
[Congress 2009 draft verbatim report: Day 3, Wed 16 Sep 2009](#)

TUC Congress 2009 verbatim account of proceedings

Congress Day 3: Wednesday 16 September

141st annual Trades Union Congress

Held at **The BT Convention Centre, Liverpool**

Congress President: **Sheila Bearcroft MBE**

This is the unedited verbatim report of the third day of the 2009 Congress as supplied by verbatim reporters Marten, Walsh, Cherer

MORNING SESSION

(Congress re-assembled at 9.30 a.m.)

The President: Congress, many thanks to St. Wilfred's Jazz Quartet who have been playing for us this morning. *(Applause)* Delegates, there is a slight change to the order of business this morning. The environment and energy debate, and the address and question-and-answer session with Ed Miliband has been rescheduled to take place immediately before the transport debate instead of at the end of the session.

Delegates, as you know, we were unable to take Motion 79, North Sea safety, in the name of BALPA on Monday afternoon. We also have six emergency motions: E1, Pleural plaques in the name of UCATT; E2, Cuts in the civil service compensation scheme in the name of PCS; E3, Royal Mail dispute, in the name of CWU; E4, Vestas and green jobs in the name of RMT; E5, Sri Lanka, in the name of the FBU; and E6, National Grid, national greed, in the name of the GMB. If at all possible, I intend to take Motion 79, North Sea safety, some time during today, ideally at the end of this morning's session. I will take the six emergency motions when a suitable opportunity arises and endeavour to give Congress as much notice as possible so please listen carefully. In particular, I aim to take Emergency Motion 1, Pleural plaques, in the name of UCATT, at the end of this afternoon's business.

Congress, we begin this morning with a video of the *Put People First* demonstration. It was a fantastic day and the start of our campaign for Jobs, Justice and Climate Change.

(Video shown to Congress)

Congress, I am sure you will agree that the video really captured the spirit of solidarity which made the *Put People First* demonstration such a great success.

We now continue with a debate on the economy and I am going to explain to you how I intend to take this debate. Please listen carefully. First, I will call on the General Secretary to introduce the debate and move the General Council's Statement on the Economy. As you may know, it is the position of the Equalities Conferences that they do not accept amendments.

General Council's statement on the economy

Brendan Barber (*General Secretary*) moved the General Council's statement on the economy.

He said: Greed, lax regulation and servitude towards the City took us to the edge of an economic abyss last September. We are a year on and Britain remains in the grip of the most severe economic crisis since the Great Depression. Those who think that we are through the worst, that recovery is now on its way and that we can return to business as usual have just received a stark wake-up call. Just a few minutes ago new unemployment figures were published showing that during the last three months unemployment is up by more than 200,000, underlining the terrible human consequences of the crash. It is not just the countless young people whose talents are going unnoticed; it is not just the people in every region and in every industry who now find themselves without work, but the stifling imprint on the hopes and dreams of ordinary workers.

Congress, joblessness is now a national emergency. Nobody needs to tell the people of this city about the brutal realities of mass unemployment - working people abandoned to the scrapheap, communities left to fend for themselves and children's life chances wrecked. Let us be clear that what happened in the 1980s cannot, and must not, be allowed to happen again. We cannot afford to lose another generation to mass unemployment. That is why we need a fundamental change in direction on economic policy. The General Council's Statement sets out a bold, imaginative vision of what needs to be done. It is not just action to mitigate the effects of the recession and get Britain back to work, but a long-term vision for a different kind of economy which is greener, fairer and more stable.

Let me say at the outset that we welcome much of what the Labour Government have done since this storm erupted a year ago, leading the world in saving the banks from collapse and establishing a template followed by governments across the world. It has maintained public spending, the only motor of growth that we currently have when others would slash and burn their way to a double-dip recession. It has worked with the Bank of England to unblock the financial markets to try to get credit flowing again. We welcome all this and more, but we need to go even further. Our number one priority in the short-term must be fighting unemployment. This is not just a debate about jobs, vital though that is. It is also about health, crime, community cohesion, the educational achievement of our children and the future of our country.

We applaud the Future Jobs Fund, but it must be extended to meet demand and serve the needs of older workers. We need a short-time working scheme like the one that saved nearly half-a-million jobs in Germany. We need an urgent rethink of welfare reform plans that are simply not fit for purpose. At a time when a thousand people or more are joining the dole queue every day, it is just plain wrong to expect people to work for their benefit. Congress, if tackling joblessness is our most urgent task, we must also re-think the broader parameters of economic policy. The existing monetary policy regime served us well during the boom years, but failed to spot the crash because it was fixated with an inflation threat that simply did not

materialise. That is why we need a new approach, balancing inflation targets with an emphasis on maintaining growth and encouraging financial stability.

This needs to be complemented by a clear vision for the future of our economy, a sense of how we get from where we are now to where we want to be in the years and decades ahead, what kind of economy we really want to build. One thing is for sure. Business as usual cannot be an option. Unless we break free from the poisonous embrace of neo-liberalism, the next crash will be even worse.

So what can we do? First, we have to reduce our chronic overdependence on the City, making finance work for us and not for itself. We have to rebalance our economy so that other industries, green manufacturing, low carbon technologies, life sciences, pharmaceuticals and aerospace have a proper chance to flourish. The Government's new policy of industrial activism is beginning to give us a platform to build on and we need to see action without delay.

Second, we have to protect and nurture our public domain, making sure that in the decade ahead our public services do not pay the price for private excess, having a little less faith in so-called market solutions and a little more belief in what our public realm can achieve. Where better to start than with a massive programme of investment to build the social housing that Britain so desperately needs.

Third, we have to build an economy based on the spending power of ordinary working people. It should not trickle down from the super rich. It is reversing the neo-liberal trend that saw our share of GDP fall as capital rose. It is using collective bargaining to share the spoils of growth more equally and ensuring that decent wages take the place of the mountainous debts that have afflicted so many working people. President Obama had a phrase for it. He called it 'spreading the wealth around.' This approach is not just electorally popular; it makes plain economic sense too.

Congress, the world has changed and I believe that the arguments are on our side. Ideas that were once dismissed as part of a bygone Dickensian age are now part of the political mainstream because what we saw last September was the biggest case of market failure in human history. We have to learn the lessons and we have to act. With unemployment heading relentlessly towards three million and with so many of our young people excluded from the world of work, now is the time for fundamental reform. Let us build a new kind of British economy. Let us build an economy with fairness at its heart. Congress, I commend the General Council Statement. *(Applause)*

The President: Thank you, Brendan. Congress, I now call Motion 15, Women's employment and the recession. The General Council support the motion.

Women's employment in the recession

(Insert Motion 15, Women's employment and the recession and the amendment)

Diana Holland *(Unite the union)* moved Motion 15 on behalf of the TUC Women's Conference.

She said: Congress, let me say at the outset that a job lost, a workplace closed, whether it affects men or women, is equally a tragedy for them, for their families and for their communities. In voting to bring this motion to Congress, the TUC's Women's Conference is calling for unity. First, it is for unity in support of all men and women workers whose jobs are threatened in manufacturing, in retail, in finance or in the public sector. Unlike previous recessions, men and women are equally affected.

Second, it is for unity against the pressures to divide and blame. Pregnant women, working mothers, migrant workers and black workers have not caused this recession and attacking their rights to work will not solve it either. *(Applause)* It was shameful financial practices which caused this recession and not workers. Let us be absolutely clear. As the motion states and the video so clearly showed, workers in the finance sector are suffering too.

Third, it is for unity in continuing to struggle for equality and workers' rights. At a time of recession, some say, 'We cannot afford equal pay. We cannot afford equalities. We cannot afford justice at work.' I say that at a time of recession, we cannot afford unequal pay, we cannot afford inequalities and we certainly cannot afford injustice at work.

Let us not underestimate what we have achieved through our campaigning. This year, we have extended flexible working rights, a new maternity grant and made progress (with a lot of support from Harriet Harman) on the Equality Bill, which is due to come in next year. Let no one suggest that the recession means that we should stop campaigning because we still need equal pay audits and statutory rights for union equality reps too.

Workers facing discrimination need protection now. This motion also calls for action on every front to support sustainable jobs, families and communities. There should be action to regulate the finance sector, to build one million homes, support for manufacturing, restoring our rights, tackling poverty through fairer taxation and for a windfall tax on the obscene profiteering of energy companies while people are struggling to heat their homes. As always, there should be continued vigilance, monitoring the impact on women, in particular young women.

Why women? As Assistant General Secretary for Women and Equalities in my union, I am sometimes asked, 'Why action for women?' Just recently, I was given a document which gives the answer. Released under freedom of information legislation, it is a discussion paper from the 1960s about whether they should support the appointment of women as trade commissioners in Australia. This is what it says. I have picked out the best bits: 'Even after some deliberation, it is difficult to find reasons to support women as trade commissioners. While a relatively young attractive woman could operate with some effectiveness in a subordinate capacity, such an appointee would not stay young and attractive for ever and later on could well become a problem. A spinster lady can, and very often does, turn into something of a battleaxe with the passing years. A man usually mellows. A woman could not be regarded as a long-term investment in the same sense as we regard a man.' Their conclusion was, 'It would seem that the no's have it.'

I agree that the no's do have it - no discrimination, no prejudice and no inequality. *(Applause)*

Finally, on behalf of the TUC's Women Committee, I would like to pay tribute to two special women. They are women who have put the 'battle' into 'battleaxe' and who are retiring this year. They are Mary Davis, who has not just written and lectured about women in trade union

history but has made it too, and Anita Halpin, our Committee Chair, and tireless supporter of lay members and real trade union community activism. (*Applause*)

One hundred years ago, women chain-makers in the Midlands were campaigning for the first industrial minimum wage. Next year, we celebrate the centenary of their victory in the Black Country Living Museum on Saturday 18th September. So, do not just pass this motion but come to the Women Chainmakers' Centenary next year. Link up the struggles of the past with those of today as, like them, we have nothing to lose but our chains. I move. (*Applause*)

Anita Halpin (*National Union of Journalists*) seconded Motion 15.

She said: I am seconding this motion on behalf of the TUC's Women's Conference that was held in the spring of this year. At that Conference, when sisters voted to bring this motion to you here today, we all feared that the next six months would be worse. The bleak picture that we have just seen in the video had already started when we were in Scarborough as Woolworth's had closed.

We knew then that the great majority of women would be even worse off. Women's unemployment is now the highest it has been since May 1994 at officially just under one million. However, remember the way the Tories massaged the unemployment statistics. I believe the same way of working out the figures still applies so nearly two million sisters are out of work.

I am pleased that one of the sharpest sections in the General Council statement on the economy highlights the disproportionate effect of the recession on women, workers from black and minority ethnic groups and disabled workers. The statement stresses how vital it is that discrimination at work continues to be challenged. We do not want to come out of the recession and find that we have the same mountains to climb again to get back dignity at work for all those under-represented and at the lower end of the employment scale. Therefore, we continue to say that equality is not a luxury; it is a necessity in good times as well as bad.

That having been said, personally I believe there was very little on offer yesterday from Gordon Brown. There was possibly the commitment on temporary and agency workers, but we have been there before. Hopefully, the short session that is coming up will not allow them time to filibuster the legislation again - we will see.

There was nothing on improving trade union rights. This is highlighted in the motion. I know there is a later debate on trade union and employment rights, but I still think we should reiterate from here in particular that, within the context of women workers and others who are disproportionately discriminated against, those without rights at the smaller workplaces are going to have much less chance. Therefore, that is one of the key parts of trade union legislation that must be addressed for the group of workers whose problems are highlighted in this motion.

The problem economically, as I see it, is that the Government are not investing enough to increase real spending power. That is what is going to turn around the economy. A few new jobs here and there will not make up for the thousands that were lost as shown in the video. I second the motion.

The President: I now call the amendment to Motion 15.

John Hannett (*Union of Shop, Distributive and Allied Workers*) moved the amendment to Motion 15.

He said: Congress, USDAW has a proud record - and rightly so - of supporting the issues of equality. With a majority of women, USDAW should rightly be at the sharp end of the debate. We fully support Motion 15 carried at the TUC Women's Conference and call upon Congress to support the USDAW amendment. It is an amendment that raises three closely-connected issues. They are women's equality, low pay and child poverty.

It is a fact that becoming a mother increases a woman's risk of poverty. From this moment onwards, women pay a heavy financial price. They pay the price of pregnancy and maternity discrimination. They pay the price of low wages and lack of opportunities at work. They pay the price of poor working practices and the worst of employer attitudes.

Congress, the cost of inequality, discrimination and low pay is not only met by women, but also by children too. Currently, almost three million children across the UK live in poverty. That is three million children who go without family holidays, more than one pair of shoes or celebrations on special occasions. Let us be clear. Child poverty is not about worklessness. The majority of children in poverty live in a family where at least one or more adults are actually working. We, the trade unions, have a job of work on our hands and it is one that we must achieve.

Protecting members' jobs, terms and conditions and negotiating improvements to pay and benefits are the core work of the unions. It was never an easy job, but it is harder than ever in today's economic climate. Our members' welfare has always been a part of the core business of trade unions and so is tackling child poverty. It is our business, the employers' business and the business of governments. That is why we welcome this Labour Government's Child Poverty Bill, a Bill that makes the law promise an end to child poverty by 2020. Already, the Government are making clear progress in this area. The National Minimum Wage, tax credits, improvements to maternity pay and adoption rights have all helped lift over 500,000 children out of poverty.

However, the rate of progress has slowed so we are unlikely to achieve or hit the target to halve child poverty by 2010. That is why this Bill is so important. It helps to ensure that tackling child poverty remains a government priority. We need to ensure that it remains a priority of the trade union Movement too. Please support the motion and the amendment.

Claire Main (*Community*) seconded the amendment to Motion 15.

She said: Since 1970, it has been illegal to pay women less than their male counterparts. Since 1970, no other Acts have been enforced. The Equal Pay Act enshrines in law my rights, your rights and the rights of millions of women out there and yet the pay gap persists at over 20% and 38% for part-time working women.

We must build a campaign that ends this unfairness. The effects of unequal pay do not just scar the lives of women, but they directly impact on families and communities, this being husband, wife, mother and child. Unequal pay is the status quo and equal pay is the key. Persistent unequal pay leads to child poverty. While we have fought for generations to end

unequal pay gaps, we must keep fighting for the next generation to prevent child poverty. The Labour Government have increased child benefits, created maternity grants and developed child trust funds. These are not boxes to be ticked, but important rights to be defended. All of this is at risk from a Tory government.

Together, we should put child poverty high on the agenda and give children the best start in life. Vote for this amendment and together we can end child poverty, end poverty pay and end the gender pay gap. Congress, I second the amendment to Motion 15.

The President: I now call Motion 16, Agenda for economic recovery. The General Council supports the motion.

Agenda for economic recovery

(Insert Motion 16, Agenda for economic recovery)

Phyllis Opoku-Gyimah (*TUC Black Workers' Conference and PCS*) moved Motion 16. She said: We all know that we continue to face one of the worst recessions in living memory and the terrible impact that it is having on our jobs and our lives. At times like this, it is the most vulnerable people who suffer the most. Who do I mean by 'vulnerable people'? I mean women, disabled, LGBT, young people and black people. Now that the fascists have taken seats in our councils and in Europe, it is also migrant workers.

We all know that women are the primary carers and often struggle to keep their families together whilst working part-time for a pittance. Studies show that women's earnings have a direct impact on child poverty. Disabled people, if they are lucky enough to have a job, are usually the first out of the door as employers deem them too costly and troublesome. The Welfare Reform Bill could further erode the welfare state, criminalising poor people. 'Work for your Benefits' further exploits disabled people and will have an impact on our bargaining power.

LGBT people face discrimination in the workplace and are usually targeted because of appalling attitudes. Opportunities for young workers are very bleak at the moment with youth unemployment rising all the time. Black people face high levels of unemployment. If there are job cuts then black people are more likely to be targeted. Black workers earn an average of £7.50 per hour in comparison to £8.00 for a white person. Migrant workers, who are also increasingly targeted as scapegoats, face further harassment and exploitation. They are also more likely to be victims of violent crimes.

In the coming months, many will argue that Britain must become lean and competitive, that the public debts must be cut and public spending is out of control. For us as trade unionists and our families, this means job losses, depleted services, fewer rights and a new era of hardship. Black workers believe that only by defending the living standards of ordinary people can we rebuild the economy and remake a society that offers fairness and respect for all.

The experience of previous recessions that black and minority ethnic workers are particularly vulnerable to rising unemployment has shown that it takes black workers longer to recover their position in the labour market than white workers. You only have to read the TUC report on *Black Workers in Recession* that was published in April.

During the past ten years, we have seen an increase in the proportion of workers working in public administration, education, health and the financial sector and a reduction in the proportion working in distribution, hotels, restaurants and manufacturing. The recession has already hit the finance sector and cuts to the public services, where large numbers of black workers are employed, are likely to devastate the black communities. Black workers believe that in order to rebuild the economy and not to repeat the mistakes of the past, there is a need for better regulation and enforcement of the regulations to tackle the problem of discrimination in the labour market.

In order to deal with rising unemployment, there is a need for greater public spending and an accelerated public works programme rather than cuts being made in the public sector to plug the gap made in public finances by the bail-out of the financial sector. There is a need to adopt measures to increase the pay of the poorest in Britain so that the scandal of people working long hours and still living in poverty is removed.

The TUC General Council needs to make it very clear to Brown and his ilk that unless they remove their current strategy for public spending cuts, reinvest in the foundations of society through renationalised utilities and stop behaving like soft-focus Tories, they will forfeit the support that they still have left in the labour Movement. We know that there is still a long way to go and it is a key to having a strong effective legislation to protect our most vulnerable. That is why it is important to keep the existing rights that we have fought so hard for in race equality and that these are retained for the forthcoming Equality Bill.

If the *Daily Mail* says that we should not have equality laws in a time of recession then I know that the work that we all do must continue because it is so right. Conference, I move and I urge you to support the motion. (*Applause*)

Leslie Manasseh (*Connect*) seconded Motion 16.

He said: Brendan and the video set out only too clearly the consequences of the worst recession for 60 years on working people. At a macro level, it is absolutely right that the General Council should continue to lobby the Government for policies which protect all working people and promote a new economic model based on an active State and market regulation.

Trade unions themselves, at a micro level, must monitor what is happening in the workplace because, as others have said, our concern is that black workers will once again suffer disproportionately from this recession. With an employment gap of 16% between black and white, black workers are already more likely to be unemployed or to work in insecure and low-paid jobs. We know that black workers work often in sectors such as retail and hospitality, which are likely to be hardest hit, and we fear that if public services are cut, black workers yet again will suffer. Too often when jobs are lost, black workers are at the front of the queue.

Unions have to be very vigilant. We have to be aware of the risks and we have to look for the evidence. It could be that more black workers are being disciplined or subject to bullying and harassment as ways of driving them out of the workplace. It could be that black workers are over-represented in redundancy pools or, in my industry, what are called 'managed exits'. It could be that black workers are more likely to have their pay or hours cut because, when cuts

are on the agenda, black workers can all too readily face different forms of discrimination and disadvantage.

Employers are not going to volunteer the kind of information that will expose that discrimination. It is up to us to get it. We have to demand it and, if necessary, we have to collect it ourselves. We have to hold employers to account when jobs are being lost and workers are being made redundant because the racism which openly stalks our streets hides in our workplaces. It thrives in secret. It lives and breathes in opaque and shadowy processes and procedures. It ruins lives from unaccountable decision-making behind closed doors. We are the only organisations with the will, the means and, I believe, the duty to expose and challenge to eliminate it. Please support.

The President: I have some other unions which have indicated that they wish to take part in the debate.

Jane Carolan (*UNISON*) supported Motion 16.

She said: Congress, I hope you appreciate the collar and tie this morning. I have realised that if I want to be taken seriously up here, I have to wear the house uniform!

I am here supporting the General Council's statement on the economy. UNISON welcomes the fact that it emphasises the need for real measures to tackle rising unemployment, particularly youth unemployment, while rejecting the Government's Welfare to Work approach. We welcome the emphasis on modernising the welfare state rather than institutionalising poverty. We welcome the emphasis on a priority to be placed on skills. We welcome the recognition that wages have fallen behind, that social mobility has decreased and that levels of inequality have increased and not declined.

We very much welcome the analysis that cutting public expenditure, in the way that all of our politicians seek to do, is the economics of the mad house. As the report highlights, protecting public services is not just a moral choice based on social justice, but a sound economic one.

The Gordon Brown who stood in front of us yesterday at least was not wearing New Labour clothes, but I am really not sure what he was offering. When Gordon talked about protecting frontline services, I do not know what he means. When is a service a 'frontline service'? Is it in the NHS? Do we divide the clinical from the non-clinical? If the nurse is the frontline service, is the porter or cleaner not? That way lays MRSA. We talk about outsourcing IT services, but try running the housing service, the homeless unit or child protection without reliable IT. Outsource it and you lose control of it. When private companies come in, their track record is truly appalling.

Gordon talks about investment and efficiencies, but investment in what? Is it investment in publicly-controlled, democratically-owned services or public money back in private pockets? We know what cuts mean. A cut is a cut is a cut!

I do have one problem with the statement. Congress, I am angry, my union is angry and the people we represent are angry and the statement needs to reflect that anger. The UNISON-led composite on the BNP instructed the General Council to develop an economic and social programme that delivers for working-class communities - our people. The statement could be a good beginning to that but, as the basis for campaigning, we need to stop using the polite

language of the seminar and speak the language of the streets. We need to raise our voices loudly. Cuts are not inevitable. There is an alternative and we need to make the case.
(Applause)

Carley Anderson (*Accord*) spoke in support of Motion 15.

She said: I work for HBOS which is now part of the Lloyds Banking Group. I am here as a delegate for Accord to support Motion 15. I feel that it is imperative that Congress understands the devastating effect that this recession is having on ordinary bank staff, most of whom are women.

Banks and other financial institutions are shedding jobs at the bottom of their staffing ladders in order to pay for the errors which have been made by highly-paid management at the top. Most of the employees at the bottom of the ladder tend to be women. Many of these women are more vulnerable to the effects of the downturn because they are single parents, pregnant or in temporary work. Many women in a recession are also at greater risk of domestic violence.

My colleagues are not only suffering from the loss of income through unemployment, but having been encouraged to take bonuses and shares and to invest money into other share schemes, their savings are now worthless. Many of my colleagues intended to use these funds to support their children's education, to fund their own retirement, to pay for a wedding or, dare I suggest it, to even take a well-earned break. Hopes and dreams have been shattered. Couple the devastation of what I have just told you about with the constant negative press, the pressure of looking over your shoulder waiting for the axe to fall and the guilt you feel every time you are glad that it was not you, I am sure you are beginning to see the picture.

We call upon you to support this motion and our request for the General Council to demand that employers and Her Majesty's Government through UKFI exercise their responsibilities to ensure that aggressive job reduction strategies are halted within the financial sector. The current strategies are not only detrimental to women, but to customers, employees and, in the longer term, the UK economy. Thank you. Please support.

Glenroy Watson (*National Union of Rail, Maritime and Transport Workers*) spoke in support of Motion 16.

He said: I have listened to a number of contributions here reflecting some people's views, but not mine. They seem to say that it was okay for us to have given all that money to those bankers. I tell you what: it is not in my name.

The reality is that capitalism does not do trickle down. If you think it is going to trickle down to the poor, it does not do that. It is exploitation, oppression, the destruction of our resources and destruction of our rights. It does not do 'trickle down'. I am not waiting for trickle down.

The seconder to Motion 16 made it very clear that we have a responsibility as a Movement to monitor what they are doing. We need to be very clear about that responsibility. In London Underground, the industry I come from, the bosses have not relented. They have increased their attack on the poorer section of our workforce, those people who are cleaning the Underground. We have won a very important and famous victory against the Tory Mayor of London. We have made sure that the London living wage is enshrined within the pay packet

of everybody who works as a cleaner, but that is not the end of the story. As they cannot change the amount they pay them per hour, what they are doing is reducing the hours of those cleaners, which is effectively a pay cut. That is not a trickling down. That is not some of the money which has gone to the bankers coming to those workers. The fact of the matter is that capitalism continues.

We need to be very clear about this. When we say 'monitoring', how will it be done? Who will gather the information? Who will monitor the Chancellor, whether it is a blue Chancellor or a sort of reddish-grey Chancellor? The reality is that this idea has good aspects to it. This motion contains points that we can engage in, but we must do it in a positive, determined way. I do not want to come back to Congress next year and be told that more of our workers on the Underground are getting less pay because none of us made sure that they cannot cut the wages any more. I tell you what - and if you see this maybe you can tell me about it - there will not be a manager at London Transport saying, 'Please could you distribute less rubbish on the Underground because our workers are working less hours.' There will be the same amount of rubbish which means that those workers are going to work harder for that period of time for less money.

So, capitalism continues, comrades. We need you to support this, but we need you to monitor this in a true and determined way. Thank you. (*Applause*)

Mark Benjamin (*Public and Commercial Services Union*) supported Motion 16.

He said: Amongst the things that the Prime Minister, Gordon Brown, said in his address yesterday was, 'Do not put the recovery at risk. The country is on the road to recovery. We have to make tough choices in public spending and we will need the support of the labour Movement in protecting the frontline first.'

My union, PCS, believes that it is not our members who are putting the recovery at risk. For example, union members in our tax offices and in the Civil Service are receiving pay rises of zero or 1% and facing a further 7,000 job cuts on top of the 18,000 cuts already imposed in the last four years. Hundreds of offices have closed with a further 230 offices to close by 2011. Black and ethnic minority staff, predominantly on the lower paid Civil Service rates will, and have been, disproportionately affected.

My union has already put forward an alternative to further job cuts and to fund the efficiency savings that they are seeking. Give us enough staff to collect the billions of pounds of uncollected taxes and make tax avoidance illegal. We have some tax arrears that have been written off because we do not have enough tax collectors to actually collect them! This would fund a recovery and stimulate the economy.

PCS members in remaining Jobcentres that have not closed around the country have to deal with a rising number of unemployed people registering to find work and claim benefits. How can it be fair that £175 million worth of taxpayers' money - our money - can be spent bailing out the banks and yet we are also expected to pay for the Government crisis with our jobs as well? As President Barack Obama said, 'A nation cannot prosper long when it favours only the prosperous.' Obama favours three key areas: create decent jobs, pay decent wages and reduce wage differentials. It is not about penalising success, but returning a sense of balance, a movement from a minimum wage to a living wage. We cannot view the labour Movement as the problem.

Ordinary workers are the people who create the wealth but are denied equal access to the benefits. If you are a black or ethnic minority worker, statistically you are more likely to suffer from low pay and discrimination in the workplace. The global economic crisis was not caused by elderly workers who are generally low-paid and receive small pensions. It was caused in part by the greed in the banking system, fat-cat salaries and bonuses and, in part, by the very nature of the system. For too long, the rich have enjoyed their luxury cars, mansions, champagne, hedge funds and Jimmy Choo shoes. Now it is time for them to pay up and not us. Please support the motion.

Kamalijeet Jandu (*GMB*) supported Motion 16.

He said: Much has been said this week about the economy and also by the previous speakers. Following on from the Prime Minister's announcements yesterday, I just want to echo some of what has already been said, but also to illuminate what has not been said.

Without doubt, this recession is likely to have a disproportionate impact on some communities. We will see ethnic minority people, women and others being pressurised to deliver greater value for shareholders, becoming the victims of public spending cuts and being the first to lose their jobs. For example, when the economy is doing well, ethnic minorities and migrants are encouraged to come and sell their labour cheaply just as women are encouraged to come out of the home and into the workplace.

The aspiration for equality and race equality is not in isolation or exclusive. Ethnic minority communities do not live in absolute enclaves divorced from others. Colour is not the only defining character for ethnic minorities. We have aspirations, likes and dislikes like anybody else in this room. We are members of the working class and other classes. We cannot solve the challenge of our times unless we do it together.

We need greater investment in public services and let me explain how that works. It is by increasing public spending so that jobs are sustained or created. When people have jobs with decent wages and standards, they can go out and buy goods and services creating a demand and leading to a stimulus of the economy and a further demand for jobs. President, it is as simple as that. Do not let commentators cloud our minds or divert our focus.

You may recall at the start of this week that there was talk of wisdom and wise cuts. I recall Brendan being asked the question on Radio 4 about 'wise cuts'. Let me tell you what 'wise' should stand for. 'W' is a windfall tax on energy companies' super profits. 'I' is for an increase in council housing; an increase in the minimum wage; and increase in taxation on the super-rich. 'S' is for services provided by the public, by public servants, in the public sector with no more privatisation. 'E' is for employees, workers, communities and egalitarianism. Let us get on the front foot. Let us take every opportunity, every moment and every conversation to argue for increased spending and for people, not profit, to be the basis of our economy.

Finally, let me leave you with the words of President Obama: 'Making our economy work' means making sure it works for everyone including ethnic minorities. Thank you, President.

Dilbag Singh Dami (*United the union*) spoke in support of Motion 16.

He said: The impact of the recession has affected us all either directly or indirectly. Until recently we had been told that black workers have not been hit as hard as they were in past

recessions. Congress, now, as we all fear, we are hearing a very different story. The facts are that the already high unemployment rate for black workers has greatly increased during the past year. The ethnic minority employment rate is at its lowest since 2005. The unemployment rate is 13% compared with 8% of our white colleagues. Neither of these figures have been this high since the 1990s and the current figure shows a continuing decline and falling employment hitting black workers the hardest. Black Africans and other black ethnic groups have been worst affected in the last year. In places like west Yorkshire, with its high concentration of ethnic minorities, the employment label of these groups of workers are, again, particularly low.

So what are we, as trade unionists, going to do? Every union must make sure that the black and ethnic minority workers are not ignored in the fight to save jobs and support members in these difficult times. For example, how many unions can tell us the number of their black members who have lost their jobs in this recession? Monitoring is a key, particularly monitoring redundancy. In my workplace I sit down with members and go through the redundancy procedure to make sure that no one is unfairly selected. We should work to redress the disproportionate impact of the recession and redundancies on black workers, particularly young black workers.

Conference, as I said before, the economic crisis is affecting us all, but current figures and past experience shows that the black workers bear the brunt in hard times. So let the TUC take a stand in making sure that this situation does not happen again. Please support.

The President: Congress, as there has only been support for all of the motions, there is no need for a right of reply, not even for you, Brendan. So I am going to move to the vote.

* *The General Council's statement on economy was CARRIED*

* *The amendment to Motion 15 was CARRIED*

* *Motion 15 as amended was CARRIED*

* *Motion 16 was CARRIED*

The President: I now call Paragraph 3.2, the Economy; paragraph 3.3, the Labour market, and paragraph 4.2, Put People First. Thank you, colleagues.

Colleagues, we continue with Chapter 3 of the General Council's Report: Economic and industrial affairs, Manufacturing, from page 53. I call paragraph 3.5. I call Composite Motion no. 8 - Manufacturing. The General Council supports.

Manufacturing

(Insert Composite Motion 8 - Manufacturing)

Len McCluskey *(Unite the union)* moved Composite Motion 8.

He said: Congress, Peter Mandelson said that it's time Britain did less financial engineering and more real engineering. All of us in this hall would agree with him on that. We have seen the chaos that the type of so-called engineering done in the City has caused - sky rocketing

unemployment, factory closures and young people, yet again, facing an uncertain future so there can be no argument that we need a re-balance of our economy, with a greater priority for industry and far less reliance on the casino economy which has so catastrophically crashed. So Lord Mandelson is right. What this composite does is to ask him to put his money where his mouth is and get the Government behind a manufacturing revival.

We all know that this Government have sometimes had difficulties putting into practice their good intentions. The headlines have not always matched the delivery. It is clear that this situation has to change without delay if we are going to have any chance at the next election.

In manufacturing there is no shortage of concrete steps that could be taken in the next few months, building on the work already done by ministers. European Union rules on public procurement give plenty of scope for a pro-active plan for including social clauses in public purchasing contracts. It would only take a fraction of the cash spent on bailing out the City spivs last year and it would be money much better spent saving skilled jobs in strategic industries and protecting our communities.

So what are we asking for? We are asking for investment in green jobs and renewable energy. We want no more scandals like the closure of Vestas. I want to salute the workers who took action and who are here today. *(Applause)* Conference, a massive programme of house building is needed. Construction workers need jobs and workers need better homes. This is a no-brainer. Why our Government can't see it is beyond me. If they need help with their mortgages to stop them being kicked out of their homes by the same banks that we bailed out, then that help must be given and those banks must be pulled back into line.

We need cash for public transport. Let's get the high speed rail network off the drawing board and into practice. We know that the Tories would never do any of these things but we have also learnt that the Labour Government need a powerful shove or, to use the vernacular of our Equity comrade the other day, a 'kick up the arse' if it is to do all or any of them. That pressure, the pressure of millions of people across the country, can only come from this Movement. So, colleagues, we know that this composite, with all its progressive demands and every other resolution that we pass here at Congress this week, is only paper, pious aspirations, unless and until we have a trade union Movement able to fight for them. We must fight like we did at Visteon for basic justice when workers were facing the sack. We must fight like we did at Linemar to protect our convenor from dismissal and protect union organization itself. We must fight like we did at Lindsey and other construction sites for the right to work. Each of these actions is worth a thousand composites. So in asking you to support this composite motion, I also ask you to will the means and back workers who are fighting the crisis and its consequences by standing up for justice and fairness. I move.

Tony Richardson (*Bakers Food & Allied Workers Union*) seconded Composite Motion 8.

He said: Platform and delegates, this section today on manufacturing is vitally important. It is vitally important as much of our manufacturing base continues to drift away from Britain, increasingly exposing us to the animals in the financial sector. So it goes without saying that Government assistance for manufacturing is not just necessary but it is essential, whether that be the assistance of the Car Scrapage Scheme, affordable house buildings, green job subsidies, mortgage deferrals or help to maintain jobs and skills in companies that have slowed down or been mothballed. What is wrong with the Government seizing the commanding heights of the economy? What is wrong with the Government investing in

viable companies? What is wrong with the Government intervening and ensuring procurement for UK unionized companies and socially responsible companies using our bakeries, our biscuit factories, our engineering firms and, yes, our steel mills, not British jobs for British workers, but British companies for the British Government?

Comrades, if we can spend £600 billion for those self-centred, lying, two-faced thieving bastards from the City (*Applause*), then we can use a fraction of that money to boost the real economy, to save real jobs and ensure that real people can look forward to work and security. We should divert funds to jobs, pensions, social care and spending it on our factories, our elderly parents and our sick neighbours. We should not be giving it to the likes of Fred-the-shred, the speculators, the bankers and big business, hoping that the crumbs will trickle down to the minions at the bottom, the very minions who produced that wealth. The money exists. Gordon, change your policies and use it wisely. It is not money where your mouth is; it's money where the people are. Then maybe, just maybe, we can start to turn our fortunes around. We can start once again to appeal to our people, get some sense back to the political process and, coining a phrase, we can probably stop politics failing.

Tony Kearns (*Communication Workers' Union*) supported Composite Motion 8.

He said: Our role in this composite is in the last paragraph. We submitted it as an amendment to one of the original motions. We are not beating about the bush here because there is a real issue about climate change that the trade union Movement collectively has failed to address in a real and proper manner. We will be speaking again, hopefully, to hammer home that message to other unions.

The thing that annoyed me about Gordon Brown's speech yesterday was the incessant use of the word 'recovery'. The point of recovery is that you recover back to the position you were in. In other words, it is the philosophy that market-led economies are going to deliver what people need. The point in public services is delivering for the people of this country what they need, and what they need, based on all the scientific evidence, is some action on climate change and in a recession action on climate change that delivers real and sustainable jobs. That has to be done by government spending. I make no apologies for that. This is a job for the Government that I am talking about. The renewable energy sector in Germany boasts half-a-million jobs in that sector.

The Kye Report last week did an energy audit and said that within the next ten years there will be power cuts in both industry and on a domestic level. That is not acceptable. There needs to be a secure renewable energy policy in this country and the Government need to fund it. Gordon Brown himself says that by 2020 we need to build three million new homes, whereas the homeless charities say we need to build five million new homes. Those homes have to be built. The Government have to take the lead and they have to be energy efficient homes. We cannot rely continually on the market because there is no market to deliver these things for the people of this country so the Government have to take the lead. They have to provide public services if Gordon Brown wants to prove what he says and they need to do with investment into these sectors and they need to do it now.

Emma Rich (*GMB*) spoke in support of Composite 8.

She said: Congress, two of the most important weapons that any government can have in its armoury to use in a recession and adapt to new opportunities such as the one presented by the

low carbon, green economy, are public expenditure and public procurement. Yet even after a commitment was given by Government ministers at the TUC and Labour Party conferences to use public procurement to assist Remploy factories, they have shown themselves to be reluctant to do so. (*Applause*) That is despite the fact that both EU article 19 and the WTO allow governments latitude to award contracts to disabled workers' factories. The MoD procurement orders for Type 45 warships, aircraft carriers, nuclear submarines, Euro fighters, transport aircraft and armoured vehicles have been a huge success for UK manufacturing and maintain many thousands of jobs during the current recession. So why do they not do more of it?

Let us look at other recent public orders. Take, for instance, the new Inter City train for the Great Western and East Coast main lines; an order for a cutting edge technology that would create many thousands of jobs and a straight choice between placing the order with a European company that would have manufactured them in the UK or a Japanese company that would not. So what do they do? They award it to the Japanese company creating those many thousands of jobs in Japan. Some jobs will be created in the UK but only in components and final assembly, not in manufacture. What is even worse is that if the train is a success and there are new orders from other parts of the globe, they will be built in Japan and not in the UK. The intellectual property will also belong in Japan and not the UK. Why, under a Labour Government, is free-market ideology so dominant?

Turning to the low carbon economy, we have lots of targets, wonderful policies but no procurement. If we are going to have a low carbon economy, we need low carbon products manufactured in the UK so we can create jobs and have the expertise and intellectual property here in the UK. To do this we need public procurement to pump prime the market. Governments can create and influence markets but only if they participate in markets. If the Government do not participate in the market, then the unfettered market will deliver the cheapest products and not the best products.

Why are marine energy companies now moving to Portugal when we have one of the richest marine energy resources in the world around the shores of the UK. Why has Vestas, the only wind turbine manufacturer in the UK, gone to China with the loss of over 800 high skilled jobs? They have gone because the Government have failed to support the market in the UK by early intervention and public procurement. Thank you.

Chris Baugh (*PCS*) spoke in support of Composite Motion 8.

He said: With the exception of, perhaps, flat earthers, oil executives and those who actually think that Jeremy Clarkson talks sense, there is in fact an overwhelming scientific consensus that without decisive action in the next couple of decades the planet is heading towards ecological disaster. The urgency and scale of this threat has produced a growing awareness in society and in the ranks of trade unions, reflected in the vital work of the TUC around the issue, showing that climate change is not some optional extra but is increasingly central to our bargaining agenda with employers and government. As other speakers have commented, there could hardly be a great mismatch between rhetoric and reality in the fact that in the same week that the Government announce ambitious plans to expand renewable energy, the UK's sole manufacturer of on-shore wind turbines announces plans to shut its plant on the Isle of Wight and sack 600 skilled workers. Again, as others have commented, the Vestas' workers need and deserve our continued support even more so in the light of the arrest of four workers scandalously under anti-terrorist legislation. But this example of market failure and

the refusal of the Government to intervene shows why we need to challenge the view that direct public investment in a green industrial base aptly described by Shamus Mill as 'the commanding heights of the future' is in any way unaffordable? I am not the first or last to point to the £1.3 trillion of public money found to bail out the banks in capitalism's hour of need, nor the tens of billions lost to the public purse through tax avoidance, tax evasion and a regressive tax system.

In a wealthy, if unequal, society like ours, whether it is support for manufacturing, tackling unemployment or funding decent public services, ultimately, it is not a question of affordability. It always was and always will be a question of political priorities. It is why PCS and other unions are working with NGOs and academics to show how investment in building insulation, sustainable public transport, exploiting the UK's energy resources, research, development and training and, I should say, building on the ideas of the Lucas plan of the early '80s, to show how it is entirely possible to convert our manufacturing capacity into socially useful production. This can produce over a million genuine new, green jobs, and this is entirely realistic if the political will exists. PCS hopes that this can be an important contribution to the debate leading up to climate change talks in Copenhagen. Improve the dialogue with unions, build a common agenda between unions in the public and private sector and place the interests of working people at the very heart of the collective action needed to protect ourselves and future generations. Please support.

The President: Congress, as there was total support for the motion, we will move to the vote.

* *Composite Motion 8 was CARRIED*

The President: Congress, continuing with Chapter 3, we turn to the section on Energy and the environment from page 68.

UK indigenous coal reserves

(Insert Motion 38 - UK indigenous coal reserves)

Chris Kitchen (*National Union of Mineworkers*) moved Motion 38. He said: Comrades, 25 years ago I stood on the picket lines fighting not for more money or holidays but to defend the industry I worked in, my way of life and community. Back then it was clear that the dispute was nothing more than an act of industrial vandalism, the goal of which was the destruction the mining industry and the NUM. Twenty-five years on and both of us are still here.

Coal will continue to be used to generate electricity throughout the world for years to come. We should not leave ourselves open to be reliant on imports when we have our own indigenous coal reserves that we should be developing. Coal mining is a skilled job and with the average age in the industry around 48, we will start to lose the skills required unless we act now to safeguard that we have the ability to mine our own indigenous coal.

The credit crunch has affected everyone, but unless we plan and take steps to ensure that we have a secure energy supply, we will come out of the credit crunch and run headfirst into an energy crunch. We must minimize our reliance on imported energy by maintaining a viable coal mining industry that can be part of a balanced energy policy for our country. Delegates,

support Motion 38, support the UK indigenous coal industry and denounce the capitalist policies of 25 years ago. We need a secure supply of energy for our future. Thank you.

Gary Smith (*GMB*) seconded Motion 38.

He said: Congress, in any debate about energy we now have to face up to the twin challenges of how do we keep the lights on at the same time as tackling the issues around climate change? GMB with the other trade unions have long argued that if we are to meet these objectives we are going to have to implement a balanced energy policy in which gas, renewables, nuclear and clean coal will play a part. But let me say to you that there are some on the left who find the current debate about coal very difficult. There are some who say to me that coal has no future role in the energy mix. It is time, however, that we introduced some reality into the debates around coal and the environment. Developing economies like China have huge coal reserves and they are going to use them. If we do not develop clean coal technology, then the truth is that our planet faces a very bleak future.

There are many people in this room who supported the miners and their historic struggle in '84 and '85. We marched against the pit closure programme, and, Congress, I say to you that we should remain resolute in our support for the UK coal industry and the coal communities. (*Applause*)

GMB recognises and applauds the fantastic work done by the Clean Coal Task Group in the TUC. We welcome the Government's consultation on the framework for clean coal. This definitely represents for us a step forward. The Government increasingly recognise that clean coal will play a role in the future energy mix, but the fact is that the time for debate, for discussion and inertia is over. We need bold initiatives around the development of clean coal and we need a clear signal from the Government that they are going to support the rejuvenation of the UK coal industry. The Thatcher economic dogma did huge damage to our economy. We are living with that legacy when we look at the UK energy sector.

The challenges we face around climate change present huge challenges but they also give us a marvellous opportunity. Let us support the development of the UK coal industry and let us support UK energy self sufficiency. Thank you.

The President: As we have no other speakers indicated, I am going to move to the vote.

** Motion 38 was CARRIED*

The President: I now call paragraph 3.11 and Composite Motion 14.

Replacement of coal-fired power stations and clean coal technology

(Insert Composite Motion 14 - Replacement of coal-fired power stations and clean coal technology.

Ian Lavery (*National Union of Mineworkers*) moved Composite Motion 14.

He said: Congress, first of all I would like to thank the TUC for the work which they have done during the past year with regard to clean coal technology and the need for the

indigenous coal reserves to be exploited within the UK. They have done a marvellous job and let's hope that it continues.

Comrades, at last there appears to be some recognition and a clear and genuine understanding that new clean coal technologies, and specifically carbon capture and storage, are essential to the solution of rising emission levels and to mitigate against climate change and global warming. We all believe that to be the case. We all have an obligation - trade unions, governments and individuals - to save the planet, and we all need to play our part in this.

The Government announcement in relation to carbon capture and storage at the Budget is to be welcomed, but cautiously, because, quite frankly, four CCS plants, between now and 2020 is not considered to be adequate. An objective of the Committee for Climate Change is that any path towards an 80% reduction by 2050 requires that electricity generation must be almost decarbonised by 2030. This huge aspiration highlights the critical need to develop and implement various types of CCS, which is a matter of urgency. The introduction of such plant within the next few years could provide up to 7 gigawatts of new electricity. Not only that it would save up to 42 million tonnes per annum of CO₂ emissions. The only way that the Government and our counterparts in Europe can achieve the set emission reduction targets is by speeding up our development and implementation of CCT. We are in this together, comrades. We need to approach this situation in a very serious manner. The Government need to be bold. It is decision time. It is make your mind up time on the future of the deep mine coal industry and clean coal technologies. The energy gap is looming. It is coming, it is heading our way, and that means that a third of the UK's electricity - that is up to 28 gigawatts - will be lost in the very near future. Eight gigawatts of plant will close by 2015, and the remainder will close between 2016 and 2023 without any new developments. Up to four plants is insufficient. Comrades, what we are seeing is the creation of a new second 'dash for gas'.

We have our own problems in this country with security of supply. We are at the end of a very long network and we are at the behest of many politically unstable countries. We are now a net importer of energy. We imported 50 million to 60 million tonnes of coal last year. That is equivalent to a number of deep mines with over a thousand people working in each pit. We got 50% of our imports from Russia. So we have a huge dependence on energy. We produce 33% average electricity for the country and we are importing all of that energy from Russia. That is quite a dangerous situation, comrades.

To conclude, I think we just need to reflect on a couple of other contributions which have been made. The delegate from the CWU said that it is the Government's responsibility to finance climate change to head off global warming. Of course it is. We should not be relying on the bankers and the investors to save the planet because they will only do it for a profit.

Colin Moses of the POA mentioned yesterday about the privatisation of the prisons. If it is wrong to privatise prisons for profit, it's wrong to privatise global warming and climate change for profit. For goodness sake! The issues of global warming and climate change should not be seen as a capital venture with profit in mind. It is much more than that. It should be seen as an attempt to save and preserve human life, not for financial gain but for human gain. We need action now, comrades. We need action now on new clean coal power stations with near zero emission levels. We need a strategic, balanced and diverse energy policy now based on indigenous coal. Thank you.

Patrick Carragher (*British Association of Colliery Management - Technical, Energy and Administrative Management*) seconded Composite Motion 14.

He said: Congress, it is always difficult following Ian at the podium because he takes all your best lines, but I think that Gary Smith got there a bit before that.

Delegates, this is an important motion. Like previous speakers, I would like to thank the TUC for the commitment they have made through the Clean Coal Task Group, which I think has done a lot of good work and made a very healthy contribution to the debates surrounding energy policy in this country.

When we look at coal, it has become the no. 1 bugbear with environmental groups. We have seen that in recent summers. The climate camp has been a feature of the summer protest movement. There have been protests at Kings North, most recently in the City of London and a number of coal sites have been subject to protest and invasion. I think the trade union Movement needs to engage with these environmental groups, and there is an educational job to be done in this area. The reality is that coal will continue to be burned globally. In the UK coal will still need to be a major component of our electricity generating system. Sometimes people point to Denmark and say that they do fantastic on their green energy. Denmark has a population of six million people with, broadly, the same land footprint as England, yet we have 60 million people. We must have an integrated electricity grid. Due to the technical nature of running that grid, we need different components.

With renewables we have a major problem of intermittency. The wind does not always blow and the Sun does not always shine. We know what tides will do but they are intermittent by their nature. If we have nuclear, and that is part of the TUC's energy policy which we support, it has to run at base load. You have variations in the system. The only fuel sources that can back that up are coal and gas. Of those two, coal is by far the most flexible fuel to manage the variable load that is a feature of the UK Grid.

When we engage with the environmental groups one of the important points we need to point out is that coal is only one of the hydrocarbon sources in this country. We have oil and gas. Coal is certainly the heaviest emitter of CO₂, but you cannot ignore the emissions of CO₂ from both oil and gas. I know, when the Government announced the need for up to four clean coal stations, that one of the drivers behind that was the fact that coal is the most heavy of the three main hydrocarbons. But if we are going to achieve the carbon targets by 2030 and 2050 we need carbon abatement to apply to all hydrocarbons, not just to coal. To fail to do so is actually to put forward a substantial competitive disadvantage to the development of coal in this country, and in particular to indigenous coal.

This motion is asking for a commitment over and beyond the four clean coal stations which were put out by Ed in the statement at the time of the Budget. If we do not do that, we will end up with gas dependency that is going to be unhelpful to the security of supply.

I would like to finish with one last point which is that mining jobs are in relatively poor parts of the country, yet they are well paid and skilled jobs. Please support this motion.

Mike Clancey (*Prospect*) supported Composite Motion 14.

He said: Prospect welcomes and commends the work of the TUC Clean Coal Task Group and endorses its recent submission to the DECC consultation on the future framework for clean coal development. Prospect members are key contributors throughout the energy sector managing generation networks and renewable activities. It is fortunate at a time when so many industrial sectors are facing contraction that energy offers the opportunity to replace lost employment with high quality, high skilled jobs. As we do with ageing infrastructure, we must replace ageing and carbon inefficient generation and prepare to meet the challenge of targets associated with the transition to a low carbon economy.

Prospect policy supports a balanced approach to the energy supply mix. We see a role for nuclear, coal, gas and, of course, renewables in an energy mix that achieves our carbon objectives. The overall energy policy framework is becoming clearer with the commitments to enable renewable generation sources and firm support for nuclear new build. We believe the same durable commitment must support clean coal as an essential component of energy supply. Building a world leading carbon and capture storage sector offers huge opportunities for UK manufacturing and science. The Energy Security Report from Malcolm Wicks, the Prime Minister's Special Representative, remarks in its Global Outlook for Coal that since 2000 coal consumption has grown faster than any other fuel. It is the second most important fuel after oil in the global energy mix.

Therefore, the achievement of cost-effective industrial scale carbon capture and storage technology is an essential contributor to global emission reductions in any scenario.

From a UK perspective we not only have the indigenous coal reserves to consider but also the potential contribution of coal-fired generation to energy security. Energy commentators are now beginning to assess the shape of our electricity market in the context of greatly increased connection of renewable generation, primarily wind. As vital as renewable generation is to combat climate change, the electricity system will face new challenges as a result. Given the intermittent nature of wind power, conventional generation has to be available at short notice for difficult to predict time periods. Nuclear plant, generally, cannot support these volatilities, so either gas, with its own carbon challenges or clean coal must be factored in.

The jury is out on the question of whether investors will see it worthwhile to build conventional plant which will largely be in reserve to capture the peak in prices when the wind does not blow.

The recent Pöyry Report concluded: 'We find that the commercial risk of operating in this market is much greater than currently.' Therefore, Congress, it is vital that we give ourselves the option of clean coal as part of the energy mix and as a contributor to the solution of intermittent renewables. Congress, please support this motion and give momentum to the work of the Clean Coal Task Group as it presses the Government to support clean coal in our generation mix for the future.

Stuart Sansome (*Community*) supported Composite Motion 14.

He said: Congress, I am from a family of miners and steel workers, two industries which have been fundamental to south Yorkshire for generations. But, Conference, I believe that these industries can and should be in place for future generations to come. This is why my union is supporting this composite.

Our Government have committed the UK and the rest of Europe to extremely ambitious targets to reduce carbon emissions. The Government have, rightly, attempted to show leadership to the rest of the world in the lead-up to the Climate Change Meeting in Copenhagen later this year. Sadly, we believe that the Government are failing to demonstrate the same level of leadership and commitment to the industry and its workforces here at home. The steel industry in the UK is operating at maximum efficiency that the best available technology will allow. It is a world leader, a perfect example of high value -- green manufacturing, you could say. CCS provides an opportunity to help green energy intensive industries like steel and coal. Our Government, however, barely mention the steel industry in its low carbon industrial strategy. We notice Government support for high value aerospace or the automotive sectors in the UK through the Advanced Manufacturing Strategy, but they ignore the fact that these sectors need high specification, low carbon steels. My steelworks supplies these sectors and we want to be part of the future as well.

The Government also talk about their ambitions for renewable energy, but we ask the Government where the low carbon steel is going to come from to supply these industries? I hope it is not coming from Russia, the same as Ian Lavery's coal. The rhetoric is not being matched by action. Recently, the French and German governments helped their steel industries to secure pilot demonstration projects for carbon capture and storage technology for steel making. The UK bid was unsuccessful. This technology has the potential to cut carbon emissions by 50%. Surprisingly, our leaders at DCC and BIS were blissfully unaware of what was going on. That is not an example of joined-up government.

Congress, the Government were desperate to show leadership to the world in setting targets. It now needs to show leadership by speeding up the development and deployment of green technology for industrial applications, particularly technology which has received significant public investment. CCS is just one of those technologies that needs significant public investment. This is essential to sustain competitive British industry and our jobs, and it is essential to green and save our steel industry. Thank you.

Doug Rooney (*Unite the union*) spoke in support of Composite Motion 14.

He said: Congress, I rise to support this composite. Unite is fully behind the composite for all of the reasons having been outlined by the speakers who have contributed today. I would like to say that we have members in the open cast mining industry and these members would clearly benefit in terms of their future and continuity of employment, but as previous speakers have indicated, it is wider than that. We need decisions to be taken as has been referred to. There are many, many studies and many reports, but we need to look at particular projects which would introduce a financial framework that would allow companies to go ahead with these projects and then test them out to see which one is the best.

Recently, I visited Long Gannock Power Station in Fyfe in Scotland. Scottish Power has an idea about using that power station to capture the CO₂ that it emits, and to transfer that to aquifers in the North Sea. That has tremendous potential. It is not a technology that can be developed overnight or something that can happen quickly, but we have to engage in the actual engineering, design and testing of these projects. The only way you can do that is by taking decisions to go ahead, back several of them and, frankly, get going, and that is what is required for all the reasons outlined; manufacturing jobs, scientific jobs, jobs for the young, a challenging future and I recommend that Congress supports this composite.

The President: Congress, there was no opposition to the motion so I will move straight to the vote.

* *Composite Motion 14 was CARRIED*

The President: Congress, it is my great pleasure to introduce Ed Miliband, the Secretary of State for Energy and Climate Change. Delegates, in recent years the environment has rapidly risen up our agenda. Green jobs and green skills are now major issues for our Movement. New union environmental reps are helping to make Britain's workplaces greener. We are campaigning not just for a transition to a green economy but for a fair transition to all of those crucial areas that Ed has been a friend and supporter of. He has shown that he is prepared to listen to the trade union Movement. Ed will first address Congress and has then agreed to a question and answer session giving delegates the chance to put their questions to him directly. Ed, you are very welcome here today and I invite you to address Congress. *(Applause)*

Rt. Hon. Ed Miliband MP, Secretary of State for Energy and Climate Change: He said: President and Congress, Sheila, let me start by thanking you for your introduction and say what a pleasure it is to have the chance to address you today.

I want to start, Sheila, by paying tribute to your Presidency of the TUC. You were telling me last night that you went out to work at the age of 15 and the last thing your dad said to you as you went out to work was, 'Don't forget to join the union'. I think it says so much about you and the trade union Movement that you have gone from being that girl at the age of 15 to being President of the TUC. I know from talking to people around Congress what a brilliant President you have been. *(Applause)*

Can I also pay tribute to the green reps throughout the country who are doing such a fantastic job. I recognise that we cannot build the low carbon revolution we need with Government alone. It needs people to make it happen, and all round this country trade union green reps are showing the way to the low carbon future that we want. I think, Congress, we should pay tribute to them and their work. *(Applause)*

I also want to thank you, and in particular the TUC, for what Sheila talked about in terms of the 'just transition', because you have brought together during the last year, and your slogan here at Congress of 'Jobs, Justice and Climate' says this, trade unions from north and south around the demand for a just transition at the Copenhagen Summit in December of this year. I can tell you that it will not just be the TUC position that we need a just transition, but it will be this Labour Government's position that we argue for at the Copenhagen Summit this December.

Congress, I am the first Secretary of State for Energy and Climate Change to address you but, as so often in politics, I find that my brother got here first. *(Laughter)* He came to you in 2006 as the first Secretary of State for the Environment. Sometimes he and I get confused, not by everyone in the trade union Movement but by some people. I have to tell you, briefly, about my low moment. It was in 2005 at the Labour Party Conference. There I was, as a new Member of Parliament, and I was standing at the bar and who should I see waving at me across a crowded room but Tony Woodley. I thought, 'I've really hit the big time here. Tony Woodley wants to come and talk to me.' Anyway, he fought his way across the room and to the bar, and he clutched me by the arm and he said, 'David, David, I'm really sorry I called

you 'Ed' earlier on today.' He was a bit alarmed when I said, 'Derek, don't worry, it's no problem.' (*Laughter and applause*)

Yesterday, Congress, Gordon talked to you about how we tackle the economic crisis. I want to talk to you about the climate crisis and how we tackle that. The most important thing in my view is that both of them demand our values, because they have a proper cause: markets without proper regulation. They have a common victim, not the people who caused the crisis but the people who you represent. And they have a common solution: strong and active government which does not leave people to their fate. We need to learn the lessons of these crises. We need to learn the lesson that vast inequality is bad for our society. We always knew it was bad socially but we also know that it is bad economically as well, and that includes unjustified City bonuses. We need to learn the lesson also that you cannot build your economic future on one industry alone, and I will be talking about green jobs in my speech. We also need to learn the lesson that climate change is no longer just about the environment. It has got to be about jobs, energy security and fairness as well. We need to learn the lessons and we need to show that we are equal to the climate crisis and the economic crisis, but we need to do something else as well.

The task of labour politics has always been to see that politics is shaped by crisis but not to be imprisoned by it. So the task in the years ahead, in my view, is at this moment of crisis to work out the kind of society we believe in and to build it. I want to talk today about what that means in my area of climate change and energy.

Some people think that the issue of climate change is some theoretical prospect for the future, but you know in your campaigns with the trade unions from the south that that is not the case. I was in Bangladesh recently and I visited people who live on sandbanks or chars. There are two million people living on sandbanks in Bangladesh. They are at the frontline of climate change, and they showed me how high the waters had risen in 2007. In this small village, all but four houses had been damaged or swept away. They cannot wait for a solution on climate change. That is why the world needs to agree an ambitious agreement at Copenhagen this December. But what you know and what I know is that climate change is not just about Bangladesh. It's also about people here at home and future generations.

My constituency is Doncaster North. Also in 2007, I saw my local high street in a place called Toll Bar - some of you would have seen it on the news - (I arrived there on a Wednesday evening) with people in canoes rescuing people from first floor windows. Congress, I cannot tell you definitely that that is caused by climate change, but what I can tell you is that there will be many more Toll Bars if we do not act this December in Copenhagen.

But what I have learnt during the past year that I have been doing this job is that it is not enough just to talk about the problem. It came home to me when a Labour Party member in Manchester said to me: 'Look, Ed, you've got to remember that Martin Luther King said, 'I have a dream'. If he had said 'I have a nightmare', nobody would have followed him.' What he was telling me was that in making the low carbon transition, we also have to paint the picture of the good society, the good society in jobs, in energy security and fairness. That is my argument today.

So let's start with jobs. I was at the Sharp factory in Wrexham. Some of you will know it. It used to make video recorders. About five years ago it stopped making video recorders and it started making solar panels, shifting from high carbon manufacturing to low carbon

manufacturing. But what I know from you and what you have told me is that it is not enough simply to transition one industry to another. This low carbon revolution has to be about new industries, new jobs and new opportunities. The most obvious one of all is in coal. I listened to the debate and the very good contributions from the NUM, BACM and from the other unions. Coal is the biggest dilemma we face in energy and the environment. The speakers reflected that, and I think we all know it, because it is the cheapest and most flexible fuel but it is also the most polluting.

The great thing is that there is a solution to the problem of coal and coal-fired power stations. There is a solution and it is called carbon capture and storage, which some of the speakers talked about. But you have to ask the question: why, over three decades, when people have known about carbon capture and storage, has it not been properly developed? There is a very simple reason. It is because we cannot leave it to the market alone to develop carbon capture and storage technology. *(Applause)* That is why we are putting forward legislation in the next session of Parliament to build up to four carbon capture and storage demonstration projects. I heard the speakers who said that we need more than four, and of course that is a message I will take back to my friends in the Treasury. But four carbon capture and storage demonstration projects would be world leadership.

However, it is not enough just to put the public investment in, billions of pounds that we will be mandating through legislation. You also need the regulation because the other reason why there has been no shift to clean coal technology is because companies have not had the incentive to make that shift. That is why alongside the public investment we are putting forward the toughest conditions on new coal-fired power stations in the world. People estimate that this could create 30,000 - 60,000 jobs by 2030 in this country, jobs constructing the power stations, jobs designing and manufacturing the components, jobs laying the pipes to carry the CO₂, jobs at every level of skills. It is not just jobs in coal but it is jobs in nuclear as well.

Congress, I have to confess to you that I did not grow up in a pro-nuclear family, but the truth is that climate change should change everyone's view about nuclear power. Because nuclear power no thanks today means climate change no doubt tomorrow. That is why we were right to end the moratorium on nuclear power stations in this country. That is why it is right that we are part of the global renaissance in nuclear power. I applaud the unions like Prospect, Unite and the GMB which have been campaigning on nuclear power as well.

Now I want to come to renewables, and I see people in this hall asking questions, and we will be getting into this in discussion about Vestas. *(Applause and cheers)*

The President: Thank you, Ed. Congress, the Deputy General Secretary will now chair the Question and Answer session. Frances?

Frances O'Grady (*Deputy General Secretary*): Thanks very much, President. We have had a number of questions. It is good to feel the hall is a bit livelier now. Could the delegates who are going to ask their questions be ready down by the mike here? I am going to take three in a row to start with and then get an answer from Ed, a couple more, and then we will see how we get on time-wise. First of all, can I have Peter Clements who is a Prospect rep and a lay rep at Sellafields, please?

Peter Clements (*Prospect*): Mr. Miliband, Prospect welcomes the Government's balanced energy policy and the low-carbon transition plan published in the summer but we are still concerned that there will be an energy shortfall as our ageing stations close before new ones come on line. What action are the Government going to take to make sure that the lights do not go out?

Frances O'Grady: Thank you. Can I take Ruth Davies from UNISON, please?

Ruth Davies (*UNISON*): Minister, with many of our members now struggling with high fuel bills as wages are increasingly squeezed, could we have a fresh commitment from the Government on tackling fuel poverty and a strategy for achieving some real gains in the short term? Thank you.

Frances O'Grady: The last one in this group, please, Katrine Williams from PCS.

Katrine Williams (*PCS*): Minister, it came as a disappointment to all trade unions that a Labour Government is on record as saying they do not believe workplace environmental reps should be placed on a statutory footing. The Prime Minister advocated green jobs to us yesterday and Vestas workers have been an inspiration to all workers in this country highlighting the real and urgent need for government support for green jobs and green working practices. Based on the principle that the government should set a good example, are you prepared to publicly commit to reasonable time off for workplace environmental reps in the civil and public services to set a good example to all employers and enable the Cabinet Office to meet its statutory and sustainability targets?

Frances O'Grady: Brilliant. Thank you.

Ed Miliband: Thank you for those questions. On the first question, the lights are not going to go out in 2016 despite what you read in *The Daily Telegraph*, or maybe you do not read *The Daily Telegraph*, but that is what they have been saying. The big question is this, are we going to be able to keep the lights on in a way that is good for low carbon and good for jobs, or are we going to do it in a different way? Lots of gas-fired power stations are being built and I think they do make an important contribution to our energy needs but the truth is we have to get on with it, as people were urging in the debate, on coal and clean coal, we have to get on with it on renewables as I have said in my speech, and we have to get on with it in nuclear. We are on track on many of these things and we will try and move this on as far and as fast as possible. I think the reassuring thing for the public is that the lights are not going to go out but the truth is also that we have to speed up what we are doing in terms of the delivery of low carbon projects.

In the second question, you asked a very important question about fuel poverty. We made a commitment in July that as a contribution to this, and I do not say it is a full answer but as a contribution, there is something called the social tariff which people will know about. Basically, it is something the energy companies do voluntarily. They voluntarily give people reduced bills, essentially. What we have said is that it is no longer acceptable for that to be voluntary, it has to be put on a statutory footing, it has to be made compulsory, and we have to make sure that if we are saying a certain group is going to get the social tariff it does not get closed down and closed off to people in that group. At the moment, what happens is you get a pensioner coming forward and getting a social tariff, the companies will then spend up to their limit and then will say, 'Okay, we are accepting no more people.' We want to do that

to make a contribution on fuel poverty but the truth is there is a lot more to do in this area and we need to continue to have a dialogue about it.

The same goes for workplace reps. I certainly have not said that we are ruling out putting environmental reps on a statutory footing and have a role in the next manifesto, so I think that is a very live and important issue for the next manifesto and I think it is something that trade unions and I need to discuss. I think if we are committed, as we are, on tackling the environmental challenges we face we do need to carry through on that.

Frances O'Grady: I think that was a yes. Thank you, Ed, for that. We will put that on record. I have two questions on the same subject from RMT, a young member, Michael Livingstone, followed by Richard Allday from Unite. Michael first, please?

Michael Livingstone (*National Union of Rail, Maritime and Transport Workers*): Can you pay tribute to the Vestas workers again, please? They are fighting to defend green jobs and are with us today at the back of the hall. (*Applause*)

Michael Livingstone: Could you also comment on the RMT members who have been arrested in Southampton under the anti-terrorism laws and tell us what you are going to do to support them, please? Finally, do you agree with the three-quarters of the public who according to a public poll that was released today say that they back publicly-owned wind turbine manufacturing? Thank you.

Frances O'Grady: Thanks, Michael. Now, Richard on the same subject, I think.

Richard Allday (*Unite the union*): Thank you. Sorry, it is rude to correct you but you noticed the slogan of this year's Congress but you pronounced it *Jobs, Justice, Climate*. It should be pronounced *Vestas*. You are Ralph's boy, is that right? That is all I wanted to say, you are Ralph's boy?

Ed Miliband: I will say that a Miliband is Ralph, definitely.

Richard Allday: Right. He told me 35 years ago after a meeting a quote which I have tried to live by ever since, I think it is excellent. It is, *Rhetoric is fine but truth is concrete*. So, the question specifically is, given the very real danger that you accept presented by global warming, and it is excellent the importance you attach to it which is driven above all by industrial pollution, and given the concern felt by this Congress at the rising cost in money and misery of rising unemployment, will you strike a blow for jobs and the environment at the same time by nationalising the Vestas wind turbine factory on the Isle of Wight? If you are worried about the cost I think the bankers owe you a few favours. And let's be clear, we are not asking for favours, it is our money, and when do we get a chance and a say in how it is spent?

Ed Miliband: I hate to disappoint you. Michael and Richard, you asked really important questions but I just have to be honest with you about my view on this, which is that I do not think government should be in the business of running wind turbine factories. I do not think that is what government is best at. Let me just explain why I think that is the case and then people should come back if they want to. Vestas made a commercial decision about the orders they were getting. Now, we have some money we can spend on wind turbines and on supporting wind turbine projects and we said we are going to £120m. When the commercial

decision of the company is that they do not think there are the orders for their projects, I do not think that is what people want us to be doing, to be completely honest. I have not seen the poll that you refer to.

We are determined to give public investment to help wind turbine manufacturers and to get jobs in this country and that is why I have made the announcements I have today about money for Clipper, for Siemens, and for Artemis International Power as well. I also have to point out Vestas are not selling that factory and they are refusing to sell that factory at the moment, and that is another story, but we are wanting to invest in wind turbines in the Isle of Wight. That is why we are making available £10m or so to help provide an R&D facility on the Isle of Wight. I am very sorry, as I said in my speech, about what has happened on the Isle of Wight. I do not think government's business is to own wind turbine manufacturers, it is just a difference of view about what government is good at and what government is not good at. I do think we need public investment in wind turbines and that is what we are going to do.

Frances O'Grady: Thanks very much. Okay, the next group of questions I want to start with Hilary Hosking from TSSA, who is a rep on Southern Railway, I think.

Hilary Hosking (*Transport Salaried Staffs Association*): Mr. Miliband, given that railways are acknowledged as the greenest form of motorised transport, why at a time of international commitment to reduce carbon emissions are they the most expensive form of travel, especially compared to air which has one of the highest levels of damaging emissions?

Frances O'Grady: Thank you, Hilary. Next we have Amanda Collick from CWU.

Amanda Collick (*CWU*): Thank you. Mr. Miliband while welcoming projects such as the 10:10 campaign we note that neither voluntary initiatives such as these nor the market forces on which the Government have previously relied are ever likely to have any real impact on halting climate change. This issue needs direct intervention from government. When will the Government recognise this fact and when they commit to a major programme of direct government investment in the creation of public sector jobs to deliver carbon-neutral housing for new and existing housing stock, clean and secure renewable energies, and an integrated public sector transport system that reduces reliance on cars?

The Deputy General Secretary: Thank you, Amanda. I think the final question we are going to be able to take today is from Lynn Brook, who is a GMB convenor.

Lynn Brook (*GMB*): Minister, we recognise the progress your department has made, for instance, on social tariffs. However, GMB believes Ofgem needs to go much further to compel energy companies to support UK jobs in direct employment and the UK manufacturing supply chain. When will the government compel energy companies to justify hikes in prices before increases are made?

Ed Miliband: Thanks for those questions. On Hilary's question about air versus rail, I think it is a very important issue you are raising and indeed I think in the whole area of transport, and I did not get a chance to go into it. There are big green job opportunities, including the hybrid buses where we are doing very well as a country. Domestic air travel is going to have to become more expensive and we do need, as much as we possibly can, to shift people away from domestic air travel towards train travel. That is why we are committing to high-speed

rail and that is why we have raised our passenger duty. I think that is important. I also understand that next year rail fares, at least the regulated part of them, are going to be held below inflation. I think the truth is that if you look at what the costs are of buying at the same time a rail ticket and an air ticket, I am not sure that air is that much more expensive. But the basic point you make, that domestic air travel is going to have to become more expensive and we need to make rail travel as competitive as possible in terms of pricing, is one I completely agree with, and I think it is completely right.

Amanda, you asked about direct public sector investment. It is always the case that the trade unions are rightly going to say we should be doing more in this area but let me just say a couple of things. First of all, we put aside in June £1.4bn for public sector housing. Is that enough to solve the public sector housing crisis? No, it is not. Is it a sign of what we are determined to do even in tough times? Yes, it is. John Heeley has just announced the first half a million pounds that is going to be spent by local authorities. We have put aside about £400m for direct green investment, including £120m for offshore wind and £60m for marine. Is it completely enough to get off to a low-carbon revolution? Probably not, but it takes us some distance towards it. I think it is important. On energy efficiency we are also putting money in.

So, I basically agree with you that government, as I said in my speech, cannot leave it to markets alone to get the kind of green revolution that we need, and government does need to do absolutely what they can in terms of public investment.

Then, Lynn, you asked a question about Ofgem and its role. I think I have indicated in my remarks that we need tougher regulation in this country. I know this is something that you have been calling for, for a long time, and I think you are completely right about it. You also raised the issue of wholesale costs, retail costs and the gap between them, and Ofgem have recently written to the energy companies precisely on that issue. I think we need to do more in terms of regulation and the truth is that as we face higher pressures on energy bills we need to do more, not less, and we need tougher regulation, not weaker regulation.

Finally on your question about jobs in this country, I am absolutely committed to help building the green industries in this country and we are in dialogue with the trade unions starting last week with a very good round table that we had about how we can make that happen, but we are determined to make that happen and we are determined to work with you to make it happen.

Frances O'Grady: Thanks very much, Ed. I think that just leaves me to say thank you to all the delegates who have put questions. Thanks to the Secretary of State for coming to take those questions direct, for your commitment to our campaign for a just and fair transition, and also perhaps delegates may join me in congratulating Ed and his partner, Justine, on having their first baby this summer, baby Daniel. Thank you. (*Applause*)

The President: Thank you, Frances. Thank you, Ed.

Congress, we now continue with Chapter 3 of the General Council's Report, Economic and industrial affairs, the section on Transport from page 74. I call paragraph 3.12.

Transport

Charles King (*GMB*) leading in on paragraph 3.12 of the General Council Report.

He said: Thank you, President. I will try to be very brief. I wish to raise a couple of points on 3.12, Transport and Aviation. As the report in the Council's Report says, the government committed themselves to a third runway at Heathrow last year but it is dependent on issues of capacity, environment impact, and a high-speed rail link. For the first time that is an integrated policy of rail and aviation. However, we have some concerns that the recent Network Rail report suggests that to put a high-speed rail link to Heathrow would cost 15 minutes on a journey time and to put a branch to Heathrow would actually be financially unviable. However, we must not lose this policy of integrated transport with aviation and rail. We would suggest that the TUC continues to campaign for this integrated transport policy covering both rail and aviation, and we look at ways of linking Heathrow into a high-speed rail network even by conventional rail. Those that campaigned against this and suggest that there should not be a third runway at Heathrow to modernise Heathrow do not understand how long-haul aviation works, do not understand about the problems of the economy and keeping an aviation-base in the UK for long haul, and are not concerned about the number of job losses that would occur if we did not do it. So, I would ask the TUC to maintain this campaign of integrated transport of both aviation and rail. Thank you.

Sue Bond (*Public and Commercial Services Union*) spoke to paragraph 3.12 of the General Council Report.

She said: In paragraph 3.12 on Transport, under Aviation, on page 75, the TUC, as the previous speaker has said, has welcomed the Government's announcement that Heathrow's third runway should be built subject to conditions on environmental impact. However, the TUC also endorses in the preceding paragraph 3.11 its commitment, which has already been discussed, to adjust transition for a low-carbon economy with investment in energy reduction measures and green transport. There is now an avalanche of scientific evidence that the threat of catastrophic climate change is more grave and more imminent than we had ever thought. We have less than 10 years to stop and reverse the global growth in carbon emissions, in particular the Government's own committee on climate change reported last week that aviation is the fastest growing source of carbon emissions and is advised that the rapid expansion of air travel is inconsistent with the Government's legally binding commitment to cut carbon dioxide emissions by 80% by 2050. The committee warns that allowing aviation to expand at the rate proposed could place an unacceptable burden on other industries to achieve that cut.

In the light of that report, PCS believes that the TUC's conditions on environmental impact cannot possibly be met. My question, therefore, is, first, considering the high priority given by the trade union Movement to tackling climate change as a matter of extreme urgency and, secondly, following the serious warnings last week by the committee on climate change, and Ed Miliband's comments on the need to reduce air flights, together with trade union commissioned research to demand the transition to a low-carbon economy will create over a million new sustainable jobs so that it is not about job losses, will the TUC now revisit and consult affiliated unions with a view to reconsidering its support for the expansion of Heathrow Airport?

The President: I am calling the Deputy General Secretary to reply.

Frances O'Grady: Thank you very much, President. The TUC has a clear policy of supporting all the aviation unions in their support for a third runway. Most recently a motion was carried in support of aviation expansion in 2003, *Keep Britain Flying*, which also called on the Government to deliver the necessary sustainable infrastructure for both the south-east and the regions. The TUC policy has always recognised that the carbon emitted by the aviation industry needs to be abated through aviation's inclusion in carbon trading emission schemes and, crucially, through improvements in public transport and the creation of an integrated public transport system. The TUC will continue to monitor all scientific and other evidence on environmental impact of the aviation industry and of course we will keep affiliates informed of all new developments and the implications for future policy, and of course, as always, affiliates are free to bring motions to Congress. Thank you.

The President: Thank you very much, Frances. I now call Composite Motion 15, Rail Industry. The General Council support the composite motion.

Rail Industry

(Insert Composite Motion 15 - Rail Industry)

Andy Bain (*Transport Salaried Staffs' Association*) moved Composite Motion 15.

He said: The TUC General Secretary informed us on Monday that public sector deficit was a symptom not the cause of recession and the cuts in spending would make matters worse, risking a double-quick double-dip recession. This warning comes from us, too, in the rail industry as it does from unions across the public sector. Gordon Brown yesterday seemed to lull us into another world where all we needed to do was trust him, cuts included, and everything would be okay.

The railways face growing redundancies as the many companies in the industry respond to the pressure for more dividends for shareholders - you saw some of these listed on the video this morning - but the Government have a responsibility in this strategic industry, which is largely financed via taxpayers' money going to private companies. From our different sectors we have all had a go at the Government's generosity to the banks while threatening cuts across the public sector, but finance capital does seem to have a special place in today's political establishment. A few words on this system are again appropriate.

The rules seem to be based on a *Heads I win, Tails you lose* model, the perfect system if you are super-rich. It has four simple steps: one, deregulation; two, you take more and more risks and make more and more money; three eventual collapse and, four, the taxpayer bails you out. Then you start all over again. Those at the top in the finance world and their political representatives, their friends in the media and many others with a stake in the capitalist establishment, support this system of rewards. It is a manmade system and as such it can be changed and it must be changed.

The rail industry finance system is not fit for purpose and it never was, but it has taken some time for this reality to be widely understood. Government subsidies are now higher than at the time of privatisation. The UK has the dearest fares in Europe while the illusion of competition between railway companies is still promoted. We have a hugely complex fare structure with difficulty in getting accurate and full information on alternative fares, deferred engineering maintenance which affects jobs and probably safety, and the competition-driven

undercutting of franchise bidding is now resulting in further problems; demands for government handouts, staff redundancies, downgrading services such as dining cars on trains, closure and de-staffing of booking offices, and cutbacks bringing risks to safety. But bonuses for bosses and shareholder dividends continue as if all was well, and also continuing are these attacks on jobs, pay, and pensions.

We have a job to do to support our members and organise them to challenge these threats and to limit redundancies. The TSSA represents mainly office workers and I will briefly describe two of the many examples we are facing. The next motion deals with another one. The parent company goes ahead as three train franchises. One is Southern where they recently re-won the bid for the franchise that they already had, even though this is the same company staff needed to be TUPE'd over. Go ahead and define the intent of TUPE. This is happening in other companies. They are changing the jobs soon after the new franchise starts to get rid of mainly head office staff, including safety personnel. This is happening via small reorganisations at different times which are difficult to resist. In another go-ahead franchise, South Eastern, a similar attrition is taking place with up to 300 jobs are going. Management is making use of the worsening contract conditions previously imposed by Connex soon after privatisation. This has gone close to a strike in the past but it was difficult to get our management grades to take such action.

There is an obvious lesson here for us, and over the past few months TSSA has authorised more strike ballots than it has done over the last 10 years. We in the TSSA have embarked on the organising model in an effort to build our activist base, give our reps more responsibility, and better organise our membership. This is bringing results and you probably heard of us more in the newspapers recently, but along with resistance to individual employers to protect our members in the longer term we have to engage politically, and the TSSA, and I now see ASLEF uses the term, *not for profit*. This may be seen by some as a compromise to deal with a Labour government that is committed to the private sector and private railway. The TSSA is fully committed to public ownership of the railway.

Tony Cashman (*Associated Society of Locomotive Engineers and Firemen*) seconded Composite Motion 15.

He said: President, Congress, my colleague from TSSA has focused on some of the other issues in the rail industry, including redundancies. ASLEF would like to focus on the crisis in freight. We have heard the testimonies over the last week from delegates about the effect of the downturn in the economy, job cuts, wage cuts, wage freezes and redundancies. The rail industry is no different. For the first time in 40 years train grades are facing the real prospect of redundancies. Not since the days of Beeching and not since the days of the demise of steam has there been such threat to train grade jobs. We fully support the Government's policy in trying to build an integrated freight network on rail. Sadly, rail freight only deals with 12% of surface freight in this country. It sounds a lot. It is not. Forty per cent of that deals with internal rail modernisation and delivering goods to site. At the same time as the cutbacks on cargo due to the recession are biting, Network Rail is cutting back on essential maintenance and modernisation work, thus putting in danger thousands of railway jobs. This is obscene when you consider that over 20 years ago there was two major rail disasters, Clapham and then Purley about six months later. As a result a public inquiry, paid for by the government, demanded we have automatic train protection throughout the UK network on rail. To this day it has not been implemented yet the Government allow Network Rail to delay essential modernisation of the railways. It is a disgrace, absolute disgrace!

The Government, having said they believe in a strategic freight rail network, have committed £200m to the project. It sounds like a lot of money. Is it heck! I will give you an example. The modernisation of Birmingham New Street, which is currently going, on is projected to cost between £300m and £400m, nearly twice as much as the Government are willing to put into a freight network in this country. We need an integrated freight network for rail linking ports and airports to create jobs between cities and between towns, and rebuild the economy of this country. It is a disgrace the lack of money that has been invested in it.

One last point. The current executive to Railtrack has presided over a failure by 20% to meet their targets on freight, and for failing to meet their target by 20% and cutting jobs they have paid themselves obscene bonuses early this year in their millions! Support the motion. Thank you.

John Leach (*National Union of Rail, Maritime and Transport Workers*) supported Composite Motion 15.

He said: Delegates, President, the last paragraph says what we want Congress to do. It talks about pursuing the matters that are listed before with the government, so that is what we have to get on with. It is not just about how bad the industry is, we fully understand that. My union's experience of the current economic downturn is basically one where the employers have used this as a good opportunity on more than one occasion for a smash-and-grab raid against our members' terms and conditions and put the boot into the industry right across the piece. This includes freight, as ably described in the resolution.

I would also point out to you, comrades, that the situation on freight, whilst it is very complicated, in one way it is very simple. Last year the company English Welsh & Scottish Railways, which is the largest freight company in Britain, was sold lock, stock and barrel, to Deutsch Bahn Schenker which is the German government-owned state railway. They, and we have proof of this, then set on a restructuring campaign which basically included downsizing. Now, bearing in mind what Ed Miliband has just said to us as a movement about climate change, the whole idea that restructuring downwards away from freight whilst we are dealing with the economic downturn of carbon emissions, and all the rest of it, is criminal insanity which we as a labour Movement need to condemn outright, and we do.

But the fight back has started, President, delegates. Last week (or just before that) my union was told by Network Rail that 1,800 jobs would be going on the maintenance sector. This is people's jobs and it is people's safety. My union will resist this at all costs, including strike action to defend these jobs if needs be.

I will finish on this point, which has reached every single corner of the railway industry. Tomorrow at one minute to 10 o'clock our members in a cleaning company on Eurostar will be walking out the door taking strike action in defence of their right to have a pay rise and to resist compulsory redundancies in our industry. This Congress should send them our solidarity and our support, and I ask you to do that here and now, comrades. These people are some of the most exploited people in the railway industry; they are not just fighting for a pay rise, they are fighting for the right to have a job. Resist the employer's excuses and smokescreen to attack our members' terms and conditions and safety on the railway, get behind freight on rail and fight for the industry that we all know this Movement needs to get behind. Thank you.

The President: Thank you, delegate. As there is no opposition, I will move straight to the vote, and before that I would say that, yes, this Congress will be fully supporting those workers tomorrow at 10 o'clock in the morning.

* *Composite Motion 15 was CARRIED*

The President: I now call Motion 43 East Coast mainline. I understand the amendment has been accepted. The General Council support the motion.

East Coast mainline

(Insert Motion 43 - East Coast mainline)

Simon Weller (*Associated Society of Locomotive Engineers and Firemen*) moved Motion 43.

He said: President, Congress, we welcome the swift and decisive action taken by the Government in removing the East Coast franchise for the second time in three years following National Express's failure on this economically vital route, one of the UK's main north-south arteries. What we do not welcome is the re-letting of the franchise to yet another gun-for-hire out to make a profit at the expense of the passenger, the staff, and the taxpayer. We will see no positive change, no real improvement, just new uniforms for us and different coloured trains, and the paint is barely dry on the last lot.

It is clear why we should not finance the profits of the private firms with public money. This is a national service that should be in the service of the nation, not just those financiers in the City. It is worth noting the House of Commons Transport Select Committee described franchising as a mess, saying that the failure of two major contracts in three years is evidence of serious underlying problems with the current model. The economic downturn is further exposing the fragmented and unsustainable nature of our rail system. Network Rail in cutting back on upgrades and basic maintenance work to make efficiency savings is more evidence of the Alice-in-Wonderland economics of the entire railways. National Express's decision to walk away from a contractual obligation to pay the Government £1.4bn by 2014 further demonstrates this.

The franchising system cannot deliver the investment or certainty which passengers or taxpayers deserve. The company's rail division has made nearly £500m profit since it began running franchises in 1999 and then received £2.5bn in state subsidy. The financial shortfall of £1.4bn will have a significant impact on an already pressurised transport budget with expenditure on high-speed rail links and electrification as yet unaccounted for. With several other franchises in financial difficulties, with Pandora's Box unleashed by rail privatisation, it seems even more uncontrollable. We urge the Government to strip National Express of the remaining C2C and East Anglia franchises. Defaulting on one should mean defaulting on all. They should not be able to keep those franchises which are profitable while walking away from those that make a loss.

The one constant in the many variables of the franchising process are the workers in all departments, and ASLEF applaud the efforts of all the staff on East Coast mainline amid the uncertainties of the recent problems. We have some concerns around the amendment as it seemed to restate existing policy. We can all restate existing policy, and restate it and call for nationalisation and get the warm glow that comes with it, but it does not provide the whole

solution. We need to see the detail. We are calling for a strategic and focused response to the East Coast mainline franchise to lay the blueprint for the rest of the railway. We need a detailed solution that provides for the passenger, not the City, a detailed solution with proper governance, not the lash-up that is Network Rail, and collective involvement of the franchise's biggest asset, its staff.

We cannot underestimate just how important having a clear, detailed and readily usable solution is. The railway, and high-speed railway in particular, has a major role to play in our climate commitment and providing an alternative transport solution. Again, it is down to us in the trade union Movement to provide the agenda and a clearly defined alternative. Those detailed proposals need to be prepared now. Those detailed proposals need to be not for profit. They need to be publicly accountable and in the public sector, and they should be serving the staff and the passenger, not the bankers.

John Leach (*National Union of Rail, Maritime and Transport Workers*) seconded Motion 43.

He said: Delegates, a warm glow. It is a nice way of putting it. I will tell you what, comrades, I thought I was going to get a nice warm glow last year when we had a phone call. It was at the time that the banks were receiving their bale-out and one of the freight companies, I have already mentioned them once this week, EWS, was in serious trouble. Myself and my general secretary, Bob Crow, were invited to see Geoff Hoon, the then Secretary of State for Transport. We thought the warm glow he might have given us was that he was going to solve the problem of EWS and freight on rail by doing the right thing and renationalising the company. Unfortunately, all we had, and I said this at my union's annual general meeting this year, was a shrug of the shoulders, and what can you do about that? He has moved on and we have a new Secretary of State. It is not a warm glow. It is a positive restatement of what this whole trade union Movement should be about, which is a fully publicly owned accountable nationalised railway, London Underground, Tyne and Wear Metro, Eurostar, and at the bottom the Caledonian MacBrayne Ferries. The reason why we have to say it is because none of these companies fall outside of the sights of the employers. Whilst East Coast mainline may be back where it should be, it is not going to be there for long. There is absolutely no commitment for public ownership coming from what we are hearing from the Labour Party at the moment, and therefore it is our responsibility to restate what might seem the blindingly obvious to everyone in this hall, including this Government and the government that may be coming, understand where the trade union Movement is from.

The reason why we need to say it is because of the common sense of public ownership of rail. While British Rail was not perfect, in those days there existed one of the things they do not tell you, that it was a lot cheaper. The private ownership of the railways costs us, the taxpayer, the people in this country, three times what the ownership of it did under the public sector. That is one reason and one reason enough. I suppose it is easy to say these things but I am going to say it anyway: if it is good enough for the Government to bale out the banks, then it is good enough for the government to do the right thing by rail. We want full renationalisation of the rail companies and London Underground. The Government should stop the privatisation of the Tyne and Wear Metro and the Caledonian MacBrayne Ferries. Thank you.

Hamish Drummond (*Public and Commercial Services Union*) supported Motion 43.

He said: Proud to bring you, President, fraternal and sororal greetings from Dundee Trades Council. Congress, we just heard venture capitalism has failed the railways. It has happened before and it will happen again unless we do something. Despite the efforts of the union members who work hard every day to provide a public service and public transport, the private sector employers are shafting them again and again, they are shafting the economy and they are shafting the people who use this transport. Venture capitalism has failed. What we are saying now is let us try adventure socialism. Let us take the railways back into public ownership. Let us give the people of this country an environmentally friendly reliable service that we can all be proud to use that will keep this economy ticking over. Congress, I support the amended motion. Thank you.

* *Motion 43 was CARRIED*

The President: I now call Motion 44, Transport. The General Council supports the motion.

Transport

(Insert Motion 44 - Transport)

Bob Monks (*United Road Transport Union*) moved Motion 44.

He said: Mercifully, President, I will not take too long over this. Comrades, Motion 44 is quite self-explanatory. Yesterday our comrade from Napo used the expression, *bovine excrement*. Today I am going to seek to attract your attention by using the express, *human excrement*, and throwing in just for good measure, *human urine*. All of you here today would simply not tolerate a lack of basic sanitary conditions on behalf of the members you represent. Why indeed would you? It is taken for granted that when you go to work there will be a toilet and a washbasin. How, then, do you think professional truck drivers manage when legally stopping at the end of their working day away from their base? Well, you could say they could park their vehicle in a motorway service area. However, often if you have not parked your vehicle by 4 o'clock in the afternoon you will find that there are very few spaces, if any, left to park a vehicle. I am sure many of you have seen trucks parked by the side of the road in lay-bys and on industrial park roads. What do you think, then, the professional driver does with regards to sanitation? Well, I will leave it to your own imagination how professional drivers manage but I can tell you that often an empty plastic drinks bottle can be a godsend during a very wet and cold dark night. Comrades, to our shame trade unionists are often reduced to having to defecate on the side of the road. Is this really the United Kingdom in 2009? Now is the time to wake up and get real.

Benjamin Rankin (*GMB*) seconded Motion 44.

He said: Congress, I am pleased to give the GMB's full support to this motion on transport which focuses on the improvement of poor conditions that professional drivers have to tolerate. So let's be under no illusion, driving for a living is a tough, demanding and dangerous job. Drivers are under constant pressure and they are in charge of loads that are often of very high value and they are driving very large vehicles that have the capacity to cause carnage if something goes wrong on the road. Nowadays drivers are expected to obtain a certificate of professional competence to keep their skills updated. In other words, they are professionals yet the working conditions that they often have to tolerate are far from professional. I am talking about the high cost and poor standards at too many of the truck

stops. Truck stops with toilets that are broken, washrooms that are not fit to use, and costs that are way beyond any allowance that they may receive, and that is if they can get to a truck stop. Other than that, they have to go to a lay-by with no toilets, no washing facilities, and no way of getting a proper meal.

Drivers up and down the country need somewhere safe, civilised and affordable to park up at night, not putting themselves at risk of attack in some isolated lay-by. These incidents are happening all the time and put the safety of the driver at risk. It is estimated that road freight crime costs the economy up to £250m a year. These drivers have a responsibility of keeping themselves safe, their cargo, and the other road users. A driver who has a good night's rest is a safer driver in the morning and that is better for all other road users. They cannot do their jobs properly and safely without adequate rest and they cannot get that rest without proper facilities. Congress, this is the 21st century. Surely, it is not too much to ask that at the end of a long day's work and on occasions 15 hours, a truck driver should be able to enjoy a hot meal, a clean bed, and a secure night's rest. The current working conditions for too many of our transport members are unacceptable and professional truck drivers should not have to tolerate this treatment. Secure and affordable truck stops are vital for the haulage industry and they are essential to make our roads safer for professional drivers and everyone else. Please support the motion.

Dave Williams (*Unite the union*) supported Motion 44.

He said: I am a member of Unite, still the transport workers' union and representing over 100,000 transport workers and warehouse staff in the UK. I heard the General Secretary this morning making reference to being mellow. This is not a case of any general secretary in this Movement being mellow. It is about general secretaries getting up and fighting back on behalf of the membership that we represent, and of course that includes membership in the grocery retail sector at this time. We are calling on Congress to recognise the urgent need to introduce a scheme to improve the facilities for professional and large goods vehicle drivers by refurbishing existing truck stops and building new ones. Our members are fed up with being unable to find somewhere clean and affordable to sleep at night. They are also fed up with the high costs and poor standards of the existing UK truck stops of which there are very few. They are obliged to sleep in their cabs and act as unpaid coffee watchmen. The lack of decent and affordable facilities nationwide result in many professional drivers resorting to parking lorries in lay-bys and on motorway hard shoulders, with no facilities whatsoever.

Congress, this cannot be allowed to continue. No other group of workers would be expected to enjoy the conditions which are currently considered the norm for a professional lorry driver. How many of you would travel on behalf of your company if you did not have a proper bed to sleep in, have no toilet facilities except the bushes in lay-bys, and with no washing facilities, not even a hand-basin? Lorry driving is a tough profession and there is considerable strain in the working day of a professional lorry driver. Congress, this is surely not too much to ask and it must be ended. At the end of a long day's work they should be able to enjoy a hot meal and a clean bed, and a secure night's rest. The dangers facing drivers is underlined by the attacks reported through Truck Pal and the National Police Unit, which is helping to combat growing freight crime which estimates that motorway pirates cost the UK economy up to £250m a year. Congress, when we achieve the resulting improvements in these facilities it will allow professional LGV drivers to park their vehicles in secure vehicle parks, have proper rest, and enjoy what the rest of you currently expect as the norm, decent eating and washing facilities, and a decent night's sleep. Congress, please support the motion.

* *Motion 44 was CARRIED*

The President: I now call Motion 45, Maritime policy. The General Council supports the motion.

Maritime policy

(Insert Motion 45 - Maritime policy)

Lee McDowell (*Nautilus International*) moved Motion 45.

He said: I am a lay representative, first time delegate, first-time speaker. *(Applause)* Good afternoon to you all, colleagues. I am an endangered marine species. I am endangered because I am a British seafarer serving on a British flagship. I am endangered because there are now fewer of us in the world than there are blue whales. I am endangered because on present trends our numbers will almost halve over the next 20 years so I am here before you today to ask for your help to save our seafarers. To be honest, I am quite sad to have to do this because it is barely a decade since that foremost seafarer turned Deputy Prime Minister, and we all know the one, John Prescott, announced a package of policy measures that promised to revitalise our industry. To be fair, we have seen an increase in the number of ships under the Red Ensign and we have witnessed a welcome rise in the number of officer cadets starting training, but it is simply not enough. Even with the increased number of trainees we have lost 30% of our engineering officers in the past decade, we have seen a 22% decrease in general purpose ratings in the last three years, and remain on course for officer numbers to fall by a third in the next decade. Government ministers agree with us that it is not good enough for an island nation that continues to rely on shipping.

Ourselves and the RMT got together, with the support of the shipowners, to submit an industry proposal for measures to deliver the seafaring skills that we so desperately need. Colleagues, the cost of this package was less than the price of a few feet of motorway yet here we are more than two years after the submission was made still waiting for an answer. If that was not bad enough, we have started to see worrying signs of the Government's joined-up approach to maritime policy rapidly unravelling. Whilst we struggle to win the support we need to encourage the employment and training of British seafarers there has been continued failure to combat the exploitation of foreign seafarers in UK waters and on UK ships. How are we as British seafarers expected to compete for jobs when we see foreign crews being paid less than £2 an hour? It is all completely legal, of course, because owners continue to enjoy an exemption from the 1976 Race Relations Act which allows them to pay exploitative rates for foreign national seafarers recruited abroad. Our ministers are telling us that the UK national minimum wage cannot be applied to seafarers working on UK ships trading between two UK ports. To be honest, things have been made even worse by the way that the UK Government have issued, like confetti, more than 15,000 certificates of equivalent competency over the last six years to our foreign officers to serve on UK ships and in the process creating a massive pool of low-cost labour that puts our jobs at greater jeopardy.

The lack of a coherent approach to maritime policy has also been demonstrated by the continued attacks on the seafarers foreign earnings deduction agreements, one of the few measures which goes anywhere near matching what our other EU member states do to support their seafarers, and if all that is not bad enough in the last year or so we have seen the Ministry of Defence decide to end the charter of a UK-crewed, UK flagship, because it had a

cheaper tender from a foreign-crewed vessel. In the past few months we have seen seafarers abandoned on foreign ships in UK ports, owed months and months of wages, and desperate for food for their vessels yet at the same time we continue to see pressure on the Maritime and Coastguard Agency which has to check more and more ships with fewer and fewer staff. Even the National Audit Office is warning that there are signs that the quality of the UK fleet is at risk because of failure to meet inspection targets.

It is also vital our MCA has the staff to enforce the working time rules on ships and our union has come before you time and time again to highlight the scandalous seafarers working hours. What other industry allows a 98-hour working week, comrades? All this is even more important because we are on the verge of introducing the International Maritime Labour Convention to help ensure decent service and conditions for all the world's 1.2 million seafarers, and if the UK is serious about implementing and enforcing this vital measure they must have the necessary staff and resources at the Maritime and Coastguard Agency. Myself, I do not like being an endangered species and I would love to see generations of seafarers following in my footsteps, so please support this motion and get the TUC to add its weight to the Nautilus and RMT campaign for the Government to safeguard UK seafarer employment and training. Thank you.

Phillippa Childs (*Prospect*) seconded Motion 45.

She said: Our colleague in Nautilus talked about the problems being faced by seafarers but I would like to focus my comments on the pressure on marine surveyors, Prospect's members working for the Maritime and Coastguard Agency. The Agency has itself admitted to the Treasury that it faces a staffing crisis amongst the skilled and specialist maritime professionals because of their inability to compete with private sector pay levels. As a result the Agency has carried surveyor vacancies for a number of years and demographic changes and shrinking of the UK maritime workforce will place increasing pressure on the Maritime and Coastguard Agency's ability to recruit surveyors unless rates of pay are substantially increased.

Under the Maritime Labour Convention marine surveyors will have additional duties to check terms and conditions on board ships. Unfortunately, surveyors currently working in the Agency are already facing increased workloads and stress because of the staffing shortages and they are finding it increasingly difficult to meet targets for mandatory inspections. Prospect has raised our concerns about the shortage of surveyors within the Agency directly with government ministers and we will continue to campaign for an adequately resourced and funded Maritime and Coastguard Agency, but to date we are faced with the same intransigence from the Treasury that civil servants have experienced across the board, despite the strength of the arguments or the compelling nature of the business case. Clearly, that climate is set to continue.

Congress, please support us in this campaign and support the motion so that seafarers are afforded the protection they deserve and have a right to expect. Thank you, Congress.

* *Motion 45 was CARRIED*

The President: I am going to call one final motion, Congress, Motion 46, Piracy. The General Council supports the motion.

Piracy

(Insert Motion 46 - Piracy)

Mark Dickinson (*Nautilus International*) moved Motion 46.

He said: Before I move on to my formal presentation to you today I would just like to say how proud I am as a plastic scouser to be in this fantastic city that has undergone a transformation. A plastic scouser, I believe, technically makes me somebody from the one-eyed city so if anybody does not understand that comment talk to your scouser colleagues and they will let you know what I mean.

Piracy, this is I think the image that most people understand and recognise, the Johnny Depp, the cuddly, sexy, handsome pirate. The reality, I am afraid, is somewhat more stark. I am grateful actually to the *Morning Star* (not a paper I normally subscribe to but thanks to our colleagues from the GMB I was given a free copy this morning, which is fantastic) where there is an article on page 7, 'Pirates beaten by North Korean crew. A maritime official revealed yesterday that Somali pirates got more than they bargained for when they tried to hijack a North Korean cargo ship on September 5th. International Maritime Bureau Chief, Noel Chong, reported that when 10 pirates aboard a speedboat began firing rocket-propelled grenades and machine guns at the vessel off the Somali coast the ship's crew fought back with improvised Molotov cocktails and rocket flares.'

The statistics are quite stark. Six seafarers were killed, eight are missing feared dead, 19 injured, and more than 560 held hostage. That is the stark reality of modern day piracy for seafarers today. That is just in the first six months of this year. During the last five years the numbers are 63 killed, 165 injured, and almost 2,000 held hostage. Believe me, colleagues, pirates, they ain't no Johnny Depp, that's for sure. They used to say, 'Go to sea to see the world.' Today, you go to sea and you run the risk of being threatened with guns and knives, or having rocket-propelled grenades being fired at your ship, and the story that I read there from the *Morning Star* is evidence of that. It is only a few weeks since we woke up to the headlines proclaiming, 'Pirate ship in the Channel,' the Russian-owned Maltese flag cargo ship *Arctic Sea* had allegedly been hijacked in the Baltic, sailed through the Dover Straits, and then disappeared off the face of the oceans for a fortnight. Although the vessel was eventually discovered off Cape Verde some 3,000 miles from its destination port, the reasons why it disappeared are still shrouded in mystery.

What this case and more than 250 like it so far this year illustrate is the appalling state of security in the maritime industry. In our increasingly globalised world shipping has to be one of the most important industries there is. More than 90% of UK imports and exports come and go by sea and well over 80% of world trade is carried by ships yet time and time again we have come here as a delegation to speak to Congress and remind you that our industry is very much out of sight and out of mind, and the safety of its workers definitely takes a back seat with seafarers more than 50 times more likely to die in the workplace than the average for land-based workers.

My union says it is totally unacceptable for such a critically important industry and its workers to face such a threat, a threat that should have been consigned to the history books not decades but centuries ago. We rightly would not tolerate such attacks on aircraft, on trucks, on lorries, buses or trains. With this motion we are seeking your support to help

change things. Colleagues, after the 9/11 attacks there was recognition that shipping was the Achilles' heel of global security. The United States government moved to fast-track a new international convention introducing a security code for shipping and ports, yet eight years on it is still painfully apparent that ships remain shockingly vulnerable to attack and seafarers are increasingly exposed to the threat of being shot at or kidnapped. In the past year we have seen our members, members of my union, held hostage for 47 days off Somalia, held for ransom on a super-tanker off east Africa, and kept captive for seven months in Nigeria.

This is a problem that touches the lives of British trade union members. This is not acceptable in a modern world. Colleagues, it is time to put parity back in the history books where it belongs, it is time for shipping security to be brought into the modern age, and it is time that seafarers had the protection that they deserve. Please support the motion.

Mick Stubbs (*National Union of Rail, Maritime and Transport Workers*) seconded Motion 46.

He said: I am an even rarer creature than the previous speaker who was saying he is an endangered species. I am a British rating and there is a lot less of us around, so have pity on us. I am speaking in favour of the motion about piracy. Piracy is a scourge, it has been a scourge that shipowners and authorities have not done anything about for a very long time. I have been on ships with fire hoses trying to ward off pirates, been chased by pirates off the Somali coast; it happened 20/30 years ago and it is still going on today. Shipowners will not do anything, governments will not do anything, but with the help of the TUC I hope that we can get them to do something. Thank you.

* *Motion 46 was CARRIED*

The President: Congress, I do not have time to call Motion 47 so that concludes this morning's business. Congress now stands adjourned until 2.15 p.m. Thank you, colleagues.

Congress adjourned for lunch

WEDNESDAY AFTERNOON SESSION

(Congress re-assembled at 2.15 p.m.)

The President: Congress, once again many thanks to the St. Wilfred's Jazz Quartet, who have been playing for us this afternoon. (*Applause*)

Congress, I announced this morning that, if possible, I would take Motion 79, North Sea safety, in the name of BALPA, some time during today. I do hope to be able to do so after scheduled business this afternoon and will advise delegates in due course. I am also hoping to take unfinished business from this morning: Motion 47, Air passenger duty, in the name of BALPA. At the same time, if there is any further time remaining, I do intend to take Emergency Motion 1, Pleural plaques, in the name of UCATT.

Delegates, we start this afternoon by welcoming to the platform Kate Allen, Director of Amnesty International UK. Before Kate addresses Congress, we are going to watch a short Amnesty video about human and trade union rights.

(Video was shown to Congress)

Delegates, I would now like to ask Kate to address Congress. As you will have seen, under Kate's leadership, Amnesty has forged close links with the trade union Movement. Kate, we are delighted that you have been able to join us today and I would like you to address Congress.

Address by Kate Allen, Director of Amnesty UK

Kate Allen: Thank you, Sheila, and thank you, Congress, for your warm welcome. Amnesty and the trade union Movement have travelled a long road together and we have never been stronger together than we are today. It is an absolute pleasure to be with you. We have a big job ahead.

Our 30 years and more of struggle together have seen tremendous progress for human rights with the end of dictatorships in South Korea, Turkey, across Latin America, in eastern Europe and Asia. We have witnessed the collapse of apartheid and the burgeoning of the South African labour movement. Together, we have made progress on the death penalty, on a global arms trade treaty, and we have fought trafficking through the European Convention. We have shown solidarity together at home too by challenging violence against women, defending asylum rights, championing freedom of expression and opposing the erosion of civil liberties in the name of the war on terror.

Our trade union network has been at the thick of it throughout, advocating for labour rights, defending jailed trade unionists, responding to country crises, whether in Burma or Gaza, and all the while seeking to build shared activism with our union partners.

But immense challenges remain - new and old ones. Thirty years is a long time. In Britain, we remember 1979 for the election of a Conservative government, but the year also meant regime change in Iran, gay rights riots in San Francisco after the murder of Harvey Milk, and revolution in Nicaragua. Thirty years on, we are still challenging human and labour rights abuses in Iran, we are still insisting on lesbian and gay rights, including within the European Union, and we are today demanding sexual and reproductive rights for the women of Nicaragua. In all our efforts, we have shown ourselves to be stronger together. Our causes are your causes.

To the old struggles, we add new ones. As Amnesty moves forward to tackle the global injustice of poverty in our major 'Demand Dignity' campaign, we need to pay attention to the role of decent work as a solution to economic disenfranchisement and to emphasise the importance of the ILO Core Conventions as human rights benchmarks. We need you as partners in this endeavour.

Above all, Amnesty is about activism and our activists are your activists. It is at the heart of what we do. Amnesty and the labour Movement are both rank-and-file movements, reliant on the energy and commitment of our members. We are each motivated by, and committed to, shared values of justice, equality and dignity. Crucially, we are both global movements, recognising that an injury to one, anywhere in the world, is an injury to all of us.

The union Movement knows too, perhaps better than any other civil force, that rights are generally won, not given, and that once won, they need to be defended through vigilance and

commitment. In an era of globalisation and growing economic disparities, the labour Movement and Amnesty International worldwide share more than ever a profound understanding that civil and political rights are indivisibly intertwined with social, cultural and economic rights; that poverty is an injustice and dignity a right; that racism, sexism and homophobia are fundamental abuses that diminish us all; and that equality and self-determination are the foundations for social justice and personal liberty.

Amnesty's trade union strategy is rooted in three objectives. First, we want to reinforce our relationships with national affiliates to work better and harder together, to make common cause with you where we can. The Partnership and Co-operation Memorandum that we signed with the TU C earlier this year is a tangible example of our commitment.

It was joint activism with the TUC and the NUJ that saw us protesting this summer outside the Gambian High Commission in London, calling for the freedom of six jailed trade unionists and journalists. We were delighted when they were released a fortnight ago, one month into a two-year sentence imposed for sedition. That is the sort of practical activism that we need. That is the struggle that we are engaged in.

Secondly, we want to strengthen the activism in our communities to bring together our various constituencies, students, schools, local groups and affiliated branches, to make common cause to share resources and expertise. We need more branches to affiliate and more trades councils to join us. We need to organise together and mobilise together for human rights.

The third aim we have set ourselves is to better co-ordinate and co-operate at a global level. We need to do this for the sake of jailed leaders of the Tehran bus workers' union. We need to do so in defence of the brave trade unionists in Colombia. We need to do so if the rights that we enjoy here today are to become the reality for the many whose fundamental freedoms are denied. That is why we, in the UK Section of Amnesty, are leading the global Amnesty Movement in collaboration and co-operation, working with the ITUC, the global unions and with other sections of Amnesty around the world to co-ordinate our efforts.

Nothing illustrates the urgency of our task and the seriousness of the challenge better than the story of Mansour Ossenlu, the Tehran bus union leader. Jailed in 2007 for his legitimate trade union activities, we at Amnesty consider him to be a prisoner of conscience. Two years ago, we came together with you and the union Movement worldwide when we learnt that he was being denied an urgent operation that was needed to save his eyesight. Over five days, 15,000 of you protested - that is more than one a minute, night and day - until he was taken from his prison cell to hospital. Mansour needs our help again. Once again he is being denied medical treatment recommended by the prison doctor so that is why we have launched an urgent online protest. So far nearly 10,000 appeals have been sent through our website. Teachers, food workers, transport workers - trade unionists and Amnesty activists at home and around the world - are making common cause.

Together we can make a difference. Solidarity, compassion, justice, fairness and equality are our common endeavour. Thank you very much for this opportunity to speak to you today.
(Applause)

The President: Thank you, Kate, and thanks to Amnesty International for the vital work you undertake to protect human and trade union rights around the world.

Delegates, we now return to Chapter 1 of the General Council's Report, Organising and rights at work on page 5. I call Composite Motion 1, Posted Workers Directive. The General Council support the composite motion with a reservation. I will call the General Secretary during the debate to explain.

Posted Workers Directive

(Insert Composite Motion 1 - Posted Workers Directive)

Derek Simpson (*Unite the union*) moved Composite Motion 1.

He said: I do not intend to take whatever time we usually take to move this composite because I think it is straightforward. The Posted Workers Directive, as it is currently constituted, actually works to undermine collective agreements. The only thing that is protected is the National Minimum Wage. The best example of the problems that are with us at the moment is in the construction industry where it is perfectly permissible for employers to recruit abroad and bring to this country complete construction teams on terms and conditions that undermine the industry agreements.

However, it is illegal for us to actually challenge that. In fact, European law is such that it is impossible to even challenge the Government because the Government are obliged under European law to enforce the treaties, including the Posted Workers Directive. We could even see not just trade union leaders but government ministers taken to task, possibly ending up in jail. That is a legislation disaster. In terms of trade union leaders in jail, who would envisage that we could get to such a situation? Let me be perfectly clear. I know that there are some people, for example, who would not want to see Brendan Barber in jail! This is something that we need to guard against. We need further legislation to protect collective agreements. It is simply not on. It was lost last year in the argument about 'British jobs for British workers.' You will remember the phrase that Gordon Brown unfortunately used, which was then exacerbated by the press to mean that it was all about Britain and excluded foreign workers. That was never the intention. We made it perfectly clear that any worker who wants to work in Britain should have clear and fair access to that work. That is not possible unless we protect the collective agreements because they can be so easily undermined. Therefore, it is absolutely essential that this matter is dealt with.

It is not a very technical matter. It is a simple matter. Years of negotiating for collective agreements are undermined in one fell swoop. Whilst it may affect construction primarily at the moment - that is the best example - there is no area of employment which would not be threatened by having imported labour with agreed conditions abroad, then brought here, undermining those terms and conditions which have been long and hard-fought for. Congress, I am pretty sure that you will support this, but I hope you support it wholeheartedly because this argument has to be taken to the Government to act upon and, ultimately, the European Parliament. *(Applause)*

Kathleen Walker Shaw (*GMB*) seconded Composite Motion 1.

She said: Congress, our Movement was not borne out of employers' benevolence, but it would be nice not to be so frequently reminded of that fact. We have worked very hard to develop strong collective agreements which not only benefit our members, but are vital to

maintaining skills, standards and above all the integrity of the industries they serve. We are not prepared to see these agreements undermined.

A series of recent court judgments has very wrongly sought to challenge trade union freedoms and collective agreements, attempting to suggest that the internal market freedoms are a trump card to our fundamental rights of workers. Well, they are not. These judgments attempt to turn the principles of the Posted Workers Directive on their head, claiming that what were the basic minimum standards established are now the ceiling. The undermining effect of these judgements and the effect on the Posted Workers Directive needs to be urgently addressed both at national and European level.

Our members are rightly proud of their skills and the industry that they work in, a pride which we wish more employers shared. The current legal uncertainty is being too readily manipulated by unscrupulous employers, who are exploiting workers' pay and giving those workers conditions well below the national agreement, creating bogus self-employment and other dubious forms of contractual terms to avoid paying contributions and benefits. These sharp practices are restricting the rights and protections of workers, removing a level playing field of access to jobs on the sites, driving down pay and conditions and with it standards in the industry. It is a sorry state indeed.

It has been down to the negotiating skills of the GMB and our trade union colleagues in the industry that the fires of unrest fuelled by this unacceptable situation have been put out whilst the fundamental underlying problems are being allowed to continue, which will inevitably re-stoke the embers of these disputes. We need proper solutions now.

After entering into a ballot for industrial action, there are signs of progress with the employers towards resolving some of the key issues and strengthening the national agreement for the engineering and construction industries, which we will be putting to our members tomorrow. The Government should support the demand for the contractors in the engineering and construction industries to be subject to proper auditing of contracts to ensure compliance with the national agreements and to improve transparency. We have to have effective implementation of the Posted Workers Directive at UK level and we want our Government to support ILO action to address the undermining effect of the European Court decisions on collective agreements and trade union freedoms which are enshrined in the ILO Conventions 87 and 98. We want your support.

We also want urgent revision of the Posted Workers Directive at European level.

Mr. Barroso is promising a lot of things to a lot of people across Europe in his desperation to get another term as European Commission President. If he knows what is good for him, he will listen to the European trade union Movement and to our supportive MEPs, put people first, get his hands off our collective agreements and trade union freedoms and sort out this mess. I second. *(Cheers and applause)*

Norma Black (*UNISON*) supported Composite Motion 1.

She said: UNISON's message is a simple one. First, we want you all to know that the Posted Workers Directive so ably described by previous speakers is not just about engineering or construction, but also threatens public service workers and the services that they provide. Second, UNISON wants to ensure that the public service concerns are included in any

remedies or lobbies organised by the TUC and that we can all work together to prevent this Directive wrecking the workforce agreements and protections that we have already won.

Congress, the Posted Workers Directive was intended to protect workers temporarily posted to another EU country, but the European Court of Justice has put the interests of profit-seeking companies before the legitimate interests of workers. Now the Posted Workers Directive can ignore collective agreements and be used to attack the pay and conditions of workers already in the country. I am sure you all know that public services are being privatised on a huge scale. The market for public services has already reached £80 million. Public service spending cuts caused by the bail-out to the bankers coupled with the latest reforms, such as those in primary healthcare where I work, will create a far greater role for the private sector and allow companies to take over many more services.

Every time a public service contract is given to a private company, there is the potential for that company to bring in posted workers and not just in engineering and construction, as we have already heard. The difference is that the process of putting out public contracts is regulated by the European Procurement Directives. The Government have recognised that it can pursue a wider social agenda through the way it spends on procurement. The Equality Bill, which is currently going through Parliament, seeks to provide equality for public services or privatised, but all this is threatened if we do not get some reform to the Posted Workers Directive.

When services are privatised, we can see a weakening of the London living wage and of other workforce protections that we have fought so hard for. Congress, if we do not act now, we can see a race to the bottom, a vicious attack on the terms and conditions of public sector workers and no restraint on the privatisation of public services. Please support this composite.

Tom Lannon (*Union of Construction, Allied Trades and Technicians*) supported Composite Motion 1.

He said: Construction is a key sector of the UK economy providing work for more than two million people. It is right that the motion calls for a level playing field for all contractors so that pay rates are not undermined by exploitative firms refusing to pay the correct rates for the job.

When UCATT discovers the contractors or officials, they challenge the companies and demand the payment of the agreed rates. In another key area, where bosses shy away from their responsibilities, it concerns workers' employment status. Large numbers of construction firms flout their legal obligations by engaging workers on a bogus self-employed status. It is happening on a massive scale 80% of the time.

A report written for UCATT last year by Professor Mark Harvey found that at least 400,000 construction workers have to work as bogus self-employed through no fault of their own. False self-employment has massive detrimental consequences for the workers involved. Workers are persuaded that they have been placed in a winning position. They pay lower rates of National Insurance contributions and can make an end-of-year tax return, but the reality for the bogus self-employed is that its short-time financial gains are far outweighed by long-term disadvantages. They are deprived of key employment rates and they have no sick pay, no redundancy pay and they get no State benefits.

Bogus self-employed workers have no pension provisions and many of them spend their old age relying on means-tested benefits. Also, industry as a whole suffers because companies who do not employ their workers do not train their workers. Again, many of these workers cannot afford to attend training courses. I have been on a major construction site in London and I have even met some workers who could not afford the basic PPE (personal protective equipment), vests, hats and steel footwear. They could not afford it because they did not have enough money to pay for it.

There is a massive shortage of apprenticeship places. Sites using bogus self-employed workers are less productive. Also - and this must never be forgotten - health and safety provisions are weakened, contributing to the industry's appalling injury and fatality levels. Also, the public purse is deprived of billions of pounds of tax and National Insurance payments, money which is pocketed by the employers.

Bogus self-employment needs to be eradicated completely from any industry, not just construction, so that workers get the rights that they are entitled to and contractors operate under equal conditions. One way to do this is to exclude all those companies which apply these practices from the procurement process. If they do not match this criterion, they should immediately be removed from site in whatever industry they are in. This leaves us with just those firms who are willing to play by the rules and brings justice to construction workers. Congress, Sister President, UCATT supports this motion.

Alex Gordon (*National Union of Rail, Maritime and Transport Workers*) spoke in support of Composite Motion 1.

He said: As you have heard, the European Union Directive of the posting of workers is just one part of a framework of European Union legislation which is becoming ever more influential in the workplace and in all our lives. It is designed to drive a race to the bottom in terms of an inequality in workers' rights and pay, working hours and terms and conditions. As the historic dispute between GMB and Unite members at the Lindsey Oil Refinery has reminded us, which was referred to earlier by the seconder of the resolution, the application of this Directive is about engineering a mechanism to drive down collectively-bargained pay and conditions in skilled jobs towards that of the National Minimum Wage.

The problems that have been created by neo-liberal EU employment legislation is now compounded by the four recent European Court of Justice judgments which we have all heard so much about (the *Viking*, *Laval*, *Ruffert* and *Luxembourg* judgments) all of which have in common the presumption that the human right to withdraw your labour and to work under a collectively-bargained and organised contract of employment is trumped by the right of big business to make money. It is no exaggeration to say that the situation faced by workers and trade unionists in the UK today is similar to that faced by the railway workers who were members of the Amalgamated Society of Railway Servants in 1901, following the House of Lords judgment in the *Taff Vale* case, that their strike action was a restraint of free trade.

The pinnacle of this framework of anti-worker legislation is the so-called Lisbon Treaty, which enshrines an unaccountable European Court of Justice as a Supreme Court in a new European super state. My union opposes the Lisbon Treaty without equivocation alongside other trade unions in Ireland and in Britain. As we in Britain have been denied our opportunity to vote in a referendum on the European constitution, we should wish the Irish people well in their second referendum on this iniquitous treaty next month. Support real

internationalism. Support equal rights for all workers. Support this composite, comrades.
Thank you. (*Applause*)

Brendan Barber (*General Secretary*) supported Composite Motion 1 with one reservation.

He said: President, as you indicated at the start of the debate, the General Council wanted to express strong support for this motion. The issue it identifies is the failure of the British Government to implement the Posted Workers Directive in a way that will provide genuine guarantees, causing massive dangers for effective union organisation and collective bargaining as a result of the four European Court of Justice judgments. On both of those issues, we have a lot of work to do to get the Government, and indeed other governments in Europe, to face up to these issues and take the action necessary to deliver effective arrangements.

The reservation that I have to report relates just to one issue, not to those issues about the Posted Workers Directive or the ECJ judgments. It relates to the wording in the composite that originated in the RMT amendment and that is the wording which relates to the Lisbon Treaty. The reservation is simply this. There are a whole range of issues relating to the Lisbon Treaty. We are still waiting to see what is going to happen in the referendum which is going to take place shortly in Ireland. This is not the vehicle to define our view of the Lisbon Treaty. The thrust of the motion on the specific employment issues is strongly supported, but on the Lisbon Treaty there are a range of considerations and this is not the vehicle to determine our ultimate view on that.

The President: Congress, I will now put Composite Motion 1 to the vote.

** Composite Motion 1 was CARRIED*

The President: I now call paragraphs 1.1 to 1.14 and Composite Motion 2, Temporary agency workers. The General Council supports the composite motion.

Temporary agency workers

(Insert Composite Motion 2 - Temporary agency workers)

Kevin Flanagan (*GMB*) moved Composite Motion 2.

He said: Congress, how does the saying go? 'Everything comes to those who wait.' Agency workers have waited long enough for these protections. With 17,000 registered agencies in the UK compared with 6,000 in 2005, the Government figure of 1.3 million workers is greatly underestimated and the number is growing. The Government need to get this legislation right when it transposes the EU law onto our statute books. We want no half measures on this whatsoever.

In the consultation earlier this year, the Government were overly bothered about avoiding burdens to business and minimising the costs of implementation. Oh, dear! Congress, let me be clear. Any claimed costs have already been paid for by years of exploitation and short-changing of temporary agency workers and enough is enough. They have done it through low pay and excessive charges. Agencies have made their immoral profits. It is time to give agency workers the pay, conditions and protections that they are due. 'Equal treatment for

agency workers' is what the Directive says and it did not mean 'equal treatment light.' We want a broad definition of 'equal treatment' on pay, holiday and hours to include all forms of financial remuneration as set out in the motion.

Comparisons of equal treatment must be drawn widely to guarantee those very rights. We want inclusive definitions of 'agency' and 'agency worker' with umbrella companies and similar operations included to stop bogus self-employment schemes and avoidance tactics. We must have strong implementation regulations closing any possible avenues of avoidance which lawyers are already trying to sell to the employers. Government knows what is going on because we have all given them the evidence. The dodgy legal advice which is ripe in industry reads like a re-release of Paul Simon's 'Fifty Ways to Shaft your Agency Worker.'

New regulations must ensure that employers cannot sack workers after 11 weeks to avoid equal treatment or continually break continuity of contracts. Any dismissal arising from avoidance has to be classed automatically as unfair dismissal - no ifs and no buts. As for the idea of permanent contracts for agency workers, was that going to be on full pay and benefits between contracts? I bet you not. It is in the Top 10 of business lawyers' favourite avoidance tactics so you can put that cute derogation back in Pandora's Box, slam the lid and throw the key away. We are not interested. *(Applause)*

There is a new entry - listen to this - into the Top 10, which beggars belief. It is the idea of treating all agency workers as trainees. Oh, dear me! They hope to persuade the Government that trainees should be excluded from the legislation. Have you got no morals? You are a disgrace coming up with that one. Trainees must be included under equal treatment rights regardless.

There is yet another gem - engage workers on a project or piecework basis rather than time spent, which agencies also hope will be considered outside the Directive. It is something you can cobble together, using sham, non-union workplace agreements to override the provisions of the Directive. Trade union collective agreements are the only collective agreements in our dictionaries. Those drafting the regulations need to drop any other crackpot ideas they may have on this.

Under the Directive, the Government has a duty to prevent avoidance and we must make sure that they do so. They need to ensure effective enforcement through employment tribunals where hirers and agencies are joined in the proceedings from the outset and are jointly liable. Let us have full protection under the Pregnant Working Directive for all agency workers. It is the same with holiday entitlement. Let us not just take pay, but give them leave as well because to do otherwise breaks the balance of family and working life.

We want those rights and protections that agency workers deserve and we will go a long way to putting an end to substitution and undermining all permanent contracts. The Directive states clearly that they have an obligation to an indefinite duration of a general form of employment relationship. Congress, be proud of the sustained campaign we have fought and get this fair legislation onto the books. The Government owe it to vulnerable workers.

Finally, the recruitment agency this morning issued a press release directly against the TUC. They said that they want the EU deadline pushed back until December 2011. We say that is not on. You will not grow jobs on the exploitation of migrant workers. This Congress says 'No'; we want it by next spring at the very latest. Thank you. *(Applause)*

Tony Burke (*Unite the union*) seconded Composite Motion 2.

He said: The Prime Minister said yesterday that, in the coming few months, the law on agency workers will be on the statute book. That was very welcome, Gordon, but the pussyfooting and allowing of loopholes on this issue has to stop and it has to stop quickly.

When we hear employers justifying agency employment because it brings flexibility to the labour market, they are not talking about flexibility for ordinary working people. They are talking about flexibility for themselves and other employers. The ability to hire and fire at will and to replace permanent, well-paid jobs with precarious temporary employment is what agency and temporary work is all about. It is crucial that the upcoming legislation is properly and effectively implemented.

The published proposals highlight just how many potential loopholes there are for agencies and employers to get around this legislation. The GMB have given an example about calling people 'trainees'. Another example is exemptions on the basis that agency workers can be forced to become self-employed. We know that there are some employers who are already employing legal advisers to try to undermine the Directive.

In a trade magazine recently, an employment lawyer was advising employers in the hospitality industry on how to avoid the Directive. He said, 'As you approach the 12 week limit, switch their job from receptionist to bar worker.' That is just one example which has already appeared in print. Some companies are looking to get around the legislation by hiring their own pools of temporary staff to protect their margins. That is a quote from an HR manager which was reported in *Personnel Today* magazine recently.

For these reasons, we need to make sure that the legislation is watertight. Instead of looking for spurious exemptions, the Government should aim to include all temporary and agency workers. It needs definitions so that there is no scope for ambiguity. It needs a definition about pay. It needs a definition that equal treatment is for all on pay, on holidays, on holiday premiums, on shift premiums and on sick pay. Also, there needs to be strict anti-avoidance measures to make it absolutely illegal to use dismissal or any other action to get around these Regulations. We have to have severe penalties for those who do not comply or for those lawyers who duck and dive to get around the law.

We need to stand firm and we need to be vigilant. There must be, on the part of the Government, no half measures and no fudges. As Brendan said earlier this week to the Government, 'Bring in the legislation but bring it in quickly to make sure that there are no loopholes which enable these lawyers in work to be able to get around it' in the ways that my colleague from the GMB and I have described. We say support fair and equal employment rights for all agency and temporary workers. Stop employers and agencies and slick lawyers from getting around the legislation. Most of all, to the Government, stop the backsliding and get it in. I second the composite.

Mark Taggart (*Communication Workers Union*) supported Composite Motion 2.

He said: Congress, we heard from Gung Ho Gordon yesterday. It was absolutely remarkable - a full commitment to drive through the temporary agency workers' legislation into British domestic law. I say it was remarkable but perhaps 'miraculous' is a better word because, relentlessly pushed by the powerful UK Agency Employers' lobby, the British government

has spent the last eight years working behind the scenes to frustrate at every single turn the agency workers' legislation from being carried through the European Parliament.

So what accounts for this sudden *volte-face*? You may believe that the employers' lobby has miraculously disappeared and it has given the whole thing up, thrown in the towel and is now silenced. You may believe that Gordon Brown and his team have had a remarkable conversion on the road to Damascus or, given the geography, Doncaster or wherever else, and have now suddenly realised the merits of the legislation.

Let me tell you this, Congress. I have already been duped by one Brown this week and I am not about to be duped by another. I refer, of course, to Derren Brown because sadly - and this is very sad indeed - I have to confess to being one of the four million people who actually believed that he predicted the Lottery. But it gets sadder because I actually believed in the explanation as well, that it was based on some arcane, deep mathematics. Imagine what that meant. I spent the whole weekend pondering what that meant for mankind, science, the existence of the universe, the existence of God even, only to wake up on Monday morning, get out my newspaper and stumble over my cornflakes when I actually read that it was done by a split screen. Disappointed? You are right; I was disappointed. Gullible? Yes, I felt gullible. Stupid? Yes, I felt very stupid.

That brings us to Gordon and his split screen. What Gordon did not tell you about was that the word on his split screen was the word 'derogation'. What does 'derogation' mean? It is a suitably arcane word. It means it is a get-out clause. It means driving a coach and horses through the legislation. Most contract workers, particularly in the communication industry where I work, work on a fixed contract. That means that they are covered by the legislation. They would get equal pay and equal rights, but the derogation would allow them to be employed directly by the agency on a new hours' contract. They would still be on the fixed contract, but between jobs they would be on an absolute pittance and finally they would be made voluntarily redundant because there is no work for them. The derogation is a get-out for the British Government and that is why they have pursued it in the way they have.

The trade union Movement has done a fantastic job in pursuing this issue. It is a great credit to all of us to get to where we have, but it is not the end. By no means is it the end. We have to stop these derogations. We have to make sure that the spirit of the law is fully applied. Derren Brown may be able to get away with his little bit of hocus-pocus with regard to the Lottery, but the trade unionists, the TUC and the people we represent are not going to allow hocus-pocus when it comes to justice for our working people in the United Kingdom. Support the composite.

Julia Neal (*Association of Teachers and Lecturers*) spoke in support of Composite Motion 2.

She said: President, members of Congress, for generations, staff engaged by an agency such as supply teachers have been the second-class citizens of the employment world. After a long wait, we now have the new Directive, which we hope will help to redress the situation. ATL welcomes protection for agency workers. Supply teachers are vital to the effective running of schools to ensure that teaching and learning continues when permanent staff are absent for medium or longer periods.

ATL sees supply teaching as an attractive way of working for many parents or carers or those approaching retirement. Supply work is an important route back into the profession after a

break from raising a family and so barriers to rejoining the permanent workforce should be removed. In teaching, many local authorities' supply teacher pools have been closed and the only source of work for teachers who wish to work on supply has been through an agency.

ATL members have stated that when the school they have been placed in by an agency has wanted to keep the teacher on a permanent basis, the agency has demanded from the school a fee which has proved prohibitive. In some cases, teachers have not been able to apply for posts directly advertised by the school as they have been recently placed in the school through an agency and the agency could demand a fee.

Agencies usually have a three-month period after any placement during which they can ask for a payment if the teacher is subsequently employed at the school and, in some cases, it is longer than three months. Agencies do enforce this rule and our member advisers often receive calls on this issue. They have evidence that teachers have not been appointed into permanent posts. Whilst we can see that the employment agency could ask for a reasonable fee, the problem is that too often it is just too expensive and bears no relation to the costs incurred by the agency. It is also important that agencies should make agency workers aware of suitable vacancies to help those who want to move into permanent roles.

Congress, it is vital that the Government ensure robust implementation of the EU Directive. It represents the best news that agency workers have received for a very long time. Please support this composite.

Kate Clayton (*University and College Union*) supported Composite Motion 2.

She said: President, Congress, promises, promises. Thank you, Gordon, for telling us that the Agency Workers' Directive will be on the statute book soon, but we know not to plan the party yet. The Prime Minister did not tell us yesterday why we have had to wait seven years for this and why the Warwick Agreement of 2004 was torn up by the Labour politicians once they were re-elected.

I have been a member of a teachers' union for over 40 years and I have enjoyed the benefits of many hard-won battles. What I fail to understand is that today, in 2009,

1.5 million agency workers are being exploited, approximately 60,000 of them in education. The answer is usually that employers need the flexibility of agency workers and that agency workers choose this path for the greater rewards of self-employment. No, I did not choose bogus self-employment. No, I did not choose to have the same contract at the same college for six years with no rights but all the responsibilities of teaching on a Level 4 diploma course. No, I did not choose to have the same hourly rate for six years and I did not choose to have 18 termly contracts. It was 'Take it or leave it.'

Since speaking on this issue, I have not seen another contract. I am out of the college door. At the college in Birmingham where I used to work, a third of the lecturers are employed through the agency. I pass the managers' car park on the way into work and reflect on how much their salaries have increased in these six years - 10%, 20% or more.

We return to the issue of greed of some individuals. The old, diversive, money-making networks are alive and kicking and, of course, they will be a step ahead of any new legislation unless the trade unions support us. Please go back to your union branches. Make

agency worker issues a part of all your agendas. Visit your local college. Ask the questions about their policies on agency workers. Ask for the statistics on pay. Talk to your tutors. This is 2009, not 1909. Let us end the inequality and the exploitation of these workers across all our industries. Stop the dilution of basic employment rights. No more empty promises from managers and politicians are acceptable. Please act now and support Composite Motion 2.

The President: Congress, there is no opposition so I am going to move to the vote.

* *Composite Motion 2 was CARRIED*

The President: I now call Composite Motion 3, Jobs, the recession and redundancy rights. The General Council supports the composite motion.

Jobs, the recession and redundancy rights

(Insert Composite Motion 3 - Jobs, the recession and redundancy rights)

Tony Woodley (*Unite the union*) moved Composite Motion 3.

He said: I do not think Congress needs to emphasise the seriousness of the debate that has been happening around these issues. All across our country, our members are paying the price for the greed and the incompetence of the bankers and the City. Those bonus-drunk spivs and speculators have made billions for themselves whilst, at the same time, pushing the economy of our country over the edge. They have taken factories with them with jobs and communities all affected. They all have their golden parachutes, of course, no more so than the extremely well-publicised 'Fred the Shred'. He is aged 50 and, just for his struggles, there is £16 million for him and his pension. At the same time, he has sacked thousands of finance workers who themselves have become the victims of his incredibly bad behaviour.

The banks have our £90 billion and they are still keeping those interest rates needlessly high. They are putting little back into the economy to help business survive to protect jobs. All they are doing is building up their profits once again at the taxpayers' expense. I will tell you this. It is an absolute national disgrace and this Government should force them to act properly. What we should do is not partially nationalise these banks - we should nationalise them completely and take full control over them. I really believe that. (*Applause*)

It is time to call time on the casino culture that has been out there and to stand up for the real economy of our country, the economy in which millions of our people work hard just to make a living, producing the goods and delivering the services that our society really needs. The so-called masters of the universe should be told that they are our servants and not our masters. They should be told to stop lining their pockets with our money and to start lending once again to business and homeowners who desperately need the finances out in society at large.

We must also not forget or indeed forgive. We have to send a message to this Government. It is this Government which let the City get away with it for far too long. It is this Government which gave light-touch regulation that allowed them to do what they have obviously got away with for far too long. It was a licence to gamble.

The Government have a few months to convince ordinary people that they are actually on our side. Let us start to put people first, Gordon. Let us look at dealing with the consequences of the crisis and helping ordinary people. Within the composite, if you have read it, it clearly says that we need to boost redundancy pay for the victims of the spivs, our members who are losing their jobs. We are not asking for the megabucks which the spivs have had; we are just asking them for fair, decent redundancy pay linked to average earnings. That is not greed. That is fair and reasonable.

Visteon workers - my workers and our workers - when they were going to be treated poorly on redundancy pay a few months ago, showed that if you fight, you can get redundancy pay justice. I would like to pay tribute to the members who sat in at Belfast and elsewhere, who fought for justice for themselves. I think we should congratulate them for their efforts, comrades. *(Applause)*

The Government, in spite of having been asked a number of times and having refused to implement this, should look again at funding short-time working as a subsidy to protect jobs, to protect our factories and to protect our skills for the future when the recession inevitably ends. It happened successfully in the 1970s, ironically under another Labour Government. It is happening across the country and it has happened in Wales so it is a no-brainer. They should fund jobs and not people going onto the dole.

When closures are announced, workers should be the priority creditors and nobody else. They should not be the last to be considered as the receivers move in to look at the case, which is what happens now. In our view, this is the least that working people need. We are the victims of this global crisis and of this greed.

Gordon Brown said that we are going to see laissez-faire dead. Laissez-faire has always been greed to me, Gordon, so let us put it into plain English so that people can understand. The free market is in the past and not the future. Labour is campaigning for a fourth term and should be offering real alternatives such as State intervention, public investment, equality for all and justice for working people. Instead of us having to criticise them, it would be the sort of Labour that we would all be proud of, a Labour we would fight for, a Labour that Labour people and voters would actually vote for. That is the way to win the fourth term. Listen, Gordon, before it is too late. I move. *(Applause)*

Paddy Lillis (*Union of Shop, Distributive and Allied Workers*) seconded Composite Motion 3.

He said: Colleagues, the recession during the past 12 months has meant exceptionally difficult and tough times for workers faced with job losses and insecurity. My union, USDAW, has represented thousands of members who have faced uncertain futures as businesses have gone into administration. In the most high profile business collapse, 30,000 workers lost their jobs as Woolworths went bust. Alongside Woolworths there were many other businesses which went into administration, and in most of our dealings with administrators we have seen no meaningful consultation with employees or the trade union representatives. USDAW is currently pursuing the administrators through the courts to get compensation for Woolworths' workers over the lack of consultation.

The reality is that in the majority of administration situations, the administrators have shown a total disregard for workers' jobs. Our union believes that administrators need to be under a

greater legal obligation to explore all options to save the business and avoid job losses. We also believe that there should be a stronger legal duty on administrators to enter into meaningful consultation with the workforce and their trade union representatives.

Congress, the events of the last year have also highlighted weaknesses in the statutory redundancy pay. We welcome the Government's announcement that the weekly earnings limit will be increased to £380, but this only deals with part of the problem. Congress, all workers should have a right to redundancy pay from day one of their employment. One in three workers have less than two years' service and, therefore, are not entitled to statutory redundancy pay. This is wrong. Even a reduction in the qualifying period to one year would benefit over 13% of the UK workforce. Finally, we must not forget longer-serving lower paid workers who are affected by the limit on the number of years of employment that are taken into account for statutory redundancy pay.

USDAW is, therefore, asking the TUC to lobby for a better deal for the one in ten workers who have more than 20 years' service with their current employer. Congress, support the composite on Jobs, the recession and redundancy rights. Thank you.

Gerry Doherty (*Transport Salaried Staffs' Association*) supported Composite Motion 3. He said: Congress, in particular, I speak to the first paragraph of the composite that congratulates workers fighting to keep their jobs by occupation of workplaces when bosses leave them with no other alternative.

I want to discuss with you about something I had in the last couple of months which I call real trade unionism. Thomas Cook in Ireland decided they were pulling out. We were 100 per cent organised in two shops. The workers were devastated. I had to visit Ireland on short notice. The one thing that Thomas Cook did not understand is that hell hath no fury like Irish women scored, because they were almost all Irish young women. I am proud to say to you today that we have four of the 45 with us today. They are at the back of the hall. (*Applause*)

Thomas Cook, that nice friendly and cuddly firm that we know about: 'Don't book it. Thomas Cook it'. Do you know, those 45 people had worked there for a long, long time. Thomas Cook were in Ireland for 130 years. They took the money when the Celtic Tiger was roaring but as soon as the money went, they wanted to bail out. What did the chief executive get last year? He got £7,037,000! That is for one man. Yet they are making all of these women redundant.

So we occupied the shop. We were there for the whole weekend. We were dragged up to the High Court and I was dragged up to the High Court and I had to go back into the shop and say 'You need to come out'. What did those women say? I'll tell you what. I've never seen bravery like it in my life. They said, 'We don't care. We'll go to the Bridewell. We'll go to the High Court', and they did. I stood on the steps of the High Court and I watched my members walk into the High Court one by one, to be dragged in front of a judge, and I have never been so proud in my life to be a trade union member. They have all lost their jobs, and we need to get on with it now. But I still have to deal with Thomas Cook because they are on this side of the water as well. I understand that the chief executive, who is not speaking to me now, is upset. He said to me that he was upset because I called him 'a greedy swine'. Well, with seven million quid and making people redundant like that, I think he is a greedy swine. (*Applause*) But I will say this: I am not sure I went far enough. He wasn't a greedy swine. He was a greedy, nasty swine. Oink, oink! (*Applause*)

Tony Conway (*Public and Commercial Services Union*) spoke on Composite Motion 3.

He said: President and Congress, it was only last week, comrades, that I picked up my free copy of the *Guardian*, I hasten to add, and the headline said: 'Recession over. FTSE above 5,000 points. House prices to rise'. That's all right, then, comrades, isn't it? It is as though the last 12 months, since the fall of Lehmen Brothers, have never actually happened. But, of course, Congress, this is not and will not be the case. Yes, of course, we have 8,000 fixed term appointment jobs in the Department of Work & Pensions. They were fixed term appointments because DWP actually thinks that in 18 months time unemployment will start to fall. That does not take account, of course, of the 30,000 jobs that have been cut in the DWP in the past two or three years.

Yes, comrades, we have seen extra jobs in the Prison Service and the Insolvency Service, all products of the recession. But, of course, this is not and will not be the case because across the country we see large layoffs and many small ones, and these will continue. Skilled jobs will be lost. We know that people will be thrown out of work and they will never return. Older workers, sacked at 55, with no protection or training. Young people on apprenticeships sacked and re-employed on the minimum wage with semi-skilled jobs. Young people have been sacked and not given any benefits at all. Employers are failing in their legal and moral responsibilities, seeking to undermine terms and weakening conditions.

Congress, like Gerry, on Monday I was privileged to hear a sister from the Thomas Cook dispute from Dublin talk about their fight for their dignity. Those workers, and others such as at Visteon, Vestas and Lindsay should actually be congratulated a number of times today and next week as we go back to our workplaces. It is all about condemning exploitation. It is all about unified action. It is all about raising rights.

I want to finish on this point, Congress. I am from the west Midlands, if you had not guessed. The west Midlands has been hard hit by the recession. It has experienced the largest fall in the employment rate in the UK; the sharpest increase in redundancies in the UK; the largest increase in unemployment in the UK and the largest fall in vacancies in the UK. There are 11 JSA claimants per vacancy in the west Midlands. I do not want to be a victim of this recession. I want to fight back now. So, yes, I say to the General Secretary of the TUC; yes, I say to the Government. Learn the lesson. It's time to act. Please support the composite.

Mark Campbell (*University and College Union*) spoke in support of Composite 3.

He said: Redundancy should not be the cheap option for employers, yet for many employers they are often the first and only option they consider. It is not just compulsory redundancies. We also have massive numbers of non-voluntary so-called 'voluntary' redundancies, which are often reluctantly accepted where workers are threatened with the likely alternative of the paucity of statutory redundancy pay. So actually fighting for decent compulsory redundancy pay in general might actually put a stop to some of those non-voluntary ones.

If that is not bad enough, some employers, including my own, which is London Metropolitan University, have gone one step further, or one step worse, you could say. Staff here have been targeted and selected for compulsory redundancy, often on the flimsiest and my unreasonable of grounds. However, what they're offered is statutory minimum, and the statutory minimum in this case is £350 a week for every year after two years, but they are offered a compromise agreement. The compromise agreement is this. If you do not take them to industrial tribunals,

if you accept a gagging order, then you get your actual week's pay. As far as I am concerned, this behaviour needs to be stopped now. We need to be fighting for decent redundancy payments so it is not an easy option. However, that redundancy pay should be payable from day one, not after two years.

But I think that the most important part of this composite was the amendment that was added by the TSSA, and I will read it out quickly: 'Congress congratulates those workers fighting to keep their jobs, including those taking action such as the occupation of workplaces in order to raise awareness and stop closures.' So therefore, for the rest of my speech, I want to offer my and my union's heartfelt thanks to the following: the Vestas occupiers, the Thomas Cook occupiers, the Vesteon occupiers, the Waterford Crystal occupiers and, especially, to our own members now on their 14th day of all out strike action against job losses at Tower Hamlets College in east London. *(Applause and cheers)* All of these workers have taken the brave decision to stand up not just for themselves but for their communities. Yes, we need to support this motion. We need to make it harder and much more expensive in order to sack workers, but much more importantly we need to take inspiration from those who have stood up and fought. We need to get off our knees and, as a trade union Movement, we need to match their resolve. We need to talk about occupations and we need to talk about strikes. *(Applause)* If Gordon Brown can use the 'C' word, then it is about bloody time we started using the 'S' word of strikes and the 'O' word of occupation! Support the motion and start fighting back! *(Cheers and applause)*

Derek Loughborough (*Community*) spoke in support of Composite Motion 3.

He said: How do I follow that! I want to speak on this composite because it is about jobs. My job is under threat. I work at Congas, Teesside Gas Products at Redcar. As you will all know, our future hangs in the balance. At the moment, we have got orders until the end of October. Beyond that, we don't know. The jobs of thousands of people are under threat, contract jobs, jobs in local services and jobs in local shops. We are fighting for them all. I would like to thank Congress for supporting our motion yesterday - Save our steel. But steel is not the only major industry on Teesside that is in danger.

We also know about the difficulties which our brothers and sisters face at the chemical plant when they announced the closure of three sites on Teesside. This recession could take a heavy toll. It has taken a toll on individuals, families and communities already. As the dole queues lengthen, the problems in our communities increase and it takes longer to recover. I fear that we could end up with an entire area in severe decline.

Teesside already has a high level of unemployment and a high level of poverty. I dread to think what life on Teesside will be like if the two major employers disappear. Congress, things can be done to stop this. A short-time working scheme would give us the chance to keep our jobs whilst finding new orders that will keep our works open. Short-time working would keep people off the dole. In the long run, it costs less. Why can't this be done? Why do we have to live in fear for our futures? Congress, you are helping to save steel. Now help save our jobs. Thank you.

The President: Congress, we will move straight to the vote.

* *Composite Motion 3 was CARRIED*

The President: Congress, I now call Composite Motion 4. Congress, I am fully aware of the constraints of time, and I might have to cut out some of the other speakers indicated.

Enforcement of fair and safe employment rights

(Insert Composite Motion 4 - Enforcement of fair and safe employment rights)

Chris Lines (*NASUWT, The Teachers' Union*) moved Composite 4.

He said: Throughout this week and, let's be honest, for many years, Congress has debated the call for legislation to protect the interests of workers, to give rights to working people and to prohibit unfair and unsafe working practices by employers. What has been the response of the business lobby? The CBI and the IoD have opposed at every turn the introduction of legislation and regulations designed to protect workers' lives and livelihoods. The business lobby has claimed that legal measures to ensure that all workplaces are healthy and safe and protect workers from prejudice, discrimination and harassment at work are an unnecessary burden on business, particularly small employers. They have been supported by the Conservative Party. The Tories, if elected, intend to repeal the legislation which employers don't like. They will dilute the rights and entitlements of workers making the workplace unsafe. Many more lives will be lost during each year of work. Further, the Tories have opposed at every step the passage of the Equality Bill.

Congress, the rights of workers are not safe in their hands. It is a national disgrace that some employers continue to challenge the merits of the current legislation and flout workers' rights with impunity.

Furthermore, education has not been immune from such challenges. The rights of entitlement to the vast majority of teachers in terms of their pay and working conditions are set out in the National School Teachers' Contract. These rights and entitlements are statutory. However, teachers are regularly being denied their statutory entitlement. The Government have been powerless to do anything about it. There has been no mechanism, other than recourse to employment tribunal or industrial action, to ensure that these entitlements are delivered in practice.

In 2008 NASUWT launched a major campaign on this issue. Our campaign slogan *Is Your School Breaking the Law?* was designed to highlight the employment rights of teachers and head teachers and flush out the unlawful practice of school employers. Within a year the campaign achieved major successes, resulting in a commitment by Government to introduce legislation to tackle and prohibit non-compliance and protect the statutory pay and working conditions of teachers and support staff in schools.

The Apprenticeships, Skills, Children and Learning Bill will receive Royal Assent in the autumn. It will provide swift and effective resolution of matters of non-compliance and give new powers to local authorities and the Government to take action where schools are flouting their statutory workforce responsibilities. This is an important development but it addresses only the tip of the iceberg of non-compliance and the denial of workers' statutory rights, particularly in the areas of health, safety and equality.

Congress, the size of the employer does not matter. All workers must be protected from workplace discrimination and employers must face the consequences when they exploit,

abuse or discriminate. There is nothing that is anti-competitive about regulating and ensuring fair and safe employment practices. All the evidence confirms that good equality practices make good business sense. We know that healthy and safe workplaces are more productive, effective and efficient. But simply having the legislation is not enough. There has to be strong enforcement bodies put in place with the powers and the commitment to carry out the appropriate action. There has to be a body which can act pro-actively to respond swiftly where employer abuses occur. Regrettably, this is not the case with the Health and Safety Executive or the Commission for Equality and Human Rights. Congress, we need to challenge each of our political parties on their commitment to enforcing fair and safe employment rights. We need to inform and educate our members about what is at stake at the next General Election, and we need a clear commitment from an incoming government to act to introduce comprehensive measures to protect workers from abusive employers. This, after all, is yet another good reason for prohibiting the BNP working in the public services. Thank you.

Chris Murphy (*Union of Construction, Allied Trades and Technicians*) seconded Composite Motion 4.

He said: Congress, as the composite clearly states, employers are all too often reluctant to change when it comes to employment rights. In the construction industry we have many problems, especially with holidays, with the increase of annual leave up to 28 days a year. Thousands of construction workers are not paid or the employer avoids doing so and we have to go to a tribunal. We spend more time in tribunals as a union than we do on building sites, I think.

But the main thing I am referring to in this composite is the blacklisting. Earlier this year, we had a front page article in the *Guardian* exposing the blacklisting of thousands of building workers, and there are a number in this hall today denied jobs only because of their trade union activities, not because of their skills at doing the job. In fact, most of them are excellent trades people. Forty-three companies, major construction firms, were found to be paying at least £5,000 a year to the Consulting Association.

Ian Kerr, who run the Consulting Association, was fined a massive total of £5,000 for operating an organization that construction employers used day in and day out to stop people getting a job, affecting their livelihoods, their wives, partners and children, with no legislation to stop them.

The Government's Fairness at Work Act, allegedly, was supposed to eradicate blacklisting but they got it wrong. Fair enough, because they are now consulting, but the remit is too narrow. Hundreds of workers in the construction industry and in my union were put on the blacklist not because they were shop stewards or convenors but because they were safety reps trying to make the site safer and stopping building workers from being killed. You know that our industry kills approximately three workers every week.

We call on Congress not just to leave it to UCATT. I am proud what our union has done on the issue of blacklisting. We wrote to every member and told them how they find out if they are on the blacklist.

Other unions will be suffering the same. Your members could well be blacklisted or are being blacklisted.

The President: Delegate, I have been very lenient with the lights.

Chris Murphy: Sorry. We believe that was not the only organization. My last word is, before you go home, to get a copy of *this* document from the Employment Rights stand and support the composite and end blacklisting.

Alan Whitaker (*University and College Union*) spoke in support of Composite Motion 4.

He said: Conference, in supporting Composite Motion 4, I want to speak, particularly, to the penultimate paragraph.

Yes, we welcome the Equality Bill. It will have the effect of harmonizing equality legislation throughout the country. Perhaps our greatest fear is that it will not be enacted before the General Election because, if it is not on the statute book by then, and if the Tories win the next election, we can kiss the whole thing goodbye. That's for sure.

Having said that, however, there are important areas where the Bill is weak and needs strengthening if it is really going to make a difference. Workplace equality reps with statutory time off are an essential element in making sure that equality is at the heart of the workplace. In particular, the proposals on tackling the gender pay gap are so feeble as to risk being meaningless. As far as the private sector is concerned, the proposals only cover employers with over 250 employees. They would not be introduced until 2013 and they require very limited information to be published.

The pay gap between male and female employees remains shamefully wide. In higher education the gender pay gap is 18.2% and in further education it is 8.6%. Even more worrying is the fact that the gap in further education has not narrowed in the past decade, and in higher education it has actually widened.

Employers and the Government might like to give the impression that they are doing all they can to rectify this. The truth of the matter is, however, that despite the existence in both further and higher education of national agreements which provide for the undertaking of regular equal pay reviews. Very few employers have actually complied with these agreements. As a result, we are faced with a widening gender pay gap and it is clear that the voluntary approach is not working.

Sisters and brothers, the only way to deliver pay equality is to oblige all employers, large and small, public and private, to carry out regular equal pay audits, and we need that enshrined in law. Please support this composite.

Peter Murray (*National Union of Journalists*) spoke in support of the Composite Motion.

He said: Congress, there is a basic rule in radio journalism where I work - you are not meant to break this rule - which is don't ever bombard your listeners with figures. But forgive me, because I am going to have to go through some this time. Recent Government reports have found, for instance, that less than 10% of people entering journalism have worked their way up through non-graduate vocational working class backgrounds. Journalism is the profession that has seen the biggest decline in social mobility in recent years. So the NUJ did its own survey. We spoke to hundreds of young reporters. More than half of them had to do work experience after they qualified instead of going into paid work in the media. This was not just

for a couple of days, but one in five of them had to go into work experience for three months or more. More than 75% of them received no payment for the work that they did while they were in that work experience. Between a half and two-thirds of all of those young journalists on work experience did not even receive expenses for travelling into the office to do a job where they were paid nothing. In many cases, trainees worked in different organizations. More than half of them said that they did not get proper support or advice, and one in four said that they believed the organization where they worked would not function properly without these trainees or work placements. More than half of them were led to believe that the work placement would lead to a job and it never did.

The explanation for this is simple. It exploits people's dreams of working in television, in films, on the radio or for a website. It forces people to work for nothing and it is forcing young people, fresh out of college or university, either to rely on their parents to support them or to ring up yet more debt. It is excluding more and more working class graduates from journalism and it means, more and more, that you have to come from a wealthy background if you want to be a journalist. Congress, that is not acceptable! People have said it time and time again for months - Tony Woodley said it just a moment ago - that if this Government want to defeat the Tories in the next General Election, they should implement measures now that demonstrate that they are acting to defend workingclass people and acting to end exploitation.

This Government can do it today. They should force companies to pay trainees for the work that they do. Do not allow these employers to turn those dreams into nightmares of exhaustion, disappointment and debt. Thank you.

Jack Dromey (*Unite the union*) spoke in support of Composite Motion 4.

He said: In February 2004 on a freezing night 22 Chinese workers died a terrible death trapped on Morecambe Sands by the rising tides. Five years on I attended a commemoration by the Chinese community, and a heartbreaking letter was read out by the daughter of one of those who died, which said: 'My dad rang home on his mobile phone as the water lapped up to his chin, crying as he said goodbye to my mother and to us, his kids.' Yes, we've made progress during the past ten years, including the establishment, as a consequence of Morecambe Bay, of the Gangmasters' Licensing Authority. But modern day slavery still scars our society. There are millions who have rights but they are not enforced, like the 600,000 workers entitled to the National Minimum Wage who do not get it; like the workers killed and maimed every year. There were 229 deaths last year alone. Like those migrant workers, sometimes trafficked and often robbed by ruthless gangmasters and agencies.

We had one member when we organised his agency who worked 60 hours a week, and by the time the agency deducted money for transport, accommodation and administration, he got £6 at the end of the week! We have to do three things. First, we have to organize the workers concerned. There is no question about that. The best way of enforcing employment rights is by strong and effective trade union organization and in that process uniting all workers around equal treatment of all workers. Can we say today that it is absolutely wrong to demonize migrant workers. Migrant workers are not responsible for their exploitation. Migrant workers are not the problem. (*Applause*) The problem is the bad bastard employers who exploit migrant workers and to undercut indigenous workers.

Secondly, we challenge not only the employer but those with power to act, like the supermarkets which abuse their market power to drive down costs along the supply chain. Thirdly, and finally, President, we challenge Government to act, to extend the law to agency workers, to extend gangmasters to cover construction, but also to enforce the law.

Arising out of the TUC's Commission on Vulnerable Employment, the five respective agencies will be working together to clamp down on rogue employers. We welcome that, but priority needs to be given and resource needs to be given. This matter needs to become a great national cause on the part of Government, thereby sending an unmistakable message that there will be no hiding place for bad employers.

Congress, we work with the good, we tackle the bad and we need to make examples of the worst. That is why the GLA - the Gangmasters' Licensing Authority - has been so effective in putting rogue employers out of business, on the one hand, and on the other hand - I can tell you what will transform safety standards overnight on building sites all over Britain - if a gaffer guilty of killing a worker went to gaol! Thank you.

Edna Rolph (*GMB*) spoke in support of Composite Motion 4.

She said: Congress, I am speaking on enforcement of fair and safe employment rights. Like our sister unions, GMB welcomes the Apprenticeships, Skills, Children and Learning Bill. We believe it is imperative that it becomes law later this year. We believe that this Bill is vitally important to an increasingly diverse school workforce. Today there are 400,000 support staff working in schools. They are not the mythical mums' army. In fact, they are the growing band of necessary education professionals who make our children safe and well. They support teaching in the classroom. They keep our schools running. But their vital contribution is rarely acknowledged. Under dictatorial head teachers their pay and conditions are pitifully low, but they continue to take on new duties and new burdens. They feel that to refuse would let the school and, more importantly, the children down. Colleagues, this goodwill is open to exploitation. The GMB has long campaigned to end this exploitation.

As this motion suggests, employees' rights must be protected for the whole of the school workforce. Head teachers and governors have a duty to manage all their staff fairly. This fairness must be applied equally to teachers and support staff. This Bill will ensure compliance on terms and conditions for support staff as well as teachers. But, colleagues, compliance only matters when the terms and conditions are worth protecting, and in relation to the support staff we have a long way to go. But the ASCL Bill is particularly welcome in that after years of campaigning by the GMB and other unions, it has established a long awaited national negotiating body for school support staff. This is the first major national bargaining machinery for many years, bucking the trend towards localization. This body will design a common employment contract and condition framework for all schools' support staff in maintained schools in England. This framework will be backed by statute.

GMB is determined that this body will deliver terms that are consistent, transparent and fair. With this new legislation and the support of our Labour Government we are getting closer to fair treatment for everyone who works in schools. Let's, finally, get there. GMB supports this composite motion.

The President: Congress, I will move straight to the vote.

* *Composite Motion 4 was CARRIED*

The President: Colleagues, let me inform you that from this point for today I will be taking the mover, the seconder and the indicated supporters and no extra other speakers who feel that they would like to contribute to the debate, because we do have a time schedule that we have to keep to.

I call Chapter 1 of the General Council's Report - Organising and rights at work - from page 5, and I call Motion 6.

Bogus self-employment

(Insert Motion 6 - Bogus self-employment)

John Thompson (*Union of Construction, Allied Trades and Technicians*) moved Motion 6.

He said: Congress, bogus self-employment can corrupt the construction industry, and if employers have their way it will corrupt other industries. Bogus self-employment occurs when workers are officially classified as self-employed. They have all of the employment characteristics but none of the rights of an employee. Over half of all construction workers are officially registered as self-employed but with no other option, as our teacher colleague said earlier on, to take it or leave it. The vast majority of these workers are the bogus self-employed. They can be fired at a moment's notice. They are denied the most basic of employment rights, such as holidays and sick pay. The bogus self-employed are also denied most benefits if they are out of work. That is their penalty for the lower level of National Insurance contributions. It is not just during the working life that the bogus self-employed suffer discrimination. The vast majority do not have pensions. When they are too old or ill to work they are forced into poverty.

Construction is the most dangerous industry in Britain. Last year, in the face of a massive economic downturn, 53 workers were killed. Bogus self-employment dramatically increases the danger faced on sites. Workers who fear being sacked at any minute will not raise concerns about dangerous practices. They know if they do that they will be shown the gate. Nor do sites using the bogus self-employed have independent safety reps. Bogus self-employment corrupts training. If companies use bogus self-employed workers, they are not interested in training apprentices. They take an entirely short-termist view towards the industry's needs. While workers are at a huge disadvantage, it is a win-win situation for the employers. Not only do workers lack employment rights, but employers do not pay National Insurance contributions for the bogus self-employed. That is a 12.8% saving on wages per worker. It is a multi-pound subsidy for the construction industry employers.

Research undertaken for UCATT last year by Professor Mark Harvey of Essex University estimated that bogus self-employment saves construction employers £1.7 billion a year. At the end of July the Government began a consultation into bogus self-employment in construction. The Government's proposals, if implemented, and it remains a very big 'if', should cautiously be welcomed. But they are a first step. Workers will be deemed to be employed for taxation purposes unless they meet three very strict criteria. They will not be given full employment status. Unions will have to make the case for each worker about why they must be classed as an employee. Tribunals will be busy and, as Chris said earlier on, we spend more time in tribunals on the question of holiday pay than any other union. That is why

it is essential that the problems of employee status are resolved once and for all. Pure and simple, workers are either employees or are genuinely self-employed. But it is not just in construction where bogus self-employment takes place.

Sadly, bogus self-employment is more than just a builders' disease. There are an increasing number of casualised industries whose workers are forced into bogus self-employment in sectors such as distribution, sales and the media and, unbeknown to me, as it has been explained, in the education profession. For too long companies have believed that they have had carte blanche to cut workers' conditions in casualised work, claiming their accidents are justified by using words such as 'efficiency' and 'flexibility', when they really mean increased profits and workers' exploitation. Enough is enough. Companies which try to casualise employment must be named and shamed, whilst the Government must increase enforcement levels, ensuring that companies pay workers correctly and provide the right conditions. Far too many companies are determined simply to ignore the increased holiday entitlement. The cowboys need to be exposed.

It is time that the union Movement made it clear that the obsession with flexibility at the expense of workers' rights must be ended once and for all. Together we can end the scourge of bogus self-employment. I move.

Phil Davies (GMB) seconded Motion 6.

He said: Congress, when I was asked to do this motion, I was told not to mention a certain company that exploited disabled people, so I am not going to do that. (*Applause*) As always in a recession, the employers get up to all sorts of tricks to reduce pay. They make conditions worse and cut jobs and blame it all on the recession and the workers themselves. Bogus self-employment is no different. It is used in the construction industry as a way of reducing workers' rights and getting away with lower standards of health and safety and pay. It is also used as a way of employing migrant workers without complying with union agreements and the laws on holidays and sickness, while, of course, as I have said, always paying them less pay.

We have to pay tribute today to those construction workers who recently took unofficial action to defend their jobs at the Lindsey Oil Refinery. (*Applause*) At the moment new starts in the building industry have diminished and many existing sites have either slowed down or come to a halt until conditions get better, thereby creating large numbers of unemployed workers in the industry. This situation sets worker against worker and applies pressure on many of them to accept bogus self-employment as the only alternative to the dole queue.

Young men and women, who have served their time, are being forced into bogus employment, without any rights and no future pension provisions. Bogus self-employment is not good for anybody except the cheats and, of course, the bosses. It is definitely not good for Government. It costs the Treasury, as has previously been said, £1.7 billion a year.

We are pleased that under the terms of the 2008 Warwick Agreement the Labour Party saw fit to commit to eradicate bogus employment by 2009. However, we are one year on and 2009 has nearly come to an end. We need to see some results. Construction projects funded by public procurement can stop bogus employment immediately by inserting into the contract a clause that calls for direct employment.

We call on the TUC General Council to lobby the Government to honour their Warwick pledge, to scrap the existing construction industry scheme, to establish an enforcement organization to track down rogue employers who do not pay the rate for the job and use bogus self-employment to circumvent workers' rights, to ensure that those companies which are caught breaking the rules are named and shamed.

I have a message for Gordon Brown. It may be too late next year to knock on the doors of unemployed construction workers asking them to protect his job. Gordon, do something now. Protect our members in the construction industry and outlaw bogus employment. Thank you.

The President: Congress, I will move immediately to the vote.

** Motion 6 was CARRIED*

The President: I now call Motion 7, Trade union rights and freedom - taking back our rights. The General Council oppose the motion. I will call on the General Secretary to explain the position.

Trade union rights and freedom - taking back our rights

(Insert Motion 7 - Trade union rights and freedom - taking back our rights)

Brian Caton (POA) moved Motion 7.

He said: Thank you, President and Congress. It gives me great pleasure and I am proud to move a motion that reflects what people have said from this rostrum all week, all the noise, rhetoric and applause, and deserved applause, for those who have decided to fight back. Do we need to fight back? Certainly we do.

Last year we came before Congress and called for a general strike. We did that with anger and frustration, but more with disappointment; disappointment that we cannot get together and do things as one, frustration because it never seems to want to be taken on board and anger because if we don't do it, what are we going to end up with? Well, we are going to end up worse than we are now with a Government that certainly won't listen at all and they will take away even more freedoms and it will be a harder fight. Delegates, if you do not recognise that, then something has been missing in what you have heard this year and indeed what you heard last year and the year before.

One only has to look at the ministers surrounding the Prime Minister, those advising him. I don't know if they have given up the ghost but it appears to me that they have. I think they are waving a white flag to those blue sails now docked down the road in Liverpool dock, because we said they were coming, we knew they were coming and we have waited another year. What are we going to do? Are we going to wait until they are battering us with further anti-trade union legislation before we do anything? I would suggest we are not and we shouldn't. This year we are not angry, we are not even frustrated and we are not even disappointed. I am here to beg you to do something. I speak to you, on behalf of all the delegates who have spoken, and spoken with passion, about reclaiming our Movement and fighting back. I am talking about individuals and unions fighting back on their own issues.

I have taken a lot of notice of what was said by those brave people in Amnesty International. Do you know, the one thing that resounded in this hall today is that rights are not given. They are won. In my book, if you want to win something you fight for it, and if you don't fight for it, don't expect it to be given. *(Applause)* All those people who have come here, friends of mine and friends of yours, people who we trust and people who the membership trust, have said, quite rightly, that if this Government does X, Y or Z, we are going to fight. I applaud them just as you do. Will the POA support them? Yes, they will. But wouldn't it be a lot better if we took those words which are said by many trade unionists: Together we are stronger, united we win. Is it all just rhetoric? Is it all just saving the Labour Party? I have no wires, ropes and or ties from no. 10 Downing Street now, and neither will I have them at any time in the future. But it is about time that we prove that none of us have those wires and ties because they are hurting your members and they are hurting my members. What we need to do is to unite. Some say it is about political differences. I say there are no political differences other than I know the Tories will kick me but I did not expect Labour to do what they have done since they were elected. Privatisation, cuts in public services, pensions and mass redundancies are going on, and we see 'unlawful', as they call it, industrial action. We see people taking sporadic action, and I am proud that they do. I am proud that those people can at least try to challenge. I am proud that my union did it in 2007. We had to take unlawful action, but as long as we sit here and recognise that we need to stand on our own because it is more convenient to the Labour Party to do so, the more we will get kicked.

I call on you to support this motion. Most importantly, I call on delegates, if you really think about your members, stick your hand up in favour. Thank you.

Bob Crow (*National Union of Rail Maritime and Transport Workers*) seconded Motion 7.

He said: Congress, it is with pleasure to second the motion from the POA. Brothers and sisters, there has been much debate this week about what unemployment is going to do, but how much will it cost us to pay off the deficit? To help working people fight back against those job closures, the Government of the day could have said, 'To make it easier, we are going to repeal those anti-trade union laws which we said we would repeal when we were in Opposition to the Tory Government in the '80s.' The reality is that Margaret Thatcher and John Major understood the strength of this trade union Movement. That is why this Movement, which had 12 million members is now down to nearly six million members. There was a twinned pronged attack on the trade union Movement in Britain, one of mass unemployment and one of anti-trade union laws. The anti-trade union laws have nothing to do about democracy. The matrix system means that we and other unions get caught out from time to time. When we get a massive 'Yes' vote in a ballot, the matrix system is scorned upon by the employers and they take us to court because they say, 'You had seven people working in one shop and five people working in another shop', but really it is five in each.

I will tell you something about these matrix systems and all the rest of the anti-trade union laws. I couldn't care less what a union decides to have, whether it wants postal ballots or its executive committee to call strikes, but the one thing that we should determine as a trade union Movement is that we are independent and free and the only people who should be able to make rules in a trade union are the membership and not governments to hold us down!
(Applause)

Brothers and sisters, when people talk about freedoms and ballots, we have to understand our own power. When they closed down the Vestas factory, where was the ballot from the

management there to give the workers the opportunity as to whether they wanted to keep it open or not? Of course, it is all about holding workers back. The bankers of this world understood power. The five of them who went to see Gordon Brown told him, 'Unless you give us billions of pounds, the money will start running out in the cash points', and he gave into them, whether he right or wrong, but they understood industrial muscle from the employer. It is about time that this trade union Movement understands the power it has. The point is that you can come here and praise the Cubans, and they deserve praising, and you can praise Amnesty International, and you can link up to AFL-CIO in America, and I am all in favour of that, but it is no good sorting out the rest of the world when you can't sort out a factory shutting down in Belfast or anywhere else around the country. (*Applause, cheers and table thumping*)

Brothers and sisters, we do not want to see riots on the streets because we are in favour of peaceful demonstrations, but if you don't capture the anger that trade union members are experiencing, of people who want to fight back, then that's what it will end up in.

Brothers and sisters, we should send a clear message out to the government of the day that we are an independent and free trade union Movement, and if it is wrong what a Tory does or wrong what a Labour member does or wrong what a Liberal does, our right is to put right those wrongs. Therefore, those demonstrations should be called and a general strike should be called to repeal those anti trade union laws as we were promised.

The President: I call the General Secretary. Brendan.

Brendan Barber (*General Secretary*): President and Congress, I have been sent forward by the General Council (*Cheers*) to explain why they are encouraging Congress to oppose the motion from the POA. But before I make those points, I, first, want to make two other points absolutely clear. The first is that everyone in this hall, in every affiliate, is absolutely behind the campaign for trade union rights and trade union freedoms. Our framework of law remains the most restricted in the advanced industrial world, and that is why we have been making the case for a Trade Union Freedom Bill to bring our country into line with ILO conventions and standards to give unions the chance to do their job properly.

The second point is that the General Council has huge sympathy for the unique circumstances faced by the POA. There is no other union in our country affected more by anti-union restrictions, operating within the tightest possible legal straightjacket. The POA has had to deal with those restrictions at a time of huge upheaval in the Prison Service. There has been a volatile cocktail of privatisation, workforce reform and management failings that would test the resolve of any union membership, underpinned by the doubling of the prison population during the past two decade with all that means for the daily pressures faced by prison officers. We support the POA in coping in those hugely difficult circumstances.

But, and I now turn to the arguments, that does not mean that the General Council can support the course of action laid out in Motion 7. Congress, we all know the issues raised by the motion's call for general strikes. Is there really confidence that our members, who are worried about their jobs and living standards in the face of the worst recession for generations, would heed such a call. (*Calls from the floor of 'Yes'*) The General Council think not. Is there really an appetite for affiliates to walk headlong into a legal battle, putting union funds at risk of sequestration? The General Council think not. If this motion was carried, would it really be a demonstration of strength or risk, instead, simply being an empty gesture

illustrating not strength but weakness? We have work to do, both political and campaigning, to win the case for change to give workers and their unions effective rights, but this motion is not the way to win that battle. I ask you to oppose it.

The President: Brian, before I call you, I have had an indication that there is one more speaker who wishes to speak in opposition. I call PCS. Then I will give you the right of reply, Brian.

Cheryl Gedling (*Public and Commercial Services Union*) spoke in opposition to Motion 7.

She said: My union opposes this motion not because we don't fully support the POA in their right to defend their members, to organise effectively and to take industrial action if that is necessary. It is also not because we don't share your disgust at the Labour Government's support for big business, the flexible labour market and their failure over 12 years to repeal the anti-trade union laws, which even Tony Blair described as the most repressive in Europe. It is also not, unlike the General Council, because we don't support the concept of a general strike, but it is because, whilst we support you in principle, we differ on tactics.

PCS does not shirk from standing up for members. We are very proud of the action we have had to take during the past five years to fight the many and sustained attacks we have faced from New Labour. We have responded by building campaigns, including strike action, which have secured concessions and delivered settlements, but we can only take our members with us around concrete industrial issues such as job cuts, pay and pensions. No doubt our comrades in the POA and the RMT can deliver the action called for in the motion but it is our honest judgement that we can't.

We have seen the inspirational examples of fighting the anti-trade union laws this week at Lindsey, Linemar and Vestas, where fantastic solidarity and strength shown by workers meant that the bosses did not dare to invoke these laws. PCS stands in solidarity with the POA and fully support your right to defend your members and your right to take strike action. We understand your frustration, which stems, at least in part, from the failure of the TUC during the past 12 years to effectively campaign against these laws which are not just anti-trade union but anti-worker. In not supporting this motion, no one should be under any illusion that there is not a willingness to continue the fight against these laws. The Movement would not be here today were it not for the courage of earlier trade unionists prepared to break bad laws, the laws intended to keep the workers down. The anti-trade union laws must and will be broken but only when workers can unite around industrial issues to fight them and not solely because the laws themselves are unjust. When that happens, and it will happen no matter what colour we get after the next General Election, PCS will stand shoulder to shoulder with brothers and sisters in the POA and throughout the trade union Movement, to defend our members, our jobs and our pensions. Thank you.

Brian Caton (*POA*) exercised the right of reply.

He said: President and Congress, I thank Brendan and the PCS for the words which they have used. I am not here to say what the POA will particularly do on its own and for itself, but I want to say that if we don't act together and take combined action and we do it soon, then you are going to lose even more rights. If you are a fire-fighter, if you are a paramedic or if you are in the legal services, they will restrict you like they have restricted us. You can wait until it happens and do nothing, because I can tell you that that is what we did. That is what we did

from 1990 to 1993 and-a-bit. We did nothing about what we knew was coming. As was said on many occasion by a trade unionist I respected, an ex-leader of the National Union of Mineworkers: 'Good words don't butter the parsnips', and they don't. Combined action is the only way. You know, when things happen to you, you look round and friends are there, I have heard for long enough, 'Don't look outwards, look inwards', because when things happen in your union it is only your union members who can put it right. I don't agree with that, because when people say to me, 'My union's going to fight against job cuts', well, we are all going to have job cuts. When people say to me, 'We are going to have attacks on our pensions', well, we are all having attacks on our pensions. When people say that there are going to be pay cuts, driving down and new contracts for new workers, we are all going to get them, and we are all going to do it individually, are we, and we are all going to win? Well, we're not! The way to do it is by combined action, to fight back against this class anti-trade union, anti-class legislation, that means we are all going to suffer. Every single one of us is going to suffer.

I urge you now, as delegates representing members, not to be bound by anything and to raise your hands, to support this motion and win back what we should have. Thank you.

The President: Congress, I will move to the vote.

* *Motion 7 was LOST*

The President: We now return to Chapter 3 of the General Council's Report, Economic & Industrial Affairs and the section on The National Minimum Wage, from page 64. I call paragraph 38, Composite Motion 12, The National Minimum Wage. The General Council support the composite motion.

The National Minimum Wage

(Insert Composite Motion 12 - The National Minimum Wage)

John Hannett (*Union of Shop, Distributive & Allied Workers*) moved Composite Motion 12.

He said: Congress, the National Minimum Wage has proved to be a real success. During the last 10 years it has halted the worst excess on poverty pay, not a panacea but as being a big assistance to this Movement and to the most vulnerable in society. It has also been of particular benefit to women and part-time workers, and rightly - rightly - has pushed up wages of the lowest paid, the most vulnerable, which have been increased by over 60% since it was first introduced in 1999.

Congress, the National Minimum Wage has been one of the most important pieces of social legislation in recent times so we have to be vigilant against any attacks on the minimum wage, like the Conservative Private Members Bill which earlier this year tried to seriously undermine the legal protection of the National Minimum Wage. That is why USDAW welcomes the establishment of Wage Concern. Wage Concern is a pressure group started by USDAW and many unions, if not all unions, who are represented in this congress hall today, dedicated to fighting for the National Minimum Wage. It was instrumental in providing for a huge petition and online lobbying of over 300 MPs which led to the Conservative Private Member's Bill if not totally failing, then certainly stalling.

We need to do more than merely defend the minimum wage. We need to go on the offensive, particularly in the run-up to the general election. Whatever our differences with either party, or particularly our own government, we must remind voters that on the issue of tackling low pay there is a very clear difference between Labour and the Tories. A stark contrast between a party that recognises the importance of such legislation and one that abolished (those of us who remember) the Wages Councils when they were in office.

We must remind voters that actions speak louder than words. It was a Tory Members Bill which sought an opt-out from the minimum wage, a situation which would mean that low-paid workers would lose out significantly. That is what this motion is all about. It is not just about reminding us of the threat to the National Minimum Wage posed by the Conservatives, it also urges Labour to introduce a series of measures that develop the minimum wage and make further inroads into tackling low pay and areas associated with it. In particular, the motion calls for a significant increase to all the minimum wage levels and for the adult rate to be paid at 18 to reflect the adult responsibilities that a person has, a new national minimum apprenticeship rate set at a rate that makes apprenticeships become an attractive option for all workers but especially the low paid, further strengthening of the enforcement mechanism and as Jack Tomey referred to before with reference to non-compliance, an important part of having statutory entitlement because without this the National Minimum Wage will fail to deliver and protect those most vulnerable, and of course extending and widening it to those workers such as seafarers and interns who are currently excluded from it, and to use a higher minimum wage as part of a comprehensive package aimed at tackling child poverty.

Congress, the National Minimum Wage is something we should be proud of. We campaigned long and hard for it. I would like to thank Frances for the work she does on the Low Pay Commission, and the TUC staff for articulating the evidence-based arguments that are rightly presented to the Commission. Congress, this is an important piece of legislation: what can be given can be taken away. We must remain vigilant and protect it going forward.

The President: Congress, before I call BECTU to the rostrum, the noise coming from the floor of Congress is absolutely appalling. You cannot hear what is being said up here. Can you give some respect, please, to people on the rostrum? (*Applause*)

Tony Lennon (*Broadcasting, Entertainment, Cinematograph and Theatre Union*) seconded Composite Motion 12.

He said: Colleagues, our contribution to this composite is actually a warning. It is a warning about opt-outs, it is a warning that the Conservatives are already trying to water down the National Minimum Wage, and it is a warning based on our bitter experience of another opt-out that exists already to the 48-hour limit under the Working Time Directive.

Firstly, let's talk about the minimum wage. Union colleagues are often surprised how much that matters to our members. We are seen as a glamorous industry but actually we have thousands of low-paid members, especially in areas like theatre and cinema for whom the National Minimum Wage is a fantastic safety net, and we have members who look as if they are earning high wages, but when you then work out how many hours they are doing, you discover that dividing a good wage by 60 or even 72 hours per week puts them on a pretty low rate, so they benefit as well. I think for that reason we welcomed Gordon Brown's commitment yesterday to raising the minimum wage year on year.

I will ask a question about the Tories: do you think any Conservative politician would ever make that promise? I do not think so because they have already tabled a Private Member's Bill in an effort to introduce an opt-out to the National Minimum Wage. They seem to think that one day there are going to be these fairyland conversations where employers say to new staff, 'We've got the minimum wage, you know, and you're entitled to it,' and the new employee says, 'What, £5.73! I wouldn't know what to do with the money so please, please, cut it.' It is not going to happen.

We know all about opt-outs because of the 48-hour opt-out under the Working Time Directive which is rife in our industry, I am sorry to say. There are no fairyland conversations where people say, 'Ah, really, I can't really just work 48 hours, can you please put it up a bit?' What happens in our industry where there is a lot of casual and freelance working is that the opt-out is made a condition of employment and people are simply told, 'You either accept you are going to have to work 60 or 72 hours,' which are very common working weeks in the sector, 'or you go hungry.' That is a very tough choice when you are a freelancer with nowhere else to go. I can predict if the opt-out is introduced to the National Minimum Wage we will have exactly the same problem there where people will be having not fairyland conversations but sweatshop conversations, 'You can't have £5.73. If you want a job here you have to work for £4.00,' or £3.00 or £2.50. That, frankly, is not acceptable, and part of this composite is a very clear stand against an opt-out from the minimum wage. It was very hard won, it is good for a lot of union members, and the minimum wage needs to be an obligation on employers, it needs to be a guarantee for working people, and it is not a matter of choice. For that reason I ask you to support Composite 12. Thanks, colleagues.

Hazel Danson (*National Union of Teachers*) supported Composite Motion 12

She said: The trade union Movement remains an instrumental driving force in working for a long-term strategy to end child poverty. We warmly welcome the Child Poverty Bill and the commitment to continue to invest in and prioritise children. In this economic crisis it is the poorest families in our communities who suffer most for longest. Child poverty is an in-work problem which is why the National Minimum Wage is integrally linked to reducing the number of children living below the poverty line. Recently, progress has stalled and the Government are in real danger of missing their target to halve child poverty by 2010. It may be the case that when these targets were set the Government had not anticipated the severe economic difficulties. However, it is precisely because of these difficulties that the bill needs to be strengthened to ensure that fiscal and economic circumstances cannot be used as excuses for inaction in ending child poverty.

The NUT shares the dismay of the Child Poverty Action Group that in the 2009 Budget statement the money targeted at helping children struggling most in the recession amounted to less each week per child than the cost of a pint of milk. This is not enough and the Government must adopt a clear programme for wealth redistribution where investment is targeted at supporting children, and poverty is reduced. Investment works and unless it is maintained now the credibility of the bill will be undermined. Our members see the devastating effects of child poverty day in and day out in our classrooms. Hungry, malnourished, poorly clothed, unhealthy, and badly housed children can neither learn effectively nor achieve their full potential. Poverty is not an excuse for educational under-achievement; it is the most significant cause. Poverty predicts educational outcomes in the UK more strongly than in any other OECD country. This is a shameful indictment and exposes the wide inequality still in our society.

Sadly, the Government remains wedded to an ill-advised programme which seeks to extend the privatisation of schools to academies and trusts. This does not raise standards for the most vulnerable children. The main effects of diversity in choice in public services have been to divide and separate further the rich and poor in our communities. Increased social segregation by class does not lead to higher educational standards. Quite frankly, the Government should stop messing about with school structures and the obsession of encouraging privateers to meddle in the running of our schools, and start investing in things that will work. Properly funded comprehensive education, free school meals, childcare, housing, and the minimum wage, these things will lift children out of poverty and allow them a real opportunity to reach their full potential. Please support.

Paul Moloney (*Nautilus International*) supported Composite Motion 12.

He said: Colleagues, many of you may be thinking what have ships and shops got in common. Well, actually, it is quite a lot. The original motion submitted by USDAW addressed an issue that has a direct effect on our members at sea and we are now very pleased to be part of this composite. The motion calls for the Government to resist any attempts by the Tories to undermine the minimum wage legislation brought in, in 1999. Of course, our union supports this position and has viewed with disbelief the fact that there are those in Parliament who fail to see the value of a minimum wage. All they have to do is look at our industry if they want a reminder of what happens when there is no minimum wage.

The composite specifically calls for the shipping industry to be included in the minimum wage so that we can start to bring an end to the destructive form of competition that exists in our industry where some companies with no long-term strategy at all simply compete by using exploitation, discrimination, and social dumping. Colleagues, that is why those who call for exemptions to the existing legislation, whilst clearly no friends of our Movement, also fail to understand that it is not even in the interests of those they claim to represent. Instead it shows a poor intellectual grasp of what is needed to make economies successful, economies in which the skills of the people we all represent are allowed to flourish.

Colleagues, let me spend a brief moment explaining what happens in our industry with no minimum wage. Right here on our doorstep in the north-west we have seen ferries operating to other UK ports employing seafarers from outside of the EU on pay rates well below the minimum wage. In Dover we have seen well-known companies operating ferry services employing seafarers from developing economies on rates appropriate to south east Asia rather than south east England. In Tilbury we have seen yet another ferry company sailing between the UK and Europe employing no EU nationals on board its ships at all, again applying pay rates appropriate in developing economies having sacked its entire UK workforce. Of course, between Ireland and Wales we have seen the example of Irish Ferries which also sacked their entire UK and Irish workforce and replaced them with workers who at one time were earning one euro per hour.

Colleagues, there are many examples of regular ferry routes being operated by companies paying rates that are not just below the UK minimum wage but below internationally accepted levels that are supposed to apply to any vessel regardless of where it trades. That is why we support wholeheartedly the composite. We would not wish upon anybody what we have to tolerate in our industry and it is not just about paying properly the seafarers who suffer the exploitation, and it is certainly not about simplistic statements like *British jobs for British workers*, but it is about making sure companies which do operate properly are

committed to training and safety, do not face unfair competition from those who seek to have their income based in the UK but their costs based on developing economies.

Colleagues, allowing exemptions for the minimum wage will give a green light to those who wish to compete like this. It will not only lead to greater exploitation of women and workers from outside of the UK but it will undermine every single collective bargaining agreement we hold. Colleagues, the minimum wage may not be perfect but let our industry be a warning sign of what happens when there is not one. Please support the motion.

* *Composite Motion 12 was CARRIED*

The President: I now call Motion 35, Britain's Got Talent. The General Council support the motion.

Britain's Got Talent

(Insert Motion 35 - Britain's Got Talent)

Jean Rogers (*Equity*) moved Motion 35.

She said: Are you sitting comfortably? Then I'll begin. Once upon a time in a far away Scottish town a simple kindly woman sat dreaming by her fire, alone in the world save for her cat, Pebbles. She dreamed of standing in front of a vast audience singing, and her dream came true. This is the story of Susan Boyle, catapulted into fame through ITV's Britain's Got Talent, a programme commentators have likened to the modern equivalent of the Victorian freak show. The deficiencies and shortcomings of the contestants are as important as their talent. We enjoy the stress we are putting them under: will they or will they not survive.

In 1810 an orphan slave called Sara Baartman was brought from South Africa with a promise that because of her unusual stature she would become wealthy. Exhibited around Britain as the Hottentot Venus she was forced to entertain people by gyrating her nude buttocks. Mary Beard, Professor of Classics at Cambridge University, compared the Susan Boyle phenomenon to that of Sara saying the arguments of her managers were little different from the arguments of those in ITV. This is an opportunity for wealth and fame, they say. The truth is that Susan Boyle is a vulnerable and exploited middle-aged woman. She is not a star in the making being given a lucky break thanks to Britain's Got Talent.'

So why do performers put themselves through this ordeal? One reason is desperation. There are few avenues to show their talent, no more summer seaside shows, clubs closing down, very few television dramas or variety shows, instead there has been a steadily growing industry of reality shows, and reality shows are big business. This August ITV announced that the X Factor will have the biggest budget ever with an increase of £6m. Money will go on hiring huge venues, celebrity presenters and judges, wardrobes, publicity, lighting, cameras, sound and everyone will get paid. No, correction, everyone except the performers because they are contestants so they do not have to be paid; they are in a competition and a loophole in the National Minimum Wage legislation allows them instead to dangle the huge carrot of 'your big chance'. Added to this, contestants often have to enter into restrictive contracts which, even when they get voted out in earlier rounds, forbids them to take paid employment until the final has been broadcast. This is unacceptable. Performers are workers and should not be compelled to forego working time regulations and other protections under

the law. They are workers in a highly competitive exploitative industry where their hopes and dreams are manipulated and companies such as Endermol, the maker of Big Brother, make huge profits, around £60m a year from reality TV. There are many instances of film and TV companies offering aspiring actors the chance to be paid nothing for their work but meet people in the industry. Where is the dignity in that and where is the bread to put on the table?

This motion is not an excuse to get at Simon Cowell or any of the others who have served their apprenticeship and won their success, but this is about fairness. When the BBC produced its first talent show, *How Do You Solve The Problem of Maria?*, they acted honourably, engaged all finalists on standard industry contracts with pay rates well above the National Minimum Wage. Over 20 million people worldwide logged on to You Tube to hear Susan Boyle sing. Her dream did indeed come true but at a physical and mental cost. Yes, I too tune into X Factor and like you I succumb to its theatricality but audiences still want to see home-made original drama, comedy, and children's programmes. They want a choice that informs, educates, and entertains; time for broadcasters to curb their over-reliance on reality TV formats. So, the fairy godmother waved her magic wand and transformed the television schedules and, 'Yes,' she said, 'Britain has got talent, so pay them.' Please vote for the motion.

Danny Longstaff (*Musicians' Union*) seconded Motion 35.

He said: How do I follow that? In fact, I do not. It was such a polished professional performance so the only way I can follow that is with difficulty or I could entertain you by playing the trombone. I would have fun but you probably would not. That is what I have learnt to do, that is where my skills are. My point is we all start out as wannabies. We learn our craft through hard work, hours, months, years of practice and study, and we come up through the ranks of amateur performance, constantly honing our craft, constantly learning. If we are very, very lucky, we achieve professional status. In short, for 99.99% recurring of us there is no short cut. TV companies are offering the fairy tale and are not nurturing the talent but they are taking the money. We have heard a lot about the fat cat bankers, well, maybe the TV executives are more like fast cash and something that sounds like 'bankers'. Now, everyone deserves a chance and these shows do play a role: it gives people experience in the audition procedures and it gives people the opportunity to discover whether or not they do have the talent to move on but, as has been said, once contestants have reached the final televised stages are they not then professionals? What are they doing? They are taking up primetime TV to entertain us and if that is the case they should simply be paid.

Jean has gone into who does get paid and who does not get paid on these shows so I will not repeat that but our union puts a lot of resources into helping young musicians along their career paths pointing out the pitfalls and giving them the paths to follow to create a professional career. From what I have just said you will understand that we do not recommend the talent shows. I was in the White Star the other day, a nice little pub in the town, and there on the wall was a photograph of The Beatles, which you would expect in Liverpool, and below which was a copy of one of their very early contracts for a tour to Hamburg before they had become household names; to think that they too had to learn their craft the hard way.

This motion is called Britain's Got Talent. This city alone has contributed more than its fair share to our talent pool. We have lots of it in abundance but we have had it for centuries, not just in the entertainment industry but in industry. It was talents that brought about the Industrial Revolution. It is the talents of people who when we realise that people are being

abused created what we have today and what we are, the trade union Movement. By supporting this motion we will help and support the vulnerable and exploited people. Yes, there is a fairy tale ending but it is not Hans Christian Anderson, more like The Brothers Grimm. Please support Motion 35.

* *Motion 35 was CARRIED*

The President: I call paragraph 3.9 and Motion 36, Transport. The General Council support the motion.

Transport

(Insert Motion 36 - Transport)

Bob Monks (*United Road Transport Union*) moved Motion 36.

He said: President, you will be pleased to hear that I do not intend to enter into a detailed explanation of this motion. I am very conscious of the time for Congress. I spoke earlier today on Motion 44. I said it was pretty much self-explanatory. Motion 36 is crystal clear and requires virtually no explanation whatsoever. Comrades, the motion supports our union's current campaign to have the regulations amended to include road transport workers and to seek an end to this legislative loophole. Comrades, I urge you to support the motion.

Bernie Taylor (*GMB*) seconded Motion 36.

He said: Congress, like other trade unions representing the professional drivers, the GMB welcomed the introduction of the Working Time Directive into the transport sector. Although several years after the original directive was introduced to the rest of the industry the Working Time Directive for Transport was released to each individual sector of the transport industry. As the transport regulation took a long time to transpose other employment laws have been updated during this period; in addition, the transposition of the transport sector was for the individual transport groups. As a result transport drivers and mobile workers were separate from seafarers, fishery and railway workers. These workers were all granted protection under the 1996 Employment Rights Directive for new employees under one year's service. For example, an employee with one year's service who refused to carry out duties outside the Working Time Directive was not protected against dismissal as workers in other sections. Unfortunately, protection was not offered to transport drivers and mobile workers. This means if a transport worker is faced with breaking the Working Time Directive and he refuses to do so, he could be sacked and would not have any legal protection under the 1996 employment rights. The loophole is used by rogue employers to encourage new drivers and transport workers to work long hours and break the Working Time Directive. Obviously, we believe this is wrong and needs to be changed.

Road transport is very important to our UK economy. However, it can also be dangerous and cause accidents if drivers are made to work more hours and obviously become tired in doing their job. We are asking the TUC to join the campaign to remove this anomaly from the road transport section and give transport drivers and mobile workers the same protection under the 1996 Employment Act which other transport sector workers have. Please support the motion. Thank you.

* *Motion 36 was CARRIED*

Global Solidarity

The President: We turn now to Chapter 4 of the General Council Report, Global Solidarity, from page 86. I call Motion 74, Human trafficking. The General Council support the motion.

Human trafficking

(Insert Motion 74 - Human trafficking)

Helen Connor (*Educational Institute of Scotland*) moved Motion 74.

She said: Congress, so far this week we have discussed many things, all worthwhile, but I have to say that we as a union feel it is a travesty that we are in a situation where we are standing at Congress having to discuss human trafficking. I want to give you a very brief bit of background. Human trafficking covers a wide range of criminal activity, and be assured, colleagues, I am talking about criminal activity. The victims of this are both legal and illegal immigrants. The Government's own sources indicate that no region of the UK is immune from trafficking. That does not mean that every town has experienced this but it does mean that somebody has probably passed through your town. We are not just talking about cities like London, Glasgow, Manchester, and even Liverpool, indeed Ugandan women have been trafficked for sexual exploitation in Worthing. Adults, colleagues, come to this country and they come through trafficking and often they come through trafficking willingly. They come thinking that there is going to be work available to them but, unfortunately, when they get here they have been massively deceived. The work that they were looking for was work in restaurants, they were looking for work in catering; they were looking for domestic work. Unfortunately, when they get here they find that they have been deceived and in many ways are put into either sexual exploitation or in fact the construction industry. It is not, as Jack Dromey said earlier on, that the laws are not there. The Gangmasters Licensing law is there, the laws of the country are there. We, unfortunately, do not appear to know about the numbers.

Often, colleagues, though, and I think this is very important, often it is our own ignorance that is causing the problem here. Often we hear about these incidents and we say, 'Why don't you say to the people if you meet them, 'Why do you tolerate this? Why don't you move on? Why don't you leave that job?'" Colleagues, the worst aspect of this is that people we are speaking to do not have that option. They are afraid of the traffickers who have brought them over here. They have nowhere to go. They have given over their documentation. They have no money. They have no accommodation. Therefore, they are in the situation where they are left to work in a situation that we would never allow ourselves to be in.

I want to conclude with two things we need really to think about. Brendan Barber at the beginning of Congress talked about Liverpool and slavery and the fact that 50% of the slaves long ago came through Liverpool. I do not think it is too emotive to say, Congress, that we are getting to the situation where the human trafficking would indicate that slavery has not gone. Finally, I would like us to look at the words from the ceiling in this hall, words like *Voice*, these people do not have a voice; words like *Equality*, they are certainly not equal; *Dignity*, *Fairness*, *Decency*, they do not have; *Safety* they most certainly do not have. But I would like to see another word actually hanging from the ceiling and a word that we should

all think about today and as we leave here, and that word is *Responsibility*. Colleagues, we all have responsibility to sort this problem out and to help these people. Thank you very much.

Phil Jacques (*Association of Teachers and Lecturers*) spoke to the amendment, and seconded Motion 74.

He said: Human trafficking is the commerce and trade of people. It has been a practice going back to biblical times, right through to the appalling trafficking of Africans into Europe and North America, and it continues today. It is a weeping scar of what we would like to call human civilisation. The reason for the amendment is that there is a form of human trafficking which constitutes one of the worst violations of children's rights, a global problem with huge human cost. Child prostitution often in the form of child sex tourism is the commercial sexual exploitation of children. It very often takes place when people travel from their own country to another to intentionally engage in sexual acts with children. It is particularly prevalent in situations where women and children experience increased vulnerability to poverty. Whilst the psychological and physical cost to the abused is huge, the cost to the abuser is disgustingly cheap. In Vietnam child services can be sold for as little as £3. Figures describing the number of children abused in this way vary; they range from a million as estimated by the US Department of State, to over 10 million as estimated by the NGO, End Child Prostitution and Trafficking (ECPAT).

Child trafficking for sexual exploitation and prostitution also remains the most common form of child trafficking to the UK. In April of this year the UK government set up a national referral mechanism for the identification of trafficked people. Between 1st April and 30th June there were 40 children referred through this system, including two less than 10 years of age. Children made up approximately 30% of all referrals of trafficked people in the first three months of the new system. Research commissioned by the Body Shop UK to uncover the extent to which Britons are aware of the issue of child trafficking, found that over a third of the public are completely unaware of the extent of trafficking in the UK. A frightening 34% believe that child victims of trafficking end up in foreign countries, not Great Britain. Remember, Congress, the children most at risk of abuse are the trafficked children. They have no confidence, power, or opportunity to speak out, and they become invisible victims. Christine Beddoe, the director of ECPACT, said, 'Child trafficking is not easy to spot and not easy to talk about. The fact that the majority of all global trafficking is for sexual exploitation has created a taboo. If we are all aware then we can all help to stop children falling through the cracks in society. We can make a real difference and prevent child trafficking.'

I urge you to support this resolution, as amended. Every trade unionist around the world needs to be aware of the problem and needs to be lobbying their own government. The continuing abhorrent trafficking of people with one of the consequential results being that of child prostitution must be stopped wherever it takes place in the world. Please support this.

* *Motion 74 was CARRIED*

The President: I now call paragraphs 4.1, 4.3, 4.4, 4.5, and 4.6. I believe we have UCATT, Chris Murphy, speaking to paragraph 4.6

Global solidarity

Chris Murphy (Union of Construction, Allied Trades and Technicians) leading in on paragraph 4.6 of the General Council's Report.

He said: On 28th June a military coup in Honduras overthrew the president and the government and marched the president out of the country at gunpoint. Some of you may well think that this is a common occurrence in South America but with events like this if we as a trade union congress stand by, or us as Gt. Britain stand by and say and do nothing, these mercenary military demagogues will think they can get away with it. We did have problems in the years gone by with South Africa and what did we do, there were great campaigns to stop it - and in Cuba - which proved successful. The only point my union is making (and I am not going to run over time this time) is that we require the General Council to do all it can in supporting the return of democracy to Honduras. I will leave it at that. Thank you.

Sally Hunt (*General Council*): Thank you, President. Congress, the TUC shares UCATT's concern about the coup in Honduras which is an assault on democracy, a threat to the whole region, and a particular attack on trade union rights. We are in close contact already with the ITC Americas Region which has been coordinating international solidarity and we have responded to every request from the trade union movement in Honduras for solidarity action. We have raised concerns directly with the UK Foreign Office and made clear to them the TUC's view that only concerted and resolute action by the international community will, as we must, restore democracy to Honduras. We will continue to work with affiliates, with campaign groups in Britain and with the International Trade Union Movement, but most importantly we will continue to work in solidarity with our brothers and sisters in Honduras to restore the freedoms that the coup was designed to take away. Thank you.

The President: Thank you, Sally. I call paragraphs 4.7 and 4.8. Now I am going to call Motion 75, Colombia. The General Council support.

Colombia

(Insert Motion 75 - Colombia)

Sally Hunt (*University and College Union*) moved Motion 75.

She said: Comrades, I know it is late in the day but I would beg that you take the time to listen to what I have to say on this motion. I visited Colombia this year on behalf of my union and on behalf of Justice for Colombia. What I saw there will stay with me, like all the others who have been there, for the rest of my life. We met people who have to endure human rights abuses on a daily basis but people who are still brave enough to speak out against injustices that are visited upon them. We heard firsthand about the horror of extrajudicial executions, of the Colombian Army being allowed to murder ordinary civilians, allowed and indeed rewarded when they pretend that their victims are killed as gorillas in combat, and allowed to escape prosecution by their government paymasters.

Congress, abuses like this have claimed the lives of thousands and thousands of innocent people. They are happening now all over the country and yet our government continues to supply the Colombian military with aid, and our government refuses to come clean about how much they are giving to the Colombian government and what that money is being used for. The most they will say is that they believe that it is contributing to human rights work but they do not know the specifics. Well, I think that that commitment and that promise from our

government are simply not good enough. The one unit that we did discover was getting UK assistance was the High Mountains Battalion. They have killed and tortured trade unionists just like you and me. They have forced families to flee from their homes, just like your families, they have repeatedly used sexual violence, and they have been responsible for many forced disappearances. The UN High Commissioner for Human Rights recently accused the Colombian forces of widespread and systematic murder of civilians. They were in her eyes guilty of crimes against humanity. Truer words have never been spoken.

It has been said before here and I know that I am repeating what has been said many times but it is worth repeating, Colombia is still the most dangerous place in the world in which to be a trade unionist where people, again just like every one of you in this room, 4,000 of them have been killed in the last 20 years, where violence and intimidation show little sign of stopping under the current regime. In the absence of any leadership from the British Government it is essential that we here take a stand and I would say that we are right to be appalled at the ongoing free trade negotiations between Colombia and the European Union, that we are right to say that we have no business supporting a regime that is complicit in the killing of innocent people and opposition voices, that we are right to tell our government to stop rewarding murder with money. (*Applause*) Congress, we should tell the European Union as clearly as we can that they should follow the example of the United States, of Canada, and of Norway, and suspend talks with Colombia now, and our government should take a lead on that. Why? Because if they come to a deal that will act as a green light for the Colombian authorities to continue their regime of killing.

We have to speak out. We have to speak out about the treatment of political prisoners, about the murder of trade unionists, about the persecution of innocents. People like the trade unionist I met who, like many others, has been falsely imprisoned on charges of rebellion and made to endure miserable conditions. Her family was murdered, she was told that she would never necessarily be a free woman again, and she told me that while she is smiling her heart is always crying. People like the tiny child with a very, very posh address right outside the Colombian parliament but for the plastic sheet that was her home, but for the bread queue that formed her daily meal, but for the riot police that moved her and her mother on in front of our eyes. People like the man I met who was so frightened he would not give us his name but wanted his photo taken so that someone somewhere would remember him when he was killed - when he was killed, is what he said. People like Ucan Romero who is at the back of the hall, a trade union leader just like you: just like you. (*Applause*) Ucan was imprisoned for a year and tortured for leading a strike. People like the mothers, like the sisters, like the fathers, the sons, the brothers, who have all lost loved ones, murdered, tortured, disappeared, for all those people we have a responsibility to speak and to act. So, I would urge you, Congress, to support this motion and help us to stop us having any part in a free trade agreement that supports human rights abuses.

Steve Davison (*Unite the union*) seconded Motion 75.

He said: Sally has pushed all the buttons but let me illustrate one or two more cases and broaden the politics as to why Colombia is so important. We begin with a very unequivocal statement that Colombia is a brutal, repressive, torturous and murderous regime and Uribe is a direct representative of US imperialism in Latin America, and that Colombia is there and financed in order to prepare the counter-revolution against the progressive regimes of Cuba, Venezuela, Bolivia, Peru, and Ecuador. That is why we have to keep this regime isolated, as Sally has said. There is a lot to be done.

I was privileged along with Sister Gail Cartmail to be part of the US delegation that met Uribe to stop the free trade agreement with the US. It comes to something, doesn't it, comrades, when Britain is tail-ending the US when it comes to doing what is right so far as world politics is concerned? But they are trying to undo that and you may or may not know that discussions are taking place at the moment to have even US military bases in Colombia. Why? President Correa has announced the end of US bases in Ecuador. I say in fairness to President Correa that he made an offer. He said to the US, 'You can keep your airbase there if we can have one in Texas,' a reciprocal arrangement. So, with each regime moving down the route against neo-liberalism for redistributive politics, only Colombia remains as this outrage against the movements that are taking place. Therefore, the opposition to Colombia is first and foremost support for our brothers and sisters that are being murdered and tortured and through our sister organisation, FENSUAGRO, the agricultural workers in Colombia who have already had six members murdered this year, we find one of the leaders, Alirio Garcia, has been arrested in August and his wife arrested also. We will not tolerate this but we also have to oppose the use of Colombia to prevent the spread of the Bolivarian revolution which is the most progressive movement on this planet at this time.

So, our position is simple, support Colombia, support the comrades in the front line, and support the Bolivarian revolution.

** Motion 75 was CARRIED*

The President: Congress, Motion 76 Palestine, in the name of the FBU with amendments from UCU and the GMB, in order to allow further time for discussion this debate will be taken tomorrow. As I indicated earlier, I now call Motion 79, North Sea safety. The General Council support the motion.

North Sea safety

(Insert Motion 79 - North Sea safety)

Reg Allen (British Air Line Pilots' Association) moved Motion 79.

He said: For unions representing members working in the North Sea you will know well that operating in the North Sea is a risk-and-reward business. The rewards can be huge for the employers but that puts increased pressure on the risk side of the business and those risks are largely undertaken by our members. On 1st April this year a Super Puma helicopter returning to Aberdeen from the Miller Platform crashed into the North Sea and, unfortunately, there were no survivors. I am sure Congress will want to put on record its belated condolences to the families of all those who were involved. What caused the accident we do not as yet know. Air accident investigators are still carrying out the investigation into the tragedy and it will be some time before the outcome of the investigation will be known. Sadly, this has not been the only North Sea helicopter accident this year. There have been others but they have, fortunately, not resulted in loss of life.

The overseers of flight safety in the North Sea are a group known as Oil & Gas UK, a body to which most oil and gas companies are affiliated. This group at first refused to accept trade union representation. They have now with some reluctance granted us a seat at their table but our representatives viewed this as little more than a public relations exercise. They believe their voice on flight safety matters has been completely ignored. Specifically, our

representatives point to two areas which are of very great concern to them; not only to them but also to those that have been transported to the workplace.

The first concern is that in adverse weather conditions oil and gas companies continue to rely on a mechanised rescue device known as a Dacon Scoop. This is a cradle arrangement of nets, scaffolding poles, and rigging attached to a rescue vessel. It is meant to be used as a rescue device in relatively calm seas but if you look at the ceiling in this hall, which is probably in the region of about seven metres, if you can just imagine for a moment ditching in a helicopter in a cold sea at night, with a seven metre sea, and then face the prospect of this contraption coming towards you; for pilots and for those on board a ditched aircraft this really is the stuff of nightmares. The use of this device, in our opinion, has been extended far beyond what was accepted as safe practice.

The second area of concern is that the Air Accident Investigation Branch has recommended that personal locator beacons should not be used for passengers. This is because they can interfere and compromise the aircraft's own locator equipment. However, Oil & Gas UK are now insisting on the reintroduction of locaters for passengers and that, in our view, will endanger the safety of the aircraft and the lives of those who travel in them. The oil and gas operators are amongst the biggest and richest organisations in the world. They have an extremely powerful position in awarding contracts to helicopter operators to the extent that flight safety can be compromised.

Congress, the motion calls for an independent commission to be set up to investigate in an open and transparent manner the way in which flight safety operates in the North Sea. We urge you, please, to support Motion 79.

Garry Graham (*Prospect*) seconded Motion 79.

He said: I personally want to pay tribute to the professionalism of BALPA members working in the North Sea environment. Congress, Prospect represents members working in Air Traffic Control, the Civil Aviation Authority, the Air Accident and Inspection Branch, and the Health and Safety Executive. Safety is at the heart of what they do and whilst the UK has a good track record in terms of aviation safety there are never grounds for complacency. We have to recognise in terms of the North Sea environment it presents very significant challenges and hazards. Now, this demands of us a proactive approach towards safety, eternal vigilance, and a constant engagement with the safety chain, as well as research and development, and investment in terms of implementing and improving safety standards in the aviation sector. Our members in the Civil Aviation Authority have a slogan and that slogan is that safety is no accident and a range of initiatives have been taken forward with regard to North Sea helicopter safety in terms of helicopter lighting and the use of advanced navigational aids as a result of lessons learned and advances in technology. Further research is going forward into issues such as lightning strikes.

Congress, we do note the wording in the motion around commercial competitiveness and my blood runs cold when upon occasion I deal with employers and they are discussing aviation safety and talk about gold-plated safety standards not as a boast but as a commercial challenge for their organisation which they believe has to be overcome. The price of safety in terms of aviation is a term of vigilance. Our members play a crucial role and a pivotal role in the safety chain. Congress, they are the safety chain. Please support this motion.

* *Motion 79 was CARRIED*

The President: Congress, I am going to call Emergency Motion 1 on Pleural plaques. The General Council support the motion.

Pleural plaques

(Insert Emergency Motion 1 - Pleural plaques)

John Thompson (*Union of Construction, Allied Trades and Technicians*) moved Emergency Motion 1.

He said: Congress, unless Jack Straw and the Prime Minister are persuaded otherwise in just a few weeks' time an announcement will be made that will rob thousands of working-class people of compensation for a medical condition. That condition is due to exposure to asbestos. That condition is pleural plaques. UCATT as a union has campaigned hard to reverse the Law Lords' decision that decided pleural plaques was symptomatic and therefore not compensatable. So this is about justice, fairness, and protecting working people.

Pleural plaques is a condition prevalent in shipbuilding areas, in construction and, as we have heard earlier in the week, now in schools. Recently a government official told us that this was not an issue that the man in the street was concerned about. Well, he needs to walk the same streets as our members. It may not be an issue on Hampstead High Street but in Barrow, South Shields, Plymouth, and in other asbestos-blighted towns it is a crucial test of the morality of this Government. In towns like South Shields, which is David Miliband's constituency, pleural plaques is a plague. Everyone knows someone who has it, some who has had it, and someone who has gone on to develop mesothelioma and sadly died.

This Labour Government needs to follow the action of both the Scottish Government and the Northern Ireland Executive in allowing workers to establish liability and be compensated for their exposure. It is a ludicrous situation that a worker in Rosyth is eligible for compensation yet a worker in South Shields is not. We need to set the record straight about costs and medical evidence. We have gained information via the Freedom of Information Act about the projected costs which bear no relation to government assessments and of course the liability diminishes as the workers affected continue to die; so, we need some honesty. In fact, if there is one reason for the perceived large cost it is because the insurance industry has launched a vicious campaign against pleural plaques sufferers challenging every case of pleural plaques. I would urge all affiliates here today to look at the insurance companies you have affinity arrangements with to see if they have been involved in pleural plaques cases. We did. We have done that and have ceased trading with them all.

On the issue of medical evidence the Law Lords have told us that pleural plaques sufferers are without symptoms, no physical impact, and no psychological impact. That is not true. Talk to plaques victims and you will see the impact plaques has on them all. Victims' bodies have undergone a physical and harmful change due to asbestos exposure. This has a terrible psychological impact. We now have fresh medical evidence from America that shows the scarring and hardening of the lungs from pleural plaques causes physical pain. The necessity to act is not restricted by cost, it is not restricted by medical evidence, and there is no legal bar to act as Scotland and Northern Ireland have shown. We now demand that Jack Straw acts to restore justice for pleural plaques victims. Failure to do so would be a betrayal of

working people. As we enter a crucial period for the labour Movement ahead of the General Election, issues like plaques will be decisive and a failure by government to act will highlight a detachment from the morality and principles the Labour Party was founded on, social justice. There must be no deals, no compromise. We want justice. We want action, and we want it now. Thank you.

Tony Woodley (*Unite the union*) seconded Emergency Motion 1.

He said: Comrades, it is absolutely scandalous that I have to stand here today seconding an Emergency Motion to stop ordinary working people losing out on compensation when they and their families worry whether they are going to live long enough to actually enjoy it. As John said, pleural plaques is an avoidable disease affecting up to 90,000 people a year because their lungs have been heavily exposed to asbestos. Until 2007 they have been able to claim compensation that partially offsets the ticking time bomb that is in their bodies, a ticking time bomb that gives them the high risk of full-blown cancer. Compensation partially helps mental anguish and the worry to them and their families but, unfortunately, again as John said, three unelected law lords under pressure from the insurance companies have decided that pleural plaques is no longer a compensatable disease, three law lords who would not know the arse-end of a pit donkey from a disease, never mind how it affects working men and women. The fact is their class, and this is a class issue, the fact is their class and their family members would never ever have been exposed to this disease, that is the reality, and shamefully our own government to save £400m a year seems to be prepared to go along with it, and at the same time the greedy insurance companies will save at least £1.4bn in total.

It is not just about money, it is about justice, and it is about employers accepting their responsibility for the pain and the anguish, and even the deaths that they have caused. So, like John, I expect, we expect, Jack Straw to support our class and support our people and overturn this disgraceful law lords decision; then and only then, as I said once before today, will ordinary working people know that this government is on their side.

* *Emergency Motion 1 was CARRIED*

The President: Congress, that concludes today's business. I apologise to those unions that were involved and I was not able to call their speakers, but there are time constraints. Congress is now adjourned until 9.30 tomorrow. Thank you, delegates.

Congress adjourned for the day.

Conference reported by:

Marten Walsh Cherer Limited,

6th Floor, 12-14 New Fetter Lane, London EC4A 1AG

Telephone: 0207 936 6000

email: info@martenwalshcherer.com

Other update

Issued: 7 October, 2009

Source URL: <http://archive.tuc.org.uk/about-tuc/congress/congress-2009/congress-2009-draft-verbatim-report-day-3-wed-16-sep-2009>