

Midlands TUC Update

September 2015



The trade union bill – which threatens the basic right to strike – has now started its passage through Parliament.

For the first time, employers will be able to break strikes by bringing in agency workers to cover for strikers. This could have big safety implications, lead to worse public services, and will undermine the right to strike.

The bill proposes huge restrictions on peaceful picketing and protests. Striking workers will have to tell their employer all their plans – including what they will post on Facebook - two weeks before they strike.

There are lots of other proposals in the bill too – including attacks on union reps in the public sector, restrictions on how unions collect and spend their money and lots more unnecessary red tape.

And all of it taken together fundamentally undermines the right to strike.

A CLOSER LOOK AT THE GOVERNMENT'S PROPOSALS

1. AGENCY WORKERS

The government plans to allow agency

workers to replace striking workers. And by requiring 14 days' notice of strike action (rather than 7 as at present), employers will have more time to arrange agency workers to cover for strikes. This has been banned in the UK since 1973.

What are our concerns?

- This fundamentally undermines the right to strike, as it reduces the impact of strike action, and upsets the power balance between workers and employers.
- These changes will make the UK an outlier in Europe. Across the EU large agencies have agreed not to use agency workers to replace striking workers.
- There are health and safety concerns about inexperienced replacement workers taking on the roles of the permanent workforce.
- Inexperienced agency workers replacing strikers might lead to poorer quality services.

2. PICKETING AND PROTESTS

Unions will have to appoint picket supervisors. They will be required to carry a letter of authorisation which must be presented upon request to the police or "to any other person who reasonably asks to see it". The supervisor's details must be given to the police and they must be identifiable by an armband or badge.

Failure to comply could result in a court injunction to stop the picket, or thousands of pounds of damages for the union. Local

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authorities could also have the right to issue anti-social behaviour orders to picket line participants or protesters. The government is even consulting on introducing new criminal offences and sanctions.

Unions may have to report protest plans publicly to employers and regulators 14 days in advance of any action (and will have to give 14 days' notice of any industrial action). Details required would include timings, location, the number of participants and even whether protesters plan to use "loudspeakers, props, banners, etc". If unions don't report their plans then they face significant fines.

What are our concerns?

- Existing law already requires union members to comply with tough picketing rules. The new regulations are overly bureaucratic and the penalties are disproportionate.
- The protest restrictions are unjustified and would divert already scarce police resources away from tackling serious crime.
- Unions are currently required to give 7 days' notice before industrial action takes place. Doubling the notice period for strike action to 14 days as well as requiring unions to publish details of protest activities will undermine negotiations and allow employers to recruit agency workers to cover for strikers.
- This level of scrutiny and monitoring is excessive, undermining freedom of speech and threatening the civil liberties of working people who should be free to defend their rights.

3. THRESHOLDS

In 'important public services' (fire, health, education, transport, border security and nuclear decommissioning), 50% of

members must turn out to vote and 40% of the entire membership must vote in favour (that amounts to 80% of those voting, on a 50% turnout).

The government argues these thresholds are aimed at boosting democracy in the workplace.

What are our concerns?

- Strikes are always a last resort but sometimes they are the only way to resolve disputes at work – including in those industries and occupations included in the government's definition of 'important public services'.
- The government's definition of 'important public services' is wider than the definition of 'essential services' in international law.
- If the government was committed to increasing democracy it would allow secure electronic and workplace strike ballots instead of arbitrary thresholds. Online voting is already used by several national membership organisations including the RNIB, the Institute of Chartered Accountants for England and Wales, the National Trust, the Magistrates' Association, the Countryside Alliance and the Royal College of Surgeons. And it is regularly used by political parties – including by the Conservative party to select their London Mayoral candidate.

4. REGULATING UNIONS

The Certification Officer (who regulates unions) will be given powers to investigate unions and access membership lists even if no-one has complained about a union's activities. The regulator will also be able to impose fines of up to £20,000 on unions. The government will be able to charge unions

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to cover the running costs of the Certification Officer. Costs are likely to increase as the regulator has new responsibilities.

What are our concerns?

- There is no reason why the trade union regulator needs new powers now.
- Giving the Certification Officer the power to confiscate copies of membership records and other documents is an intrusion on union members' privacy and their right to have an independent relationship with their union.
- Significant new costs will be placed on unions to pay for this red tape – money that could be better spent protecting and promoting the rights of workers.

5. PUBLIC SECTOR FACILITY TIME

All public sector employers will have to publish information on the cost of time off for union reps, plus a breakdown of what facility time is used for – collective bargaining, representing members in grievances or disciplinary action, or running training programmes.

Public sector employers won't be able to offer the option of paying for union membership direct through salaries anymore ("check-off").

The government will be able to cap the time public sector employers allow union reps to spend representing members.

What are our concerns?

- These changes will restrict public sector employers from investing in good relations with their own employees.

- Deductions at payroll are a common way that employers help their employees manage their money – often childcare, travel, bike or computer payments are made this way. It's not clear why union membership fees should be singled out.
- These moves will reduce unions' ability to represent their members and resolve disputes before they escalate.
- Individual public sector employers should have the freedom to decide how they manage employment relations.
- The changes add more red tape for unions, whose time and money would be best spent serving members.

Take Action



1) Activist Pack

You can help spread the word by contacting your MP, local media, sticking up posters or distributing flyers.

The TUC have produced downloadable resources for unions and supporting groups to print and share in our ['Activist Pack'](#)

www.tuc.org.uk/tubillresources.

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2) Pledge to march on October 4th



On Sunday 4 October, trade union members and supporters will march through Manchester, taking a clear message to the Conservative Party Conference about their Government's damaging programme of austerity and their attacks on the rights of working people and their unions.

Pledge to march here:

<http://act.goingtowork.org.uk/page/s/no-to-austerity-yes-to-workers-rights-march-and-rally---at-conservative-conference>

3) Lobby and rally, London Monday 2nd November

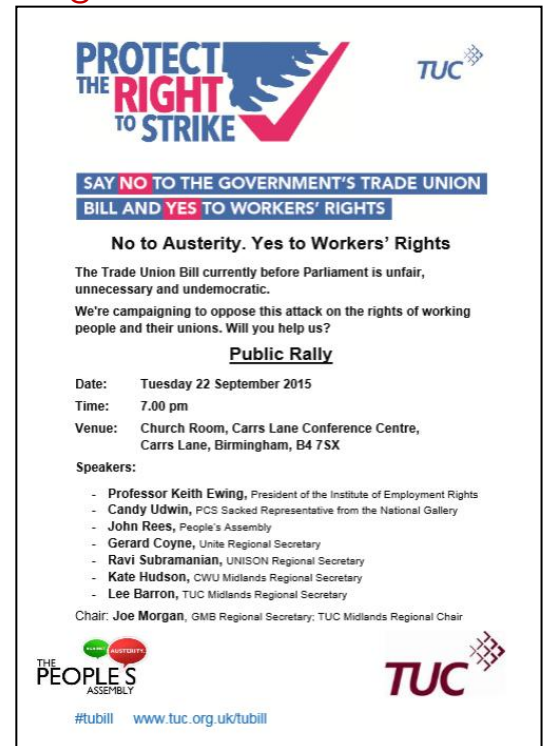
Join the TUC and union members from all over the country coming together to lobby and rally against the trade union bill on Monday 2 November 2015, Central Hall, Westminster (rally) and the House of Commons (lobby of parliament).

This is a big opportunity to make sure MPs hear directly from people who are worried that the bill will undermine the right to strike and risk public safety and service quality. We'll meet up at Central Hall in Westminster to hear some inspirational speakers, and then in groups head off to the House of Commons to meet our MPs and explain why they should vote against

the bill. The rally will kick off at 1pm and the lobby at 2.30pm.

More information to come soon.

4) Organise an event



PROTECT THE RIGHT TO STRIKE

SAY NO TO THE GOVERNMENT'S TRADE UNION BILL AND YES TO WORKERS' RIGHTS

No to Austerity. Yes to Workers' Rights

The Trade Union Bill currently before Parliament is unfair, unnecessary and undemocratic.

We're campaigning to oppose this attack on the rights of working people and their unions. Will you help us?

Public Rally

Date: Tuesday 22 September 2015
Time: 7.00 pm
Venue: Church Room, Carrs Lane Conference Centre, Carrs Lane, Birmingham, B4 7SX

Speakers:

- Professor Keith Ewing, President of the Institute of Employment Rights
- Candy Udwin, PCS Sacked Representative from the National Gallery
- John Rees, People's Assembly
- Gerard Coyne, Unite Regional Secretary
- Ravi Subramanian, UNISON Regional Secretary
- Kate Hudson, CWU Midlands Regional Secretary
- Lee Barron, TUC Midlands Regional Secretary

Chair: Joe Morgan, GMB Regional Secretary; TUC Midlands Regional Chair

THE PEOPLE'S ASSEMBLY

#tubill www.tuc.org.uk/tubill

The Midlands TUC has been working with affiliates, trade councils, the People's Assembly and other organisations to spread the message about the Bill and to mobilise opposition.

Two regional events have been organised for Nottingham and Birmingham.

- 22/9 - Birmingham
- 15/10 - Nottingham

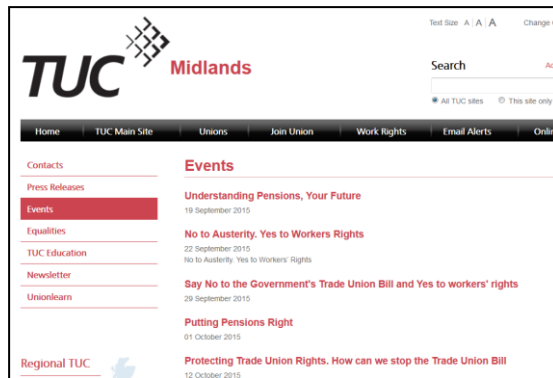
Other meetings that have been arranged include:

- 17/9 - Northampton
- 17/9 - Wolverhampton
- 24/9 - Newcastle under Lyme
- 29/9 - Telford
- 6/10 - Dudley

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- 14/10 - Stoke
- 12/10 - Chesterfield
- 19/11 – Coventry

Event details can be found on the Midlands TUC website events page:



www.tuc.org.uk/midlands/events

If you want to organise a local event then please do get in touch with the Midlands TUC office where we can assist with the production of flyers and promotion.

2015 Chainmakers Festival



The Chainmakers Festival was held in Cradley Heath on Saturday 11th and Sunday 12th July.

The Saturday Night at the Chainmakers saw a night of spoken word and comedy at the Holly Bush pub that provided a great start to the weekend.

On the Sunday the High Street was packed with festival goers enjoying the annual banner parade, theatrical re-enactments, speeches, market stalls and music honouring the women of Cradley Heath

who went on strike for better pay and conditions in 1910.

This year saw music from two stages, the '1910' and 'Macarthur' stage along with stirring speeches from Michelle Stanstreet, NUJ General Secretary, Diana Holland, UNITE AGS, Kate Hudson CWU Regional Secretary and Midlands TUC vice-chair along with long standing friend of the festival Sylvia Heal, ex-Deputy speaker of the House of Commons and Halesowen MP.

The theatrical re-enactments from the Black Country Players, Uniquely Simple, the Fizzogs and Lynn Morris as Mary Macarthur really engaged the public and brought to life the reality of the struggle.

The children's area again proved a massive hit and being in the heart of the community captured the imagination of local people and helped generate a carnival atmosphere.



The success of the festival has given a framework to grow the festival and the partnership with the Black Country Festival emphasised the history of the town and what an important role the Chainmakers played.



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Young Workers – Splendour Festival 18 July



The Young Workers Network in the Midlands has recently decided to relaunch activity.

The first event was an event at the Nottingham Splendour Festival in July. Young workers were invited to come along and take part in a workshop to examine

- *What are the challenges facing young workers today?*
- *How do unions organise young workers?*
- *To develop plans for Young Workers Month in November.*

The event was well attended, with members from Prospect, UNISON and GMB. For most members, this was their first involvement with a young members section of the Trade Union Movement. The day was enjoyable, with an element of research in to how unions are failing to engage with young workers. Overall, the event was a success, with many initiatives lined up and commitment from the young members present to retain their involvement with both young members and the Midlands TUC.

Reasons for joining the Union:

- Trying to get a decent deal.
- Feeling fed up with their situation.
- Protection/security.
- Managers had asked/suggested they join.

It was quite concerning, but not surprising that no-one present had been asked to join by another trade unionist.

Involvement within their Union:

- Stewards
- ULR – but this has fizzled out
- Enabling them to get things done
- Pensions

Again, no one had previously been involved with their young members sections, thus highlighting the need for unions to be more proactive in this field.



Most significant challenges for young workers today:

- Not able to get a job
- Housing
- Short-term contracts
- Mental health
- Pay
- Progression

How can Unions be more appealing to young workers?

- Better promotional materials
- Visibility
- More events focussed on young people

Plans for Young Workers Month are currently developing. More details of activity will be announced in due course but presently we have the following plans:

- Nottingham Panthers Ice Hockey, November 7th
- Possible 5-a-side competition
- Supporting the 'Do Young People

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Need Unions?' event on 10 November at University of Birmingham
<http://www.esrc.ac.uk/news-events-and-publications/events/do-young-workers-need-trade-unions/>

Sarah Worth, GMB & Jordan Stapleton, UNISON

Nottingham Green Festival – September 6th

The Midlands TUC joined Nottingham and Mansfield TUC at the Nottingham Green Festival to campaign against the Government's Trade Union Bill.

Great support was received on the day including from the CWU, Nottingham Citizens, Amnesty International, Greenpeace, the Green Party and 'Keep the NHS Public.'



Keeping in touch

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