressure on management won better pension arrangements and severance pay for staff.^{vii}

News articles referred to this as 'one of many' pop-up unions, or the most notable of pop-up unions, while in fact it has been the only certified single issue trade union to date.^{viii} It has been marked as part of the "historical trend towards breakaway unionism"^{ix} and it was speculated that "it could be rolled out by striking workers across all sectors, and you might end up hearing people saying the phrase on the news all the time". It has created its own discourse, and its own regime of truth. It is a utopian surplus that has emerged from the ideology and culture of the occupation and resistance to outsourcing, and of finding that new legal niche for an alternative form of resisting.

Approaching six years later, while there have not been any other registered Pop-Up Unions, the concept has nonetheless survived on the margins. For example it was being investigated by staff as part of the Fair Fringe Campaign, which aimed to improve pay and conditions for staff at the Edinburgh Festival Fringe.^x However, in an age of increased worker exploitation and zero hour contracts, in which rights of workers are increasingly eroded by capitalism and managerialism, the age of the Pop-Up Union may still be to come. This new legitimate possibility of resistance reaches beyond itself and into the future. It is a lesson that once learnt must not be forgotten. The material conditions for the process of future resistance may still come in the form of this new legal structure, as we hover still in the anticipatory 'not-yet' of Pop-Up Unionism.

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- ⁱ "Sussex 'Pop-Up Union' to Fight Outsourcing," *We Are Plan C* (blog), March 25, 2013, <https://www.weareplanc.org/blog/sussex-pop-up-union-to-fight-outsourcing/>.
- ⁱⁱ "The Pop Up Union: A Postmortem | Solidarity Federation," accessed May 10, 2018, <http://www.solfed.org.uk/brighton/the-pop-up-union-a-postmortem>; "Privatisation and 'Pop-Up Unions': Occupy Sussex Fights on. | The Institute of Employment Rights," accessed May 10, 2018, <http://www.ier.org.uk/blog/privatisation-and-%E2%80%98pop-unions%E2%80%99-occupy-sussex-fights>.
- ⁱⁱⁱ "Pop-Up Union: Annual Returns," GOV.UK, accessed August 30, 2018, <https://www.gov.uk/government/publications/pop-up-union-annual-returns>.
- ^{iv} "New Struggles, New Unions? On the Pop-Up Union at Sussex University," *Ceasefire Magazine* (blog), April 18, 2013, <https://ceasefiremagazine.co.uk/struggles-unions-pop-up-union-sussex-university/>.
- ^v "New Struggles, New Unions?"
- ^{vi} "Privatisation and 'Pop-Up Unions': Occupy Sussex Fights on. | The Institute of Employment Rights."
- ^{vii} "Privatisation and 'Pop-Up Unions': Occupy Sussex Fights on. | The Institute of Employment Rights."
- ^{viii} "Campaign to Improve Pay and Conditions for Edinburgh Festival Fringe Workers Could Launch New Union."
- ^{ix} "The Rank and File and the Trade Union Bureaucracy – International Socialism," accessed September 2, 2018, <http://isj.org.uk/the-rank-and-file-and-the-trade-union-bureaucracy/>.
- ^x "Campaign to Improve Pay and Conditions for Edinburgh Festival Fringe Workers Could Launch New Union," *HeraldScotland*, accessed September 1, 2018, http://www.heraldscotland.com/news/15480534.Campaign_to_improve_pay_and_conditions_for_Edinburgh_Festival_Fringe_workers_could_launch_new_union/.