

Will Labour's Employment Laws Transform Workers Rights in the UK? *

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In 2024 my son, a cancer patient, asked his employer for a less onerous shift pattern. He was told his existing shift pattern could be abolished to fit him into the new streamlined shifts. The snag: this would require a (re)hiring process in which he would have to apply for his own job. He was rejected and a new, younger, inexperienced employee was appointed. This tiny anecdote illustrates the injustices thousands have experienced in the 'flexible' labour markets created by forty years of mostly Thatcherite UK employment laws. Labour is promising to change this power imbalance through new legislation. An [Employment Rights Bill](#) is now at its penultimate stage in the House of

Lords, having cleared Committee Stage in the Commons.

This initiative contrasts with the backdrop of Labour's largely pro-market, business friendly policies since its 2024 election. Alarming, for many of Labour's erstwhile supporters other pre-election pledges have been ignored, watered-down or postponed. Public spending curbs, authoritarian crackdowns on different protest movements and occasional Trumpian tropes culminated recently in Prime Minister Keir Starmer repeating some of the racist rhetoric of 1960s Tory minister Enoch Powell.

Despite background noise of neoliberal mantras – 'work pays', out-of-control benefit spending – these laws, if passed and implemented, would significantly strengthen worker bargaining power and employment standards legislation. Standout measures include: protection against the practice of firing and rehiring with worsened terms and conditions of employment; rules preventing abuse of zero hours contracts; stronger union access; and the creation of a regulatory Fair Work Agency. Zero hours' contracts will in effect, be outlawed so even agency workers must be offered guaranteed hours.

Unions will be pleased if the Bill repeals 2023 legislation (Repeal the Strikes, Minimum Service Levels) to keep 'key workers' on duty and most of the Trade Union Act 2016. Repeal would extend strike mandates to 12-months and loosen required information and notice periods; with protection from detriment because of industrial action. Other industrial relations provisions would: strengthen trade unions' right of access, including digital access; simplify trade union recognition processes; introduce new rights and protections for trade unions representatives, and require a duty for employers to inform workers of their right to join a trade union. Protection from blacklisting would also be strengthened.

The Labour government says it's fixing a current loophole in redundancy consultations, which allows employers, like Amazon, to avoid consulting with staff by keeping headcounts just under the threshold for engagement at each workplace. The Bill's wording keeps the old rule but adds a new one: proposed redundancies would be counted across the employing entity as a whole, regardless of locations. Unions fear this ambiguity could still allow redundancies outside the consultation process and complicate union representatives' support for workers allowing employers to play off different groups against each other.



Photo by Stan Platt-Jones on Pexels.

Other useful provisions would strengthen pay gap reporting and equality by, for example, requiring gender pay gap action plans to cover outsourced workers. Employee welfare should also be improved by scrapping a four-day waiting period for Statutory Sick Pay and broadening eligibility. Time limits to miscarriage bereavement leave are also extended to all mothers and dismissals of pregnant employees. Dismissals during maternity leave or a six month return to work period would also be banned. So far so progressive, but will they all these improvements get through Parliament?

In the lower chamber, Labour backbenchers had pushed for stronger measures like: fairer sick pay, protections for workers experiencing pregnancy loss, more robust rules to end fire and rehire, better recognition of union reps, and a single legal status for workers. Most of these didn't get into the Bill but could signal later initiatives by Labour. Tory MPs tried to weaken the Bill by removing eligibility to rights from the first day in a job. Bizarrely, Tories also tried to tie new protections to economic growth tests. Although voted down, such complications made the Bill's detailed approval controversial.

Now in the House of Lords, the Bill faces more amendments. One set would expand the right to trade union representation in disciplinary hearings and grievances to professional bodies and so-called independent advisers. These apparently innocuous proposals alarm unions because this representation right has traditionally implied union reps or trusted colleagues: people without conflict of interest who prioritise protection of the employee. Some additional bodies proposed also represent employers or maintain professional registers. The degree of their commitment to the worker's interest is therefore problematic. Labour MPs and unions are still pushing for equality provisions, like mandatory reporting on disability and ethnicity pay gaps, with proper enforcement behind equal pay rights.

The topical issue of A.I. and other workplace technologies is also cropping up. Peers from different parties have tabled amendments to ensure workers are told when AI is introduced, that risks are assessed beforehand, and that unions are consulted. A simple principle underlies these technicalities: workers should have a say in how surveillance or automated decision-making affects them. This is consistent with Labour's original New Deal approach but didn't feature in the House of Commons debates. Unions are battling to keep the key reforms, pushing to remedy major omissions and stop attempts at dilution. Faced with opposition from employers the Government has announced the measures will not all need to be adopted simultaneously after the Bill is converted into an Act of Parliament. Some such as the ban on one-sided zero-hours contracts will be phased in after two years, and after further consultations with employer groups.

Labour and its MPs need to hold their nerve and complete these much-needed reforms. Not least because a MAGA-friendly Reform Party is successfully exploiting Labour's otherwise discredited image among working class voters. The potential win for Labour is that Reform says it wants to become [the party of working people](#). Yet it strongly opposed the Bill in Parliament, even though polls show that Reform voters and [Reform-leaning voters](#), support the changes. (Kaitlyn Majkoski 'The BRC vs TUC: Battle of the Employment Rights Bill', *Political Intelligence*, June 3rd 2025). Advances for trade union bargaining power are likely if unions can successfully promote higher workplace membership that would facilitate formal recognition rights. Developments that could weaken the present anti-union stance of employers in growth sectors such as technology. □

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