



# Report of TUC Black Workers' Conference 2014

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## *IN THE CHAIR: Maureen Loxley*

Conference was attended by 224 delegates from 27 affiliated unions, 11 representatives from Trades Union Councils and Regional Councils, 38 visitors, 1 Media and 11 exhibitors.

### **APPOINTMENT OF TELLERS AND SCRUTINEERS**

It was agreed that the following delegates should act as Tellers and Scrutinisers:

Ikki Bhogal	Napo
Kristin Hamada	Equity

### **CHAIR'S ADDRESS**

The Chair addressed the Conference on Friday afternoon.

### **GENERAL SECRETARY'S ADDRESS**

Frances O'Grady TUC General Secretary addressed the Conference on Friday afternoon.

### **GUEST SPEAKERS**

On Friday afternoon, Mark Hammond (Chief Executive of the EHRC) and Neville Lawrence addressed the conference.

On Saturday morning Carole Duggan (Justice for mark Duggan Campaign) and Habib Rahman (Chief Executive of JCWI) addressed the conference

On Saturday afternoon Mohammad Taj (TUC President) addressed the Conference.

### **REPORT OF THE RACE RELATIONS COMMITTEE**

The Report of the Race Relations Committee, on their work during the year and on issues considered by the General Council which were of particular relevance, was approved.

# Resolutions

*THE FOLLOWING RESOLUTIONS WERE CARRIED:*

*Please note: all accepted amendments have been incorporated into the texts*

## 1 Choice FM

Conference condemns Global Radio's decision to rename Choice FM, the leading black commercial radio station, and drop the black content.

Conference believes that this decision is in breach of both the letter and spirit of Global's licence obligations. Conference further believes that Global's actions demonstrate a shocking lack of respect for the black community, a refusal to acknowledge Choice's cultural importance, and a failure to comprehend the extremely negative impact on those aiming for a career or a business in this area and in the longer term on the diversity of UK commercial music. If this move is not reversed Global Radio's commercial decision could drive black music underground and encourage the proliferation of illegal pirate stations.

Conference welcomes the joint campaign by BECTU and The Voice newspaper to pressure Global and the broadcasting regulator Ofcom to reverse this decision.

Conference calls for:

- i) fellow trade unions to support the campaign including promoting protest dates to members to encourage them to attend;
- ii) the TUC to write to Global Radio to urge the company to reverse its decision; and
- iii) the TUC to write to Ofcom to protest about Global's actions and request that Ofcom upholds Global's licence conditions.

*Moved by: Unite the Union*

*Seconded by: National Union of Teachers*

## 2 Deaths in Custody

The FBU believes the criminal justice system has failed the UK population and people of colour in particular.

More than 980 people died in police custody between 1990 and 2013. Only one case resulted in a successful conviction.

20% of these who died were African-Caribbean, although this group represents just 3% of the population.

The United Families and Friends Campaign (UFFC) fights for justice for those affected by deaths in police or psychiatric custody, prisons or detention centres, including Ian Tomlinson, Jean Charles De Menezes, David Emanuel (Smiley Culture) and Mark Duggan.

Their work helped bring about the replacement of the Police Complaints Authority (PCA) by the Independent Police Complaints Commission (IPCC) and provoked a review by the Attorney General of the role of the Crown Prosecution Service (CPS) in custodial deaths.

We must highlight the failures of the British criminal justice system and demand that such scandalous injustices are redressed.

We therefore ask conference to demand:

- i) who have died in custody;
- ii) a further review of the Crown Prosecution Service to ensure its procedures is more robust and
- iii) the IPCC is replaced with a truly independent body able to fully investigate the inextricable and intransigent institutional racism within the police and other state bodies. “

*Moved by: Fire Brigades' Union*

*Seconded by: National Union of Rail, Maritime and Transport Workers*

### **3 Deaths in Custody**

Conference notes that despite 135 black and ethnic minority deaths in custody since 1990 it was only on 2nd December 2012 that the House of Commons held the first parliamentary debate on this subject. Conference notes that although African-Caribbean's descendants account for 3% of the UK population, they make up 15% of the prison population and 20% of deaths in custody.

Conference also believes that the lack of independent investigations of deaths in psychiatric detention and the challenges faced by families seeking funding for specialist legal representation at inquests amounts to serious inequality in the inquest system. This is particularly unfair as at all inquests, the detention institutions are legally represented by experienced lawyers at unlimited public expense. Conference believes this substantial inequality may lead to a denial of justice for bereaved families.

Conference instructs the TUC Black Workers/ Committee to support and publicise the petition set out by Black Mental Health UK which calls for:

- i) independent judicial inquiries into all preventable deaths in psychiatric settings and an end to deaths in custody;
- ii) a government commitment to outlaw use of control and restraint in mental health settings; and

iii) an independent public inquiry into black deaths in custody.

*Moved by: National Union of Journalists*

*Seconded by: University and Colleges Union*

#### **4 Exorbitant plane fares to Jamaica and the Caribbean**

For the last few years, travellers to Jamaica and the Caribbean have seen a massive increase in airfares and a reduction of their baggage allowance to one piece per person. The major airlines, British Airways and Virgin Atlantic, dominate the market and have orchestrated these increases to the extent that the Jamaican and Caribbean diaspora can no longer afford to visit their relatives.

Destinations like the USA which takes approximately the same flying time as Jamaica have far cheaper rates of travel. In addition, destinations like Brazil, Ghana or Nigeria, are still allowed two pieces of baggage. Charging more for flights to the Caribbean and restricting passengers to 23kg or forcing them to pay extortionate rates for extra baggage is unacceptable. A family of four may end up paying close to £8000 if they carry extra luggage. As this is way out of the league for families, they lose their opportunity to spend any-time with their relatives.

Conference therefore calls on the TUC to work with the Government and the major airlines to reduce the fares, taxes and additional charges for air flights and increase baggage allowance to the Caribbean, at least in line with other similar length journeys.

*Moved by: National Union of Rail, Maritime and Transport Workers*

*Seconded by: University and College Union*

#### **5 Racist Ad Vans**

Conference calls upon the incoming Race Relations Committee to protest and lobby the Government on its disgraceful use of 'ad vans', which was used to deliberately target "illegal immigrants" in the UK.

Undertakings must be sought that this style of racist and ethnic profiling behaviour is not acceptable in multi-cultural Britain.

Conference further instructs the RRC to organise a campaign highlighting why these actions are damaging wider society and social cohesion in order that as strong a message as possible can be sent to the government on this issue.

*Moved by: Communications Workers Union*

*Seconded by: Public and Commercial Services Union*

## 6 Immigration Bill

Conference notes the positive contribution made by migrant communities to the UK. It rejects the myths and lies spread by the Coalition Government and some media which has led to an increase in racist abuse and attacks.

Conference believes that attacks on pay, jobs, working conditions and public services is not as a result of immigrants but of government attacks, in line with their austerity agenda.

Conference rejects the Government's racist Immigration Bill which will significantly reduce the right of appeal against deportation, compels landlords, public and private sector staff to police the immigration status of tenants and service users. This undermines the right to family life enshrined in the Human Rights Act.

Conference applauds the work of Movement Against Xenophobia (MAX) in opposing the Immigration Bill.

Conference calls on the TUC Race Relations Committee and affiliates to campaign in opposition to the Immigration Bill to include:

- i) calling on all constituency MPs to oppose the bill;
- ii) calling on the Labour party to give a commitment to repeal the Bill;
- iii) supporting and joining the MAX campaign; and
- iv) opposing and dispelling myths and lies spread about migrants as part of wider anti austerity and anti cuts campaigns.

*Moved by: Public and Commercial Services Union*

*Seconded by: Unite the Union*

## 7 Black representation

Conference is concerned that the impact of restructuring within unions is eroding the representation of black workers. At a time of job losses and restructuring across sectors, black communities are facing extreme challenges at work. It is more urgent than ever that we build a trade union movement that includes the interests and concerns of black people. The crisis of youth unemployment and the scandal of zero-hours contracts remind us that what black workers suffer today will become a problem for the whole workforce tomorrow. Without black representation, the movement is in danger of overlooking the experiences of some of the most vulnerable workers and the tactics of particularly unscrupulous employers.

Conference asks the Race Relations Committee to:

- i) work with affiliates to reassert the importance of black representation to all trade union members;
- ii) identify cases and examples where the experience of black workers can inform wider workplace organisation; and

iii) survey unions on any changes in the size, composition and right to participation of black members' groups and committees.

*Moved by: University and College Union*

*Seconded by: Nation Union of Teachers*

## **8 Organising Black workers**

Black workers in Britain have historically faced huge challenges in the labour market and workplace. Austerity and the economic crisis have exacerbated the position of Black workers in the public and private sector. UNISON research shows there has been a disproportionate increase in casualised working, job losses and redundancies. Low pay is becoming endemic amongst Black workers increasing inequality and poverty in families.

Black workers reflect a particular experience and play a key role in winning equality in the workplace. Conference, unions need to organise Black workers to break the cycle of discrimination, disadvantage and deprivation in Black communities; but moreover, to build agile, strong and dynamic trade unions.

Trade unions must encourage Black members to become activists and leaders as part of an alternative strategy to respond to this neo liberal orthodoxy on austerity. Conference recognises the important role that community organising can play in helping trade unions to engage with new activists and communities.

Conference calls on the TUC Race Relations Committee to refresh and renew the focus on organising Black workers by taking a targeted approach to develop Black activists and leaders including, training and resources; encouraging participation in leadership roles and to initiate a campaign to recruit and organise Black workers in trade unions.

*Moved by: UNISON*

*Seconded by: Community*

## **9 Discrimination in recruitment and promotion**

Conference notes with dismay that research carried out by Public World in 2013 indicates that there has been little improvement in the overall pattern of discrimination in NHS recruitment in recent years despite numerous initiatives. The likelihood of white job applicants being appointed is more than three times greater than that of BME applicants, and the likelihood of white shortlisted applicants being appointed approaches twice that of BME applicants. Alongside this a shocking 65% rise in racist assaults on NHS staff was reported in December.

The most recent EHRC survey of the public sector equality duty in NHS trusts suggested that only just over half have objectives on a timeframe for improvement, or clarity about who is responsible for delivery.



Discrimination is rife and clearly increasing, and the same is true elsewhere in the public sector and in the private sector.

Conference calls on the TUC and affiliates to continue to:

- i) highlight the discrimination faced by BME workers on a daily basis in both public and private sectors;
- ii) campaign for reinstatement of the public sector requirement to collect and publish race data; and
- iii) campaign to ensure that all public authorities are required to collect and transparently publicise equality monitoring data
- iv) oppose any future attempts to weaken the public sector equality duty

*Moved by: Chartered Society of Physiotherapy*

*Seconded by: Equity*

## 10 Employment of minority ethnic groups

Conference is profoundly concerned about the ongoing and increasing high levels of unemployment amongst minority ethnic groups. Conference notes that January's ONS figures show that some minority ethnic groups are more than twice as likely to be unemployed as their white counterparts, and that the gap is set to widen as public sector jobs, where minority ethnic workers are more likely to be employed, continued to be slashed by the Tory-led government. Conference recognises there is an urgent and desperate need for decent and secure jobs to be created on massive scale. Conference condemns the recent proliferation of zero-hour contracts and the actions of unscrupulous employers seeking to take advantage of a saturated jobs market by employment workers on uncertain terms on which it can be impossible to live.

Conference notes that whilst current unemployment figures are bad they do not tell the whole story and the reality is far worse due to increasing trends of unemployment and the widespread creation of low paid zero-hour jobs. Conference calls on the TUC to raise awareness of the unacceptable levels of unemployment amongst minority ethnic groups and to campaign for the creation of secure and decently paid jobs for all.

*Moved by: Community*

*Seconded by: Nation Union of Journalists*

## 11 BME Youth and Apprenticeships

Conference abhors the appalling impact on BME workers, their families and their communities caused by the Coalition Government's cuts to the public sector, slashing of welfare provision and attacks on education.

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Unions can play a key role in working with employers to encourage them to provide decent and well paid apprenticeships with a job at the end, and to put in place positive action measures to recruit and select BME young people.

Conference deplores the disproportionately high BME youth unemployment rates, compound by disproportionately take-up rates of apprenticeships revealed by the latest unionlearn/National Apprenticeship Service research. Despite applying, BME young people are not getting places. When they do get a place, they are over-represented in low-paid apprenticeships and under-represented in high-paid apprenticeships.

Conference calls upon the TUC/affiliates to:

- i) lobby the Department of Work and Pensions and the NAS to develop an effective strategy which improves the take-up rate of BME young people applying for apprenticeships;
- ii) lobby the Government to ensure that all apprenticeships are of a high quality and lead to real jobs;
- iii) work with parents, education staff, community groups and employers to raise awareness of the benefits of high quality apprenticeships and the chance to 'earn while you learn';
- iv) expose discrimination in application processes and workplaces; and
- v) campaign for a statutory state-provided national careers guidance service, which is impartial, face-face, professional and a diversity-aware and integrated with school and colleges.
- vi) develop a trade union action plan to work with employers targeting BME young men and women for apprenticeships.

*Moved by: Association of Teachers and Lecturers*

*Seconded by: Unite the Union*

### 12 Young minority ethnic performers in the creative industries

The Musicians' Union (MU) is concerned about the lack of opportunities for young minority ethnic performers in the creative industries. Two years ago the MU launched the "Work not Play" campaign, which aims to support fair pay for musicians. Being asked to work for free is something which can affect all musicians and performers, but it can be particularly difficult for young people who do not necessarily have the 'contacts' or the financial support needed to get a foot in the door.

Creative Access is working with employers across the creative industries to help them to appeal to a broader audience and ensure healthy growth of the industry. As Creative Access has said - "Media cannot reflect Society if society does not reflect media".

Conference asks the TUC Race Relations Committee to support Creative Access in their goal to ensure that more young people from under-represented black, Asian and minority ethnic communities have the opportunity to work and thrive in the creative industries.

*Moved by: Musicians' Union*

*Seconded by: Equity*

### **13 BME women in male-dominated industries**

Conference notes the excellent work of the TUC, through the TUC Women's Committee, to address the under-representation of women in male-dominated industries.

Conference recognises that there is also significant under-representation of BME women within these industries, and that they face specific discrimination in the way of cultural, as well as gender, stereotyping. For example, in a recent study 90% of BME women believed they needed to leave their culture behind to move forward in the workplace.

Conference calls on the Race Relations Committee to:

- i) work with the TUC Women's Committee in collaboration with organisations promoting and supporting women in male-dominated occupations, such as WISE, to recognise the particular issues facing BME women;
- ii) identify professional BME women as role models and publicise their achievements; and
- iii) provide good practice guidelines on dealing with the discrimination faced by BME women.

Conference further calls on TUC affiliates to ensure that:

- a) employers monitor the position of BME women at all levels within their organisation;
- b) positive action measures in workplaces to increase women's participation take account of the double discrimination faced by BME women; and
- c) employers introduce specific mentoring programmes for BME women.

*Moved by: Prospect*

*Seconded by: FDA*

### **14 Improving Black Workers Working Life**

Conference notes;

Black Workers' experience is characterised by high unemployment, low pay and harassment at work.

The level of unemployment experienced by Black communities' remains stubbornly at twice the national average. This is despite the recent increase in jobs that are characterised by part time,

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temporary and insecure employment based on zero hour contracts, particularly in sectors of high concentration of Black workers – the service, retail and the privatised sections of the public sector.

Black workers income experience is characterised by low pay and an ethnic pay gap. In 1993 white people earned an average of 18p an hour more than non-whites, but by 2008 the gap had risen to 43p an hour.

To resist race discrimination there is a need for specific workplace equality reps supported by statutory underpinning. Workplace equality reps can help transform the lives of many Black workers and other vulnerable workers by putting in policies and agreements that are essentially 'preventative' and avoid costly litigation.

Conference calls on the General Council to campaign to:-

- i) end Zero hour contracts;
- ii) implement the living wage nationally; and
- iii) gain statutory support for workplace equality reps.

*Moved by: GMB*

*Seconded by: Unite the Union*

### **15 Extended leave**

Extended leave agreements are vital for many Black workers. Studies show that they are still scarce in many sectors and even where they do exist, Black workers can struggle to access their rights to extended leave. In the absence of such agreements, Black workers have to choose between keeping family ties and keeping their jobs. Unions have made progress in terms of getting this issue onto the bargaining agenda but there is still a long way to go. Whilst such agreements benefit all workers, there are particular issues for Black workers. Black workers are more likely to have family living overseas and, because of discrimination are less likely to access their rights and more likely to find themselves caught up in disciplinary procedures.

Conference calls on the TUC to:

- i) work with unions to ensure this issue stays on campaigning and bargaining agendas and that Black members know about their rights to extended leave where these agreements exist;
- ii) encourage unions to ensure that where Black members are being victimised or disciplined, such actions are robustly challenged; and
- iii) raise awareness amongst reps of how the Equality Act can help Black members who need time off to visit overseas.

*Moved by: Union of Shop, Distributive and Allied Workers*

*Seconded by: GMB*

## 16 Discrimination of BME Staff within Performance Management Systems

Conference notes that research within Civil Service departments shows that the BME staff are less likely to be rated within the top performance bands and more likely to be placed within the must improve performance bands than white staff.

In many departments, those rated outside the upper quartile will often be denied a pay rise and therefore suffer a measureable detriment. They may also be placed at a higher risk of dismissal, whether through redundancy or as a result of a poor performance process, due to staffing levels being reduced as a consequence of departmental spending cuts.

Conference calls on the TUC Race Relations Committee to encourage affiliates to:

- i) use Freedom of Information provisions in the public sector where necessary to seek and share data from employers on the effect of performance management systems on all protected characteristics;
- ii) push for, and participate in equality impact assessments;
- iii) produce best practice guidance and training sessions on unconscious bias to allow any trends of discrimination to be highlighted and prevented before the final markings are determined; and
- iv) challenge the concept of pre-determined quotas, which have no place in performance management systems.

*Moved by: FDA*

*Seconded by: Prospect*

## 17 Equal Education for All

Conference views the Inquiry by the Children's Commissioner into school exclusions, with its figures about the numbers of black children excluded from education, as a "call to arms" Conference condemns this Government's range of ideological education policies which do nothing to empower schools to meet their pupils' individual educational needs, wellbeing or safety but much to rank, label and divide children in this country. Conference believes that decades of progress in anti-racist education is at stake.

Conference also restates its opposition to this Government's demonisation of the public sector, their under- valuing of public servants and the misguided attachment to introducing private sector practices known to accelerate discrimination, such as performance-related pay. Teaching unions know that black workers in education will not be incentivised by PRP but will be divided, de-motivated and denied pay progression, at a time when pay for Members of Parliament may raise by 11%.

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Conference calls on the TUC to campaign in defence of the public sector and use the run up to the next election to campaign widely for education service as a national and public good which must be democratic and promote equality for all children.

*Moved by: National Union of Teachers*

*Seconded by: University and College Union*

### **18 Government education policy and race equality**

Conference is alarmed at the adverse impact of the Coalition Government's education reforms on racial equality in schools.

Conference asserts that black and minority ethnic (BME) pupils and teachers are paying the price of damaging reforms, which are detrimentally affecting educational attainment and the career progression of BME staff.

Conference denounces the Coalition Government's decision to scrap targeted strategies and dedicated funding for race equality in schools and colleges.

Conference further denounces the downgrading of equality in the school inspection framework and the removal of the requirement for inspection of community cohesion.

Conference is appalled that, despite research evidence demonstrating that 'institutionalised' racism is preventing BME teachers' fair and equal access to employment and progression, the Coalition Government continues to introduce policies which compound this situation.

Conference calls on the TUC to work with affiliates to raise public awareness of the adverse impact on racial equality within the education system of the Coalition Government's education and social reforms and to campaign vigorously against these.

*Moved by: NASUWT*

*Seconded by: Unison*

### **19 Transport Poverty**

Conference is shocked to learn that since privatisation, rail fares across all journeys have gone up by an extraordinary 83.7%, a real terms increase of 20%.

Conference acknowledges that UK fares are 20% higher than in European, and London commuters pay twice as much for season ticket as their counterparts in other European cities.

Conference condemns the excessive above inflation rises that this government allows; in times of austerity with pay freezes and wage cuts this can mean transport poverty for many households. This will be markedly higher in ethnic minority households who have greater levels of employment within the public sector.

Passenger numbers are at their highest since wartime. This coupled with the cost of fares means companies are seeing profits soar, giving huge bonuses to shareholders with little investment in improving our railways.

Conference believes that fares increases further discriminate against ethnic minorities given that 2/5ths of black workers live in low income households, more than the national average.

Conference calls on the Black Workers TUC Committee to:

- i) lobby the government to end above RPI fare increases
- ii) support the Action for Rail campaign which campaigns against fare hikes and against attacks to the rail industry.

*Moved by: ASLEF*

*Seconded by: Fire Brigades Union*

## 20 Mental Health Provision for BAEM Communities

Research shows that BAEM communities are at a disadvantage in the provision of and accessing statutory mental health services. Key issues include:

- i) entry into the system often via the courts or sectioning under the Mental Health Act;
- ii) more often medication is prescribed, rather than looking into available therapies;
- iii) late admittance with more acute conditions;
- iv) over-representation of black men in secure services;
- v) much more likely to be diagnosed as suffering from psychosis;
- vi) poor self-referrals; and
- vii) ongoing barriers/fears in accessing services

Conference believes the current system still needs to be better designed to effectively meet the needs of BAEM communities and this must include a strong commitment to deal with cultural issues. The Department of Health's policy must be backed up by a coherent delivery of the service by trained staff who are informed/knowledgeable on issues around ethnicity and better representation of BAEM staff.

Conference calls on the TUC and affiliated unions to:

- a) campaign for the production of targeted literature to meet the needs of different communities;
- b) a review of service delivery through a comprehensive mapping/monitoring exercise;
- c) develop a culturally sensitive care pathway; and

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- d) recruit and retain more BAEM therapists/community workers to help provide culturally sensitive services and bridge the current gap.

*Moved by: Unite the union*

*Seconded by GMB*



## **ELECTION RESULTS**

For the TUC Race Relations Committee 2014-15

The following were duly elected \*

<b>SECTION A (Fourteen Places)</b>		<b>Votes</b>
Dotun Alade Odumosu	GMB	136*
Gargi Bhattacharyya	UCU	127*
Freddie Brown	Prospect	129*
Michelle Codrington-Rogers	NASUWT	140*
Floyd Doyle	ASLEF	105*
Carol Hodgson	Community	101
Zita Holbourne	PCS	120*
Betty Joseph	NUT	131*
Aveninder Kaur	ATL	108*
Maureen Loxley	USDAW	138*
Frank Murray	RMT	119*
Michael Nicholas	FBU	126*
Faisal A Qureshi	BECTU	118*
Amarjite Singh	CWU	136*
Nazerin Wardrop	Unite the Union	122*

### **SECTION B (Four Places)**

Collette Cork-Hurst	Unite the Union
Farzana Jumma	GMB
Dawn Livingston	UCU
Eleanor Smith	UNISON

### **SECTION C (One Place)**

Sajid Shaikh	CWU	91*
Jim Thakoordin	UCU	59

\*The asterisked candidates were duly elected in Section C

### **SECTION D (One place)**

Phyll Opoku-Gyimah	GMB
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## ***CLOSING DETAILS***

### ***VOTE OF THANKS***

The vote of thanks was moved by Cecile Wright – University and College Union and seconded by Sharon Knight - Prospect.

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### ***MOTION TO CONGRESS***

Conference voted for Motion 6 – Immigration Bill

***The Conference ended at 12.30pm on Sunday 13 April 2014.***


