



TUC

***Black Workers
Conference
2011***

Report

**of the TUC Race Relations
Committee 2010-11**

***Protecting Public Services
Defending Black Communities***

TUC BLACK WORKERS 'CONFERENCE 2011

TUC, Congress House. London WC1 3LS

Friday 8 April 14.00 to 17.30

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Report

1. **RACE RELATIONS COMMITTEE**

The General Council has been represented on the Race Relations Committee during the year by:

Billy Hayes	Tim Poil	Mohammad Taj
Mark Dickinson	Leslie Manasseh	Eleanor Smith
John Hannett	Gloria Mills	John Smith

Members elected to serve on the Race Relations Committee at the 2010/11 Conference were:

Dotun Alade-Odumosu	GMB
Pauline Anderson	National Association of Probation Officers
Indira Bhansali	Society of Radiographers
Freddie Brown	Prospect
Lorna Campbell	Public and Commercial Services Union
Penny Charles	University and Colleges Union
Mark Clifford	Unison
Collette Cork-Hurst	Unite
*Nicholas Day	GMB
Floyd Doyle	Associated Society of Locomotive Engineers and Foremen
Sarah Guerra	FDA
Zita Holbourne	Public and Commercial Services Union
Roger King	National Union of Teachers
Michael Nicholas	Fire Brigades Union
Harish Patel	Unite
Winston Phillips	Broadcasting, Entertainment, Cinematograph and Theatre Union
Rajinder Sagoo	Community
Ian Taylor	Communication Workers' Union
Maureen Williams	USDAW

Gloria Mills was elected as Chair and Sarah Veale, Head of the Equality and Employment Rights Department, served as Secretary. Members of the Equality and Employment Rights Department working with the Committee during the year were Wilf Sullivan, TUC Race Equality Officer, Carol Ferguson Departmental Secretary and Jane Cook, Administrative Assistant.

*Co-opted to the Committee to fill the vacant Section D seat following a request to affiliates for nominations.

2. BLACK WORKERS AND THE CUTS

Motions on 'Black Workers and Public Sector Spending' and 'The Impact Of Education Funding Cuts On Black Workers' at the 2010 TUC Black Workers' Conference called for the TUC to campaign on the disproportionate impact of the Government cuts on black communities. The Race Relations Committee has been concerned with the disproportionate effect of the cuts and issued a statement at the TUC Black Workers' Conference in April this year expressing alarm at the rhetoric from all political parties during the pre-election period and stating the belief that threatened cuts across public services will have a heavy impact on working communities with a disproportionate impact on already impoverished black communities which rely on high quality and accessible public services to look after their families.

The proposed cuts to government spending of £82 billion over the next three years are made in the context of a recent economic recession and where it is not clear whether the economy has recovered. The experience of previous recessions suggests that black and minority ethnic workers may be particularly vulnerable to rising unemployment. For the past ten years employment has been high, unemployment has been in retreat and during such periods members of black and minority ethnic groups benefit even more than whites, gaining jobs at a faster rate.

This closing of the gap applied during the period before this current economic crisis, with the gap between black and white employment and employment rates falling until the end of 2008. Whilst this gap did not significantly change during the recession with the picture at the end of 2009 showing an overall drop in the gap by 0.8%, employment rate trends suggested that some parts of the black community had been badly affected with large increases in unemployment rates. An Institute of Public Policy Research (IPPR) report published earlier this year highlighted the situation with youth unemployment among the black community. It showed that ethnic groups had seen the biggest increases in youth unemployment since the recession began, rising from 21% to 35% in the period. That trend echoed the recession in the early 1990s, where unemployment among ethnic minorities rose by 10%, compared with a 6% increase overall.

Whilst the Department of Work and Pensions has taken an optimistic approach on the basis that the ethnic minority employment gap has not seemed to widen as a result of the recession, the data on the claimant count seems to show that the effects of the recession were affecting black communities. Over the last year the claimant count, as a proportion of the working age population, has risen 0.1 percentage points for black communities whilst GB overall has reduced by 0.4 percentage points.

The effects of public spending cuts on black communities are likely to exacerbate this trend as black public service jobs are an area of high employment for black workers with over 30% being employed in the public sector. Early estimates of job losses in the public authorities alone are 600,000, along with cuts in the voluntary sector as a result of the inevitable reduction of funding to external organisations. There will be a loss of private sector related jobs as the government spends approximately £4,000 per head procuring services in the private sector.

Measures announced in the budget in relation to welfare provision are also likely to have a disproportionate impact on black communities. The decisions to increase VAT, freeze child benefits, cut housing benefit and cuts to the Disability Living Allowance will have an impact on those living on low incomes. Cuts in welfare benefits and an increase in indirect taxation will squeeze the already stretched resources of low income families in black communities who experience poverty as a result of sustained high levels of unemployment.

Trade Union strategy

At this year's TUC Congress it was agreed that the TUC should co-ordinate a national campaign against the cuts. The TUC has developed a strategy for its 'All Together for Public Services' campaign that is based on three principles: These are:

- Shifting public opinion,
- Building alliances with service users; and
- Political lobbying.

The TUC recognised that in order to organise a successful mass campaign there was a need to change public attitudes to the need to make cuts and to develop an alternative narrative for dealing with the budget deficit. The TUC also believed that a successful campaign would need to involve other groups campaigning against the cuts and also to include alliances with service users and their organisations in order to build a national popular campaign.

The TUC has set up a number of websites where information on the campaign, key documents giving information on arguments against the cuts, information on lobbying downloadable campaign resources and campaign events can be accessed.

On 19th October 2010 the TUC held a successful rally and lobby all of Liberal Democrat MPs and supported a number of union rallies and campaigns in the spring that were used to promote the national 'March for the Alternative' demonstration that was organised for the 26th March 2011.

Black Workers Strategy

Highlighting the disproportionate effects on black workers and black communities of economic policy has been a priority of the Race Relations Committee since the 2009 Congress when a motion on 'Discrimination, Recession and Welfare Reform' was agreed by Congress. Concern was also expressed by the Committee in the run up to the General Election about the likely negative effects of Conservative policy on black communities.

In considering a strategy the Race Relations Committee considered how best to highlight the effects of the cuts on black communities and to activate black workers in the campaign to defend public services. Whilst the planned cuts in public spending will have a heavy impact on black communities, the Committee felt that there was a need to incorporate the three principles underlying the TUC's overall campaign.

In order to engage black community organisations the committee invited Black Activists Rising Against the Cuts (BARAC), to participate in a fringe meeting organised at the 2010 Congress on public spending cuts and the black community and have subsequently agreed to work with and support the campaign.

As part of the overall campaign the TUC will also be producing materials on how the cuts are impacting on disadvantaged groups including black communities. The Race Relations Committee are exploring how a mechanism to feed information on real life stories on how people are being affected by the cuts can be constructed so that they can be used in campaign materials.

Discussions have also taken place with the Runnymede Trust who act as the Secretariat for the All Party Parliamentary Group on Race and Community on joint working to enable lobbying of Black MPs and all MPs with large black communities in their constituencies to engage with the issues of disproportionate impact of the cuts on their constituents. While it is unlikely that this will become a wider political issue with Parliament it could be a useful political tool to ensure that local MPs - who could become nervous about their prospects for long term political survival if there was organised lobbying in their constituencies – raise this issue in Parliament and express concern through the media.

The TUC is working with affiliates to consider what role it can play to bring together black activists from across the different unions under the auspices of Regional TUCs and work with existing union Black Workers' Committees and networks to establish regional or local campaigns that are focussed on particular cuts that have a large resonance with black workers and the black community, as a way of engaging them with the 'All together for public services' campaign.

3. EQUALITY AND HUMAN RIGHTS COMMISSION (EHRC)

The Race Relations Committee continues to believe that there is a need for the establishment of a liaison committee similar to the former TUC/CRE Liaison Committee where joint concerns could be discussed and a joint work programme pursued. The Committee, whilst acknowledging the investigations which cover race equality in a number of industrial sectors, continues to be concerned about the lack of enforcement action taken by the Commission and the lack of focus on race despite the appointment of Simon Woolley as a Commissioner, who is taking a lead on race equality. Unfortunately, the TUC has not been able to establish such a mechanism.

The TUC is also concerned about the future ability of the EHRC to carry out strategic representation and enforcement work in the light of cuts in funding and staffing that have resulted from reduced Government funding. In June 2010 the Government announced that it would make a 12% cut in the EHRC's £60million budget. However as part of a number of reviews of institutions that has been instituted as a result of the Public Bodies Bill, the means by which the Government intend to reduce "quangos", there are fears that the Commission may have its powers reduced and lose 60% of its budget.

4. *EHRC TRIENNIAL REVIEW*

During 2010 the Equality and Human Rights Commission (EHRC) produced its first triennial review which was published in October 2010. The requirement for the EHRC to produce a triennial review report that demonstrates how far society is making progress in equality, good relations and human rights was included in the Equality Act 2006.

In order to establish a method of demonstrating how far society is making progress on equality, good relations and human rights the Commission established a series of indicators and measures that were grouped under nine different headings covering areas such as life, health, physical security, legal security, education and learning.

As part of the process for producing the triennial review the EHRC consulted on its methodology and on areas that should be prioritised within the report and set up a number of strand related roundtables to discuss the process that they are adopting, what might be missing from the indicators and to find out if there are sources of information which might enhance the suggested messages.

The TUC attended most of the roundtables, including the one that discussed race equality, and raised a number of concerns. These included the problem that in some areas that had been identified for indicators and measures, there was little or no current data and that this would affect the EHRC's prioritisation mechanisms. The TUC also raised concerns that whilst some of the facts that had been identified from the data that had already been collected were interesting; they were being presented in a way which gave no history or context to them. The labour market indicators tended to concentrate on the horizontal effects of discrimination and did not look at where people were in the workforce in terms of position. This was also the case on factors such as political involvement where no differentiation was made about the level of people's involvement and ability to have real influence.

A number of participants highlighted the absence of indicators and measures that related to asylum seekers, refugees and migrants. Finally there was general concern that the indicators did not explicitly include discrimination and identify race discrimination as a factor. Indeed it was disturbing that it was the view of one of the officials that direct discrimination was not really a problem anymore.

Whilst the EHRC's Triennial Report is a useful source of data, the Commission will have to be careful about how it prioritises and presents areas from the report as it is likely that some of the conclusions, especially in the present political environment, are likely to be contested and that data used to strengthen arguments in favour of policies that could be used in political discourses that are not necessarily progressive, especially if some of the most vulnerable groups like asylum seekers or migrants are missed out.

5. CAMPAIGNING AGAINST RACISM AND FASCISM

Motions at the 2010 TUC Black Workers' Conference on 'Membership of Political Parties' and 'The Far Right: A Destructive Presence' called on the TUC to continue campaigning against the far right.

The TUC strategy on building unity across the anti-racist/fascist movement arose because of concerns about the problems of duplication of campaigning efforts by the main anti-racist/fascist groups. This led to the creation of the 'Unite Against Fascism' coalition (UAF) in February 2004, as an initiative to bring the trade union movement and different anti-racist/fascist groups under one umbrella and to address the problems of fragmented campaigning.

Tensions within the coalition that emerged as rival organisations were brought together, led to Searchlight leaving the UAF coalition, as a result of different political approaches to campaigning against the BNP. Earlier this year these tensions threatened to develop into a damaging public dispute.

The TUC organised a meeting involving representatives of UAF and Searchlight and secured sign up to a written declaration, setting out how the two organisations would relate to each other during the run up to the General Election. This allowed for a more constructive working relationship between the organisations during the General Election campaign.

There was particular concern about the BNP's prospects in Barking and Dagenham and in Stoke-on-Trent, where the BNP were not only standing in Parliamentary seats, but were also hoping to take control of the respective councils in the local elections. Affiliated trade unions worked closely with Trade Union Labour Organisation in a bid to support Labour Party campaigning in vulnerable areas. TUC regions worked with Searchlight and the UAF, who ran strong local campaigns that bore fruit in both areas. In Barking, where Nick Griffin BNP leader was standing, the BNP's General Election vote dropped from 16.9% in 2005 to 14.6% and they lost all their seats on the Council. In Stoke-on-Trent Central, where deputy leader Simon Darby was standing, the BNP's General Election Vote dropped from 7.8% in 2005 to 7.7% and they failed to win any seats on the local council.

The BNP stood 737 council candidates and averaged 9.5% of the vote. This was well down on previous years and was a reflection of the party's vote being squeezed by the big parties as a result of the General Election. Despite the reduced support in Barking & Dagenham, the BNP still received its highest average share of the vote there. However, there were some quite significant increases in the BNP vote in some constituencies, which reflected the changing areas of support for the party.

Whilst the 2010 elections were a big setback for the BNP, the BNP will no doubt continue and the reasons behind its rise have not gone away. However it will go into the next round of local elections in a far weaker position than it would have hoped.

English Defence League

Although the electoral ambitions of the BNP have had a set back the TUC has become increasingly concerned about the activities of the English Defence League (EDL). The EDL, which acts as a street army for the far right, is made up of BNP activists, football hooligans and others from extreme right wing organisations. It has targeted Muslim communities under the guise of demonstrating and confronting extremism.

The EDL has held a number of demonstrations and marches, including events in Birmingham (September 2009), Leeds (October 2009), Westminster (March 2010), Bolton (March 2010), and Newcastle (May 2010), Nuneaton (November 2010), Peterborough (December 2010) and Luton (February 2010).

These events have provoked 'counter-demonstrations' from anti-fascist activists and groups. Concerns have emerged over the way that the police have dealt with their marches and demonstrations. Counter-demonstrators have been put at risk of injury and of questionable policing tactics that treat them as equivalent to the EDL. Many counter-demonstrators have been arrested. Initially police only allowed the EDL to have standing demonstrations. However, the EDL were granted permission by the Metropolitan Police to march in London and have subsequently been allowed to march by other police forces when demonstrating.

The TUC raised the issue of the EDL with Alan Campbell, the former Under-Secretary of State for Crime Reduction, and urged the last government to take a tougher line on EDL demonstrations and called for a more co-ordinated police response to their activities. However despite concerns about EDL activities, the Government adopted the position that they were unable to ban static demonstrations as it would contravene the Human Rights Act. The TUC is aware of the difficulties faced by the police over unreasonably restricting or banning static demonstrations, although it is possible under sections 12 and 13 of the Public Order Act 1986 for the police to ban marches and static demonstrations with the support of the Home Secretary.

The EDL's approach has also caused problems for anti-fascist organisations and activists, as the calling of random demonstrations and marches by the organisation has placed anti-fascist organisations in a position where they are responding to EDL initiatives. The TUC has advised its Regional Secretaries to work with anti-fascist organisations that are organising responses to EDL demonstrations, but to try to avoid organising counter-demonstrations in a way that would result in violent confrontations.

This year the EDL strategy changed, from organising demonstrations in large cities to a more provocative programme of targeting areas with large black and minority ethnic communities, specifically Tower Hamlets (June 2010) and Bradford (August 2010). Luton (February 2011). This strategy appears to be designed to create a situation that would provoke serious public disorder, which was something that concerned trade unions and anti-fascist groups.

The TUC wrote to Theresa May, the Home Secretary, on 29 July, saying that in our view the conduct of the EDL during these demonstrations and marches, that focus on the Muslim community, has been designed to encourage racial hatred and create

public disorder. This has been underlined by reports from trade unionists who have been present on counter- demonstrations, of the shouting of racist abuse and threats of violence directed towards members of the Asian community who happen to be in the vicinity at previous events. The letter also raised concerns that despite the reports of racist behaviour and abuse by EDL supporters, much of the policing had been focussed on community and anti-racist campaigners. The TUC asked the Home Secretary intervene to ensure that the police develop a more co-ordinated approach in dealing with EDL events.

The previous government had taken the view neither the police nor the Government had any powers to ban static protests. This is a view that the TUC do not share. In its response the Home Office, whilst noting the TUC's concerns, took the same position as the previous Government.

National Demonstration

In an effort to organise an initiative that was not a response to EDL activities the UAF approached the TUC earlier in the year to ask if we would join them, Love Music Hate Racism (LMHR) and the Muslim Council of Britain (MCB) in organising a national anti-fascist demonstration in the autumn, as a way of making a unified public statement against racism and Islamophobia. The demonstration was being considered in response to a strong indication from Muslim organisations that they wanted to have a demonstration in London in the autumn against Islamophobia. The UAF had understandably taken the view that a mainly Muslim demonstration may well attract hostility from the press and have the potential to become a focus for an EDL counter protest. An initial date was proposed for the demonstration in October.

Whilst the TUC supported the need to be doing more to respond to the BNP and EDL, it was recognised that many affiliates would be focussed on the campaigns against the cuts to defend public services and this that this was the area that the TUC would be focussing its resources. As a consequence the UAF accepted that the TUC were not in a position to jointly organise a demonstration

The TUC did however promote the demonstration on 6th November 2010 and assisted the UAF steward the event. Kay Carberry, TUC Assistant General Secretary, spoke at the demonstration along with several other trade union General Secretaries.

6. GOVERNMENT POLICY ON RACE EQUALITY

Before the election the Conservative Party published an equality manifesto and the Liberal Democrats published a specific policy document on race equality. Neither document made many commitments on dealing with race discrimination in employment other than the Liberal Democrats who stated employers would not be able to include questions intended to reveal the gender, age or race of an applicant and that every company that employs more than 100 people would have its pay arrangements examined with an Equal Pay Audit.

As a prelude to the Queen's Speech the new Conservative/Liberal Democrat coalition published a 'Programme for Government'. This document detailed the new coalition government's policies on race equality, immigration and asylum and civil liberties.

The 'Programme for Government' only specifically referred to black workers in one paragraph and this was in the equalities section. The programme states:

“We will promote improved community relations and opportunities for black Asian and Minority Ethnic (BAME) communities, including by providing internships for under-represented minorities in every Whitehall department and funding targeted national enterprise mentoring schemes for BAME people who want to start a business.”

Whilst the announcement of providing targeted internship opportunities for young black workers is in line with calls that the Race Relations Committee made to the previous government there is cause for concern in that:

- The proposal was targeted at the civil service where the Government has just announced major cuts.
- There was no indication that any of these internships would be paid and would not be covering the work of those that have been made redundant.
- There was no indication that these internships could lead to permanent employment.

The second part of the policy focused on funding targeted national enterprise mentoring schemes. Such schemes already exist with government attempting to provide a national coordination service through Business Link on the Department for Business Innovation and Skills website. There are no proposals to tackle the systemic problem of access to capital that is faced by black business or any distinction between promoting business that provide real jobs or result in people living on a subsistence income.

The programme stated very little about immigration other than to reiterate the Government's intention to place an annual limit on non EU migrant workers admitted into the UK to live and work. Subsequent changes to the points based systems to allow only those with graduate level qualifications enter the UK from outside of the EU have resulted in the list of shortage occupations listed by the Migration Advisory Group being reduced by approximately 70.

The programme also mentioned introducing more measures to minimise the abuse of the immigration system and identifies students as a potential area. The current penalties regime has already resulted in the introduction of internal borders in the workplace and education system. Added regulations are likely to make the situation for a wider range of migrants more oppressive.

On asylum the programme referred to finding new ways to speed up the current processing of asylum application. However it made no reference to the Government's intentions on the deportation of failed asylum seekers.

There are two areas of action in the programme on civil liberties that have an impact on black communities.

The first is the proposal to scrap the ID card scheme and the National Identity Register. This TUC has consistently campaigned against the introduction of the scheme and the register and argued that the scheme would have a disproportionate impact on black communities especially in relation to such issues as stop and search. Whilst the TUC welcomes the scrapping of the schemes it remains to be seen whether this will apply to non-EU immigrants and migrants to the UK given that ID Cards have already been implemented for these groups.

The second area is the commitment to adopt the Scottish Model for the keeping of DNA. Currently nearly 40% of black men, many of them young people, and 13% of Asian men, compared 9% of white men, are represented on the National DNA Database. This is despite the decision of *S and Marper –V- United Kingdom* where the European Court of Human Rights found that holding DNA samples of individuals arrested but later acquitted or who have the charges against them dropped is a violation of the right to privacy under the European Convention on Human Rights.

The TUC would welcome the introduction of the Scottish system as it would significantly reduce the number of black people on the database. However there would be a need to continue to press for a system that removes DNA from the system of people who have been charged and not convicted and for a system proportionate to the crime so that people who have committed minor offences do not have their DNA retained for life.

The Conservatives have traditionally taken a colour blind approach to racism stating that they treat everybody the same. Proposed policy on key areas relating to race equality indicates that this is the approach likely to be taken by the current coalition government.

7. EQUALITY ACT 2010

After several years of campaigning by the TUC, trade unions, NGOs and the statutory equality commissions, the old discrimination laws were finally brought together into a single equality act in 2010. The Equality Act 2010 received Royal Assent on 8 April 2010 – the final possible day of parliamentary business before the general election. However, it was up to the incoming government to commence the provisions of the Act and the TUC welcomed the coalition government's commitment to bring the majority of the Act into force from 1 October 2010 as planned.

A number of the new provisions in the Act were not commenced in October. Since then the coalition government has confirmed that it will be scrapping the new duty on public bodies to consider the need to tackle socio-economic disadvantage when making strategic decisions in s.1 of the Act. The Government is still considering whether to commence the provision on dual discrimination (s.14), which would allow an individual such as a black woman who has experienced discrimination on the basis of a combination of sex and race to bring a combined claim rather than two separate

claims for race discrimination and sex discrimination. However, this provision would only apply to direct discrimination cases and it would only allow claims to be brought because of a combination of two characteristics and no more so a black disabled woman could not bring a claim combining race, disability and sex, for example.

The Government has confirmed that it will be commencing the provision on positive action in recruitment and promotion in s.159 of the Act from 6 April 2011. This will enable an employer to appoint someone to a job if they have a protected characteristic that is currently under-represented or has a disadvantage associated with it, provided that the person is 'as qualified as' alternative candidates to do the job. So a black person could be appointed over a white person who was as qualified to do the job if the employer was seeking to address the historic disadvantage or under-representation of black people in that job. This is a provision that an employer wanting to do more to encourage diversity can choose to use, an employer would not be required to use it.

It has also been confirmed that the new public sector equality duty in s.149 of the Act will be brought into force from 5 April 2011, replacing the current race, disability and gender equality duties. It requires public authorities or those private and voluntary sector organisations carrying out public functions to pay due regard to eliminating unlawful discrimination and harassment, advancing equality of opportunity and fostering good relations on the basis of eight protected characteristics: age, disability, gender, gender reassignment, maternity and pregnancy, race, religion or belief and sexual orientation. The Government intends to lay Regulations setting out new specific duties to support the general equality duty in s.149 of the Act. The specific duties will apply to those public authorities that are listed in the Act and they are intended to help support compliance with the general duty. However, the new specific duties are likely to be much weaker than those that applied under the race duty. The stated objectives of the coalition's new approach to the specific duties is to 'remove time-wasting bureaucracy' and 'improve democratic accountability'. The focus shifted from prescribing procedures that organisations must carry out (e.g. workforce monitoring, training, consulting and involving stakeholders, and publishing a written equality scheme) to prescribing that an organisation must publish some information about its equality performance.

To promote awareness of the new Act, the TUC organised regional half-day seminars for union officers and representatives in Newcastle, Sheffield, Leeds, Manchester, Nottingham, Birmingham, Taunton, Cardiff and London between September 2010 and April 2011. The seminars included a presentation from Sally Brett, Senior Equality Policy Officer on the Act, a workshop session on how the Act's provisions apply in the workplace, and information from the EHRC on what kind of guidance and support they can provide to trade unions. In total, about 700 people have attended the seminars. The TUC is also developing an updated TUC Guide to Equality Law which will be available from the website in spring.

8. MULTIPLE- DISCRIMINATION AND THE EQUALITY ACT 2010

Although the enactment of the Equality Act 2010 brought together the previous discrimination law, the clause in the Act that permitted claimants to pursue a claim of direct discrimination based on any two of the grounds covered by the Act is unlikely to be brought into force.

Nothing in the original drafting of the Bill enabled an individual who had experienced discrimination because of a combination of protected characteristics to bring a claim. For example a black woman who is treated less favourably than a white man would have to bring separate claims of race and sex discrimination.

During the consultation over the Equality Act 2010, the TUC argued in favour of provisions that would allow for individuals to combine and pursue claims on multiple grounds and the last government recognised multi-faceted nature of people's identity by introducing a clause into the Bill. The TUC have continued to liaise with the Equality and Human Rights Commission and lobby the Government Equality Office to try to make this clause a reality.

Multiple discrimination has always been an issue for trade unionists. We know that in many situations members are discriminated against on more than one basis and are often faced with the decision of whether to risk pursuing tribunal claims on more than one ground, or to concentrate on what is deemed the strongest part of the claim.

The TUC has supported initiatives to research multiple discrimination in employment in order to increase awareness of the problems that some members experience in the workplace. This included a report published in 2002 on 'Handling the Double Disadvantage - the experience of black and minority women in trade unions and more recently in 2009 the TUC's own report Negotiating Gender Race and Class. Internally the TUC has extended the seats on equalities committees to ensure that issues of multiple discrimination can be discussed and action taken.

Whilst there is doubt about the implementation of the dual discrimination provision in the Equality Act 2010, the new Act makes life easier by providing a common framework with common definitions across the different grounds of discrimination

In October 2010 the TUC organised a well attended seminar to explore how trade unions could pursue issues of multiple- discrimination legally and through collective bargaining. The seminar featured Jillian Brown an employment judge and leading barrister with Outer Temple Chambers who discussed the legal context and a panel of senior trade union equality officers who discussed action that could be taken by unions in the workplace.

Whilst it is not clear that the Equality Act 2010, which contains a general equality duty for public services, will make it easier to deal with issues of dual or multiple discrimination the TUC will continue to lobby for the inclusion of multiple discrimination in the law and continues to ask unions to log information on cases as evidence of the very real problems that people face in the workplace.

9. BLACK WORKERS AND THE LABOUR MARKET

Until the general election the TUC continued to lobby the Government through the Ethnic Minority Employment Taskforce (EMETF) for more proactive actions to tackle the employment gap between black and white workers. Unfortunately the Coalition Government abolished the Ethnic Minority Employment Taskforce and replaced it with a new Inter-Ministerial Group on Equalities (IMGE) that will be looking at the whole equality agenda, and is chaired by the Home Office Secretary, Theresa May.

The Ethnic Minority Advisory Group (EMAG) which is sponsored by the Department of Work and Pensions has been reconstituted and continues to meet. Wilf Sullivan, TUC Race Equality Officer and Collette Cork-Hurst, Unite National Officer for Equalities and a member of the TUC Race Relations Committee, are members of the reconstituted advisory group and are active on working groups looking at women and employment and skills/education.

As a result of trade union input the working group on women and employment is looking at making recommendations to the EMAG that raise awareness about the gender pay gap suffered by black and minority ethnic women and the skills/education group is undertaking work on apprenticeships with a view to making recommendations to the Government about ensuring that the 100,000 new apprenticeships announced by the Government are accessible to young black workers.

10. TACKLING RACISM IN THE WORKPLACE

Motions on 'Discrimination in Recruitment', 'Supporting Black Workers' Career Progression', 'Institutional Racism and Career Progression' and 'Race Equality in the Public Sector' highlighted the continuing problems of under-representation of black workers at a senior level and called on the TUC to work with affiliates on good practice and lobby the Government and EHRC for effective enforcement. The TUC believes that problems of race discrimination in the workplace around issues such as recruitment and promotion can only be tackled through a collective bargaining approach.

An updated negotiators guide on 'Tackling Racism in the Workplace' was launched at the TUC Black Workers' Conference in April 2010 and has been promoted at a number of trade union events in order to promote good practice around collective bargaining on equality matters with affiliates.

The TUC through the UK Race and Europe Network has been encouraging the European Network against Racism (ENAR) to undertake work on racism in the workplace. This has resulted in a creation of an ad hoc experts group on promoting equality in employment. The group's role is to bring together business committed to corporate social responsibility and diversity, trade unions, Member States and anti-racist civil society groups to work together and engage in finding solutions to improve the participation of ethnic minorities in the labour market.

The TUC was a contributor at an initial seminar on promoting race equality in employment in November 2009 and also contributed to a recent seminar held at IBM

in Brussels in December 2010 organised by the ENAR ad hoc Group and the European Economic and Social Committee. The seminar looked at practices on ethnic monitoring across Europe and discussed ways in which ethnic monitoring could be promoted and improved. A report will be produced by ENAR on the results of the seminar that will be useful to demonstrate that some employers support good practice on ethnic monitoring of the workplace and an ENAR employment conference is being organised for June 2011 as a way of promoting the work on the project.

11. MIGRANT AND VULNERABLE WORKERS

Supporting and developing campaigns on migrant and vulnerable worker issues is an ongoing TUC priority. Issues relating to undocumented working have become more focused for non EU migrants since the implementation of the points based system.

A new negotiators guide on 'Document Checks and Workplace Raids' produced in association with the GMB, UNISON and Unite is being promoted with the Migrant Rights Networks. In July/August 2010 presentations on the guide were made to the TUC South West Regional Council and to trade unionists and migrant activists in Scotland. It is hoped that events will be held in other regions.

Addressing issues for low-paid vulnerable workers continues to be a priority for the TUC following the publication of the report produced by the TUC Commission for Vulnerable Workers. Many of these workers are from black and minority ethnic communities.

In September 2010 the TUC along with RESPECT network (a European network of organisations supporting domestic workers) hosted a meeting for domestic worker activists, the majority of whom are from black communities. The meeting was held to discuss how campaigning in Europe could be co-ordinated to put pressure on government and employers to endorse a new ILO Convention for Domestic Workers.

The TUC is supporting SERTUC and the Migrants Rights Network on a vulnerable workers project in London which aims to establish and support a London trade union cleaning activists' forum where cleaning activists can work together on priority issues. Many of the cleaners involved and many of those in low paid work in London are migrants from outside Europe and as well as facing problems of exploitation and immigration issues are subjected to racism in the workplace. The forum currently meets monthly and is discussing campaigning and organising priorities.

12. BLACK WORKERS AND THE MEDIA

Three motions at the 2010 TUC Black Workers' Conference on Digital Britain and BME Representation In The Media', 'Chinese And East Asian Portrayal' and 'Broadcasting Regulator's Policy On Diversity' raised the continuing concern about the lack of black representation in all sections of the media and called on the TUC to lobby Government and media regulators about this issue

In order to consider how best to address these issues the TUC Race Relations Committee wrote to media unions asking them for suggestions about how best to progress the issues raised in the motions and how to establish some joint working arrangements on these issues. The Committee subsequently invited representatives from the Federation of Entertainment Unions Equality Committee to a Race Relations Committee meeting where discussions covered a number of issues including the fact that a the major priority for FEU unions was to tackle underrepresentation in the industry through trying to improve both workplace monitoring and transparency in the industry.

The Committee also discussed BECTU's ongoing battle with OFCOM over the release of ethnic monitoring data on companies in the radio industry and agreed to request that the General Secretary write to the Government and the EHRC on this issue.

13. PENSIONS

The TUC has continued to campaign for good workplace pensions, which alongside state pension provision, is the best way to provide security in retirement and has continued to support the campaign being run by the International Consortium of British Pensioners in their fight for pension parity.

The campaign is fighting for the uprating of pensions paid to those entitled to a UK pension wherever they are in the world. Currently only those who retire in Europe the USA and a limited number of other countries who signed a reciprocal agreement back in the late 1940s are entitled to an index linked pension. The rest have their pension frozen at the rate it was when they retired. This is not only a problem for current pensioners but also affects those that are coming up to retirement and who will retire in future years. Whilst it is not currently the case, if this policy remains in place it is likely to have a disproportionate impact on those from black and minority ethnic communities who emigrated from some commonwealth countries and who may wish to retire to their country of birth.

The TUC, along with representatives from a number of affiliates, attended a briefing organised by the International Consortium of British Pensioners and the National Pensioners Convention in July and subsequently provided a quote from TUC General Secretary Brendan Barber that was included in a new campaign leaflet. The TUC also spoke at a seminar on the campaign organised by the International Consortium of British Pensioners in November and met with them in March 2011 to discuss ways in which the campaign could be taken forward.

A major concern of the consortium is the lack of knowledge that workers have about the way their pension may be affected if they are thinking about emigrating when they retire. The TUC will be looking at ways that this information can be publicised among black workers.

14. ORGANISING BLACK WORKERS

In February 2007 The TUC agreed to support and participate in the advisory group for a project being undertaken by the Working Lives Research Institute at London Metropolitan University, which was an in-depth research project focusing on how black workers access support for problems at work.

Few research projects have looked at representation of black workers at work and the research that has been done so far indicates that trade unions are not necessarily the first organisation that black workers go to when they have a problem of racism in the workplace

The project explored the reasons given for lack of engagement with trade unions, including reasons for joining and participating (or not participating) in union activity. The researchers also interviewed black workers (union members and non-members) from across a range of unions and employment sectors to understand if there are specific factors that encourage or discourage union membership.

The research focused on three London boroughs. The boroughs and communities chosen to conduct in-depth qualitative case studies of locally based ethnic groups were Kurdish in Hackney, Indian in Ealing and Caribbean in Lambeth. In Ealing and Lambeth the ethnic groups represent the largest minority ethnic group in the boroughs with well-established social networks. The research was undertaken with 180 black workers (identified as having problems at work), community and other organisations providing support for employment-related issues. The project identified that:

- A third of the workers interviewed had problems at work and it took an average of eight months to resolve their problems.
- It was difficult for workers to get timely support if they were not in a trade union organised area because of the lack of employment advice in communities. Law centres and CABs had suffered because of funding cuts and often did not supply employment advice.
- In some cases the workers encountered specific problems when working in ethnic based businesses where discrimination could occur.
- One of the most common problems was racism and sexism often expressed by those interviewed as bullying and harassment in the workplace.
- Workers who were employed in unorganised work were open to joining unions but many stated that they had never been asked. 65% said that they would like to join a trade union.
- There was a need for trade unions to develop links with community organisations both to improve understanding of the kinds of problems experienced by these workers and also to be able to organise them.

A priority of the Race Relations Committee for a number of years has been how best to organise black workers and break down the barriers between union and community activists. With the exception of the West Midlands where it has been possible to establish an active Black Workers Forum, it has been difficult to pull people together

across unions or to involve community activists. The research will help to inform the Race Relations Committee on the question of whether new trade union strategies for organisation and inclusion are needed for Black workers according to their different histories, geographies and social and cultural experiences and the need for the Committee to ensure that it played a greater role in influencing the organising agenda.

A copy of the final project report can be downloaded at <http://www.workinglives.org/londonmet/fms/MRSite/Research/wlri/Photo%20gallery/Project%20final%20report.pdf>

15. BLACK LEADERSHIP FRAMEWORK

In November 2007 the Executive Committee agreed to explore the possibility of establishing a black leadership framework which would encompass a training and mentoring programme. As a first step the TUC produced a report that assessed past trade union education provision in developing black trade union leaders and looked at what is currently available, as well as potential delivery mechanisms at a regional and national level.

Since the publication of the report the Equality and Employment Rights Department (EERD) has been working with the Organising Academy to improve the participation of black staff and officers in personal development and leadership programmes. A successful Summer School was run with the TUC Organising Academy and Ruskin College in July 2010. This followed on from a previous summer school that had been funded by the TUC Organising Academy in 2008. EERD and the Organising Academy will be working to mainstream this Summer School through unionlearn

The TUC is continuing to explore the possibility of establishing similar training for activists and has been in discussions with Keele University and Ruskin College about the possibility of them participating in a training programme similar to that set out in the report on the need for a black leadership framework.

The TUC has also been working with the Federation of Entertainment Unions to set up a course for new black activists as a way of building the capacity of those activists and encouraging involvement of new black activists in the trade union structures of the entertainment unions. The course has been designed to run over a number of evenings to make it easier to fit in with the working patterns of the workers concerned and will be piloted in April/May 2011.

16. LET THEM WORK CAMPAIGN

The TUC has continued to work with the Refugee Council, trade unions and other organisations to develop a campaign for the entitlement of asylum seekers to work

The campaign objective is for the Government to remove the bar denying asylum seekers the ability to legally work. Recent changes in provision for ESOL have presented an opportunity to argue that the government should adopt a provision that

after six months asylum seekers have access to ESOL if their case has not been decided. Asylum seekers would then have permission to work if their case has not been decided after 6 months.

An appraisal of the strategy by the co-ordinating committee came to the conclusion that not much progress could be made with MPs or the Government in the run up to the General Election as there was a risk that pushing the issue with Ministers or other parties may have a negative consequence given the general anti-immigrant atmosphere that pervades media reporting about issues of asylum and immigration.

Post election the co-ordinating committee have been assessing the best way to put pressure onto the coalition government and to brief the large number of new MPs in the House of Commons. The campaign decided as part of a strategy of involving more MPs in the campaign to produce a declaration which MPs are being asked to sign up to in order to work towards building a critical mass of support in the House of Commons. The TUC and Refugee Council have produced a new campaign leaflet which incorporates the declaration which supporters of the campaign can use to approach their MPs.

17. TUC EQUALITY AUDIT 2011

The next TUC Equality Audit is due to report to Congress in 2011. The theme of the audit will be unions' internal equality structures. The questionnaire asks affiliates about rules, membership and structure, the union as an employer, training and services and campaigns and communication.

The audit questionnaires were sent out in the November TUC Mail, with a closing date of the end of January 2011. There is a shorter version of questionnaire, as there was in 2007, which is aimed at smaller affiliates.

It is expected that all affiliates will respond to the questionnaire. The TUC equality audits are an important way of monitoring progress on equality and the steps that are being taken to embed equality issues in trade unions' work. They arose out of recommendations of the Stephen Lawrence Task Group and a TUC rule change in 2001 that requires affiliates to promote equality and to eliminate all forms of harassment, prejudice and unfair discrimination throughout their structures and activities.

The Labour Research Department is carrying out the 2011 audit on behalf of the TUC. The LRD has carried out the previous TUC Equality Audits. The final report will be presented to TUC Congress in 2011.

18. HAITI

The 12 January 2010 devastating earthquake in Haiti was a humanitarian disaster on a huge scale for an island that was already devastated by poverty. The impact of the earthquake was:

- Two million people living in the most affected area
- 2.3 million were displaced – almost a quarter of Haiti's population
- over 180,000 homes damaged or destroyed, 1.5m homeless
- 19 million cubic metres of rubble and debris
- One and a half million people living in camps including over 100,000 at critical risk from storms and flooding
- Over 1,100 camps and 54 of these are home to 5,000 people or more
- Over 600,000 people have left their home area in Port-au-Prince and mostly are staying with host families
- Nearly 5,000 schools have been damaged or destroyed

As part of an immediate response the TUC organised an appeal for Haiti through the TUC Aid Haiti Earthquake Appeal and followed this up with by hosting a concert for Haiti which was organised in conjunction with the Cuba Solidarity Campaign. Artists including Cuban salsa band Son Mas, Courtney Pine and Benjamin Zephaniah gave their services free for the evening to help make the event a success.

In April TUC 2010 Black Workers' Conference submitted a motion to TUC Congress calling on the TUC to develop and sustain a productive relationship with the Haitian trade unions through TUC International links and make links with at least one specific women's organisation/network in Haiti;

Whilst the international community responded to the immediate crisis by sending rescue workers and pledging immediate aid, constructive longer term support for Haiti has been a problem. A year on from the earthquake that devastated Haiti, and despite more than £10bn of promised aid, the country is still in deep poverty with people continuing to live and learn in tents supplied by international aid agencies. To make matters worse in October 2010 the Island was hit by hurricane Tomas which along with heavy rains and mudslides made it difficult to get clean drinking water to much of the population. This resulted in an outbreak of cholera which by December 2010 had infected nearly 100,000 people, killed over 2,000 people and subsequently spread to other parts of South America.

In coordination with the Trade Union Confederation of the Americas (TUCA), the International Trade Union Confederation (ITUC) decided to launch a solidarity campaign with Haitian trade unionists.

In the first phase the ITUC focussed on providing emergency aid and sent an initial financial contribution to its affiliated organisations in the Dominican Republic (CASC-CNUS-CNTD). Those organisations joined forces in the first few hours after the

earthquake. They sent teams over to Haiti and opened up their offices for collecting funds, food, clothes and various other materials. They ran aid convoys across the border between the Dominican Republic and Haiti, where they coordinated with the Haitian unions on the other side.

In April 2010 the ITUC organised a trade union summit in Santo Domingo which was attended by the TUC. The most significant outcome of the Summit was the development and adoption of the trade union roadmap for the Reconstruction and Development of Haiti.

The Haitian trade unions also agreed with the ITUC that a co-ordinator would be appointed to work in close collaboration with the Haitian trade union movement to support the implementation of the Roadmap. As a result the International Trade Union Confederation has opened an office in Haiti and appointed a trade Union co-ordinator initially for 6 months to help co-ordinate the efforts of Haitian and international trade unions in accordance with the road map agreed at the conference.

As a result of the initiatives taken by the TUC through the TUC Haitian Earthquake Appeal and the benefit concert organised with the Cuba Solidarity Campaign the TUC Aid raised approximately £120,000 for Haiti. In considering how best to support reconstruction efforts in Haiti the European and International Relations Department (EUIRD) have focussed on the need to help and capacity build trade unions in Haiti through initiatives taken by the ITUC and the TUCA. As part of this support the TUC has given £30,000 directly to the Haitian trade union movement. The TUC is keen to support a trade union capacity building initiative and a vocational training programme however as yet no detailed project proposals with suggested budgets have emerged.

The TUC have also established contact with a women's organisation called ENFOFANM that has been campaigning on women's rights in Haiti since 1980. The TUC recently met with one of their women's rights activist Marie-Francoise Clorinde Zéphir who was visiting the UK and is based in Port au Prince in Haiti. ENFOFANM is keen on supporting women working in the Export Promotion Zones in Port au Prince and elsewhere in the garment industry where there are poor working conditions, long working hours, absence of health and safety measures, and poor pay.

The Race Relations Committee has always identified the need for long term support for Haiti and continues to consider how financial support for Haiti can continue to be raised from trade unions through TUC Aid in the immediate and longer term and is discussing the future work with EUIRD to:

- campaigning to get the donor community on Haiti to pay a living wage
- campaigning against privatisation and informalisation of public sector jobs
- an organising campaign among women workers in the Export Promotion Zone/s.

19. OLYMPICS

The Playfair 2012 campaign is organised by the TUC, the International Textile, Garment & Leather Workers Foundation, the International Trade Union Confederation, and NGOs to campaign for the organisers of the London Olympics and companies to aim for gold to ensure that workers producing sportswear and goods with the Olympic logo have their rights respected.

As the London Olympics fast approaches, the Playfair 2012 campaign will be stepping up the pressure on the Olympic movement and sportswear brands to ensure that the rights of workers making their products in global supply chains are respected. Olympic branded goods like mascots, caps, bags, stationery, key rings, diaries and sportswear are already available on our high streets and at the London 2012 online shop so action is needed now to make sure that workers making these products are not being exploited. Thousands of mainly female workers are employed in these supply chains, with most goods manufactured in the poorest countries in the world such as Indonesia, Bangladesh, Cambodia and Vietnam, or in China, where independent trade unions still are not free to organise. Evidence from past Olympics shows a poor track record on respecting workers' rights.

As part of the campaign the TUC is asking trade unionists to sign a letter to the sportswear brands, and/or the organisers of the London Games. The letter will set out what further progress we would like to see on our campaign demands and targeted at companies and the organisers who are failing to meet International labour Organisation conventions and standards. Letters will be available at the TUC Black Workers' Conference.

For more information about campaign – contact Sharon Sukhram ssukhram@tuc.org.uk or visit the website at <http://www.playfair2012.org.uk/>.

20. COMMITTEE ATTENDANCE

<i>Name</i>	<i>036/06/10</i>	<i>01/10/10</i>	<i>19/01/11</i>	<i>03/03/11</i>
Dotun Alade-Odumodu	✓	✓	✓	✓
Pauline Anderson	✓	✗	✓	✓
Indira Bhansali	✓	✓	✓	✓
Freddie Brown	✗	✓	✓	✗
Lorna Campbell	✓	✓	✓	✗
Penny Charles	✗	✗	✗	✓
Mark Clifford	✗	✗	✗	✓
Collette Cork-Hurst	✓	✓	✓	✓
Nicholas Day	n/a	n/a	n/a	✗
Mark Dickinson	✗	✗	✗	✗
Floyd Doyle	✓	✓	✓	✓
Sarah Guerra	✓	✓	✓	✓
John Hannett	✗	✗	✗	✗
Billy Hayes	✗	✗	✗	✗
Sharon Harding	✓	✓	✓	✓
Zita Holbourne	✓	✓	✓	✓
Roger King	✗	✗	✓	✗
Leslie Manasseh	✗	✗	✓	✓
Gloria Mills	✓	✓	✓	✓
Michael Nicholas	✓	✓	✓	✓
Harish Patel	✗	✗	✓	✗
Winston Phillips	✓	✓	✓	✗
Tim Poil	✗	✗	✗	✗
Rajinder Sagoo	✗	✓	✗	✗
Eleanor Smith	✗	✗	✗	✗
John Smith	✗	✗	✗	✗
Mohammad Taj	✗	✗	✓	✗
Ian Taylor	✓	✗	✗	✗
Maureen Williams.	✓	✓	✓	✓

Code: ✓ = attendance ✗ = non attendance n/a = not applicable

Note: It is not possible to list all the reasons for absence but it should be noted that reasons given are work commitments, union business and sickness.