



CONGRESS 2014

**GPC REPORT
AND COMPOSITE
MOTIONS AND
GENERAL COUNCIL STATEMENTS**

The 146th Annual Trades Union Congress
7-10 September 2014, Liverpool



CONTENTS

SECTION ONE GPC REPORT TO CONGRESS	05
SECTION TWO CONGRESS TELLERS AND SCRUTINEERS	11
SECTION THREE COMPOSITE MOTIONS 01-20	13
SECTION FOUR GENERAL COUNCIL STATEMENTS	33

1

SECTION ONE GPC REPORT TO CONGRESS

SECTION ONE

GPC REPORT TO CONGRESS

Part 1 Agenda

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

Composite motions agreed and approved by the GPC after 3 September will be reported to Congress by the GPC and copies circulated to delegates as quickly as possible.

Where movers of motions have agreed to accept published amendments by 3 September, this is also stated in the list below. The GPC will report to Congress all instances where published amendments are accepted by the movers of motions after 3 September.

The following is the position at 3 September in respect of motions, amendments and composite motions. Motion numbers are those printed in the Agenda.

1. JOBS, GROWTH AND A NEW ECONOMY	
01 Usdaw amend TSSA 02 ASLEF amend Unite amend RMT	Composite 01 Cost of living crisis Stands as an amendment to the composite
03 NASUWT	Stands
04 ASLEF amend GMB amend UCATT 05 PFA	Composite 02 Young workers
06 Unite amend UNISON amend Musicians' Union 07 GMB 08 UCU amend BECTU 09 HCSA	Composite 03 Transatlantic Trade and Investment Partnership (TTIP)

10 UNISON 11 EIS amend PCS 12 TSSA	Composite 04 Challenging the politics of poverty, inequality and racism
13 TUC Black Workers' Conference	Stands
14 Community amend CSP amend FDA	Composite 05 Delivering high-performance workplaces
15 Community	Stands
16 Nautilus International	Stands
17 BACM-TEAM amend Community amend NUM amend NACODS	Composite 06 Energy policy
18 Equity	Stands
19 NUJ	Stands
20 Musicians' Union	Stands
2. FAIR PAY AND A LIVING WAGE	
21 Unite	Stands
22 UNISON amend NASUWT amend UCU 23 PCS 24 EIS	Composite 07 Public sector pay and living standards
25 BFAWU	Stands
26 FBU amend CWU amend UCU amend ASLEF amend SCP	Composite 08 Pensions
27 Nautilus International	Stands

3. GOOD SERVICES AND DECENT WELFARE	
28 UNISON amend FDA 29 PCS amend FBU 30 FDA	Composite 09 Defending quality public services
31 NUT amend ATL 32 NASUWT amend GMB 34 Musicians' Union	Composite 10 Maintaining a world-class education system
33 ATL 35 NUT	Composite 11 Restoring democratic accountability in the school system
36 ATL	Stands
37 UCU amend Unite	Stands accepted
38 CSP 39 SCP	Composite 12 Sustainable funding for the NHS
40 CSP amend ATL amend Equity amend SoR	Composite 13 The economic and health impact of austerity
41 SCP amend SoR	Stands accepted
42 HCSA	Stands
43 Prospect	Stands
44 POA 45 Napo	Composite 14 Protect probation and Speak Up for Justice
46 Napo amend UNISON	Stands accepted
47 AEP	Stands
48 FDA	Stands

49 FBU amend PCS amend Prospect	Stands accepted withdrawn
50 RMT 51 TSSA amend TSSA	Office to seek agreement
52 Equity	Stands
53 TUC Disabled Workers' Conference	Stands
54 TUC Women's Conference	Stands
55 SoR	Stands
56 SoR	Stands
57 BDA	Stands
58 AEP amend Usdaw	Stands accepted
4. RESPECT AND A VOICE AT WORK	
59 Unite amend CWU amend FBU 60 GMB amend NUT 61 POA	Composite 15 Trade union and employment rights
62 Usdaw amend BALPA 64 BFAWU amend Unite amend UNISON amend ASLEF	Composite 16 Zero-hours contracts and agency workers
63 UCATT amend NUT amend NASUWT	Composite 17 Umbrella companies
65 Accord amend Prospect amend BALPA	Composite 18 Corporate governance

SECTION ONE

GPC REPORT TO CONGRESS

66 Prospect amend Usdaw amend Community amend CSP 67 BECTU amend UCATT	Composite 19 Health and safety
68 RMT amend Nautilus	Composite 20 Maritime and offshore industry
69 NUJ	Stands
5. STRONG UNIONS	
70 TUC Young Workers' Conference	Stands
71 Accord	Stands
72 CWU	Stands
73 BECTU	Stands
74 BALPA	Stands
75 UCATT	Stands
76 TUC LGBT Conference	Stands
77 CWU	Stands
78 TUC Trades Union Council's Conference	Stands

Part 2 Introductions and presentations

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

Sunday afternoon

- ▶ President's address and vote of thanks
- ▶ Address by Reiner Hoffman, President of the DGB
- ▶ Address by Angela Eagle MP, Labour Party sororal delegate

Monday morning

- ▶ General Secretary's address and General Council statement on the TUC Campaign Plan

Monday afternoon

- ▶ Address by Chuka Umunna MP, Shadow Secretary of State for Business, Innovation and Skills, to be followed by a Q&A session
- ▶ Video address by Huber Ballesteros

Tuesday morning

- ▶ Address by Mark Carney, the Governor of the Bank of England, to be followed by a Q&A session

Wednesday morning

- ▶ General Council statement on Gaza
- ▶ Address by René González

Presentations

- ▶ On Monday morning there will be a Young Workers and Unions film presentation
- ▶ On Tuesday morning the Congress Awards will be presented
- ▶ On Tuesday afternoon there will be a film presentation about the 2014 TUC Equality Audit

Part 3 Ballots

The ballot for General Council Section C will take place on Tuesday. The candidates in sections A, B, D, E, F, G, H, I and J and the General Purposes Committee are elected unopposed.

Ballot papers will only be available to delegates from unions eligible for Section C (those with fewer than 30,000 members).

Ballot papers for Sections C may be collected from 9.00am on Tuesday from the scrutineers by the TUC Information Stand. Ballot papers will only be provided in exchange for the official delegate form.

The ballot closes at noon on Tuesday.

Delegates are reminded that in casting their union's votes, the total number of votes allocated to your union should be written in against the name(s) of the candidate(s) you wish to support. The number of votes allocated to each union is printed on the ballot paper. The result of the ballot will be announced towards the end of the Tuesday afternoon session.

Part 4 Standing orders

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

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

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

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

Congress sessions will be:

- **Sunday:** 4.00pm to 7.00pm
- **Monday:** 9.30am to 12.45pm and 2.15pm to 5.30pm
- **Tuesday:** 9.30am to 12.45pm and 2.15pm to 5.30pm
- **Wednesday:** 9.30am to the close of business

Under rule, Congress must conclude no later than 4.00pm on Wednesday.

Part 5 Membership of the General Purposes Committee

Peter Hall (Chair)
Linda McCulloch (Secretary)
Chris Tansley
Paddy Lillis
Sharon Holder

2

SECTION TWO CONGRESS TELLERS AND SCRUTINEERS

SECTION TWO

CONGRESS TELLERS AND SCRUTINEERS

Tellers

Fred Brown
NASUWT

Mark Fairhurst
POA

Alan Gibson
National Union of Journalists

Ian Murray
Fire Brigades' Union

Tony Shakesby
Chartered Society of Physiotherapy

Scrutineers

Rachel Baxter
National Union of Teachers

Josie Bird
UNISON

Paul Bromley
Society of Radiographers

Celia Connolly
Educational Institute of Scotland

Jasmin Suraya
Unite

Andy Wilson
Union of Construction, Allied
Trades and Technicians

3

SECTION THREE COMPOSITE MOTIONS

SECTION THREE

COMPOSITE MOTIONS

C01 Cost of living crisis

Motions 01 and amendment and 02 and amendment

Congress is appalled that the UK is facing the worst cost of living crisis in recent memory. Working people are, on average, £1,600 per year worse off than they were at the last general election.

Pay freezes and below-inflation pay rises have resulted in a fall in real wages, and attacks on in-work benefits have taken away much-needed support for low-paid workers. The recently announced substantial increases in energy prices will only make this situation even worse.

Congress believes that the policies of the coalition government are sowing the seeds of a disastrous future for our country with an ever more brutal free market for labour and housing, the creeping privatisation of the NHS, punitive reforms to the welfare state and attacks on the wages and pensions of public sector workers.

Congress asserts that the decisions of the current government have led to enormous increases in inequality for current and future generations in the UK and do nothing to mitigate the findings of a recent report from the OECD which predicts that the global economy in 2060 will be one stagnating in slow growth, huge inequality and threatened by climate change.

Congress notes recent slowdowns in the key sectors of construction and manufacturing and is concerned that the UK's economic recovery is based on the fragile pillars of consumer borrowing and a dysfunctional housing market. Congress believes that sustainable growth can only be delivered by a programme which rebalances both the economy and the relationship between corporations and trade unions.

Congress welcomes the findings of recent research by the International Monetary Fund, which states that the 'restoration of poor and middle income households bargaining power' can be very effective in reducing the probability of another major economic crisis.

Congress supports the work of the People's Assembly and believes that this body represents the broadest coalition of unions, campaigning and direct action groups as well as political organisations operating under a democratic, action-focused programme to defeat austerity. Congress calls on the General Council to further develop this support.

Congress welcomes Labour's pledge to scrap the bedroom tax, to publish the Cost of Living Contract and its commitment to a 20-month freeze in energy prices; to support the living wage through incentives to encourage private sector employers to become living wage employers.

Congress asks the government to tackle poverty and the cost of living crisis by adopting policies including:

- i promotion of the living wage in the public and private sectors
- ii a reduction in overall taxation on low-paid workers and their families through measures such as a restoration of the 10 per cent income tax band
- iii stronger enforcement measures for the national minimum wage
- iv better employment protection and rights at work including abolition of employment tribunal fees
- v initiatives to tackle the cost of housing through rent controls, a new house building programme and no increases to mortgage interest rates
- vi a tax and benefit system that supports workers on low and average incomes
- vii a commitment to tackle payday loan companies and enable access to affordable credit including through credit unions
- viii measures to prevent private utility companies charging extortionate tariffs for gas, electricity and water
- ix measures to regulate all rail fares and an end to massive annual inflation-busting increases
- x improved provision of and access to affordable childcare facilities.

Congress supports the TUC's Britain Needs A Pay Rise campaign and demonstration on 18 October and calls on the General Council to continue to campaign for a rebalanced economy underpinned by strong trade unions.

Mover: Union of Shop, Distributive and Allied Workers

Seconded: Associated Society of Locomotive Engineers and Firemen

Supporters: Unite; Transport Salaried Staffs' Association

Amendment (to composite motion)

➤ Add new final paragraph:

"Congress agrees to write to all MPs seeking their views on whether they support the TUC's anti-austerity policies (the precise details to be determined by the General Council) and where MPs fail to support these policies to consider holding protests in relevant marginal seats during the general election period."

National Union of Rail, Maritime and Transport Workers

C02 Young workers

Motions 4 and amendments, and 5

Congress acknowledges that the economic recovery is an academic concept for the majority of workers, particularly young workers, trapped in labour insecurity, zero-hours contracts and agency work, while burdened by personal debt and the grip of unscrupulous lenders and with limited access to Apprenticeships or further educational opportunities.

Congress recognises that young workers are most affected by the scourge of unpredictable earnings and hours and the lack of employment rights in zero-hours contracts and agency work making home ownership an impossible dream for many young workers. The failure of supply in private and social housing has led to increasing house prices, unaffordable rents and young people excluded from the housing market. Congress deplores the chronic uncertainty and insecurity this leads to for young workers.

Congress acknowledges the current system of vocational education has failed, leading to low-quality Apprenticeships in many sectors. We need a radical overhaul of the system, with an emphasis on advanced Apprenticeships to at least Level 3.

Congress is concerned that the burden of debt falls even harder on young people, with research by Demos showing that around half of 18- to 34-year-olds admit that their debt has increased over the past five years. Congress notes that personal debt remains an acute problem in Britain today with the average UK household debt standing at just over £6,000, excluding mortgages.

Congress believes that many ruthless companies regard this situation not as a problem but as an opportunity to make money from vulnerable workers, with debt charity Step Change highlighting an increase of more than 100 per cent in the number of clients with payday loans between 2011 and 2012.

Congress calls on the General Council to support initiatives that provide real sustainable opportunities for youngsters who are facing huge hurdles in their quest for decent work and employment.

The number of young players that are rejected is alarmingly high in the football industry and this seems to be replicated across the wider job market. Young people are working tremendously hard in education and training but sadly so often there is nothing at the end of this. This is indeed the case in football with young players being thrown on the scrapheap before they are out of their teens. The small numbers that do become professionals face another uphill battle in trying to establish themselves in the first team of their respective clubs.

Again opportunities are incredibly limited and Congress can see from the disappointment of England's early World Cup exit that this stifling of youth is having a real impact on our international prospects.

The trade union movement has always been prepared to stand up against injustice and unfairness and it is important that we do not let young people down at this very challenging time. We need to demand that training and hard work does have its reward with good job prospects being a prerequisite.

This generation of young people is in danger of being forgotten and overlooked and for millions the future looks far from bright. Congress believes it is vitally important that unions work together to give our young people a fighting chance and a pathway into meaningful employment.

Continues overleaf

SECTION THREE

COMPOSITE MOTIONS

Congress calls on the General Council to campaign against the exploitation of young workers on zero-hours contracts, to support the work of credit unions as an alternative to exploitative payday loan companies and for more access to education and high quality Apprenticeships for young workers and calls for rent controls to be introduced alongside a programme of social housing construction.

Mover: Associated Society of Locomotive Engineers and Fireman

Seconder: Professional Footballers' Association

Supporters: GMB; Union of Construction, Allied Trades and Technicians

C03 Transatlantic Trade and Investment Partnership (TTIP)

Motions 6 and amendments, 7, 8 and amendment, and 9

Congress is extremely concerned about the proposed Transatlantic Trade and Investment Partnership (TTIP) free trade treaty, a wide-ranging trade deal giving unprecedented power and influence to transnational corporations that would become the benchmark for all future trade agreements, currently being negotiated between the EU and the USA and recognises the threat posed. While there may be economic benefits in reducing trade tariffs and reviewing regulation for certain industrial sectors, Congress believes that the primary purpose of TTIP is to extend corporate investor rights.

A key element of the TTIP is the introduction of the Investor-State Dispute Settlement (ISDS) clause, which would act as a tribunal/arbitration. The ISDS could see millions of pounds paid out to those big private sector corporations should NHS services be brought back into the public sector in the future.

As with all trade agreements, TTIP is being negotiated mainly in secret. The current negotiations lack transparency and proper democratic oversight.

TTIP would:

- i allow corporations to sue sovereign states, elected governments and other authorities legislating in the public interest where this curtails their ability to maximise their profits, by recourse to an Investor-State Dispute Settlement mechanism
- ii threaten the future of our NHS and other key public services
- iii risk job losses, despite unsubstantiated claims to the contrary
- iv potentially undermine labour standards, pay, conditions and trade union rights as the US refuses to ratify core ILO conventions and operates anti-union "right to work" policies in half of its states
- v reverse years of European progress on environmental standards, food safety and control of dangerous chemicals, given US refusal to accept stricter EU regulation of substances long banned in the EU
- vi deprive EU member states of billions of pounds in lost tariff revenue.

Key concerns are:

- a the threat to our National Health Service and sections of the public sector that may be opened up to the private sector leaving a future Labour government with no legal right to take back into public ownership (including previously publicly owned transport and utilities) and that could lead to a far more widespread fragmentation of NHS services, putting them into the hands of big private sector corporations
- b the quasi-judicial process on the Investor-State Dispute Settlement under which multinational corporations may sue, in secret courts, nation states whose laws or actions are deemed incompatible with free trade
- c opening up European markets to US Frankenstein foods – hormone enriched beef, chlorinated poultry and genetically modified cereals and salmon
- d the mutual recognition of regulatory standards which will lead to a race to the bottom and the creation of a Transatlantic Regulatory Council which will give privileged access to multinational corporations

e the impact on creators' intellectual property rights.

Congress notes that free trade agreements rarely, if ever, benefit working people and are pushed by corporations who use them as a means to maximise profits and further their own interests.

The idea of transatlantic trade may well be supported by those that would profit from it, but for our health services based on values, principles and sustainability it could be a financial disaster, adding another nail in the NHS coffin. The TUC and a number of other organisations have been campaigning to exempt the NHS from the negotiations and Congress now calls on the General Council to keep the pressure on and raise the profile of the calamitous affects the TTIP could have on the NHS.

Congress remains unconvinced by official claims of job creation arising out of TTIP, and considers that the dangers to public services, workers' rights and environmental standards outweigh any potential benefits. Congress remains unconvinced about the likelihood of a binding labour rights chapter based on ILO Core Conventions.

Congress has similar concerns over current negotiations for the proposed Trade in Services Agreement (TISA) and the Comprehensive Economic Trade Agreement (CETA).

Congress believes that on the current path we will be presented with a fait accompli in the form of an inadequate, unacceptable agreement that we have had no chance of influencing or amending and where time will make it difficult to mobilise opposition.

Congress resolves that the TUC should:

- 1 oppose Investor-State Dispute Settlement (ISDS) mechanisms and a ratchet clause
- 2 call for the exclusion of all public services, including education and health, public procurement, public utilities and public transport (whether in public or private ownership) from the negotiations
- 3 demand no levelling down in relation to consumer, worker or environmental protection

4 insist on genuine consultation with civil society organisations, including trade unions

5 work with like-minded organisations, including the ETUC, in opposing all detrimental aspects of TTIP and in campaigning for alternative EU trade and investment policies

6 welcome the decision of the EU Foreign Affairs Council on Trade to exclude the audio-visual sector from the initial TTIP agenda, and lobby the UK government to oppose its future inclusion, in order to preserve the European Cultural Exception and the unique national nature of arts and entertainment activity within Europe.

Congress therefore resolves that the trade union movement should now call for the TTIP negotiations to be halted and adopt a clear position of outright opposition to TTIP, and the other trade agreements currently being negotiated, whilst continuing to monitor progress and press for improvements to promote decent jobs and growth and safeguard labour, consumer, environmental and health and safety standards through lobbying, campaigning and negotiating, in alliance with the ETUC and AFLCIO.

Congress agrees that all pending and future trade agreements entered into by the EU should be subject to a vigorous and transparent regime of scrutiny and consultation, ensuring that they are of benefit and acceptable to the millions of people affected by their content, in all countries covered by the agreement.

Mover: Unite

Secunder: GMB

Supporters: University and College Union; Hospital Consultants and Specialists Association; UNISON; Musicians' Union; Broadcasting, Entertainment, Cinematograph and Theatre Union

SECTION THREE

COMPOSITE MOTIONS

C04 Challenging the politics of poverty, inequality and racism

Motions 10, 11 and amendment, and 12

Congress continues to be deeply concerned at the effects of the government's austerity agenda which has already resulted in over 13 million people living in poverty with around five million people still earning below the living wage (currently standing at £7.65 an hour).

Congress condemns the fact that 10 per cent of our young people live with a level of social and economic deprivation that creates educational barriers which blight the life chances of a significant proportion of our next generation.

Congress notes that, at a time of increasing poverty and austerity for the many, the UK is now the fourth richest nation in the world (GDP/capita) with the wealthiest 1,000 people in the UK currently worth over £518bn, an increase of 13 per cent since 2013.

Congress also notes with concern that the recession and the increases in poverty and inequality which come in its wake have also led to an upsurge in racism and xenophobia in the UK and across the whole of Europe.

Congress notes with concern the advance of UKIP and other even more right-wing, xenophobic and outright racist parties in the 2014 European Parliamentary elections. Congress continues to reject the policies put forward by such organisations, including on immigration.

Congress notes the deep disillusionment with mainstream politics revealed by the results of the 2014 elections. In particular, low turnout assisted UKIP to considerable gains. UKIP's true agenda stands counter to the interests of working people of all backgrounds. UKIP have previously called for the elimination of virtually all workplace protections, with employees' rights wholly dependent on the goodwill of the employer. UKIP have also called in the past for the privatisation of schools and hospitals and a flat rate of income tax, policies that would be disastrous for low-paid and working class people. Their success has damaged mainstream politics, leading to more punitive measures against migrant workers, legitimising racist rhetoric and attacks against vulnerable workers.

While UKIP preys on economic anxieties, Congress believes that the only real answer to low pay and exploitation is stronger employment rights protections and trade union solidarity. Congress asserts that trade unionists are uniquely positioned to challenge such propaganda.

Congress calls on the General Council, affiliated unions and others to continue to campaign vigorously against organisations who have no contribution to make to improving the living standards and quality of life of the millions of people suffering from the impact of austerity cuts imposed by various governments across Europe.

Congress is also critical of the UK right-wing media's obsessively prejudicial coverage of immigration issues characterised by exaggeration, lies and half-truths - including increased pressure on our schools, hospitals and other public services. Congress rejects this analysis and instead recognises the enormous positive contribution generations of migrants have made to the UK economy and society. Indeed, many areas of employment including vital services like the NHS and public transport would suffer greatly were it not for the hard work and commitment of migrant workers.

Congress rejects attempts to pit UK workers against migrant workers or claimants. It rejects the divide and rule rhetoric and notes that migrants pay more in taxes than they receive in benefits. Congress further notes that UK benefits are among the lowest in Europe, making claims of 'benefit tourism' ridiculous

Congress is also concerned about the opportunity for unscrupulous employers to exploit migrant workers as a cheap source of labour to undercut people's pay and pensions and considers this is the real problem that mainstream politicians need to address.

Congress calls on the TUC and its affiliates to challenge the politics of hate by:

- i developing local community campaigns ahead of the 2015 general election in conjunction with groups such as HOPE not hate and UAF
- ii counteracting voter disillusionment and UKIP's policies for workers, highlighting voter registration and engagement through active campaigning and political education

- iii tackling the toxic rhetoric around migration and placing a renewed focus on organising and recruiting migrant workers.

Congress calls on the General Council to continue to fight for a more humane immigration policy. This, together with better employment rights for all workers and the reversal of austerity cuts, will help defeat racism, prejudice and discrimination. Congress, therefore, calls on the General Council to:

- a continue its campaigning work to combat the structural inequalities that lead to poverty, including support for the establishment of the living wage across the economy
- b continue to counter the racist anti immigration propaganda that originates in the overtly racist parties and groups in the UK but which is now being adopted by some of the established mainstream parties.

Mover: UNISON

Seconder: Educational Institute of Scotland

Supporters: Transport Salaried Staffs' Association; Public and Commercial Services Union

C05 Delivering high-performance workplaces

Motion 14 and amendments

Congress recognises the critical importance of developing an active industrial strategy that fosters strategic, tripartite engagement between business, unions and government, and ensures a long-term approach from employers that delivers high-performance workplaces and supports low-paid workers (often from diverse backgrounds) in all sectors trapped in low skills jobs. Congress is profoundly concerned that the current hands-off approach from government is hurting UK workers and business and the wider UK economy, and that government should make far more effective use of the levers at its disposal to support industry and the public sector in areas such as procurement, taxation and skills policy.

Congress notes that secure employment, self-development, fair pay and feeling valued are all factors associated with high-performing workplaces across all sectors, and that to assist in achieving these goals we need a hands-on strategic approach from government that promotes good industrial relations and creates and secures jobs.

Therefore, Congress calls on the TUC to support and develop:

- i tripartite industrial strategies to create sustainable employment opportunities, provide ongoing productivity improvements and develop skills
- ii procurement policies that recognise employers prepared to invest in skills and that recognise trade unions
- iii policies that promote worker participation and good industrial relations such as by improving consultation arrangements
- iv the crucial role of trade unions in delivering genuine staff engagement that captures the knowledge, expertise and ideas that workers have in all sectors that can make a real difference to the success of an organisation
- v initiatives such as that led by the FDA supporting a younger and more diverse group to access roles and development within the public sector.

Mover: Community

Seconder: Chartered Society of Physiotherapy

Supporter: FDA

C06 Energy policy

Motion 17 and amendments

Congress notes that the future of indigenous coal mining in the UK is gravely at risk as a consequence of a number of external factors including the sterling/dollar exchange rate, the short-term availability of displaced cheap coal from America and the disproportionate burden placed on coal by environmental legislation.

This threatens the closure of UK Coal's remaining two deep mines. Although the government have offered a match-funded commercial loan of £10m, this initiative is predicated on the managed closure of the industry in 2015.

Continues overleaf

SECTION THREE

COMPOSITE MOTIONS

Congress views the reliance on coal imports as a danger to the security of energy supply. It is unknown whether fracking in the UK will produce the required energy, and also unknown is the potential damage to the environment. Coal is a proven indigenous source of energy that can be used cleanly.

Congress endorses the efforts by the TUC and mining unions to ensure a longer term future of indigenous mining by the UK applying for European state aid. Other member states have applied for such assistance and the EU Competition Directorate has indicated that it would expedite any application quickly.

Congress urges the TUC to press for such aid at every opportunity.

Congress welcomes the work done by the TUC in conjunction with the Carbon Capture & Storage Association and through the TUC Clean Coal Task Force.

Congress notes that a future market for coal in the UK requires the government to commit early to a number of carbon capture and storage plants burning coal. Without this technology the government's environmental targets for CO₂ will not be achieved.

Given the above concerns Congress is also asked to press the government not to increase further the present level of the carbon price floor (CPF).

Congress applauds the workers buyout committee at Kellingley Colliery for their valiant efforts to prolong the life of the mine beyond the company's projected closure of the industry in late 2015, saving 1,000s of jobs within the associated industries.

Congress welcomed the budget announcement of further support for EILs to mitigate the impact of green taxes, including the CPF. However, Congress calls on the General Council to lobby for support to be brought forward from 2016 and offered to less carbon-intensive industries not covered but suffering competitive disadvantage.

Mover: BACM-TEAM

Secunder: Community

Supporters: National Union of Mineworkers;

National Association of Colliery

Overmen, Deputies and Shotfirers

C07 Public sector pay and living standards

Motions 22 and amendments, 23 and 24

Congress is appalled that the squeeze on living standards shows no sign of abating. The return to economic growth has brought no relief to the vast majority of UK workers, while the bonus culture continues to run amok.

Congress believes that George Osborne's much-heralded 'recovery' is a recovery only for the wealthy - as the 1,000 richest Briton's increased their wealth by £70bn in the last year.

Congress notes that the number of workers earning less than a living wage has rocketed to more than five million. With four-fifths of new jobs low-paid, for the first time more working families are in poverty than non-working ones.

Congress condemns the government's punitive public sector pay and pensions policy that has resulted in cuts of 16 to 20 per cent in the value of staff pay since 2010.

Congress also condemns the fact that the brunt of the economic crisis continues to be borne by those least able to afford it while large-scale tax avoidance and tax evasion continues apace and notes that executive pay is up 74 per cent.

But Congress congratulates higher education staff and their unions for having broken through the pay cap with their latest pay award and securing the living wage at more than 150 universities.

Congress deplores the increasing use of privatisation and casualisation as a further means of restricting pay, allowing some employers to circumvent minimum wage law.

Congress also notes that 44 years after the Equal Pay Act was passed, the pay gap between men and women has recently steadily increased to over 15 per cent for full-time workers.

Congress congratulates those members who took industrial action on 10 July across local government and other public services, and offers support to those in the NHS and elsewhere considering further action.

Congress applauds all unions that have continued to engage in industrial action to frustrate the government's assault on the pay of public service workers by pursuing sustainable industrial action through action short of strike and strike action.

Congress believes that unions' industrial action on pay must be coordinated by the TUC across the public sector. We further believe the most effective way to challenge the policy is through developing common objectives in a dispute with government and a joint campaigning strategy, including joint industrial action.

Congress further condemns Tory hypocritical anti-union proposals to introduce thresholds for strike ballots, when no UK political elections are subject to such rules.

Congress calls on the General Council to:

- i put the case for ending below-inflation pay to all parties in the run-up to the 2015 general election and campaign for a commitment from all three Westminster Parties for an end to the public sector pay cap
- ii coordinate joint campaigning over pay and pensions across unions representing public sector workers
- iii draw up a joint industrial action strategy amongst affiliates, coordinating strike action amongst affiliates who are in dispute with their employers over the course of the next year
- iv highlight falling living standards, ensuring this remains a central feature of the 2015 general election campaign
- v promote a living wage as a means of ending the blight of poverty
- vi campaign against any proposals to introduce thresholds for union strike ballots
- vii campaign for greater pay transparency, including compulsory equal pay audits and stronger sanctions for employers who disregard their findings.

Mover: UNISON

Seconder: Public and Commercial Services Union

Supporters: Educational Institute of Scotland;

NASUWT; University and College Union

C08 Pensions

Motion 26 and amendments

Congress believes that pensions are effectively deferred pay and that decent pension provision for all workers is at the heart of the welfare state, as well as a central aim for the trade union movement.

Congress notes the attacks made by this coalition government on all aspects of pension provision, including gerrymandering inflation uprating, attacks on public sector pensions, threats to universal pensioner benefits such as the winter fuel allowance and bus pass, and efforts to further undermine private sector pensions.

Congress believes that the state pension is not sufficient to meet the needs for retired working people, particularly in light of the fact that the £155 per week state pension due from April 2016 announced by the coalition is false and will see many people receive less than this, who have earned the right to a dignified retirement after a lifetime of work.

Congress further believes that an occupational pension remains a vital part of ensuring a decent standard of living during retirement.

Congress recognises that occupational pensions should reflect the nature of the work carried out in specific sectors and industries, and that no 'one-size-fits-all' arrangement is necessary for all schemes.

Congress also condemns this government's refusal to ensure that equal marriage is truly equal by ensuring equality of provision for survivor benefits in occupational schemes. Congress will continue to fight to overturn laws that allow pensions to offer reduced benefits to same-sex couples.

Congress calls on the next Westminster government to reverse the detrimental changes made to state and occupational pensions since 2010, and ensure that all workers receive the pensions they have paid for.

Continues overleaf

SECTION THREE

COMPOSITE MOTIONS

Congress calls on the Labour Party to produce a coherent pensions plan, including an absolute guarantee on a weekly flat rate state pension that is clear and unambiguous and on occupational pensions, to ensure that workers do not have to pay more, work longer and still get less.

Congress notes the announcement in the Budget that from 2015 workers in private pension schemes will not have to buy an annuity. Investments advice is complex and costly. Congress therefore calls on the government to provide free advice for workers to use their fund wisely to avoid spending their retirement in poverty.

Congress calls on the General Council to continue to campaign for fair state pensions for all, and to coordinate action in defence of pensions among affiliated unions, including, where appropriate, industrial action.

Mover: Fire Brigades' Union

Secunder: Communication Workers Union

Supporters: University and College Union;

Associated Society of Locomotive Engineers and Firemen; Society of Chiropodists and Podiatrists

C09 Defending quality public services

Motions 28 and amendment, 29 and amendment, and 30

Congress recognises that effective and efficient public services are a shared goal of citizens, governments and public servants. Public services are now in an almost permanent cycle of reform, both to deliver efficiencies and meet the changing expectations of the public.

Congress notes that:

Cuts to services and jobs are becoming critical – with 60 per cent of cuts still to come. Congress rejects the approach of successive governments requiring substantial financial savings from public services with little rationale or evidence on how they can be delivered within the budget allocated and condemns the political parties for adopting the same austerity spending plan for 2015–16. Congress believes that the government's austerity programme is aimed at creating a permanently smaller state.

The transfer of some government services to local authorities will pass the buck for austerity to local councils and lead to more outsourcing and a postcode lottery for currently universally provided public services, as happened with the social fund and council tax benefit.

Digitisation of public services should be seen as an opportunity to improve services for the public, not solely as a further rationale to reduce resources.

Privatisation, outsourcing and restructuring are disrupting the delivery of services and frustrating attempts to meet longer term challenges, such as meeting the needs of an ageing society and rising expectations of service users. This drives down wages and standards of service to the public, leads to the loss of revenues to fund public services through tax avoidance, evasion and off-shoring, and delivers riches for shareholder profit. Congress welcomes PCS opposition campaigns, including defence of the Land Registry. The Civil Service Reform Plan enshrines further privatisation.

The relentless downward pressure on budgets, with no letup in demand, has placed an unbearable strain on public servants who remain committed to quality public services. Staff morale is damaged due to pay cuts, downgrading, redundancies and consequent increased workload for remaining staff, leading to recruitment and retention problems. Many public servants are working hundreds of additional unpaid hours every year, effectively subsidising public services with their own time.

The democratic accountability and character of public services is being undermined by current government policies, such as the Council Tax cap and the hospital closure provisions of the Care Act.

The government's approach is reinforcing levels of inequality in society.

The tax gap is far higher than HMRC estimates and tax will be a major battleground for the next government.

Congress calls on the General Council to develop a campaign to ensure:

- i the future of our public services is firmly on the agenda at the next general election, to challenge the main parties to demonstrate to voters and public servants, in a meaningful and robust way, how they will maintain and improve public services, match those commitments with the resources needed to deliver them and discharge their duties as a responsible employer
- ii any incoming government after the 2015 general election immediately scraps the cuts in funding for public services planned by the current coalition government by means of an emergency budget immediately following the general election.
- iii the general election is used to highlight private sector failure and profiteering, and the benefits of public sector provision, with a major anti-privatisation event before the general election and a training programme on campaigning against privatisation
- iv the tide of privatisation and outsourcing that is disfiguring our services is decisively turned, including anti-cuts, anti-offshoring and anti-privatisation campaigns aimed at defending public services and returning services to public ownership and the removal of public services from the provision of the proposed TTIP agreement
- v a moratorium on further job cuts in all parts of public services is implemented immediately
- vi tax justice is central to political campaigning on public services and welfare spending based on Tax Justice Network research and in particular to draw attention to the role of professionals in HMRC in combating avoidance and evasion to ensure that the money required to fund essential public services is collected
- vii an alternative vision for public services built on enduring values of fairness, valuing staff, compassion and social solidarity is vigorously promoted, along robust proposals about how they can be funded.

Mover: UNISON

Seconder: Public and Commercial Services Union

Supporters: FDA; Fire Brigades' Union

C10 Maintaining a world-class education system

Motions 31 and amendment, 32 and amendment, and 34

Congress welcomes the wealth of international evidence confirming that public education systems across the UK are amongst the best in the world.

Congress condemns the ideologically driven denigration of public education and the unremitting assault on the professionalism, pay, working conditions and jobs of teachers and support staff in schools, which are damaging to children's educational progress and achievements.

Congress deplores the politically motivated attacks on educational entitlements of children and young people and the failure to establish systems of governance, management and financial scrutiny that ensure that schools act in the public interest. Congress notes teacher working hours have gone up by over 10 per cent since 2010 and these extra hours are not spent on tasks that support students or improve teaching and learning.

Congress welcomes the work being done by teacher unions to highlight the damaging effect government policy is having on education. Congress congratulates those unions campaigning to reclaim the promise of public education by ensuring that quality educational opportunities are accessible to all children and young people.

Congress believes government attacks on the pay and conditions of school staff are an attack on education. Congress welcomes the fact that joint campaigning stopped the School Teachers' Review Body (STRB) bringing in changes that Michael Gove requested which would have made things worse. Congress notes this work is winning public support and that Michael Gove's approval rating amongst the public is somewhere between 9 per cent and 16 per cent.

With music education facing more cuts, the Musicians' Union and the Music Industries Association (MIA) have launched a new campaign to help support the invaluable work carried out by music teachers around the UK.

Continues overleaf

SECTION THREE

COMPOSITE MOTIONS

Music teachers across the UK are being affected by job cuts, a worsening in terms and conditions and the casualisation of the workforce. A whole generation of children is at risk of losing out on the life-changing opportunities that music education offers as we see increasing fragmentation of the education system.

The campaign aims to raise awareness of the issues affecting music teachers everywhere and also to celebrate the inspirational work teachers have done, and are doing, to create and inspire the musicians and music lovers of the future.

Congress welcomes and supports the five demands of the NUT Stand Up for Education campaign, which have won support from parents and politicians.

Congress further welcomes the positive vision set out in ATL's Shape Education manifesto, which puts students' futures before profit, school collaboration before competition, and properly funds the transition from schools and colleges to work with excellent careers guidance.

Congress calls on the General Council to mount a vigorous and sustained campaign and resolves to:

- i support campaign initiatives by education unions aimed at highlighting the effects of government education policy
- ii make education a key strand of TUC campaigning up to the general election 2015 and setting out to all political parties an alternative education vision
- iii secure a national framework of educational entitlement, accessible to all children and young people regardless of parental income
- iv ensure that all children and young people receive a broad and balanced education, fit for life in the 21st century. Changes to the curriculum and assessment should be positive, planned and a result of discussions with the teaching profession.
- v ensure that all children are taught by teachers who hold qualified teacher status
- vi ensure there are enough teachers and stop picking fights with the ones we have
- vii highlight the positive contribution to learning of well-deployed teaching assistants

- viii secure national pay and conditions of service for all teachers and support staff in all state-funded schools
- ix ensure educational staff have the right to continuing professional development
- x secure increased investment in education, ensuring the recruitment and retention of teachers and support staff
- xi fund schools and colleges properly and encourage them to work together
- xii secure appropriate national systems of governance, management and financial scrutiny that reflect the values and ethos of a public education service. Local councils should have the right to build new schools where they are needed
- xiii prevent any change to the charitable status of academy trusts that would allow them to become profit-driven businesses
- xiv extend universal free school meals to junior classes, ensuring pupils aren't too hungry to learn
- xv support the MU and the MIA's Support My Music Teacher campaign.

Mover: National Union of Teachers

Seconder: NASUWT

Supporters: Musicians' Union; GMB;

Association of Teachers and Lecturers

C11 Restoring democratic accountability in the school system

Motions 33 and 35

Congress affirms that the coalition government's academies/free schools programme and its attacks on local government responsibilities and funding are causing huge problems of democratic accountability in the education service. Congress asserts that the secretive practices of the government in promoting unnecessary free schools and unregulated academies amounts to a gross misuse of public funds; and further, that inadequacies of oversight are inevitable in such an atomised system. These practices contrast markedly with the tight-fisted austerity applied to the rest of public expenditure.

Congress notes the acute and continuing concerns of the House of Commons Public Accounts Committee about the operation of the Education Funding Agency, including a lack of transparency and accountability in academies and free schools and the conflicts of interest of trustees on academy boards. Congress also notes the escalating number of fraud, nepotism and corruption investigations associated with academies and free schools. Congress further notes that the Secretary of State has taken £400m from the basic needs budget to fill a hole in the free schools' budget at a time of a rapidly rising primary school population, and a rising number of infant schoolchildren in classes of over 30. These concerns echo the findings of the TUC's own *Education Not for Sale* report documenting the encroachment of profiteering into state education.

Congress notes the emerging crisis in school places, as millions are spent on free schools in areas with no shortage of places while growing pupil numbers creates ever growing shortages elsewhere. Congress believes that local authorities' dwindling ability to monitor, support and intervene in schools, and in particular in academies, is leading to increasing problems with regard to governance, accountability and educational standards. Local authorities are best placed to ensure fair access to education for students and support schools in times of crisis, being close at hand and familiar with local contexts, but must be permitted the resources needed to maintain and deploy the necessary support and expertise.

Congress supports the call from the Public Accounts Committee for a fit-and-proper persons test for academy trustees, but further demands a transparent and equitable funding system for all state-funded schools regardless of status, administered by a democratically accountable middle tier responsive to local needs. Funding for public services must not be for private gain.

Congress believes that 26,000 state schools cannot be run from Whitehall and that an effective and accountable 'middle tier', sitting between government and schools, for oversight of the education system is essential. Furthermore, Congress believes that its establishment must be based squarely on restoring an appropriate role for local authorities in relation to schools.

Congress therefore calls on the political parties to commit themselves to a middle-tier based on democratically elected local authorities, holding requisite powers over school place planning and admissions, funded adequately for their role in providing monitoring, support and intervention, and with a strong commitment to a community cohesion.

Mover: Association of Teachers and Lecturers
Seconded: National Union of Teachers

C12 Sustainable funding for the NHS

Motions 38 and 39

Far from benefiting from economic recovery, spending on the NHS as a proportion of GDP is due to fall to 6.1 per cent by 2021, leaving the UK lagging behind most other European countries in terms of funding.

Congress believes that given ever-rising demand for health services, this raises serious questions about the future sustainability of the NHS.

In some services funding has been cut by up to a third; however, the needs of communities have remained unchanged. In fact with increased life expectancy, increasing incidences of diabetes and other chronic conditions, need has increased significantly.

The result of these funding cuts has seen NHS podiatry and other community services subjected to 'redesigns' or 'reorganisations': these are dressed up phrases for cost-cutting exercises.

Congress believes these service redesigns/reorganisations will have a devastating effect on the standard of care that NHS clinicians will be able to provide to patients as morale amongst members within the NHS is at an all-time low.

Consistently ranked among the best-performing and valued healthcare systems in the world, the NHS cannot continue to deliver universal quality care to patients without a significant rethink on how it is paid for and organised.

Continues overleaf

SECTION THREE

COMPOSITE MOTIONS

Congress calls on the TUC to take every opportunity to press for such a rethink, including how to:

- i ensure that the NHS has the funding through taxation that it needs
- ii base health and social care around the needs of patients, delivered in as seamless way as possible, with a much greater focus on prevention and keeping people out of hospital
- iii restore staff morale, badly dented by rapidly increasing work pressures, the constant maligning of the NHS, and government failure to honour independent Pay Review Body recommendations
- iv genuinely engage patients, NHS staff and their representatives in re-designing services that will deliver quality and stand the test of time, alongside making best use of taxpayer money.

Congress calls on the TUC to continue to campaign through the All Together for the NHS campaign and other campaigns to maintain the pay levels and the skills that clinicians need to provide a quality, safe and effective service to their communities.

Mover: Chartered Society of Physiotherapy
Seconded: Society of Chiroprodists and Podiatrists

C13 The economic and health impact of austerity

Motion 40 and amendments

Congress believes government austerity measures are having severe and negative effects not just on the pockets but also on the health of the nation. Sickness absence costs the UK £15bn annually in lost economic output. Investment in quality healthcare and support for those whose health currently prevents them from working is good for people and good for the economy. Congress knows that for most people, even those with long-term conditions, health can actually be improved by being in work.

The research findings are clear. Major cuts in public spending and health services across Europe have triggered a drastic deterioration in people's overall health.

Job losses are leading to increases in incidents of depression, mental health problems and suicide.

Older workers, in particular women, are especially vulnerable to stress, juggling caring responsibilities for their extended families with the insecurity of redundancy and pressures of new performance procedures that accelerate capability issues into dismissal.

Efficiency savings and cuts to health care are preventing people from accessing the support they need to help them obtain or remain in employment.

Congress believes forward-thinking investment in health care can stop this downward spiral by enabling people to return to and stay in paid work, one of the key routes out of poverty.

Congress calls on the TUC General Council to:

- i continue to highlight the impact of austerity measures, including both cuts to health care provision and cuts to welfare benefits, on the health of the nation
- ii urge employers to ensure that they invest in effective occupational health services to keep workers in work and help them to return to work as quickly as possible
- iii work with organisations like The Age and Employment Network supporting older workers in the workplace
- iv highlight the importance of a well-funded NHS, free at the point of use, for all workers, including self-employed workers and those who are engaged in itinerant and highly mobile occupations
- v campaign with NHS employers to highlight the vital importance of occupational health within the NHS and to work to create models of best practice for workplace health.

Mover: Chartered Society of Physiotherapy
Seconded: Association of Teachers and Lecturers
Supporters: Equity; Society of Radiographers

C14 Protect probation and Speak up for Justice

Motions 44 and 45

Congress welcomes the TUC Speak Up for Justice campaign, which has a multi-union approach. Congress notes its aims and objectives and endorses the campaign, which calls for properly funded prison, probation and court services.

The coalition government's Transforming Rehabilitation (TR) agenda has caused the fragmentation of the 106-year-old probation service and foisted operational chaos within the National Probation Service (NPS) and 21 Community Rehabilitation Companies (CRCs) that came into effect on 1 June. Despite this, and overwhelming evidence that demonstrates that there is a real danger to community safety, the Secretary of State continues with his attempts to sell off the CRC network using a so-called tendering process that Napo believes is not only fundamentally uncompetitive, but morally corrupt.

Congress believes the Secretary of State's claims that privatising probation will bring about a decrease in re-offending rates and introduce innovation is an abject misrepresentation of the facts. It follows his blatant misleading of parliament, his refusal to comply with FOI requests on his own department's damning assessment of TR, and his permanent state of self-denial about the disastrous impact of his grandiose project.

Congress calls on the General Council to:

- i express its full support for Napo's alternative plans to assist the under 12-month custodial community by publicly managed, locally accountable partnerships with proven providers
- ii endorse the public and political campaign to halt the TR timetable, and to prevent the share sale of the CRCs taking place
- iii call upon an incoming Labour government to revoke any contracts should any of these be awarded this side of the next general election.

Mover: Napo
Secunder: POA

C15 Trade union and employment rights

Motions 59 and amendments, 60 and amendment, and 61

Congress notes the British trade union movement has suffered a range of politically motivated legislative and legal restrictions all designed to undermine and weaken the campaign for social justice and equality.

Congress further notes these attacks have become the staple diet of Conservative Party politicians and their fellow travellers who seek to undermine or destroy the right to strike.

This is at a time when the International Organisation of Employers is challenging the existence of an international right to strike at the ILO, a challenge which hits to the heart of all workers' rights to organise.

Congress notes that the government's immediate response to the public sector strikes called for 10 July was not to seek a resolution of the issues but to suggest that further reform of trade union law was necessary.

The government said that it would seek to legislate in two areas:

- i that there should be a threshold for the turnout in an industrial action ballot that must be reached
- ii placing a time limit on the legality of a mandate a union has to call industrial action.

This, along with the much delayed Carr Review, is indicative of the industrial relations framework the Tories would hope to implement if they win the next general election, which is chipping away at the last vestige of trade union rights left to us in Britain.

Congress recognises that Britain already has some of the most restrictive rules on industrial action of any democratic country. The Prime Minister has already announced that within the Conservative manifesto there will be more restrictions on thresholds on union ballots, which will form legislation if they win the general election in 2015.

Continues overleaf

SECTION THREE

COMPOSITE MOTIONS

During the life time of this parliament we have seen the Tories and their LibDem allies severely curtail individual rights at work – the impact of which is shown by the most recent Employment Tribunal statistics. Single claim applications to the Tribunal are down from 13,739 to 5,619 – a 59 per cent drop over last year’s figures. All types of cases were down: unfair dismissal, sex discrimination, unpaid wages, race discrimination and sexual orientation.

If workers can’t rely on the law then they need strong trade unions to fight their corner. The case is unanswerable that an incoming government should legislate to support trade union rights based on international and European labour standards, including the:

- a right to organise
- b right to collective bargaining
- c right to strike
- d repeal, in the first term of a Labour government, of all aspects of legislation introduced by the coalition government that seek to deny justice for working people.

Congress is proud that it is the very core function of this trade union movement to promote and defend our members’ interests, including fighting for social justice and against global exploitation.

The hallmark of a real democratic society is the measure of freedoms and rights that its citizens’ institutions including trade unions, have access to.

The trade union movement has achieved much in the way of improving industrial and social justice for working people; it is time for us to fight for the rights we need to continue that mission.

Congress agrees that the time has come to become proactive in the promotion of collective bargaining, employment rights and trade unions’ democratic rights to organise politically on behalf of their members.

Congress agrees the time has come to stand up against this political bullying.

Congress resolves to resist further attempts to restrict the rights of working people and their trade unions to organise and campaign, including defending the basic freedom of the right to strike.

Congress calls on the General Council to bring the importance of strong independent unions to the core of the political debate of the next general election.

Congress resolves to work closely with the ITUC to defend these freedoms internationally and instructs the General Council to campaign with other political parties to block any attempt to formalise any legislative change in respect of further anti-trade union laws, should the Conservatives form the next government.

Congress opposes any attempt to remove the right to take industrial action from any “essential” or emergency service workers and any proposals to introduce the threshold for union strike ballots. Congress resolves to run a major positive campaign explaining the democratic importance of trade union rights, including the right to strike.

Mover: GMB

Seconder: Unite

Supporters: POA; National Union of Teachers; Communication Workers Union; Fire Brigades’ Union

C16 Zero-hours contracts and agency workers

Motions 62 and amendment and 64 and amendments

Congress expresses its concern over the growing misuse of zero-hours and short-hours contracts and the continuing exploitation of agency workers.

Congress notes that the Office for National Statistics now acknowledges that there are at least 1.4 million zero-hours contract workers.

The exploitation of workers through the widespread misuse of zero-hours and short-hours contracts needs to be tackled. In addition, the Agency Workers Regulations have failed to deliver the equal pay promised by the Agency Workers Directive.

Congress welcomes Ed Miliband’s statement to the 2013 Congress that Labour will “end zero-hours contracts where workers are working regular hours but are denied a regular contract”.

Congress notes that Labour's latest proposal is that "after six months, workers should have a right to request" a contract with fixed minimum hours and "after a period of 12 months continuous employment, workers on zero-hours contracts who are working regular hours ... should have a right to be offered a contract that is other than zero-hours".

Congress welcomes Labour's commitment to take action over zero-hours contracts. Congress, however, believes that workers on zero-hours contracts should have a right to guaranteed hours after working regular hours for a much shorter period, such as 12 weeks.

Congress recognises the exploitation of enforced zero-hours contracts particularly when there is an exclusivity clause attached and the long-term effects that the casualisation of labour will have on the individual and the economy as a whole.

Congress recognises the potential danger of zero hours contracts in safety-critical industries, including rail freight, where increased casualisation has undermined health and safety. Congress believes that zero hours contracts and the increased casualisation of labour are a major threat to health and safety standards in many industries.

Congress believes that workers on short-hours contracts should have a similar right to contracts reflecting their regular hours.

Congress believes that the Swedish Derogation loophole in the Agency Workers Regulations needs to be abolished.

Congress agrees that zero-hours contracts and agency workers' rights will be campaigning priorities in the year ahead and that the campaign will bring home to UK consumers the damage to the quality of the service they receive by employers' over-reliance on such contracts, which have no concept of mutuality.

Congress rejects the claims made for the Small Business, Enterprise and Employment Bill that it will deal with exclusivity. Loopholes in the government's proposals would allow unscrupulous employers to offer exclusive ZHCs with a 'guaranteed' minimum number of hours, even if the hours were insufficient to yield a living wage.

Zero-hours contracts create an uncertain family income but in public services also lead to problems providing quality care, including no paid travel time and fear of getting no work if issues are raised. However, some councils have adopted UNISON's Ethical Care Charter to improve care and employment conditions.

Congress agrees to lobby government and the Labour Party to abolish the use of zero-hours contracts, except where expressly requested by the worker.

Mover: Union of Shop, Distributive and Allied Workers
Seconder: Bakers, Food and Allied Workers Union
Supporters: Unite; UNISON; Associated Society of Locomotive Engineers and Firemen; British Air Line Pilots' Association

C17 Umbrella companies

Motion 63 and amendments

Congress notes that endemic false self-employment has blighted the construction industry for decades. The problem has recently become more acute due to the use of employment agencies and payroll companies.

Congress further notes that in the 2014 Finance Bill the government introduced changes that mean that workers engaged via an employment agency or payroll company and under the "supervision, direction or control by any person" would be treated as an employee for tax purposes.

Congress regrets that much of the construction industry is still exploiting workers and denying them basic employment rights by forcing them to operate via umbrella companies.

Congress further regrets that this form of exploitation has spread across private and public sectors, with stable employment replaced by casual, precarious arrangements. Congress deplores that in education supply teachers are largely engaged through private umbrella agencies, offering low pay and negligible pension rights, draining funds from the public purse for agency profits.

Continues overleaf

SECTION THREE

COMPOSITE MOTIONS

Workers employed via an umbrella company have to pay both employers and employees national insurance contributions and holiday pay is rolled up into the rate, denying them paid leave. In many cases workers are paid the national minimum wage, with total pay supplemented by expenses or performance-related pay. In some cases workers are placed on a zero-hours contract, with exclusivity clauses.

Congress condemns the exploitative employment practices that maximise profits by driving down the pay of supply teachers and other public sector workers. Congress deplores the victimisation, including the use of blacklisting, of agency workers who seek to assert their statutory workplace rights.

Congress calls on the General Council to condemn the use of umbrella companies and to lobby the government to immediately introduce measures for this exploitative practice to end.

Congress further calls on the General Council to campaign for the eradication of all forms of false self-employment and for the introduction of a simple form of employment status where workers are either an employee or genuinely self-employed.

Mover: Union of Construction, Allied Trades and Technicians

Seconder: National Union of Teachers

Supporter: NASUWT

C18 Corporate governance

Motion 65 and amendments

Congress believes that there is no logical reason why our system of corporate governance should prioritise the interests of share traders over those of other stakeholders, nor why share traders should occupy such a privileged position in terms of their rights in relation to companies.

Congress is not alone in this view and over the past decade fundamental questions have been raised in separate reviews by Kay, Cox and Myners about the capacity of the modern investment management industry, and its preoccupation with quarterly results, to oversee the governance of listed companies.

Congress believes that fundamental reform of the corporate governance system in the UK is necessary and increasingly urgent. Congress endorses the TUC report *Workers on Board: The case for workers' voice in corporate governance* and calls for the following actions:

- i Directors' duties should be reframed to make directors' primary duty the promotion of the long-term success of the company, rather than prioritising shareholders' interests as at present.
- ii Shareholders' corporate governance rights in relation to companies should be subject to a minimum period of two years of share ownership.
- iii Workers should be represented on company boards as full board members and a legal requirement to establish a system for this should be implemented.
- iv Time off and training should be funded to ensure that workers representatives are able to fulfil their roles.
- v There should be mandatory corporate reporting on measures of good work, devised in consultation with stakeholders, and which have at least equal weight to the financial metrics that currently predominate.
- vii There should be mandatory introduction of equal pay audits and a maximum pay ratio between the highest and lowest paid workers in an organisation.

Congress believes that giving workers a voice in company decision-making would be one important step toward creating the long-term corporate culture that is desperately needed in the UK if we are to build a stronger and fairer economy.

Our long-run economic problems are well evidenced; now is the time to start shaping the solutions and Congress calls upon the General Council to continue its campaign for better corporate governance.

Mover: Accord

Seconder: Prospect

Supporter: British Air Line Pilots' Association

C19 Health and safety

Motions 66 and amendments and 67 and amendment

Congress celebrates the 40th anniversary of the 1974 Health and Safety at Work Act. It agrees that Lord Robens' approach has stood the test of time, that the key principles of universal coverage and employers' liability are just as important now as they were 40 years ago and that effective regulation through the HSE provides a fair and accepted platform for commercial success. Every £1 spent on UK health and safety regulation benefits the economy by £2.35, and all three reviews commissioned by government in the last four years have concluded that health and safety law is fit for purpose.

Further, Congress notes that the triennial review of the HSE concluded that support for the HSE is a reflection of the impartiality and independence it maintains in its regulatory and other work, in addition to the professionalism and technical competence of its staff. The triennial review also concluded that the HSE's standard setting, regulatory, enforcement and advice functions form a mutually reinforcing whole.

Congress recognises the massive cuts to the HSE budget in recent years and the impact on its ability to undertake an effective inspection regime.

Congress deplores the continuing erosion of health and safety protection for workers across the economy, and applauds the efforts of the TUC to maintain safe workplaces in the UK in its dealings with government and the Health and Safety Executive (HSE).

In two years to 2013, 321 workers were killed in UK workplaces, 387,000 reportable absences resulted from workplace injury and 54 million working days were lost due to occupational injury and disease, costing society an estimated £27.2bn.

Over the same period, employers' strict liability for safety breaches was abolished, the RIDDOR reporting threshold was raised from three to seven days, the HSE's budget was cut by more than 30 per cent, and large sections of the economy were defined as "low-risk", where no proactive HSE inspections are now conducted.

In 2014, the Deregulation Bill began progress through Parliament, including provision for the UK's 4.5 million self-employed workers to be exempted from all health and safety legislation, unless their sector or activity was included in a prescribed list held by the HSE. A draft list revealed that a large proportion of the self-employed were to be denied full health and safety protection, despite being three times more likely than employees to die at work.

This attack on the Health and Safety at Work Act (HSWA) will cause chaos, exposing workers to further workplace dangers. In industries such as construction, unscrupulous employers will tell workers that they cannot seek compensation for workplace injuries as they are no longer covered by the HSWA.

Congress therefore calls upon the General Council to:

- i campaign for proper resourcing of the HSE so that it can fulfil all its key functions effectively while maintaining regulatory integrity
- ii campaign for all workplaces to be subject to regular inspection by enforcing authority and encourage the HSE to work with local authorities to ensure that inspections are targeted on the significant risks for the sectors they enforce
- iii publicise the achievements of the 1974 Health and Safety at Work Act, including the role played by health and safety representatives
- iv campaign for effective rights for health and safety representatives to protect the safety of employees based at work sites not directly owned by their employer
- v oppose this historic set-back exactly 40 years after the Health and Safety at Work Act was enacted and to lobby for the restoration of health and safety legislation for all self-employed workers
- vi call for the new government post May 2015 to review changes made to the 1974 Health and Safety at Work Act since 2010.

Mover: Prospect
Secunder: Broadcasting, Entertainment, Cinematograph and Theatre Union
Supporters: Union of Shop, Distributive and Allied Workers; Union of Construction, Allied Trades and Technicians; Community; Chartered Society of Physiotherapy

SECTION THREE

COMPOSITE MOTIONS

C20 Maritime and offshore industry

Motion 68 and amendment

Congress believes the maritime and offshore industries should be essential in supporting UK employment and the UK skills base.

Congress is therefore deeply concerned at the continued decline in UK seafarers, which have fallen by nearly 30 per cent in the last two years to under 9,000 ratings and fewer than 12,000 officers.

Congress notes this decline has largely been caused by the failure to protect the UK's ferry and offshore sectors from unfair competition and the continued exclusion of seafarers from the full protections of the national minimum wage and the Equality Act, which has allowed the undercutting of employment standards.

This has led to shocking examples of exploitation, such as seafarers working in UK waters being paid £2.41 an hour and living on ships for the entirety of the four-month contract, with no shore leave.

Congress is appalled this exploitation is taking place while the shipping industry benefits substantially from the UK Tonnage Tax System and other forms of state aid.

Congress is concerned that undercutting and exploitation is also a growing feature of the offshore industry specifically in the supply, standby, and windfarm sectors.

Congress calls for a new Maritime and Offshore Act which would include:

- i all those employed in the UK maritime and offshore sectors being fully protected by UK employment and working time legislation, regardless of nationality
- ii taxpayer support for these industries being directly linked to the creation and retention of UK jobs and skills in the sector
- iii improved safety legislation, including equal arrangements for seafarer, offshore and land-based safety representatives
- iv the adoption of Norwegian safety standards in the UK offshore sector in respect of the powers of safety reps.

Mover: National Union of Rail, Maritime and Transport Workers

Secunder: Nautilus International

4

SECTION FOUR
GENERAL COUNCIL
STATEMENTS

SECTION FOUR

GENERAL COUNCIL STATEMENTS

General Council statement on the TUC Campaign Plan

Congress reaffirms its support for the TUC's *Campaign Plan* launched on May Day 2013 and unanimously backed at last year's Congress.

We recognise the progress that has been made by our campaign for a new economy, decent jobs and fair pay, public services and welfare fit for the 21st century, stronger rights and unions, and corporate governance reform to deliver more democracy at work.

We welcome the campaign activities that have been organised by the TUC and affiliates over the past year, and the progress and plans for the year ahead set out in the *General Council Report* and *Campaign Plan* update. In particular, we welcome the achievements of Fair Pay Fortnight, the Saving our Safety Net campaign, joint working with affiliates across public service sectors, work to expose insecure work such as abusive zero-hours contracts, and the coordination of union action to defend pay and services.

Congress calls on unions to consider how best they can step up the campaign, and work together as a united movement to bring about its objectives, including through support for the 18 October Britain Needs A Pay Rise demonstration.

Congress recognises that the next general election will be a crucial one for the country, as it will determine the kind of economy we build after the financial crash.

Austerity economics have made Britain's recovery from the 2008 crash the most delayed in recent history. The government has tried to pass some of the blame onto the Eurozone, whose economic problems are the result of similar austerity policies across Europe. Living standards, which were in decline even before the recession, have now been depressed for longer than any period since the 1870s.

But while economic growth has returned, the benefits have not fed through to wage packets, public services or large parts of the country outside the prosperous parts of London and the south-east.

This makes it harder for the government to argue that their political programme is driven by economic necessity. Instead, it exposes it as a political choice to reduce the size of the state, permanently cut and privatise services and institutionalise an unequal society. This has led to a huge gap between those at the top that have hardly been touched by the slump and the rest, particularly those at the bottom in a growing insecure, casualised part of the labour market characterised by zero-hours contracts, bogus self-employment and agency work and insecurity.

We can therefore expect a renewed political offensive to try to justify policies that have been rejected when put at previous elections. This will lead to increased scapegoating of unemployed and disabled people, migrants and public sector workers. Public services will be undermined as we can see through the increased attacks on the NHS, where the effects of cuts are misrepresented as problems inherent to a national taxpayer-funded service. The welfare safety net will come under renewed attack to pave the way for the further cuts announced by the Chancellor.

Above all we can expect further attacks on our movement as staunch opponents of such policies and champions of an alternative. Plans to introduce restrictions that will make industrial action close to impossible and allow the routine surveillance of union activists will feature in the Conservative Party manifesto.

Our movement's task is to step up our efforts to put the popular practical policies designed to tackle inequality, as set out in the *Campaign Plan*, at the heart of the 2015 General Election debate and to urge political parties to adopt them.

We will work to expose the unbalanced nature of the recovery, oppose tax dodgers as we argue for a fair tax system, and campaign for a million new council and affordable homes, root and branch banking reform, a jobs guarantee for the young and a transformed Apprenticeship and skills system. We need a new economy that can generate fulfilling, well-paid jobs that deliver decent living standards and a strong tax base. This will require new approaches not just at the UK level, but throughout the EU and international institutions.

We will continue to expose Britain's cost of living crisis, oppose the growing gap between those at the top and the rest, demand a higher minimum wage and the spread of the living wage and help unions extend their collective bargaining power to fight pay caps and freezes, and win fair pay.

We will resist planned spending cuts – half of which are still to come under current government plans – and continue to defend properly funded, publicly owned and democratically run public services, step up our defence of the welfare state and press for a comprehensive child and adult care system.

We will continue to expose the growth of vulnerable employment and defend workers' rights both in the UK and round the world. In particular, we will step up our campaign to scrap employment tribunal fees that price workers out of justice. We will argue for a strong employee voice in the workplace with representation up to and including remuneration committees and company boards, in line with best practice across the rest of Europe.

Everyone has a right not to be discriminated against on grounds of their class, race, gender, sexuality, disability or age and our campaign will reflect and promote a diverse approach to securing improvements both at work and in society, and expose the disproportionate effects of cuts on groups already subject to discrimination.

A formidable union presence is the best way of giving working people decent standards at work, and a strong and diverse movement is essential if we are to challenge austerity effectively and build a more equitable society. Building stronger unions will be at the heart of the campaign and Congress commits to ensure that this goal underpins all that we do.

SECTION FOUR

GENERAL COUNCIL STATEMENTS

General Council statement on Gaza

Congress deplores the fact that since 7 July, over two thousand Palestinians have been killed, two thirds of them civilians and including many people going about their daily work, as well as nearly 500 children, and 69 Israelis, four of whom were civilians. Tens of thousands of residents of Gaza have fled their homes or seen them damaged or destroyed, and have nowhere to go.

Congress welcomes the ceasefire negotiated between the Palestinian Authority, Hamas and the Israeli Government, as called for in the General Council statement in July, and recognises the partial relaxation of the blockade of Gaza, but recognises that it will not be sufficient unless the blockade of Gaza and occupation of the West Bank are resolved in line with UN resolutions. Congress deplores the announcement by the Israel Defence Forces' Civil Administration on 31 August of further annexations of land for settlement construction in the West Bank, allegedly as a response to the kidnapping and killing of three Jewish teens by Hamas militants in the area in June. This is a shocking provocation that will redraw the map of the West Bank and can only stoke up further resentment.

Congress particularly deplores attacks on UN facilities, including the attacks on seven UNWRA schools between 21 July and 3 August which killed more than 50 people and injured over 300, and notes the UNOCHA's regular reports of the terrible damage done to properties, infrastructure and people.

Congress believes that international law against the targeting of civilians must be enforced, and that those responsible for breaches of such law should be dealt with in the International Criminal Court. We welcome the UN Human Rights Council's announcement of an independent Commission of Inquiry to investigate purported violations of international humanitarian and human rights laws in the Occupied Palestinian Territory, including East Jerusalem, and particularly in the Gaza Strip since the conflict began. We reiterate our condemnation of the collective punishment of the residents of Gaza.

Congress welcomes the creation of a unity government for the Palestinian Authority, which necessarily involves both Fatah and Hamas, and urges the UK government and the European Union to support this development, in the context of the TUC's longstanding support for a two-state solution based on security for both Israel and Palestine and justice for the Palestinian people. Congress resolves to step up the campaign for a free Palestine, and welcomes the ITUC Day of Action for Gaza held on 7 August and the demonstrations for peace organised across the UK by the Palestine Solidarity Campaign and others.

We deplore racism, discrimination and hate crimes of any form, including anti-semitism, such as attacks on synagogues.

Congress considers the response of the UK government, the EU and the UN to Israel's attack on Gaza has been unacceptable. We join with Amnesty International, the Palestine Solidarity Campaign and others in calling on the UK government and the EU to end immediately arms trading with Israel including all military-industrial collaboration. The TUC should, working with the relevant unions, press those companies involved in supporting Israel's military to cease to do so.

Congress reiterates its call for the suspension of the EU-Israel Association Agreement until the rights of the Palestinians are established, and calls on the Israeli state to pay for humanitarian assistance and rebuilding Gaza. We encourage unions and their members to give generously to international trade union humanitarian aid funds aimed at providing assistance to the people of Gaza and urge Global Union Federations to seek affiliation from Palestinian unions, as many already have.

Congress commits to raise the pressure on corporations complicit in arms trading, the settlements, occupation and the wall by organising a seminar for affiliated unions to consider strategies – such as worker capital strategies including pension funds – to put pressure on complicit corporations to cease to do so and withdraw from the Occupied Territories. Congress agrees to work with the international trade union movement and

workplace representatives to co-ordinate such action against complicit corporations. We reiterate our encouragement to unions to affiliate to the Palestine Solidarity Campaign, urge union members to join the PSC Trade Union network, and agree to organise, jointly with the PSC, a trade union conference in 2015 to review progress on the action points listed above.

Congress reiterates its solidarity with the Palestine General Federation of Trade Unions, and our commitment to visit Gaza with the PGFTU as soon as is practicable. We will continue to be guided by the PGFTU and encourage unions to revitalise their contacts with sister organisations in Palestine, especially to assist them in rebuilding their organisations in Gaza. We will seek the support of the ETUC and ITUC for the policies set out in this statement, and support the calls of the ETUC and ITUC for a just settlement to the problems of the Middle East.



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