



TUC

Changing the world
of work for good

CONGRESS 2019
GPC REPORT
AND COMPOSITE
MOTIONS

**A new deal for
working people**

TUC CONGRESS 2019 | BRIGHTON

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SECTION 1

GPC REPORT TO CONGRESS

Part 1 Agenda

All motions and amendments stand as in the Agenda unless indicated otherwise below. Where composite motions have been agreed and approved by the GPC by 4 September, they are shown in the list below and the text of the composite motion is given in Section 3 of this report.

Composite motions agreed and approved by the GPC after 4 September will be reported to Congress by the GPC and copies circulated to delegates as quickly as possible.

Where movers of motions have agreed to accept published amendments by 4 September, this is also stated in the list below. The GPC will report to Congress all instances where published amendments are accepted by the movers of motions after 5 September.

The following is the position at 4 September in respect of motions, amendments and composite motions. Motion numbers are those printed in the Agenda.

| 1. THE ECONOMY | |
|---|--|
| 01 Unite amend ASLEF | Stands accepted |
| 02 Community | Stands |
| 03 UCU amend SoR amend CoP | Composite 01 Real jobs and apprenticeships |
| 04 Community | Stands |
| 05 Unite amend Prospect 07 UCU amend NEU amend ASLEF amend AUE | Composite 02 Climate crisis and a just transition |
| 06 GMB | Stands |
| 08 BFAWU amend FBW | Stands accepted |

| | |
|--|---|
| 09 ASLEF amend TSSA 10 TSSA | Composite 03 Buses and a green transport system |
| 11 Nautilus International | Stands |
| 12 AUE | Stands |
| 2. BREXIT | |
| 13 Musicians' Union amend RCM 14 TSSA | Composite 04 Brexit |
| 15 BDA | Stands |
| 3. RESPECT AND A VOICE AT WORK | |
| 16 NEU amend UNISON amend Usdaw amend PCS | Composite 05 Sectoral collective bargaining |
| 17 Aegis amend Prospect | Stands accepted |
| 18 Usdaw amend GMB | Stands accepted |
| 19 CWU amend Usdaw | Stands accepted |
| 20 Prospect amend Community amend FDA 21 Accord | Composite 06 Collective voice and new technology |
| 22 CWU amend Unite amend GMB | Composite 07 New Deal for Workers |
| 23 PCS | Stands |
| 24 FBU amend Unite amend NASUWT amend POA amend TSSA 25 BFAWU | Composite 08 Free our unions |
| 26 RMT | Stands |

| | |
|--|---|
| 27 Equity | Stands |
| 28 Musicians' Union amend CoP | Stands accepted |
| 29 RMT | Stands |
| 30 Nautilus International amend RMT | Stands accepted |
| 31 FDA amend CSP amend Community | Composite 09 Flexible working |
| 32 Aegis | Stands |
| 33 College of Podiatry | Stands |
| 34 Unite | Stands |
| 35 Equity | Stands |
| 36 BALPA | Stands |
| 37 UNISON amend FDA | Stands accepted |
| 38 CSP amend NASUWT amend UCU | Composite 10 ILO convention on workplace sexual harassment |
| 39 Usdaw amend CWU amend Equity amend CSP 40 PFA | Composite 11 Mental health and wellbeing |
| 41 EIS amend RMT | Stands accepted |
| 42 TUC Women's Conference | Stands |
| 43 TUC Black Workers Conference | Stands |
| 44 TUC LGBT+ Conference | Stands |

| 4. GOOD SERVICES | |
|---------------------------------------|---|
| 45 UNISON amend Unite amend PCS | Composite 12 Privatised public services: bring them in |
| 46 CSP amend RCM | Stands accepted |
| 47 RCM | Stands |
| 48 SoR amend UNISON | Stands accepted |
| 49 SoR | Stands |
| 50 BDA | Stands |
| 51 College of Podiatry | Stands |
| 52 HCSA | Stands |
| 53 RCM | Stands |
| 54 GMB amend UNISON | Stands accepted |
| 55 TUC Disabled Workers Conference | Stands |
| 56 NEU | Stands |
| 57 NASUWT amend AUE | Stands accepted |
| 58 ASLEF amend CWU amend UCU | Composite 13 Trade unionism and collectivism in the curriculum |
| 59 NASUWT amend NEU 60 AEP | Office to seek agreement |
| 61 EIS | Stands |
| 62 NAHT | Stands |
| 63 NAHT | Stands |

| | |
|------------------------------------|--|
| 64 PCS amend FBU amend SoR | Composite 14 Public service pensions |
| 65 UNISON amend Equity | Stands accepted |
| 66 FBU | Stands |
| 67 FDA | Stands |
| 68 Napo 69 Napo | Composite 15 Public inquiry into TR; stop government recidivism on rehabilitation |
| 70 Prospect 71 NUJ | Composite 16 Over-75s TV licences and BBC funding |
| 5. WINNING MORE FOR WORKERS | |
| 72 NUJ | Stands |
| 73 POA | Stands |
| 74 POA | Stands |
| 75 AUE | Stands |
| 76 TUC Young Workers Conference | Stands |
| 77 TUC Trades Councils Conference | Stands |

Part 2 Introductions and presentations

The GPC has approved the following speeches and presentations by members of the General Council, fraternal delegates and special guests:

Sunday afternoon

- › President's address and vote of thanks
- › Address by Ulises Guilarte de Nascimento, general secretary, CTC Cuba
- › Freedom for Öcalan photo opportunity.

Monday morning

- › General secretary's address.

Monday afternoon

- › Video address by Jacinda Ardern, prime minister of New Zealand
- › Address by Wendy Nichols, sororal delegate from the Labour Party
- › Show Racism the Red Card photo opportunity.

Tuesday morning

- › Address by Rt. Hon. Jeremy Corbyn MP, leader of the Labour Party.

Tuesday afternoon

- › Presentation of Congress awards.

Wednesday morning

- › Address by Kier Starmer MP, shadow secretary of state for exiting the European Union.

Part 3 Ballots

The candidates in sections A, B, C, D, E, F, G, H, I and J are all elected unopposed and therefore there will be no ballots.

Part 4 Standing orders

Delegates are reminded of Rule 26 governing speaking times during Congress, which permits the following speaking times:

- › movers of motions up to five minutes
- › seconders of motions and all subsequent speakers up to three minutes.

A system of warning lights will be used with a green light showing at the beginning of a speaker's allowed time. This will change to amber one minute from the end of the allowed time and to red at the end of the allowed time. If the speaker continues when the red light is showing, a bell will ring.

Delegates are asked to co-operate fully with the rules on speaking times and to give their names and the names of their unions before they begin their speeches.

Congress sessions will be:

- › **Sunday:** 16:00 to 19:00
- › **Monday:** 09:30 to 12:45 and 14:15 to 17:30
- › **Tuesday:** 09:30 to 12:45 and 14:15 to 17:30
- › **Wednesday:** 09:30 to the close of business.

Under rule, Congress must conclude no later than 16:00 on Wednesday.

Part 5 Membership of the General Purposes Committee

Linda McCulloch (chair)
Michelle Rodgers
James Anthony
Kevin Brandstatter
Dave McCrossen

SECTION 2

TELLERS

Tellers

Ellen Downson
GMB

Caroline Farrall
Unite

Brian Hamilton
UCU

Alastair Long
UNISON

Ross Marshall
RMT

Chris Weavers
NASUWT

SECTION 3

COMPOSITE MOTIONS

C01 Real jobs and apprenticeships

Motion 03 and amendments

Congress believes apprenticeships are a distinctive and highly valuable part of the vocational education sector, ensuring that those who want to earn while they learn have the opportunity to do so. They provide an important route to employment and higher levels of learning, directly connecting people to the labour market and contributing to an educated, productive, innovative and engaged workforce and citizenry.

Congress notes its concern that the drive to grow apprenticeships has too often been at the expense of quality and genuine job creation. The central importance of education within apprenticeship programmes is not recognised. Apprenticeships are not just about training for tasks or for specific job roles; they should include a broad education which prepares people for the changing world of work and empowers them to be engaged, adaptable and resilient.

Congress believes the apprenticeship levy, while providing a funding boost for apprenticeships directly from employers, does little to influence where apprenticeship opportunities are, what level they are at, or who can access them. It has been too easy for levy-paying employers to recoup their payments by rebadging existing training schemes as apprenticeships.

Congress also notes that established education providers are disincentivised from offering degree-level apprenticeships due to low-level funding by the Institute for Apprenticeships. This has left certain job roles without the apprenticeship route, or the qualification has been diluted by employers, at a detriment to degree-level professions.

Congress welcomes and adopts the work of UCU in their Charter for Real Jobs and Apprenticeships and asks the General Council to support campaigns that deliver an expansion of high-quality apprenticeships. These must have education at their heart, relate to real job opportunities, receive a proper living apprenticeship wage and get to the root of tackling inequality in access to education and the labour market.

Mover: University and College Union

Seconder: Society of Radiographers

Supporter: College of Podiatry

C02 Climate crisis and a just transition

Motion 5, and 7 and amendments

Congress notes the recommendation by the Committee on Climate Change that the UK move to a net zero target for emissions by 2050 and the UK parliament's declaration of an environmental and climate emergency following a motion tabled by Jeremy Corbyn. The Earth's temperature has already risen by one degree above pre-industrial levels. The autumn IPCC report warned that we only have 12 years to keep global warming to a maximum of 1.5 degrees. Net zero cannot be achieved without urgent investment in new, low-carbon energy generation

Congress believes climate change is a trade union issue. The future of our planet is at risk if we don't organise now to force governments to cut emissions in line with the IPCC report.

Congress welcomes Jeremy Corbyn's acknowledgement that it cannot be workers and communities that pay the price for changes to the energy system and commitment that the next Labour government "will guarantee that all energy workers are offered retraining, a new job on equivalent terms and conditions, covered by collective agreements and fully supported in their housing and income needs through transition". The challenges of just transition will have greatest impact in regions and localities without equivalent employment opportunities.

Congress commends trade unions for the work they have done in promoting and developing an understanding of what a 'just transition' means, including the views of workers in the industries affected.

A just transition means:

- i. a balanced low-carbon energy mix
- ii. investment in skills and infrastructure
- iii. education and training must be reviewed to ensure young people and workers are equipped to live and work in a just transition towards a sustainable future
- iv. protecting and creating high-quality jobs and employment
- v. no community left behind
- vi. unions must be at the heart of a reinvigorated industrial strategy.

Congress welcomes the principles developed in the TUC's statement on a just transition published in July 2019, namely:

- a. A clear and funded path to a low-carbon economy, taxing the very wealthy and closing tax loopholes in line with Labour Party manifesto commitments.
- b. Workers must be at the heart of delivering these plans.
- c. Every worker should have access to funding to improve their skills.
- d. New jobs must be good jobs.

Congress calls on the General Council to put these at the forefront of addressing the climate crisis and moving to a greener, fairer economy.

We must keep the pressure up. Greta Thunberg and the school students have led the way but educators and the trade union movement as a whole must now act to ensure that they don't fight alone.

Congress resolves:

1. that the TUC calls for a 30-minute workday campaign action to coincide with the global school strike on 20 September.
2. to campaign for national and regional Just Transition Commissions including full union and education representation to develop, monitor and implement the process.

Mover: Unite

Seconder: University and College Union

Supporters: National Education Union, Prospect, ASLEF, Artists' Union England

C03 Buses and a green transport system

Motion 9 and amendment, and 10

Congress notes that the UN's Special Rapporteur on extreme poverty and human rights, compared the provision of transport, especially in rural areas, as "an essential service, equivalent to water and electricity", and that by "abandoning people to the private market in relation to a service that affects every dimension of their basic well-being is incompatible with human rights requirements."

Congress believes that it is essential that the government makes a fully integrated and green transport network a priority. This means reducing the amount of passenger and freight kilometres on our roads and moving them to greener alternatives such as rail and waterways. This will additionally have major public health benefits, particularly in urban areas, as we remove carcinogenic diesel particulate emissions that currently account for 30,000 premature deaths a year in the UK.

Congress believes that good public transport should be a universal basic right but since 1985, bus services have been subjected to de-regulation and the private sector profit motive. Since 2010, local authority funding outside London for unprofitable bus services has been cut by 46 per cent as a result of the government's austerity agenda, resulting in a loss of over 3,000 services in England and Wales. A properly integrated transport system with a nationally coordinated timetabling system at its heart would see different transport modes complement each other as well as the infrastructure created to reduce carbon emissions to the smallest possible level.

Congress calls on the General Council to campaign for a fully integrated transport system, the re-opening of the railway and the creation of new infrastructure in order to ensure we have the capacity for growth.

Congress calls on the General Council to campaign with others for the re-regulation of the bus industry in the public sector so that services can better address inequality and poverty, allowing access to employment, education and healthcare – and the ability to be a part of society.

In addition, Congress calls on the General Council to campaign for further electrification of the railway as well as increased modal shift from road to rail and waterways for freight.

Mover: ASLEF

Secunder: Transport Salaried Staffs' Association

C04 Brexit

Motion 13 and amendment, and 14

Congress recognises that the promises that were made during the EU referendum campaign are now distant memories, and that a Tory no-deal Brexit looms on the horizon – with potentially devastating results for workers in the UK.

Congress notes that the Tories have so far miserably failed to negotiate a Brexit deal that protects our jobs and our rights.

Congress notes with concern that Brexit, especially under 'no deal', would hit the NHS hard, with new immigration hurdles deterring EU healthcare professionals from coming to the UK to work in the NHS and the deep risk of wholesale privatisation flowing from a trade deal with the Trump White House. Congress fears the agenda of many Tory MPs is to enter into a devastating trade deal with Donald Trump which will reduce our rights and standards and leave our NHS and agriculture vulnerable to predatory US companies.

Congress believes too many Tory MPs are unwilling to defend the Good Friday Agreement which has brought peace and prosperity to Ireland. A hard border will have a devastating impact on the lives of people on either side of it.

Congress condemns the Tory government's plan to categorise migrant workers earning less than £30k a year as 'low skilled' and allow them to stay in the UK for just 12 months. We will not let right-wing politicians and bosses divide our class. We will fight shoulder-to-shoulder with migrants to stop any attacks on them.

Congress will campaign against the damaging right-wing agenda behind Brexit and supports a confirmatory public vote on any deal or no deal with a remain option. Congress will continue campaigning for reforms to help build a Europe for the many through solidarity across borders.

Congress also supports a general election as a matter of urgency so that the British people can elect a government committed to ending austerity and building a new economic settlement that leaves no-one behind.

Mover: Musicians' Union

Secunder: Transport Salaried Staffs' Association

Supporter: Royal College of Midwives

C05 Sectoral collective bargaining

Motion 16 and amendments

Congress reaffirms the right for workers to bargain collectively on pay and conditions with their employers and endorses the aspiration of extending this bargaining beyond the issues of pay and conditions. Congress supports the restoration of sector- and industry-wide collective bargaining machinery, in particular in sectors characterised by small workplaces or weaker workplace union organisation.

Congress believes that the introduction of such machinery should be accompanied by steps to improve and extend the rights of unions and their members to access and organise in the workplace, in order to ensure not only better pay and conditions but also higher union membership and more effective workplace organisation, representation and bargaining.

Sectoral collective bargaining needs to go alongside increasing union membership in the workplace. Congress agrees the TUC will campaign for effective trade union rights to access the workplace and for the union membership thresholds to trigger statutory recognition ballots to be reduced to 2 per cent of the workforce or 500 members.

Congress welcomes the Labour Party's commitment to new sectoral bargaining machinery and affirms the TUC's willingness to work together with Labour and other parties on promoting such arrangements accompanied by the other measures above.

Congress notes that the break-up of sectoral collective bargaining in the public sector, including the UK civil service, has led to pay segregation by gender and that a restoration of sectoral collective bargaining can play a positive role in reducing income inequalities and discriminatory pay gaps.

Congress agrees that such machinery should also be seen as a priority for sectors such as the schools sector where sector-wide pay and conditions have been undermined through privatisation, outsourcing and academisation and sector specific collective bargaining for teaching and support staff has been abolished in England and for teaching staff replaced by a discredited government-appointed pay review body whose recommendations are cut back or ignored. This should include re-establishing in England the School Support Staff Negotiating Body, put in place by the last Labour government but scrapped by the Tories.

Mover: National Education Union

Secunder: UNISON

**Supporters: Union of Shop, Distributive and Allied Workers,
Public and Commercial Services Union**

C06 Collective voice and new technology

Motion 20 and amendments, and 21

Congress believes that the development of new technologies, such as artificial intelligence and machine learning, big data, block-chain and growing automation will transform the world of work in the years to come.

Congress notes that these technologies have potential to significantly improve the experience of workers in the UK, but that there are also risks associated with a loss of transparency and accountability, the misapplication of new technology or a narrow focus on cutting costs by replacing jobs instead of enhancing quality.

The challenges ahead are enormous and could do irreparable damage to public service provision. Workers in professional roles will not be immune from the changes. The exploitation of all workers is a real risk. Congress notes that these changes will be felt particularly sharply in financial services – where it is estimated that up to 30 per cent of jobs in the sector could be potentially automatable by 2029 across advanced economies. The rise of challenger banks and companies operating in the shadow banking sector – many of which are not unionised – will pose additional challenges in the sector.

Congress also notes the potential digital dividend that could be realised as a result of the application of new technology. This transformation will only be successful if workers have a real voice in how technology is developed and used. Congress expresses solidarity with tech workers, at Google and elsewhere, who are campaigning for collective voice, better working conditions and against bullying and harassment.

Congress further believes that the trade union movement has a responsibility not just to respond to technological change, but to actively shape the future of work. Trade unions should be at the forefront of campaigning for the ethical and socially responsible development of AI and new technology, including a collective voice for tech workers.

Congress therefore calls on the TUC to:

- i. campaign for worker voice in the development, introduction, and operation of new technologies in the workplace, including through new technology agreements in collective bargaining arrangements, lobby for legislation to guarantee trade union consultation through the automation process and support union efforts to develop agreements with employers that provide job security, income security and fair share of productivity gains when new technologies and ways of working are introduced
- ii. support campaigns to expand collective bargaining coverage in the tech sector, and explore strategies for building solidarity between tech workers and those impacted by new technology
- iii. campaign for worker representation in government bodies concerned with the impact of new technology on our economy and society and call on the government to establish a Future of Work Commission involving unions and employers, to ensure a just transition and that the digital dividend does not simply accrue to the tech giants and entrench existing inequalities

- iv. support investment in workforce skills, with a focus on improving access for underrepresented groups in STEM, in particular women.
- v. lobby for new legislation and enforcement on fair use of algorithms in workplace decision-making
- vi. support mechanisms to reduce working time in line with productivity increases
- vii. organise for recognition agreements to include workers' ownership of workers' data
- viii. support the development of the TUC's new Digital Lab initiative, to help unions develop their digital capacity and campaigning
- ix. support unions in understanding, assessing and considering the oncoming waves of automation among workers.

Mover: Prospect

Secunder: Accord

Supporters: Community, FDA

C07 New Deal for Workers

Motion 22 and amendments

Congress agrees it has never been more important in our recent history for the trade union movement to come together and deliver a bold new deal for workers.

The world of work today is a harsher and more pressurised environment than at any time in living memory - in or out of the EU, new technology and the intensification of work only threatens to make this worse. Millions of working people either have insecure contracts, experience stress, feel unsafe, experience discrimination, don't know their rights, are underpaid for their overtime, are in poverty or don't feel like they have a voice at work.

We cannot wait for political change and must mobilise to challenge unacceptable insecurity, in-work poverty and the growing pressure workers are under.

While Congress recognises the work that has been done on a TUC New Deal Charter, we need a major public campaign, starting now, and we call on the TUC to re-evaluate its priorities accordingly.

Congress agrees the General Council must now implement the following in support of a New Deal:

- i. a high-profile national day of action on Friday 1 May 2020, with a range of options on action for unions to choose from
- ii. a major effort to engage union members and all workers through social media and workplace meetings in the run-up to a day of action

- iii. a New Deal campaign group to be established, meeting monthly from October, with representation from each affiliate
- iv. initiate wide-ranging industrial analysis, informed by affiliates, with the aim of developing a common industrial strategy and the meaningful co-ordination of collective bargaining. The scope of the analysis will include: industrial information sharing, mapping the top employers including their global structures and owners, potential for leverage and campaign plans
- v. co-ordinating co-operation between unions at a sectoral level on common bargaining agendas
- vi. organising a summit in the first half of 2020 to agree a charter to promote co-operation on recruiting the millions of unorganised workers in the UK and ending inter-union competition.

Mover: Communication Workers Union

Secunder: Unite

Supporter: GMB

C08 Free our unions

Motion 24 and amendments, and 25

Congress notes that the anti-trade union laws – not just the 2016 Trade Union Act, but multiple laws going back to 1980 – continually undermine workers’ ability to organise and campaign. A further example of anti-union laws is the Criminal Justice Public Order Act 1994, Section 127, which makes it a criminal offence to induce prison officers to take any form of industrial action and by doing so could lead to contempt of court.

These laws mean our movement is fighting the challenges of low pay, insecurity and erosion of hard-won terms and conditions with our hands tied behind our backs.

It is clear that we now face a major threat from a right-wing Conservative government who, despite what they may be saying, are prepared to cut workers’ rights and further undermine trade union organising in order to achieve their ideological aims outside the EU.

Congress welcomes recent Labour Party conference policy (2015, 2017, 2018) to repeal all anti-union laws and replace them with strong legal rights for workers and unions, including rights to strike and picket.

Congress believes it is crucial the next Labour government acts quickly to implement this policy.

Congress believes workers need strong rights to join, recruit to and be represented by an independent union; strike/take industrial action by a process, at a time and for demands of their own choosing, including in solidarity with any other workers and for broader social and political goals; and picket freely.

Congress applauds the work of TUC affiliates in continuing to take action, including strike action and action short of strike action, to defend members at work and challenge employers that breach statutory trade union rights.

Congress welcomes Labour's commitment to reviving collective bargaining but believes that - to quote the Institute of Employment Rights - "collective bargaining without the right to strike is collective begging".

Congress is concerned by the lack of legislation allowing trade unions to have direct access to workers in unorganised workplaces. There is legislation enshrined in New Zealand which allows trade unions the right to approach workers in their workplaces without obstruction from anti-union employers, which has seen a significant growth in trade union membership.

Congress calls on present and future governments to legislate to incorporate access laws for all trade unions onto the statute book.

Congress agrees to campaign, and encourage affiliated unions and trades councils to campaign, for the repeal of all anti-union laws which may be given effect by new permissive legislation and their replacement with strong legal rights, including to strike and picket; and for a clear commitment on this from Labour.

Congress agrees that the General Council will ensure that these demands are central to all campaigning around employment and workers' rights, such as the New Deal Charter.

Mover: Fire Brigades Union

Seconder: Bakers, Food and Allied Workers Union

Supporters: Unite, NASUWT, POA, Transport Salaried Staffs' Association

C09 Flexible working

Motion 31 and amendments

In 2018, Congress resolved that the government should introduce the right to request flexible working from the first day of employment. This year, we need to take that further.

The FDA has partnered with the Global Institute for Women's Leadership at King's College, London to commission research to analyse current civil service flexible working trends. Whilst posts are advertised as flexible, in reality there is a reluctance to promote those with compressed-, reduced- or remote-working patterns to senior roles within the civil service. Our research, due to be published in autumn, will enable us to lobby employers to proactively support those seeking to work flexibly across the public sector.

Genuine flexible working for everyone - not just working from home because of limited office desk space - can help build more diverse leadership, break the glass ceiling and reduce the gender pay gap. Many employees with working patterns outside of 9-5 perceive these to be a barrier to promotion. Flexible working is no

longer just for parents, or those with caring responsibilities. True flexibility allows both the employer and any employee to balance their work around their life, without detriment to either.

Congress notes that organisations that offer flexible working confirm that it aids recruitment and retention, improves productivity, reduces stress and makes staff feel more valued and motivated.

Congress calls on the government and employers to not only introduce a 'day one' right to flexible working, but to also:

- i. advertise how roles can be worked flexibly, with explicit examples provided in job descriptions
- ii. separate out remote working policies from flexible working provisions
- iii. promote flexible working at senior levels, encouraging a more inclusive workplace
- iv. promote flexible working within public services and encourage private sector employers to offer it to all workers as a positive workforce measure.

Congress believes there is a culture of denying flexible working to men. This culture negatively impacts on women as they may have to take up more flexible working to compensate, which can result in progression opportunities being reduced. Congress resolves to campaign for flexible working practices to be equally available regardless of gender.

Mover: FDA

Seconder: Chartered Society of Physiotherapy

Supporter: Community

C10 ILO convention on workplace sexual harassment

Motion 38 and amendments

Congress welcomes the convention on combatting workplace sexual harassment, passed at the ILO annual conference in June. It is a fitting advance in the ILO's 100th year.

It should be a basic right to work free from harassment and abuse. Yet more than one in three countries do not have any specific laws against workplace sexual harassment, according to the World Discrimination at Work report.

Unwanted sexual behaviours at work, from physical assault to inappropriate jokes, affect over half of women in the UK, according to TUC research, which also found 20 per cent of women reporting that the person harassing them was their manager or someone in a position of authority. Among LGBT workers, around seven out of ten experienced sexual harassment at work and almost one in eight LGBT women reported being seriously sexually assaulted or raped at work, a separate TUC survey found.

In the UK, sexual harassment is happening every day in our workplaces but our laws rely on individuals reporting harassment to get action taken. This is not working. Four out of five women and two-thirds of LGBT workers that had been sexually harassed did not feel able to tell their employer. A quarter of LGBT workers said they felt unable to report because they were afraid of being 'outed' at work.

In addition, Congress condemns the use of non-disclosure agreements (NDAs) to silence victims and protect perpetrators and calls for the outlawing of the use of NDAs in cases of sexual harassment at work.

Congress welcomes the #ThisIsNotWorking campaign for a new, easily enforceable legal duty to prevent workplace sexual harassment in the UK before it happens and urges all affiliates to mobilise in support of it.

Congress further urges the General Council to mobilise action by affiliates to support annually the 16 Days of Activism Against Gender-Based Violence Campaign, held between 25 November and 10 December.

Mover: Chartered Society of Physiotherapy

Secunder: NASUWT

Supporter: University and College Union

C11 Mental health and wellbeing

Motion 39 and amendments, and 40

Congress calls on the General Council to support the provision of services for trade union members with depression and mental health and wellbeing issues. We are passionate about helping our members in good times and bad and hope that the message that support extends beyond the workplace resonates strongly throughout the trade union movement.

Congress believes that too little attention is paid to the particular pressures faced by low-paid workers and the impact those pressures can have on mental health.

Congress is concerned at the lack of respect shown to workers and notes that dealing with rude or abusive members of the public creates a toxic working environment.

Congress further notes that staffing levels, unreasonable targets, short and unpredictable working hours, inadequate family-friendly rights together with a lack of management support can make work extremely stressful.

Whilst anyone can develop a mental health problem, insecure hours and low pay are risk factors with 63 per cent of low paid workers surveyed by Usdaw reporting that financial worries are having an impact on their mental health.

The relationship between mental health and poverty is complex; nevertheless there is an established link, with the poorest fifth of the population twice as likely to be at risk of mental health problems.

Low pay – alongside insecure and short-term contracts – is also a feature of work in the entertainment industry, which also presents challenges to mental wellbeing; a survey of the mental and physical health of workers in the industry identified financial pressures as the biggest contributor to mental health problems.

There are also numerous difficulties and obstacles that an elite athlete has to face on a daily basis. Competition, injuries and loss of form are some of these but there is also the insecurity that short-term contracts bring and the worrying realisation that a career can come to an end with a bad injury or mistimed tackle.

Players are acutely aware that within a relatively short space of time they will need to transition into another career, which is always a daunting prospect. Given all these pressures it is important that the union is there to assist and support and can meet the needs of their members at critical times in their lives both during their playing career and beyond.

For many years the PFA has recognised the pressures and stress that life as a professional sportsman or woman can bring. Consequently, have put in place vital support for members in dealing with the challenges that are inherent in our profession, put substantial financial resources into education and training but also a nationwide network of qualified counsellors to be on hand when required.

Congress agrees that the TUC will:

- i. campaign for employers to be under a legal duty to assess the impact their policies, practices and procedures (including pay and conditions) have on workers' mental health and act upon the findings
- ii. make the case for employers in public-facing sectors to protect workers and act to ensure workers are treated with respect
- iii. support affiliates to tackle disability discrimination by holding employers to account for their failure to make reasonable adjustments, compelling them to address the causes of mental distress in their own policies and practices
- iv. organise a one-day conference, and set up a cross-union working group, on mental health as instructed by Congress in proposition 63 in 2018
- v. campaign for workplace and work-related suicide to be categories recognised in legislation and recorded in government statistics
- vi. continue to campaign for the government to address the funding crisis in mental health services, to achieve real parity of esteem between mental and physical health and ensure all workers suffering from mental health receive the expert support they need.

Mover: Union of Shop, Distributive and Allied Workers

Seconder: Professional Footballers' Association

Supporters: Communication Workers Union, Chartered Society of Physiotherapy, Equity

C12 Privatised public services: bring them in

Motion 45 and amendments

Congress is still opposed to the privatisation of public services, PFI and the use of wholly owned subsidiaries by public bodies. It is time to bring all these services in-house.

Carillion's collapse in 2018, and damning National Audit Office and select committee reports, reveal on-going problems with the stability of major contractors and also outsourcing spreading to new areas.

Privatisation often starts with the lowest paid staff, disproportionately women and Black staff, and then spreads further. Too often public funds are lost in opaque and off-shore company structures.

Congress salutes all union activists organising, negotiating, campaigning and winning in contracted-out services and the many outsourced workers taking industrial action for fair pay and conditions, and in support of campaigns to bring services back in-house, including the brave strikers who have taken indefinite action in government departments.

Congress welcomes developments in Scotland and Wales where the governments are taking a more responsible and fair approach to workforce standards in procurement. There are also public bodies and councils looking at in-sourcing afresh.

Congress calls on the General Council to develop a campaign and plan for:

- i. support for Labour's plans to create a presumption that service contracts will be brought back in-house and delivered by the public sector
- ii. the bringing back of services in-house in the first year of a new Westminster government
- iii. ending the whole discredited and inefficient marketisation system
- iv. sector-wide agreements secured through collective bargaining and the relevant public sector pension schemes becoming the minimum basis for the pay, terms, conditions and pension provision applying to all service providers in that sector through public procurement 'fair wages' regulations
- v. trade union recognition and Freedom of Information Act applying to service providers
- vi. all public contractors to pay 'fair tax'
- vii. new public investment with public money and also how to end existing PFI schemes.

Mover: UNISON

Secunder: Unite

Supporter: Public and Commercial Services Union

C13 Trade unionism and collectivism in the curriculum

Motion 58 and amendments

Congress notes that the 21st century curriculum for schools in the UK now includes a range of topics which have been added over recent years, including social care, computer programming and politics. Congress also welcomes the proposed introduction of inclusive sex and relationship education in the curriculum.

Despite this modernisation, the curriculum is still lacking any formal education about the trade union movement.

Lessons on the history of trade unionism, including how to become a trade union member and how unions operate in the twenty first century workplace, along with an understanding of workers' rights, would give young people an understanding of the reasons for collectivism and the kind of successes that can be achieved when they are fought for collectively. Young people should also have the opportunity to learn about specific events in trade union history and why they still matter today.

Congress acknowledges the importance of including an understanding of trade unionism and workers' rights in initial training and CPD for schoolteachers, and in the importance of supporting and utilising the existing professional expertise of trade union tutors, lecturers and researchers in taking this work forward.

Congress recognises that some unions are currently providing speakers on trade unionism to schools and colleges and calls on the TUC to support this by co-ordinating activity at a regional level, producing a briefing for speakers and helping secure speaking slots.

Congress calls on the General Council to lobby the UK parliament and devolved legislatures to include in the secondary curriculum specific education on the history of trade unionism and collectivism, workplace rights and the current role and operations of trade unions today.

Mover: ASLEF

Seconder: Communication Workers Union

Supporter: University and College Union

C14 Public service pensions

Motion 64 and amendments

Congress condemns the disproportionate and unjustified decision of the treasury chief secretary in January to suspend the process for rectifying the downward breaches of the cost cap in public service pension schemes. Many scheme members are now denied the reductions in contributions and pension benefit improvements that are due to them and are forced to continue overpaying for lesser benefits for an uncertain period, without a timescale and an unclear outcome.

Congress welcomes the Supreme Court's decision in June in favour of the FBU's case, which found that the Westminster government's transitional protection arrangements for pensions amount to unlawful discrimination.

The government argued that a potential read-across of the court ruling in favour of the FBU and judges' cases about age discrimination in the transitional protection for older scheme members in 2014/15 means that other schemes are affected, and that "it is not now possible to assess the value of the current public service pension arrangements with any certainty." But the government has also acted in a hypocritical manner, by imposing extra employment costs for pensions, as they did not defer the change to the discount rate from April this year, for the same reason.

Congress welcomes the intervention of the General Council, including the general secretary and president by meeting the treasury chief secretary in June, and the steps being taken following that meeting, for scheme specific talks with treasury officials to test assumptions and the scenarios displayed by different contributions, benefits and demography.

Congress calls on the General Council to ensure that the TUC organises joint union campaigning, including building for joint industrial action if necessary to protect defined benefit pension provision in public services and until the valuation suspension is reversed.

Mover: Public and Commercial Services Union

Seconder: Fire Brigades Union

Supporter: Society of Radiographers

C15 Public inquiry into TR; stop government recidivism on rehabilitation

Motions 68 and 69

Congress notes the significant victory by the probation service trade unions in their campaign to return Probation work to full public control and ownership.

Congress notes the significant U-turn announced by the government to begin to restore the probation system after its wrecking by Chris Grayling in 2014; marked a watershed in the campaign and will result in 80 per cent of the work currently under the remit of the private sector being transferred to the National Probation Service from the 20 community rehabilitation companies by the end of their contracts, and in Wales by December 2019.

Hidden behind the headline is the news that the government will attempt yet another part-privatisation of probation services, this time selling off the delivery of unpaid work and rehabilitative interventions to the lowest bidder. The government cannot be allowed to repeat the same mistakes again.

Probation professionals believe that there is a place for a genuine mix of providers of specialist services in probation but no one should ever profit from the delivery of justice.

In order to repair probation and deliver quality rehabilitation and risk management it is vital that professionals working in the system are involved in designing its future shape.

The General Council are instructed to assist in furthering the unions' combined objectives:

- i. maintaining the campaign of opposition to the proposed 'mixed market' and the further involvement of private sector suppliers, some of whose failed operational models have a direct link to serious further offences
- ii. the full harmonisation of pay, terms and conditions to match those in the National Probation Service for all probation workers currently employed in the CRC estate
- iii. restoration of probation into a government-owned concern where the service can again be managed by people who know what they are doing
- iv. seeking a public inquiry into the Transforming Rehabilitation project where those responsible for its design and disastrous outcomes can be accountable to the taxpaying public.

Congress calls on the TUC to support union campaigns for a probation system:

- a. staffed by professionals properly recognised and valued for their skill and experience with training and development embedded and properly resourced
- b. that works with all local partners and stakeholders, and is rooted in and accountable to the local community
- c. that involves high-quality, specialist, third-sector providers
- d. where quality and evidence-based practice guide decisions and when things go wrong lessons are learned by the whole system
- e. where practitioner workloads are managed to allow them to work effectively and reflectively with clients
- f. that restores the confidence of sentencers and the public in rehabilitation and risk management.

Mover: Napo

Seconder: UNISON

C16 Over-75s TV licences and BBC funding

Motions 70 and 71

Congress notes the BBC's plans to make most over-75s pay the TV licence fee from June 2020, only offering free licences to pensioners who provide evidence that they claim the means-tested pension credit. Congress recognises the vital role that free TV licences play in the lives of many over-75s and that this is a welfare benefit that should be funded by government, not the BBC.

According to research from the House of Commons Library, around three million households will lose their free TV licence as a result. Up to 1.3 million families entitled to pension credits do not claim the benefit, heightening concerns that the change will increase hardship amongst pensioners already living in poverty.

Congress believes that the issues around free TV licences highlight wider concerns about the long-term role and government support for public service broadcasting.

Congress recognises the important role that public service broadcasting and the BBC play at the heart of UK culture and creative industries. The BBC plays an integral role in developing and nurturing talent, technical, craft and creatives' skills across the UK. Congress agrees that the BBC (and other broadcasters) should and can do more to promote diversity and equality in the industry, both behind and in front of the camera, and supports the Federation of Entertainment Unions' campaign to achieve this.

Congress notes that the BBC has also taken seriously the challenge to provide employment outside of London, opening production centres in Media City in Salford, other parts of the English regions and in Scotland and Wales.

Congress also notes that the BBC is rightly held to a high standard as a publicly funded, national broadcaster. Congress recognises whilst the BBC should be open to scrutiny it is also often subject to additional public criticism that is not always fair, in context or in comparison with other broadcasting organisations.

Congress condemns the decision of the government to transfer the cost and policy responsibilities to the BBC, which has forced the corporation into this decision or face having to close channels and axe programming. It believes our public service broadcaster should not be responsible for public policy decisions on a welfare benefit. It further believes that such a step will have grave implications for the relationship that the public has with the BBC, at a time when it is under increasing pressure.

Congress resolves to:

- i. support calls for a reversal of this wrong-headed and unfair decision by the government, and to campaign for government to fully fund free TV licences for over-75s
- ii. campaign for the creation of a sustainable funding model for the BBC in future licence fee settlements adequate and long-term funding for the BBC
- iii. re-affirm its commitment to public sector broadcasting free from political interference and shielded from the whims of the government of the day.

Mover: Prospect

Seconder: National Union of Journalists

TUC

Changing the world
of work for good

Published by
Trades Union Congress
Congress House
Great Russell Street
London WC1B 3LS

tuc.org.uk

ISBN 978 1 911288 58 9
August 2019

Design by TUC
Print by College Hill Press
Cover photo by
Brydn Webb/Ideallnsight