

WEST COUNTRY WORKERS

NEWS FROM THE
SOUTH WEST TUC
WINTER 2014

WITH WAGES FALLING AND
TERMS AND CONDITIONS UNDER
ATTACK, WE ASK:

Are workers' rights going back in time?



Also in this issue

If music be the food of love...

Teachers in Cornwall fight
back against cuts.



Zero hours, zero respect

The man who had to pay for
a taxi to take him to hospital
after an accident at work.



Strivers v shirkers

Is it fair to demonise the
unemployed?



Introduction

Employers are taking advantage of the recession to mount ever more daring attacks on our working lives.

Even as the government trumpets a growth in jobs, bosses are systematically reducing workers' rights, their pay and worsening their terms and conditions.

Workers have suffered the deepest cut in wages since the 1920s, and you have to go right back to the 1870s to find a time when it took longer for wages to recover after a crash.

Workers in the South West are £90 a week worse off since 2010, with one in five earning less than the Living Wage of £7.85 an hour.

But it's not just pay. Under the cover of the recession, employers are using a variety of tactics to strip us of our rights.

In this edition of *West Country Workers* we lift the lid on the changing face of employment in the region.

We peer into a world of zero-hours contracts where no-one dares ask for a rise because they are frightened of losing their hours, we analyse the alarming issue of forced or bogus self-employment and we tell the human stories behind the statistics, speaking to low-paid workers about their lives.

Unions are fighting back. By acting together workers can secure better terms and conditions at work. Workers in unionised workplaces take home higher pay, are better trained, have enhanced sickness and pensions benefits, have more holiday and have more flexible working hours.

West Country Workers will expose bad employers but also highlight the best examples where unions are making a difference and making life better for people at work.

Nigel Costley

Regional Secretary, South West TUC



ZERO HOURS, ZERO RESPECT



TIM LEZARD SPEAKS TO AGENCY WORKERS IN SWINDON WHO ARE FIGHTING BACK WITH THE GMB AGAINST ZERO HOURS CONTRACTS AND A LACK OF RESPECT AND DIGNITY AT WORK.

As Juan Fernandes waited outside his workplace, he was worried less about the blood streaming from a gash in his leg than how he could afford the taxi fare to the hospital.

A large sheet of metal had fallen on him as he worked at Wincanton's warehouse near Swindon and, after a brief check by a first aider was told to get to hospital for an X-ray.

"They didn't take me to the doctor – they didn't even take me to the gate," he says. "I had to walk there myself and get my own taxi to take me to the hospital.

"I was waiting outside the gate, the blood coming down my leg, for half an hour before the taxi came."

To add insult to his injury, a couple of days later when he was recuperating at home, there was a loud knock on his front door: the company had sent two people to check up on him.

"They came to my house because they didn't trust me or the doctor's sick note," he says. "They asked me what medications I was taking and then, because the wound was dressed, they asked me to open it up. When I did so, they took a picture of it, then they went. It was very uncomfortable for me to have them in my home, uninvited."

Sadly, this lack of respect is an all too frequent problem at this Marks and Spencer distribution centre, where workers employed by agency Tempay earn £2 less an hour than staff employed directly by Wincanton.

"They don't treat us as employees, they treat us as slaves," says Piedade Fernandes. "The permanent staff work less and are paid more. It is like slavery for us."

A majority of workers on the site are recruited through an employment agency, 24.7, and given contracts by another company registered at the same address, Tempay.

The contracts are deliberately drafted under the terms of Regulation 10 of the Agency Workers Regulations to frustrate and evade the provisions of Regulation 5 relating to equal pay, which otherwise would require agency staff to be paid the same as permanent staff after 12 weeks.

The contracts guarantee only seven hours' work per week, and workers are paid the minimum wage of £6.50 per hour; compared to £8.54 for Wincanton staff doing exactly the same work.

"We are senior workers here, but we get paid less," says Romel Fernandes, who has worked at the warehouse for seven years.

He went on to explain how managers force shift workers to compete

against each other to see who can load the most pallets, with the person doing the fewest being told not to come in the following day.

"It is do or die," he says. "Four of five of us are put in one aisle and we have to run if we want to keep our job. We are not thinking about what we are doing, we are thinking only of ourselves."

Angry at their treatment, the workers joined GMB and are now organising in their workplace. The union has submitted more than 150 formal grievances against Tempay.

GMB branch secretary Andy Newman said: "M&S claim to be an ethical employer, but despite the arms-length employment relationship they choose to have with these workers, Tempay staff are working in an M&S warehouse, moving M&S goods to M&S stores, destined for M&S customers.

"A scandalous legal loophole is being used to exploit vulnerable workers in precarious employment, so that the shareholders of Wincanton and M&S can benefit from cheap labour."

Worker Dario Afonso says: "We have a rota that says we have five days work a week but they can text you any time before your shift starts and tell you not to come in."



TEMPAY STAFF ARE WORKING IN AN M&S WAREHOUSE, MOVING M&S GOODS TO M&S STORES, DESTINED FOR M&S CUSTOMERS.*

"When we don't get enough work, we don't have enough money to buy food."

The anxiety of waiting to receive a text message, coupled with the humiliation of not being able to provide food for your family's table, inevitably takes its toll on the workers' health.

"How will I sustain my family when I do not work?" asked Domingos Dias. "There are a lot of bills – water bills, electric, shopping to do. If I don't get paid, how am I supposed to look after my family?"

Many of the agency workers are Catholics and religion is an important part of their lives. Despite this, managers force them to come to work on Sundays.

"They take us away from our family and our religion," says Romel. "If we don't come in we are told there is no more work. We are in fear always."

Even if they do come in, there is no guarantee of a full day's work.

"They sent me home after two hours," says Piedade. "It is a Sunday, so there are no buses, so I have to pay for a taxi. I pay more for my taxis than I earn in the day."

* As *West Country Workers* goes to press, GMB is seeking recognition at Tempay.



“YOU LEARN REAL THINGS THAT HELP YOU DAY BY DAY”

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BY KEITH HATCH

A learning suite has been opened for trade union members employed by Plymouth City Council.

The new centre at Prince Rock allows staff to brush up old skills such as numeracy and literacy, while offering them the opportunity to try out something new.

Sam Quigley, Unite's Union Learning Officer at Plymouth, was joined at the event by Kay Nichols and Unite Regional Learning Officer, Nigel Jones.

Sam felt the day was a great success and was pleased to see that "learners who had already taken on courses have been selling learning to staff who hadn't, this was so good to see. They gave examples of how it had helped them in work and at home and why they had come back for more.

"The only concern raised was how could the council provide learning when they are trying to save money. However I pointed out that although the council was trying to save money, if staff have an increased skill base

they will then become better, more effective, employees.

"Staff who have completed courses supported this by recounting how they used to have to seek help completing forms and get supervisors to print out information from the computer. They felt they didn't get much out of training because they didn't have the confidence to ask questions. Now they complete forms themselves, access 'staffroom online' and when they attend training they are be happy to ask questions and even challenge if necessary. All of this in the long run saves money and can increase productivity so learning pays for itself."

Matt Allen, an assistant gardener at the council, said: "The maths learning was not like school, you learn real things that help you day by day, it's explained in an easy way and you get taught little tricks to help answer the question."

Plymouth street cleaner Fred Goldsmith added that his confidence using computers has increased a lot. "A year ago the missus did everything on the laptop - now I will see what needs to be done and if I can do it I will. I have sent emails, tracked orders from the Post Office ... all sorts."



The event was not only about promoting courses that the ULRs had linked up with, but finding out what staff wanted to learn that would support them, both at home and in career development. Already a few ideas have been put forward and reps are looking to source them. These include C1 training which would allow staff to drive small mechanicals and larger vehicles, Strimmer and Scag training and even dry stone walling which has the potential to link up with charity or voluntary organisations.

Sam also has plans for vocational training that would benefit the learners, and also the city. The

idea, in its early stages, would be to use part of the central park to offer a variety of gardening courses and also work towards a Green Flag Award.

Sam said: "This may also attract staff and union members that are more interested in vocational training, and doing it will encompass the councils green agenda as well as promoting vocational development and encouraging exercise without going to the gym."

A YEAR AGO THE MISSUS DID EVERYTHING ON THE LAPTOP - NOW I WILL SEE WHAT NEEDS TO BE DONE AND IF I CAN DO IT I WILL."



MP ENDORSES PRISON LEARNING CENTRE



Richard Drax MP and retired prison officers at the opening of the Lighthouse Learning Centre

A learning centre at a West young offenders' institute has proved to be a hit with prison officers and their families writes KEITH HATCH.

Roger Davies, a Union Learning Rep from the Prison Officers Association (POA), set up the Lighthouse Learning Centre in Portland and it has already proved popular with prison workers and their families, many of whom have signed up for courses ranging from IT to literacy and mental health awareness to bicycle maintenance.

The centre is based outside the 19th century prison's walls and run by Roger with the full support of governor Steve Hodson. The room has been provided by the prison and is funded via the Union Learning Fund.

It is not only popular with staff and managers, but also has the full support of local MP Richard Drax who officially opened the centre along with a prison museum set up by retired prison officers.

More than fifty people packed into the building, originally the governors residence, to hear the South Dorset MP give the centre and its staff his seal of approval.

MP Mr Drax congratulated Roger and the POA for working hard to set up the new facility. "Clearly there is a need for this sort of centre to help prison officers access training, and I wish them good luck in the future," he said.

"Prison staff can feel cut off when working behind the walls. A learning centre like this offers a great opportunity for people to work together outside work and try out a new course or learn a skill."

Steve Hodson also thanked all the hard work that went into getting the centre ready. "I'm delighted to be working closely with the POA. We have good industrial relations here and I know that staff are our biggest resource. A facility like this that is focused on helping staff development is really important and very welcome."

Roger has been really pleased with the response so far. "We have staff signed up for more than 170 online courses already and we have more ideas for training in the pipeline."

The POA's national learning manager, Phil Kelly was also at the launch and highlighted the importance of learning centres like this.

"The POA has a number of very good learning centres run by its ULRs. They provide excellent support for staff, families and increasing the wider local community," he said.

"The POA is always keen to support any branches that would like to replicate work of establishments like Portland YOI and set up a learning centre. We can offer access to free training opportunities to members at these facilities and would encourage all prisons to have a union learning centre."

UNIONS STEP IN TO HELP CORNISH DAIRY WORKERS AS JOB PROSPECTS TURN SOUR

BY KEITH HATCH

When Muller Wiseman Dairies announced the closure of their Pensilva site in Cornwall to move milk distribution to Somerset, with the loss of nearly 60 jobs, trade unions knew there was no time to waste.

USDAW represents workers at the site, and learning organiser Alan Shearn said: "In redundancy situations the key is to get training and a support package in quickly so local knowledge is vital. I knew I didn't have this, being based 140 miles away in Bristol, but I knew someone who would."

Alan knew about unionlearn's Skills Support for Redundancy Project (SSR) funded by the European Social Fund (ESF) which runs across Cornwall. He quickly contacted the local union support officer, Carrie Mann putting her in touch with USDAW Area Organiser David Clift. Between them they drew up a programme of support.

Using her local knowledge Carrie was able to bring in the National Careers Service, along with money through the SSR Project, to fund advice sessions for staff and offer support for further training.

To complete the package, David negotiated time off with pay from

the company to enable staff to get the help and support they needed in working time.

Support included careers advice, CV writing and interview skills. This was followed by the offer of training for those wanting to update forklift truck certificates, gain computer skills, assess Maths and English skills and attend 'Get that Job' workshops to build confidence.

Being qualified to NVQ level 4 in Information, Advice and Guidance, Carrie carried out most of the interviews herself along with the National Careers Service, which offered more in-depth support where necessary.

Many of the staff were surprised at the level of support the union was able to bring in to enable them to find new jobs and Carrie

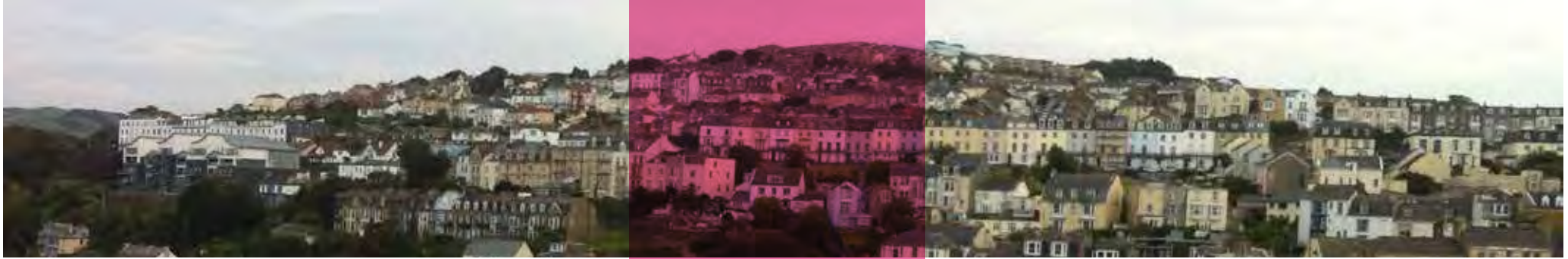
commented: "Many of those I spoke to said that they didn't think USDAW did this sort of thing. Even the depot manager took advantage of the service!"

In fact Muller Wiseman managing director Carl Ravenhall was so impressed with the work that USDAW and unionlearn put into supporting workers, and looking for solutions, that when talking to the *Western Daily Press* about the closure, he said: "The whole team, together with union representatives, worked extremely hard to find ways of addressing the challenges facing this depot, but unfortunately we have been unable to establish an economic basis for continuing to distribute milk from Pensilva.

"Our priority is to support those who are affected by this decision and we will be working with local agencies to ensure that each individual has access to the services which are available."

David summed up the situation by adding "We did everything we could to prevent this site from closing but when it became inevitable, we had to do the best we could for the members on site. Carrie and unionlearn's ESF support has been invaluable in this regard."

IN REDUNDANCY SITUATIONS THE KEY IS TO GET TRAINING AND A SUPPORT PACKAGE IN QUICKLY SO LOCAL KNOWLEDGE IS VITAL."



STRIVERS V SHIRKERS



THE LANGUAGE OF THE WELFARE DEBATE PITS THOSE WITH JOBS AGAINST THOSE WITHOUT. BUT IS THIS FAIR? **TIM LEZARD** VISITS ONE SOUTH WEST SEASIDE TOWN TO FIND OUT.

IT IS SOUL-DESTROYING NOT BEING ABLE TO WORK

Christmas is cancelled unless I find some work

Steve, 52, Ilfracombe



"I moved down here from Buckinghamshire three years ago, where I was working in the construction industry earning £15 per hour. Here I'm offered £8, despite my 25 years experience.

"I've managed to get a few jobs, working in maintenance at a holiday centre, as a car park attendant, but most of the jobs come up through an agency that rings you to see if you're available.

"Because the mobile reception is so bad here, I ask them to text me rather than ring, because at least then I'd receive a text ten minutes after they sent it. But then the local mobile phone mast was damaged, so I didn't receive texts until the following day, when I walk down to the beach.

"Sometimes, in the morning I get five texts and messages, some of them offering me work, but it's too late by

then. I've already missed them.

"I've got the internet in my place, but I use a dongle and it takes me two hours to do a job search because I keep losing connectivity and have to keep logging back on.

"Instead I go to the library to look for work, but there's only six computers there and as many as 500 unemployed people in Ilfracombe, so I can be there for an hour and half waiting my turn.

"It's totally soul-destroying not being able to work. You have to go to the DWP to sign on every week, which takes most of the day because you have to catch the bus to Barnstaple, then wait for an hour in the office because they're cutting down on staff and there's not enough people to see you, before catching the bus back again. It's a waste of a day when I could be doing other things ... such as looking for a job!

"When you get there you're treated like a child at the DWP, as if you're off

Benefits Street. A lot of people want to work. I've always worked in my life but down here you're treated like a pariah. You're treated like a child.

"I'm in the library every day it's open because I hate not working. If I'm lucky I'll pick up two- or three-month contracts during the summer, but in the winter I have to rely on a couple of days here and there because everyone's competing for no jobs. Employers have you over a barrel because they know they can advertise the National Minimum Wage and people will have to take it because they have no option.

"I couldn't afford to live on benefits anyway. When I'm on JSA I'm left with just over £20 a week for all my shopping, toiletries, food etc. Something has to give. Christmas is cancelled unless I find some work. You never earn enough to get ahead with the bills. Every time you think you're doing well, something always comes along to knock you back down again."

One job wasn't enough for me to survive

Tanya, 58, Ilfracombe



"I work in a care home at night and recently took another job, working in a supermarket in the day, to make ends meet. One job wasn't enough for me to survive.

"I've had to move in with my son and his family because after paying

my rent, council tax, water rates, gas and electric in my one-bed apartment, I was hardly left with any money for food.

"I'm tired, exhausted working so hard. At my age I should be living independently. I never thought, aged nearly 59, I would have to work all these hours just to sustain a standard of living."

I don't like being ripped off

Malcolm, 45, North Devon



"I was offered a three-month contract working as a shop fitter, so bought a monthly bus pass and turned up with five

others on a Sunday afternoon to start work.

"It turns out there were only two jobs – the agency sent six of us in case some of us didn't turn up – so four people were sent home straight away. I was one of the lucky ones and started work the next day. Two days later the second man was laid off, and I was on my own. I was laid off myself after two weeks, so had bought the bus pass for nothing.

"The job was advertised by the agency as £8 an hour, but when my

pay packet arrived, I was only getting paid £6.31 because they gave £15 a week to a wages company, and then deducted 30% of my pay at source because I was self-employed, which was news to me.

"I was angry because there was nothing on their website saying the money would be deducted. I'd done the work and wanted paying. I don't like being ripped off."



IF MUSIC BE THE FOOD OF LOVE, PLAY ON



Cornwall Council is making all its music teachers redundant in January. The teachers are fighting back, setting up a charitable trust to sell their services back to schools across the county. They fear action being taken against them if they talk to the press, but one teacher has decided to write, anonymously, of their plight exclusively for *West Country Workers*.



"Like 90 other music teachers in Cornwall, I'm now facing redundancy."

"For many of us, myself included, this will involve a substantial reduction in pay. My partner does not earn enough to pay our mortgage and necessary outgoings so we face the prospect of losing our home if I cannot now earn enough in my new employment."

"The setting up of a new charity is extremely time-consuming and we are having to do this in the evenings whilst still providing high quality full time provision under our current contracts until January."

"To be made redundant is very demotivating and causes one to question and re-evaluate everything. I have found the whole process (which has dragged on for a year) to be totally exhausting. It seems that the council here are so obsessed with process that they have quite forgotten there are human beings involved. It is not only our livelihoods which are affected but our self esteem and well-being."

"Teaching music is a job which demands a great deal of commitment and dedication, often resulting in long hours. I don't think anyone goes into it for the money but it was once a profession which offered job security and a pension in tandem with the satisfaction of working in a vocational profession."

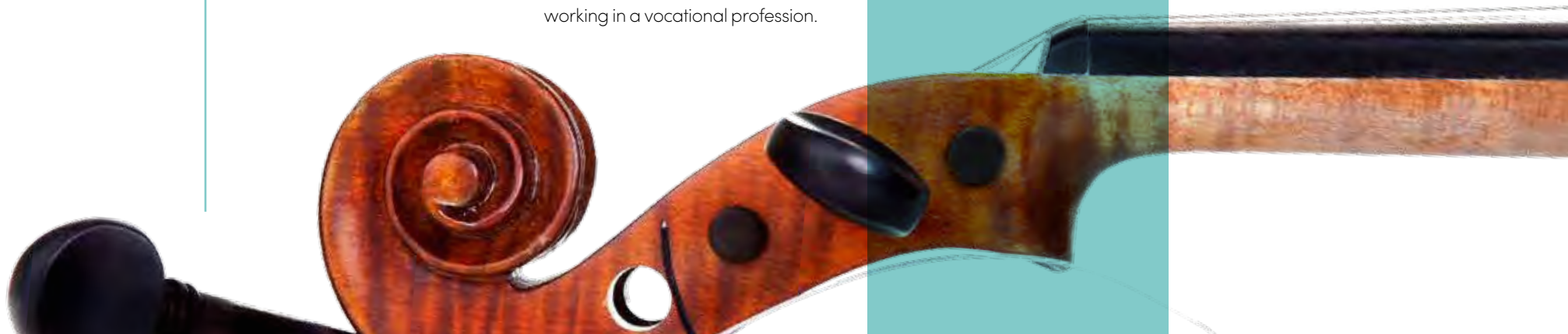


UNFORTUNATELY THIS GOVERNMENT HAS GIVEN A MANDATE TO COUNCILS ACROSS THE COUNTRY TO CUT SERVICES AMIDST CLAIMS THAT THE CURRENT ECONOMIC CLIMATE CAN'T SUPPORT THEM."

"I believe in public service. I always have done. Unfortunately this government has given a mandate to councils across the country to cut services amidst claims that the current economic climate can't support them. This to me is merely a convenient excuse to place everything that matters in the hands of the private sector. Money is the only thing of interest. People and their needs, it seems, are irrelevant."

NUT regional officer Hannah Packham said: "We're doing all we can to help these teachers. It's shocking that cuts to local authority funding are having such a negative impact on music and the arts."

"Education shouldn't just be a narrow curriculum of English, maths and science. It's also about giving children the chance to broaden their horizons and discover things that inspire them."



TO COMMEMORATE THE CENTENARY OF **WORLD WAR ONE**,
TRADE UNIONS IN EXETER LOOKED BACK AT STRUGGLES ON
THE HOME FRONT

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WORLD OF WORK

More than 200 people visited an exhibition showing how working people in Exeter were affected by the First World War, writes **TIM LEZARD.**

Following an idea from CWU Learning Rep Sandra Absalom, trade unions linked up with community and local history groups across the city to run the World of Work event at the Phoenix Centre in August.

During the day visitors wandered around the exhibition, looking at displays detailing strikes, wartime posters – “are you employing more servants than you need?” – and workers’ personal experiences of war, as well as taking part in discussions about wartime Devon.

The event was opened by the Lord Mayor of Exeter Percy Prowse, who said: “I’ve been to quite a few exhibitions in the last month and I find all this history fascinating. I thought I knew a lot about what Exeter residents did during the war, but I didn’t. I’ve learned a lot from these exhibits – women working at home were as important as what the men did on the front.”

There were exhibits from unionlearn South West, the Royal British Legion, Devon Remembers, PCS, Exeter City FC, Prospect and the CWU. Cosmic

IT were on hand to help visitors research their family history.

The first talk was about the Met Office’s key role in the war ... once it convinced cynical Army chiefs of its worth.

After Prospect’s Gordon Hutchinson explained the techniques used by the Met Office during the conflict, historian Malcolm Walker explained initial offers of help were rebuffed by an official Army communication: “British soldiers, unlike the Chinese, do not go into battle carrying umbrellas.”

The Army soon changed its mind once it started using poisonous gas and needed to know which way the wind was blowing!

Julia Neville gave an interesting talk on Exeter’s seven war hospitals before BBC journalist Mick Catmull answered questions about his documentary on industrial unrest in Devon during the war.

Les Kennedy from the Tolpuddle Radical History School talked about the Stoke Canon strike of 1915 when mill workers on strike over pay were evicted from their tied cottages, prompting their union to hire tents in which they could live.

The final talk was from CWU tutor Nick Nicholls, who spoke about a battalion, the 24th Post Office Rifles, formed of postal workers that



Jack Davies (L) and the Lord Mayor of Exeter Percy Prowse at the World of Work event.

“WAR IS THE MAIN STRUGGLE FOR POWER, TERRITORY OR TRADE, TO BE FOUGHT FOR BY THE WORKERS, WHO ARE ALWAYS THE LOSERS.”

suffered 8,400 casualties during the war.

He said the postal workers’ union, the Postal & Telegraph Clerks Association, was a dissenting voice throughout the war, with the 1916 conference voting for peace to be reached through negotiations.

He touched on the social, economic and political consequences of the war, saying 35,000 women were employed by the Post Office between 1914 and 1916 (and were paid less than the men), and that trade union membership among women during the war rose by 160%.

“We are seeing a return to liberal economic sanctions against working people,” he concluded, mentioning zero hours contracts, privatisation and deregulation.

He finished by quoting suffragette and socialist Hannah Mitchell, who said: “War is the main struggle for power, territory or trade, to be fought for by the workers, who are always the losers.”

Event organiser Jack Davies PCS regional learning organiser, was delighted with the day, saying: “It’s passed off lovely. When you’re looking at the war, it’s all too easy to look only at the big picture, so it’s nice to have individual stories that are relative to Exeter.”

**TO DRESS
EXTRAVAGANTLY
IN WAR TIME
IS WORSE THAN
BAD FORM
IT IS
UNPATRIOTIC**

**ARE YOU HELPING
THE GERMANS?**

You are helping the Germans
When you use a Motor Car for pleasure.
When you buy extravagant clothes.
When you employ more servants than you need.
When you waste coal, electric light or gas.
When you eat and drink more than is necessary to your health and efficiency.

SET THE RIGHT EXAMPLE. (Free labour for more useful purposes, save money and lend it to the Nation and so

HELP YOUR COUNTRY

STOKE CANON PAPER MILL STRIKE, 1915



BY LES KENNEDY



The Stoke Canon Paper Mill Strike Exeter 1915.

Members of the National Union of Printing and Paperworkers went on strike at the Stoke Canon Paper Mill, Exeter in 1915 in a dispute over the introduction of the tonnage system, a form of piecework, to the mill.

The workers demanded the abolition of the tonnage system and asked instead that pay be increased by three shillings a week.

On August 7th, 54 out of the 58 men, women and boys employed went out on strike. A week later the mill owner, Tremlett, sought eviction notices against 18 of them, who lived in tied cottages.

THE WORKERS DEMANDED THE ABOLITION OF THE TONNAGE SYSTEM AND ASKED INSTEAD THAT PAY BE INCREASED BY THREE SHILLINGS A WEEK."

The decision was cruel, as there was no available housing in the village and rented accommodation also appeared to be in short supply in the city. 70 individuals were affected.

The union fought the case in the courts, claiming it was impossible for

tenants to harvest the crops growing in their gardens in the time allocated, and that the eviction was "a weapon to break up the strike."

A two-day court case ended in favour of Tremlett, and the strikers were evicted. In response, the union hired four large tents, including tarpaulins for floors, to accommodate the homeless strikers. They camped in what is now the children's' play area in Stoke Canon.

Ultimately, the action was a failure as blackleg labour was brought in to break the strike.

Les Kennedy is the organiser of the Tolpuddle Radical History School

COLLAR WORKERS STRIKE, 1918



BY JACK DAVIES



"Our wages are not a living wage" - a phrase which is just as relevant today as when it was uttered in September, 1918.

The person talking about a living wage was one of many women strikers, some as young as 13, at Messrs. A. Rice and Co's Collar Works in Exeter towards the end of World War One.

The strike occurred because of a breakdown in pay negotiations where the employer insisted that "I would agree to one penny or even twopence if the trade agreed, but you see the others are bound by the October agreement." In this case the 'October agreement' was an

agreed 1p wage increase set by the wage board of the trade.

The strikers insisted that they were being paid less than before the War began and had made 'repeated applications which were rigidly turned down by the firm'.

One woman was quoted as saying "In some cases we are paying 18s a week for lodgings out of £1 a week or little more" She reflected a minute and then added, with a twinkle in her eye "And we are buying houses with the balance!"

The strike was a failure, though, and the factory was closed.

Jack Davies is Regional Learning Organiser for PCS.

CUTTING COSTS AND AVOIDING TAXES



NIGEL COSTLEY

UNCOVERS THE TRUTH BEHIND FORCED SELF-EMPLOYMENT

The West Country has long had high proportions of workers classed as self-employed. As employment has fallen, more people are working for themselves.

Are we a region of budding entrepreneurs? Is this evidence of people determined to make it for themselves and not have to answer to a boss? Or is it that people are being forced into self-employment to provide an income?

Self-employment is at its highest levels since records began. Two of out five jobs created since 2010 have been self-employed. Seventeen per cent of the West Country workforce is now self-employed. There could soon be more self-employed workers than public sector workers. The 58,000 additional self-employed posts in the South West between 2008 and 2013 have offset the loss of employed jobs.

For some this is the start of their dream career, running their own business. People will work hard,

working long hours and putting all the earnings they can spare back into the business. But this is only part of the story of self-employment.

Many workers have little choice but to become self-employed even though they are dependent upon a single employer. Almost half of them are aged over fifty.

Self-employed workers are not covered by the National Minimum Wage and earn on average less than half that of employees. They are unlikely to get sickness or holiday pay or help towards their pension.

Average income from self-employment has fallen by 22% since 2008. Self-employed people pay less tax – meaning the government is getting less revenue than expected – and they work longer hours, on average 40 hours a week compared to 28 by employees.

The construction union UCATT calculates that more than half of the

industry's workers are self-employed and many are bogus. Jobs in sales, driving, care work, design, distribution and consultants are increasingly offered on a freelance basis.

The self-employed have few employment rights, can be fired easily and don't tend to join unions.

The person who delivers your parcel may wear the uniform of the distribution firm and arrive in its van but the chances are they will be self-employed. Couriers are paid as little as 50p for each successful delivery from which they will often have to pay phone calls, petrol, insurance and vehicle repairs.

Some like the freedom of being their own boss but many work very long hours to make ends meet. One parcel delivery driver, who did not want to be named, said: "Self-employed couriers

are used and abused. In reality it is a scam to avoid paying decent wages and taxes". When a courier is sick some companies demand that they pay for a replacement.

Dr Lydia Hayes, Law and Society Research Fellowship at Cardiff University School of Law and Politics, has studied the care sector.

She said: "The homecare sector is an example of an industry with a chronic low-wage problem and a notorious reputation for paying less than the minimum wage. Zero-hours contract jobs for homecare workers are being transformed into 'opportunities' for self-employment."

She is concerned that self-employment is being forced upon workers, with employers using it as a method of keeping wages down.

“THE HOMECARE SECTOR IS AN EXAMPLE OF AN INDUSTRY WITH A CHRONIC LOW-WAGE PROBLEM AND A NOTORIOUS REPUTATION FOR PAYING LESS THAN THE MINIMUM WAGE.”



THE SELF-EMPLOYED HAVE FEW EMPLOYMENT RIGHTS, CAN BE FIRED EASILY AND DON'T TEND TO JOIN UNIONS."



"Self-employment is becoming so common that there is a real risk that employers will continue to hire from this growing pool of labour instead of creating new jobs," she said.

"This will effectively force people to become self-employed and work for wages which are below the rate of the national minimum wage."

Many self-employed people have to use their home address as their 'business' address. The West Country has the highest proportion of people working from home at 17%. More than a quarter of West Somerset workers are based from home. This is due to the nature of a rural region with people such as farmers also being counted in the figures.

We need to build a region in which people can develop their own businesses but self-employment is now being forced upon people as a way to cut costs and taxes.

SELF-EMPLOYED WORKERS know your rights



JAMES LENIHAN is an employment rights specialist at Thompsons Solicitors, Bristol

In an allusion to those pushed into self-employment experiencing greater job insecurity and weaker legal protections, Ed Miliband said in his 2014 party conference speech "the next Labour government will ensure there are equal rights for the self-employed."

But what are the equal rights Miliband is referring to that the self-employed can look forward to?

'Employee' or 'self-employed'?

A 'self-employed' person, in contrast to an 'employee', will not have a contract of employment and will be contracted to provide services for a fee.

What about 'workers'?

A broader category than 'employee', it is possible for a person to be self-employed but classified as a 'worker' and as such entitled to statutory protections such as holiday pay.

What is the significance of self-employment?

The only employment protections for the self-employed are an entitlement not to be discriminated against, to cover under an employer's occupiers' liability insurance policy and to any rights and obligations within the contracts between them and the 'contractor'.

YOUR TRADE UNION MEMBERSHIP WILL INCLUDE LEGAL ASSISTANCE AND THEY WILL HAVE SPECIALIST SOLICITORS THEY CAN TURN TO."

The self-employed don't get employee rights such as the right to claim unfair dismissal, the right to claim a redundancy payment or notice pay or the right to take maternity, paternity and parental leave. They don't get health and safety protections either.

Nor do the self-employed enjoy the rights that 'workers' have - to be paid at least the National Minimum Wage, protection against unlawful deduction from wages, the right to refuse to work more than 48 hours a week, to have a rest of 20 minutes in every six hours' work, to sick pay and 28 days paid annual leave.

What if your employer wants to make you self-employed?

You should seek advice. Employers are unlikely to be suggesting the move for your benefit, it's far more likely to be about them shedding responsibility and reducing their tax.

If there is a disagreement - for example over holiday pay - then you should raise the matter with your trade union representative. Your trade union membership will include legal assistance and they will have specialist solicitors they can turn to, like Thompsons. In serious cases you may be able to pursue a claim in the Employment Tribunal.



MORE THAN 400 DORSET LEARNERS TRY THIS, TRY THAT



BY KEITH HATCH

Dorset's county town, Dorchester, was in the autumn full of more than 40 different free learning and skills share sessions as the Try This community skills share festival entered its second year.

The idea was the brainchild of local student Hettie Burn, and she roped together a group of organisations including unionlearn,

for some of the most popular. Emma Scott, Community Development Officer with WDDC said "I am really happy to be involved in this project again. Last year we ran 36 activities during the week on subjects as diverse as how to start researching your family history to a beginners' guide to poultry keeping, with over 250 bookings taking place."

This year's event was even bigger and more than 400 attendees booked onto the 42 sessions. The feedback has been really positive and organisers are already under pressure to make sure it is back next year with an even more diverse program.

One person, who took part in an IT session said; "I think the whole thing is wonderful, very well organised, and provides some really amazing opportunities to try things out that you've always meant to have a go at."

Whilst some one on the Family History event said; "Thank you so much to the organising committee. It must have been a mammoth job and am very grateful to all involved. It is a wonderful idea."

Many of people started by trying an activity and ended up taking it

West Dorset District Council (WDDC) and Dorset Community Action to put on a full program of activities that ranged from Morris dancing to understanding your iPad and bike maintenance to bee-keeping.

All the sessions were free and many were full with a waiting list

UNIONLEARN IS THERE TO SUPPORT WORKPLACE AND COMMUNITY LEARNING, AND TRY THIS... IS BRILLIANT, BRINGING PEOPLE TOGETHER ACROSS DORCHESTER



on as a hobby, or in one craft case, setting up a local group.

A spokesperson from unionlearn said: "We are there to support workplace and community learning, and Try This... is a brilliant initiative that brings together people with skills and offers them an opportunity to share these skills with people across Dorchester."

"This has been a brilliant initiative and we've been really keen to involve as many people as possible, and support this skills share festival, both in terms of promoting it to workplaces across the county town and supporting reps running their own sessions."



MARY BRINGS SUNSHINE INTO THE LIVES OF DEMENTIA SUFFERERS

The Met Office in Exeter has become a dementia-aware workplace, with a little help from unionlearn, writes KEITH HATCH

During a unionlearn visit to promote Tribal on-line courses, Prospect member Mary Sherwood saw there was an opportunity to gain a Level Two qualification in the Principles of Dementia Care.

"I was the main carer for my mother, who had vascular dementia," she said. "When she moved to Devon she had not been diagnosed and we did not realise her limitations, although we recognised that more sheltered warden assisted accommodation had become appropriate for her.

"It was a tough journey and although I did my best, I recognised that through what I learned along the way and since, my best would be different now.

"I was determined to help others to start with more information and to learn more myself to help people to live better with dementia. This is my tribute to my mother – I can't change the things I got wrong, but I know she would appreciate me helping others and I know carers need more support."

With support from her employer, Mary succeeded in increasing dementia awareness in her workplace, creating a monthly dementia carer network group and setting up a buddy system.

The feedback she received from colleagues was extremely positive, with one workmate saying: "Only two or three weeks beforehand it would never have occurred to me to attend



MARY IS CONTINUING TO EXPAND HER EXPERIENCE OUTSIDE THE MET OFFICE, GOING INTO MORE WORKPLACES AND COMMUNITY GROUPS AROUND EXETER TO RUN SESSIONS ON DEMENTIA.



such a course. Then, unexpectedly, I visited someone I know in a care home who has the condition.

"This prompted me to attend the course, which, although only one hour long was really thought-provoking. I learnt a lot and I am encouraged to learn more in order to engage better with the particular person I know who is living with dementia."

Mary found it easy to learn with Tribal, saying: "The type of study absolutely suited me. I was very pleased that the workbook was so well put together and any

time I needed to ask a question I could speak to a real person! The study guide was excellent and really helped to clarify what was expected. This is now my benchmark for the Project Management courses I organise.

"I found the whole set-up very professional and at the same time most helpful. I would definitely recommend Tribal to others."

Mary is continuing to expand her experience outside the Met Office, going into more workplaces and community groups around Exeter to run sessions on dementia.

The Tribal course has made a difference to the way that Mary delivers these sessions.

"I am able to better explain things like how it has changed from being medical centred care to person centred care and what that means," she said. "Also because I understand it in a bit more depth it is not just a case of regurgitating facts, but I understand the thinking behind the facts.

"If anyone is thinking about becoming a Dementia Friends Champion I'd say - DO IT!"

THE FALSELY SELF-EMPLOYED

BY NICK BLUNDELL



An estimated 4,000 people working in the South West construction industry are falsely self-employed.

Officially more than forty per cent of the construction industry is self-employed but in reality many of these workers are not self-employed at all but falsely self-employed.

A worker who is falsely self-employed has all the characteristics of an employee (set hours, has to obey orders, doesn't supply their own materials and can't pick and choose their work) but none of the rights.

This means that they don't get holiday pay, sick pay, redundancy pay, have no access to an employment tribunal and can be dismissed at a moment's notice.

Employers force workers to be falsely self-employed so they (the employers) can avoid paying national insurance contributions of 13.8% per worker. They also don't have to pay other employee benefits such as holiday pay.

The major construction companies barely employ any construction workers directly. The work on a major site is sub-contracted several times.

In recent years in order to certify their false self-employment practices, companies and agencies have been requiring workers to be employed via payroll companies. A payroll company's sole purpose is to require a worker to sign a self-employed contract, the payroll company then officially pays the worker and charges the worker between £20-£30 a week.

In April 2014 there was a major clampdown on false self-employment when the government decided that in the majority of cases agencies and payroll companies could no longer claim workers were self-employed.

It was hoped that this would lead to workers being paid normally via PAYE. Sadly this was not the case. Overnight workers being paid via a payroll company were switched to being paid via an umbrella company.

A new report from UCATT, **The Umbrella Company Con Trick**, reveals how workers:

- » **workers have to pay both employer's and employees' national insurance contributions (25% of eligible earnings)**
- » **are officially paid just the minimum wage despite jobs being advertised at well in excess of £10 an hour. Wages are then bulked**

out with expenses, "performance related pay" and other highly confusing terms

- » **holiday pay is rolled up into the rate, denying workers' pay when they actually take annual leave**
- » **most contracts are for zero hours, so workers do not know when or for how long they will work**
- » **wage slips are made so vague and confusing that workers struggle to understand how their pay is calculated**
- » **a fee of up to £30 a week is taken from their pay every week to pay for the umbrella company's services.**

Incredibly umbrella companies appear to be legal and yet again the construction industry has shown its complete determination to deny workers fair pay in order to boost their profits.

Workers are left feeling robbed when they realise how little they are being paid by umbrella companies.

The government must take urgent action to end the exploitation of workers by employers who are forcing them to be paid via umbrella companies.

Nick Blundell is UCATT's South West and Wales Regional Secretary

EMPLOYERS FORCE WORKERS TO BE FALSELY SELF-EMPLOYED SO THEY CAN AVOID PAYING NATIONAL INSURANCE CONTRIBUTIONS OF 13.8% PER WORKER. THEY ALSO DON'T HAVE TO PAY OTHER EMPLOYEE BENEFITS SUCH AS HOLIDAY PAY."



DRIVEN TO DISTRACTION



TIM LEZARD SPEAKS TO A COURIER CONTRACTED TO WORK 52 WEEKS A YEAR

John works as a courier in the South West. Effectively self-employed, he owns and drives his own van, leased from the company. He is contracted to work 52 weeks a year.

He is paid £2.10 per drop-off (regardless of whether he drops off one small parcel or a dozen large ones), earning an average of £130 per day. If he tries to deliver a parcel, but the homeowner is out, he does not get paid.

If he is sick or wants a day off, he has to arrange cover for his shift, otherwise he is fined £150.

"The company allows us to have two weeks break in service, unpaid," he says. "But if I'm rushed to hospital overnight, I would need

to arrange cover, that being the last thing I want to do if, indeed, I was even able to do it."

The company justifies the fine by saying it needs to pay for an agency driver to do the work John would be doing.

"One of my colleagues had a long period of enforced sickness and he was fined £150 a day for quite a few weeks. When he came back to work, he owed them more than £3,000."

John is expected to turn up at the depot at 6am, where he spends an hour and a half scanning his parcels and loading his van before devising a route for the day. He works, on average, ten and a half hours a day, without taking a break.

"I don't have time for a break because every delivery is timed," he says. "My first stop is between 9 and 10 in the morning, then it will be between 9.02 and 10.02, 9.05 and 10.05 and so on, staggered throughout the day."

There is growing dissatisfaction among the self-employed drivers at their terms and conditions. Many begrudgingly work the long hours in order to make the money, but others would prefer to be treated with respect and dignity, rather than simply numbers on a computer.

"We don't feel valued by the company," John says. "We feel like employees with no rights."

LIBRARIANS COME UNDER THE COSH



Librarians in Cornwall are also feeling the pain of government cuts, with opening hours being reduced in a bid to save money writes TIM LEZARD. The result is full-time staff are told they must be "flexible" and work in one or more sites.

Full-time staff are still employed by Cornwall Council, but part-time workers – ex-staff keen to work occasionally or young people keen to gain experience – are effectively self-employed, taking bookings through an agency.

One worker, a UNISON member who wanted to remain anonymous, told *West Country Workers*: "I work part-time but feel like I work full-time. I work at two libraries, a One Stop Shop (OSS), and during term time I work at the university. All-in-all I work about 43 hours a week.

"I think next year I will be looking into dropping my hours at the libraries. I'd like to do three days, but the library has a habit of spreading the hours out over the week rather than clumping them together."

UNISON rep Steve Jenkins said: "We are keeping in touch with library and One Stop Shop staff to ensure their concerns are aired at the appropriate level.

"We have good relations with library management and problems are usually addressed quickly, but reductions in budget allocation are

beyond the control of management and staff have been reduced to a bare minimum, putting them under considerable pressure.

"The amalgamation of branch libraries and OSSs has significantly altered the demographic of the clientele visiting the sites concerned and problems with benefits payments in particular have caused staff to face angry and distressed enquirers who have, on occasion, voiced threats of violence.

"While the variety and intensity of the aggressive interactions with the public may have increased, library staff have daily had to deal with verbal abuse and aggression in the course of their work as a matter of course. This has inevitably lowered morale in the service at a time when minimum staffing and an embargo on using relief staff unless absolutely necessary are the rule.

"Where branches are short-staffed, replacements are sought from nearby sites if possible before relief staff can be called in – this can of course then mean that the providing branch is under-staffed for all or part of a day. UNISON is also actively seeking to recruit new members within the library and OSS services – both employed and relief staff – to boost representation and branch coverage to ensure that we can talk to management in a meaningful way."



ON THE TRAIL OF THE TOLPUDDLE MARTYRS

Actors from Dorset are to star in the new film accompanying the Tolpuddle Trail, writes **TIM LEZARD**



The South West TUC was awarded a grant of £38,700 from the Heritage Lottery Fund (HLF) to bring to life the story of the Tolpuddle Martyrs, and contacted the recently-formed Dorset branch of Equity to recruit its stars.



From left to right, Dorset Equity members Chris Gallarus (George Loveless) Callum West (James Brine) Owen Cash (Thomas Standfield) Sean Pogmore (James Loveless) Jamie Lee-hill (John Standfield) and Shane Nippard (James Hammett)

"It was fantastic to be involved in such an important story that resonated around the world," said branch secretary Chris Gallarus, who played the leader of the Martyrs, George Loveless.

"It was amazing to be in the old court, where the Martyrs were actually tried. It's hard to describe the feeling of being in the dark, dank cells, which these innocent farmworkers shared with real criminals, murderers, rapists,

thieves, then coming up the steps to the dock where they stood.

"You can imagine how they must have felt, thrust into a completely different world, with the place being crowded and the judge looking sternly down upon them. I just hope we did justice to the memories of the men.

"One of the things that struck me was the Martyrs were effectively fighting for a living wage and nearly 200 years later, with people

relying on food banks, we're doing the same thing."

Chris was pleased to work closely with production company ATS Heritage which ensured local actors were used.

"The branch was only formed a few months ago and already we've found work for our members," he said.

"It sends a strong message out to producers that there is acting talent all around the country, not just in London. If you're filming in Cumbria or Devon or Yorkshire or Cornwall, approach the local Equity branch.

"Yes, you might want big star names for the leads, but the for some of the other roles look locally. Just because we're not in London doesn't mean we're not talented."

The voiceover for the film was provided by Maxine Peake, star of *Shameless*, *Silk* and *The Village*.

It is hoped the trail will be launched in early 2015.



Chris Gallarus - George Loveless

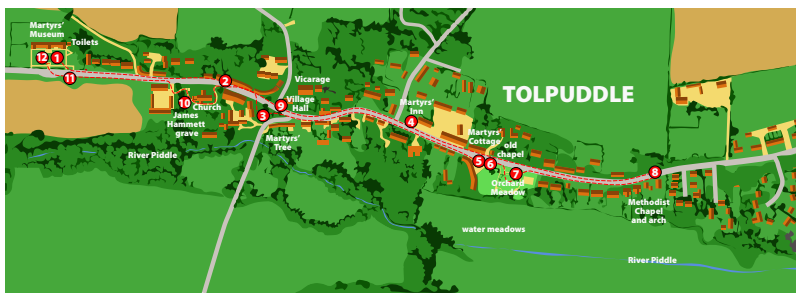
ONE OF THE THINGS THAT STRUCK ME WAS THE MARTYRS WERE EFFECTIVELY FIGHTING FOR A LIVING WAGE AND NEARLY 200 YEARS LATER, WITH PEOPLE RELYING ON FOOD BANKS, WE'RE DOING THE SAME THING."



Maxine Peake records the voiceover

The trail tells the story of the six farmworkers transported to Australia after forming a union to campaign for more pay. Their case became a cause celebre, with national demonstrations demanding their return and pardon. They set in law the right to join a trade union.

Filming took place over two days on location in Tolpuddle, at Thomas Hardy's cottage at Athelhampton House and in the old court in Dorchester.



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