

## Executive Council Report March 2016

**EC Minutes December 2015** – Read and Adopted

**FGPC 14<sup>th</sup> January 2016** – Read and Adopted

**FGPC 11<sup>th</sup> February 2016** – Read and Adopted

### General Secretary's Report

#### Public Meetings and General Events

- Unite Scottish Policy Conference.
- Attended National Holocaust Memorial Day 2016, London.
- Attended Labour Party Trade Union Reception, Leader of the Opposition's Office.
- Speaker at the Oxford Union, 'Jeremy Corbyn: Blast from the past or leader of tomorrow'.
- Key note Speaker at The German Embassy London for a Conversation on Europe.

#### Political, International & Inter-Trade Union Matters

- Various meetings with Frances O'Grady, TUC General Secretary.
- Various meetings with senior staff on Unite response to the Trade Union Bill.
- Meeting with President Donald Taylor, UNITE-HERE.
- Various meetings with Jeremy Corbyn MP, Leader of the Labour Party, and John McDonnell MP, Shadow Chancellor of the Exchequer.
- Various meetings with senior staff on Unite Political Strategy.
- Meeting of the Big Four Trade Union General Secretaries.
- Various meetings of the TULO Contact Group.
- Various meeting of the TUC Executive Council and General Council.
- Meeting with Andy Stern, former president SEIU, and Bruce Raynor, former Executive Vice President of the SEIU.
- Meeting with Pat Rafferty, Scottish Secretary, and Grahame Smith, General Secretary STUC.
- Meeting with Iain McNicol, General Secretary of the Labour Party.
- Meeting with Baroness Smith of Basildon, Shadow Leader of the House of Lords to discuss the Trade Union Bill.
- Meeting with Lord Kerslake, Crossbencher, to discuss the Trade Union Bill.
- Meeting with Lord Stoneham of Droxford and Baroness Burt of Solihull, Liberal Democrats, to discuss the Trade Union Bill.
- Meeting with Baroness Neville-Rolfe, BIS Parliamentary Under Secretary of State, to discuss the Trade Union Bill.

- Meeting with Ian Lavery MP, Shadow Minister for Trade Unions and Civil Society.
- Meeting with Clive Lewis MP, Shadow Minister for Energy and Climate Change
- Attended Unite & BWI Delegation to Qatar, 2022 No World Cup Without Worker's Rights.
- Meeting with Mark Sewotka, PCS General Secretary.
- Meeting with Keir Starmer MP QC, Shadow Immigration Minister.
- Meeting with Brian Rye, Acting General Secretary, UCATT.
- Meeting with Emily Thornberry MP, Shadow Defence Secretary, Tony Burke AGS, Ian Waddell, National Officer, and Jennie Formby, Political Director, on Labour Party Defence Review.
- TUC special meeting of General Secretaries and Labour Party representatives to discuss the Trade Union Bill.
- Meeting with Guardian columnist Owen Jones.

## **Administrative & Organisational Issues**

- Various meetings to discuss Unite property matters and developments in Birmingham.
- Various meetings with Barbara Kielim, Head of HR, to discuss the Officer Assessment Centre.
- Pay Talks with Unite National Officer, Organiser and Staff reps.
- Meeting with Andrew Murray, Chief of Staff, Howard Beckett, Legal Director, and Barbara Kielim, Head of HR, to discuss Stand-down officers and Tribunals.
- Various meetings with senior staff to discuss the Education Department.
- Various meetings with senior staff to discuss the Officer Assessment Centre.
- Various meetings in preparation for Unite Policy Conference.
- Meeting with John Rowse, Regional Secretary.
- Various meetings with Sharon Graham, Executive Officer, on Organising.
- Meeting with Diana Holland, AGS, and Gail Cartmail, AGS, on National Officers.
- Meeting with Howard Beckett, Legal Director, Andrew Murray Chief of Staff, and Ed Sabisky, Finance Director, to discuss Regional Legal Officer roles.
- Meeting with all Regional Secretaries to discuss the Officer Assessment Centre.
- Meeting at the TUC for initial merger talks with UCATT.

## **Constitutional Committees & Industrial Matters**

- Meeting with Diana Holland, AGS, to discuss inter-union issues with URTU.
- Various meetings with senior staff to discuss preparation for Unite Scotland Policy Conference.
- Attended South West Regional Committee, Bristol.
- Attended Welsh Regional Committee, Cardiff.
- Meeting with Pete Kavanagh, Regional Secretary, and Wayne King, Regional Officer, to discuss HAL.
- Meeting with Tony Burke, AGS, and Roger Maddison, National Officer, on Ford Pensioners.
- Meeting with Sajid Javid, Secretary of State for BIS, to discuss the steel industry.
- Meeting with Co-operative Group Shop Stewards.
- Meeting with Chris Harrison and Nigel Stott, Executive Council, to discuss Bassa.
- Various meetings with Ian Waddell, National Officer, and senior staff to discuss preparation for Unite's Defence Conference.

## **Principal Media Appearances**

- Interview, Pienaar's Politics, BBC Radio 5, 2015 review show.
- Interview with Leeds student radio.
- Tribune Magazine, monthly column.

- Interview, Pienaar's Politics, BBC Radio 5, 17th January 2016.
- Interview, Murnaghan, Sky News, 17th January 2016.
- Interview, The World This Weekend, BBC Radio 4, 17th January 2016.
- Article, Daily Mirror, Qatar World Cup Misery, 28th January 2016.
- Unite was mentioned over 2,230 times across key online, print and broadcast media during the period with the general secretary accounting for 410 of the mentions.

## Organising Report

### **BROAD INDUSTRIAL STRATEGY (BIS)**

In the period following the last Executive Council, the dissemination of BIS has continued and is now ongoing. Feedback has been extremely positive and the Union has a clear opportunity to develop a more coherent industrial strategy. It is hoped that the initiatives being undertaken will, assist in the delivery of a genuine step change in the co-ordination of industrial bargaining and provide, a unique opportunity for the Union to help improve outcomes for workers.

The strategy has been welcomed, with valuable input being received from Officers and lay members. As reported at the last EC, to provide practical assistance to our Shop Stewards / representatives, the Department is producing a number of bargaining templates and guides. In addition to those currently available on Pay and Recognition the following are now at pre-delivery stage:

- Trade union facilities template agreement
- Minimum standards template agreement (temporary and agency working)

### **Data collection update**

Significant progress has been made following the last EC, Over 90% of the relevant pay and anniversary data has now been collected for 100% UNITE.

As previously reported, we are now ramping up the upload of all officer allocations to the 100% system. This is allowing us to capture key bargaining information for employers with 10 members or more.

### **CHECK OFF**

The Department and the Public Services sector cluster have developed the Union's workplace strategy to deal with the withdrawal of check-off from the public sector. The membership data has now been cleansed and workplace targets agreed.

The cleansed data shows that over 60,000 public sector members are paying dues via check off. It is important to note that the Department are not taking all areas of those who may have to switch. Some of the areas are being undertaken by the Sector.

As part of the issue based strategy, the Department is also intent on 'growth' and signing up new members to the Union, in order to strengthen existing workplace organisation.

### **100% UNITE**

Following the last EC:

- Over 18,000 new members have joined as a result of 100% UNITE

**And**

- We Also report that the aggregate 2015 target has not just been met by Regions but **exceeded by over 19,000.**

---

# uniteNOW!

---

## **Total 100% UNITE Joiners: BAEM, Disabled, LGBT, Women and Young members: *figures correct as of 29/02/2016***

The breakdown of total 100% UNITE joiners for the 'Equalities' cluster:

- 27.9% of total joiners are recorded as 'Female' members
- 12.0% of total joiners are recorded as 'BAEM' members
- 2.3% of total joiners are recorded as 'LGBT' members
- 1.1% of total joiners are recorded as 'Disabled' members
- 13.7% of total joiners are recorded as 'Young' members

## **NHS**

Without an NHS exemption TTIP will give US investors new powers to bully and sue British governments over NHS policy. As a result of the department's campaign to exempt NHS services from TTIP, the Government (represented by BIS Minister, Francis Maude) has been holding confidential meetings with Unite.

However, publically they have continued to deny that there is a problem. They have also refused to comply with FOI Requests to see their legal advice on TTIP and the NHS. To escalate the campaign, and expose their refusals, the department commissioned leading QC, Michael Bowsher, to produce legal advice on the issue. He concludes that "TTIP poses a real and serious risk to future UK Government decision-making in respect of the NHS".

We met BIS again in February where QC set out his legal advice to their senior lawyers working on TTIP. His advice was circulated to all MPs, MEPs, MSPs, AMs and MLAs the following day and received substantial interest from the media and other campaigners like 38 degrees. It is available on the Unite website.

Francis Maude is stepping down from his position this month, to be replaced by Waitrose boss Mark Price in April. We have a full background briefing on Price and will have another meeting with BIS once he is in place.

## **INDUSTRIAL REPORTS**

### **MANUFACTURING SECTOR**

The latest economic data continues to show the vulnerability of manufacturing and failure by the Tories to rebalance the economy.

The CBI Quarterly Industrial Trends survey (published in January) reports manufacturers seeing a flat start to 2016 with manufacturing production and order books showing signs of stabilising in the three months to January, but limited signs of a recovery in exports. 23% of businesses reported an increase in total new order books and 27% a decrease, giving a balance of -4% (October saw -8%).

The Markit/CIPS UK Manufacturing Purchasing Managers' Index (published in February), beat economists' expectations and rose to a three-month high. The headline index hit 52.9 in January, up from 52.1 in December, above the 50-mark that separates expansion from contraction. However, there are concerns about the damage to UK manufacturers that could be caused by volatility on financial markets and worries about the global economic outlook. The EEF has predicted that the sector will shed tens of thousands of jobs this year as it grapples with tough export markets, steel plant closures and a drop-off in business from the oil and gas industry.

GDP expanded 0.5% in final three months of 2015, up from 0.4% in the previous quarter, but the details behind the figures fuel fears about the unbalanced nature of the UK's economy, with the services sector being relied upon again for growth in the latest quarter.

The latest ONS figures showed industrial output suffered its sharpest monthly drop since December 2012 with manufacturing output - which accounts for about 10% of GDP - falling by 1.7% in December 2015 compared with the previous year. Commenting on the latest figures the AGS called on George Osborne to use the March budget to commit to an active industrial and manufacturing strategy that supports British industry or risk becoming the 'soundbite' chancellor.

On productivity official figures show that UK lags 24% behind Germany, 18% behind France and 45% behind the USA and output per hour was 18% below the G7 economies, all of which Unite predicted in our report on productivity. None of this is surprising given the lack of a manufacturing/industry strategy, high levels of precarious work, uncertainty, low skills etc. in the UK.

## **Industrial issues**

As the EC will be aware the steel industry is facing a massive crisis. At the time of writing this report the investment company Greybull are seeking to purchase Tata Steel's Long Products Division. Greybull also owns Monarch Airlines and through the good offices of Oliver Richardson, National Officer, we have met the owners of Greybull to discuss with them the potential purchase. Greybull have advised us that if they do purchase the Long Products Division (which includes Scunthorpe), they will be in the business for the "long term". They advised us that they would be seeking a "turn around" plan. Discussions are being conducted by National Officers of the steel unions along with the local Reps. At the time of writing changes to members terms and conditions of employment are being proposed and I will update the Executive Council at its meeting.

In addition we have been working with other National Officers in making contact with infrastructure projects where there is a major use of steel. These include EDF Hinkley Point (Forgemasters), Bombardier (new train manufacturing) and other approaches are being made to companies about the procurement of UK manufactured steel.

At Port Talbot discussions on the number of redundancies are ongoing and at this stage there have been no proposals for changes to terms and conditions.

In mid February a demonstration organised by the European Steel Manufacturers Organisation, EUROFER, took place in Brussels with over 5000 steel workers from across the EU taking part and lobbying the European Parliament, notably on the issue of cheap imports from China and elsewhere and the proposed Market Economic Status being awarded to China. The latter would mean that the EU would be open to being flooded by cheap Chinese imports in all forms which would hit manufacturing if MES was awarded to China. The TUC, IndustriALL Europe and many Unions in manufacturing across Europe and the USA are opposed to the awarding of MES to China because of the damage it could do. However the UK Government are supportive of MES, as they have been in their policies of selling off infrastructure projects to China.

In addition we have continued to put pressure on the Government to provide support and assistance for the UK steel industry however Secretary of State, Sajid Javid, once again demonstrated their "hands off" approach by not supporting increased tariffs on China to the level which applies in the

---

# uniteNOW!

---

United States. This has brought severe criticism on the Government from all quarters of the steel industry.

The Secretary of State has now also set up a Steel Council involving all sides of the industry and the General Secretary has agreed that the AGS represents Unite on the Steel Council.

Meetings have continued to take place with the Labour Leadership and Angela Eagle, Shadow Secretary of State at BIS, on the steel crisis and we are also in touch with our MEPs on this matter. The Offshore Oil Industry is also in crisis with up to 7000 offshore workers having lost their jobs in the last few months as the price of a barrel of Brent Crude continues to fall probably towards the \$20 mark.

Unite has been at the forefront of campaigning both in Scotland and in Westminster for the Governments to convene an "oil industry summit" and at the time of writing the Secretary of State at the Department for Energy and Climate Change has agreed to meet with us to discuss the proposal.

One of our other major concerns has been the possible loss of the main National Agreement for offshore workers – OCA. However things have stabilised and a meeting took place recently in Aberdeen with all the offshore Unions and the STUC to agree a new union structure called the Offshore Contact Group.

A press conference was convened in Aberdeen which received significant media coverage in Scotland where our demands for an Oil Summit to discuss the future of the industry and issues such as decommissioning of rigs, working hours etc. could be discussed. In addition we are busy building up a stronger network of Shop Stewards and developing social media communications with our members, as well as organising offshore.

Unite recently met with the Norwegian IndustriEnergi Union about the crisis and one of the areas of joint work will be mutual help in organising in the industry and also the supply chain.

The AGS attended and spoke at a Rally in Ballymena, Northern Ireland on the need for support for manufacturing and a strategy for manufacturing in Northern Ireland. This follows on from big job losses through the proposed closures of the JTI Gallagher's plant and the Michelin plant in NI. The rally was a great success with significant media coverage during the week and which was added to by the support from actors James Nesbitt and on video Liam Neeson. At the point of writing this report we have been notified of big job losses at Bombardier aircraft plant in Belfast and the lay off of agency workers at the site.

A meeting has also taken place with the EEF with colleague AGS Gail Cartmail who sits on the Board of UKCES, and National Officer Ian Waddell to discuss with them issues related to the new Apprenticeship Levy which both sides of industry have concerns.

## **AEROSPACE & SHIPBUILDING**

### **Significant Industrial Developments (Pay and Pensions)**

Members at Airbus voted narrowly to accept a two year pay deal after a difficult set of negotiations at national level. The offer was for 2.3% for 2016 and 2.3% for 2017. This fell short of many

members' aspirations as the company has a huge order book going forward and is increasing profits. However, the offer pushed the UK management beyond their negotiating authority and approval had to be sought from Toulouse for the offer to be made.

### **Significant changes to membership terms and conditions**

National negotiations have been ongoing at Babcock Clyde (Faslane and Coulport) over the restructuring of the Nuclear Operations part of the business. Management are seeking to significantly reduce the numbers of people on shift, which they claim is due to an MoD decision to reduce the need for 24 hour working. However, the proposals will mean over 100 of our members will either be forced on to day shifts at a loss of up to 40% of their earnings, or take redundancy. The proposals have been rejected by our members and preparations are under way for an industrial action ballot should the company seek to impose the restructuring.

### **Significant job loss/redundancies/closures and effect on sector**

Bombardier have announced proposals to cut jobs at their aerospace factory in Belfast. The announcement the company have made is for 580 jobs to go, with the potential for another 500 to follow. The announcement follows the rejection of a cost saving plan by our members at the plant, which involved unacceptable cuts to pay and terms and conditions. The company has financial problems due to the level of investment it has made in the new composite C Series airliner, which is competing in a fierce market with Airbus and Boeing.

### **Strategic plans for the sector**

The Sector is organising a one day conference of Shop Stewards on defence, to be addressed by the General Secretary, which will take place in Preston in March. The event will be aimed at senior union reps from the sector and will demonstrate the value of defence manufacturing to the UK economy. Meanwhile, the delegates will hear that spending by the UK MoD is going increasingly offshore, much of it to the USA. The conference will call for a defence industrial strategy as part of a broader Manufacturing Strategy for the UK.

### **Political activity**

The Sector is heavily involved in preparing a response to Labour's Defence Review. As part of this work, the NISC are working on a report which examines the many attempts our members have made over decades to advance arguments for diversification out of defence, and look at the reasons these have largely fallen on deaf ears. The Shadow Defence Secretary has agreed to make a number of site visits in the run up to the closure for submissions in April and has promised to visit the Barrow shipyard where the UK's nuclear powered submarines are built.

Employers in the Sector have already been vociferous about the value of the UK remaining in the EU. Now that the date of the Referendum has been announced it is anticipated that there will be many more statements made as the Aerospace and Shipbuilding industries rely heavily on Europe for investment, ownership and customers.

### **Other activities**

Unite is part of a European project to look at developing strategies to deal with the impact of demographic change in the aerospace industry. Along with many manufacturing industries, there is an ageing workforce and a skills shortage in a number of key areas. The project aims to understand how this can be the case when there is mass youth unemployment across Europe and look at tools

---

# uniteNOW!

---

to overcome barriers for recruitment of young people. It will also look at whether jobs can be adjusted as workers get older, recognising that their physiology changes with age.

Unite is also a key member of the industriAll Aerospace Committee at European level and the committee will be hosting a conference with MEPs on 27th April to outline the importance of aerospace to the EU. Glenis Wilmott is leading for the MEPs, reflecting a good working relationship which has been built up by Unite reps who have travelled to Brussels on a regular basis to meet Glenis and the other UK Labour MEPs.

## **AUTOMOTIVES**

### **Membership & Organising**

GM at Luton are going onto 3 shifts and we now have secured access to all new starters during the induction process.

Jaguar Land Rover, White Collar – our new Convenor at Whitley (white collar) has commenced a strategic organising campaign with the help of Organisers in the Region and she has identified significant potential for growth of membership.

At Toyota, following the signing of a new agreement our membership in the main OEM in Derby and the engine plant in North Wales continues to grow. Membership now stands at 48.5% at Derby and 37.6% at Deeside.

At Nissan the company have now agreed to discuss a new recognition and operating agreement. Unite have proposed a new framework to get the discussions moving with a priority for a new facilities agreement which will include an increase in the number of Stewards to reflect the size of the site where there now almost 7000 employees.

At Honda the company have continued to drag out discussions on a new recognition agreement and the National Officer has issued a deadline for the company to make a decision one way or another and discussions will have to take place if the company continue to drag their feet in regard to this matter. The company are also seeking to increase the length of the working week which we have flatly refused to discuss and indicated that they need to increase employment and put on an extra shift.

### **Significant changes to membership terms and conditions**

Ford has now agreed to pay holidays at full premia as well as including voluntary overtime based on the first 20 days. We believe this is industry leading and could well set a template for other large OEM's with Jaguar Land Rover next on the list. Thanks should go to Howard Beckett and in particular Alys Cunningham who helped with advice and guidance through some difficult negotiations. Ford also enter into a new agreement on pay with an increase of 5% in year 1 with RPI +0.5% year 2 OR 2% whichever is greater.

At Bentley and BMW Group we are involved in discussions with both companies over the increase in national insurance payments to generate income for the new Government pension scheme due to commence in April 2016.



---

# uniteNOW!

---

## **Significant job losses/redundancies/closures and effect on sector**

Ford has announced 197 redundancies in the staff areas. This will be done on a purely voluntary basis only but we do have concerns that we could see some jobs exported to low cost economies rather than normal restructuring.

## **CHEMICALS, PHARMACEUTICAL, PROCESS & TEXTILE**

### **Membership and organising**

The National Officer has been going through the sector membership taking a strategic view of the sector, with the intention over the coming months and year of establishing functioning combines and drafting a strategic plan for each component part of the sector where the various combines and our members can drive their own particular industry forward.

We have had our first Tyre strategy meeting in January to discuss the industry and its many issues and the impact of Chinese dumping, each workplace is now being mapped.

The Wells to Wheels Conference will take place on May 11th & 12th with three speakers, Chris Hunt UKPIA Director General, Cogent Sector Skills (tbc) and Syndex, with the education department doing a course based on the swot analysis by Syndex.

The Union has conducted the first check on our membership with the sector officers and regions to draft a comprehensive map of our chemicals and glass stewards to arrange chemical and glass combines in the middle of the year, this has produced hundreds of activists that we are currently checking for accuracy before arranging both of these combines.

An Oil coordinating group between Unite and other offshore unions involved in the offshore oil sector in Scotland has been created to have a focused approach to deal with the challenges that our members face.

Unite held a meeting with Industri Energi in Norway to discuss the offshore oil sector where we have agreed a closer ongoing working relationship between Industri Energi and Unite to organise and address the many challenges in the sector during these difficult times in the oil industry.

### **Significant Industrial Developments (Pay and Pensions)**

We have completed the consultation with Invista Textiles where the company closed the DB pensions scheme, the company agreed to part of our proposals by continuing DB avc's for another 2 years.

We are currently in consultation with BOC over changes to their scheme as a result of the S2P changes in April 2016, we have put detailed alternatives to the company who are currently considering them.

### **Industrial Action**

The BOC drivers were balloted for industrial action over pay – the company have made an improved offer that our members accepted – complete.

### **Political activity**

We are arranging a meeting of cross parliamentary MP's that are responsible for Tyre factories in their constituencies to present a case that will start to address the dumping of cheap Chinese tyres in the UK, as well as running our own Unite strategy in tandem with this.

## **GENERAL ENGINEERING, MANUFACTURING & SERVICING**

### **Membership and Organising**

The sector is currently developing a strategy for recruitment within the lift industries a meeting of the big four - Otis, Kone, ThyssenKrupp and Schindler National Negotiating Committees will be held in the near future with the view of setting up a lift combine.

### **Significant Industrial Developments (Pay and Pensions)**

**ADT** - The company at pay talks tabled a final offer of 2.8%. This is an 18 month deal as the company moved the anniversary date from the 1st of July 2015 to the 1st of January 2016 to align it with the staff anniversary date. This deal averages at 1.89% over the 18 month period, the NNC did not recommend the deal, however the deal has been balloted on and accepted by the members.

### **Significant changes to membership terms and conditions**

**Chubb** – A proposal to introduce a shift system to maximise cover across the country and to comply with the Working Time Regulations.

This proposal has been overwhelmingly rejected by the members and we are currently in negotiations with the company to find a way forward.

### **Strategic plans for the sector**

The GEMS sector is currently looking to update the Engineering Excellence document with a view to doing a re-launch in Parliament. The sector going forward wants to lobby MP's to ensure that manufacturing is at the heart of the Labour Party's next manifesto with a clear manufacturing policy.

## **GRAPHICAL, PAPER & MEDIA, IT & COMMUNICATIONS**

### **Membership and organising**

**York Mailing** – There has been a new declaration of recognition at this company following a successful CAC application and the next steps will be a recognition agreement.

**Ambitions Personnel** - a new recognition and procedural agreement has been signed with this company and discussions will take place to expand the agreement.

**National Industrial Sector Sub Group** - After passing several motions on organising at the November Sector Conference, it has been agreed to set up a sub group to further promote and increase membership within both the GPM and IT industries and a meeting has been set up with organising department about delivery.

### **Significant Industrial Developments (Pay and Pensions)**

**Polestar** - all sites have now accepted pay increases apart from Bicester (not due until March). Sheffield Gravure have settled on 2.5% from 1st January and Chantry Web 2.5% from 1st October 2015. This was after a most difficult period due to major changes of ownership and lots of uncertainty over the future of the company which had been well publicised in the Times, Guardian and Print Week.

**Confederation of Paper Industry, Paper Sector** - The National Officer met with the reps and officers covered by this agreement for discussions on aspirations of the group. A National Negotiating Committee was elected and met with the CPI secretary and company representatives over 2 days. A final offer was received from the CPI of 1.9% on all elements of pay. The committee have

---

# uniteNOW!

---

recommended acceptance and the offer is now out to ballot.

**Kimberley Clark, Barrow and Kemsley Mill** - after lengthy negotiation where the company were clearly determined to get an agreement between CPI and RPI of around 1%, the pay committee pushed for a 2%. A final offer was agreed to recommend to the membership of 1.95% on all elements, plus 0.05% lump sum. The membership have now been balloted and agreed to accept by a 65% majority.

**Crown Packaging Group** – The company indicated to all sites its intention to pass on all costs from the National Insurance alterations as from 1st of April 2016. After several national meetings agreement has been reached to phase increases in over a 2 year period. This only applies to DB members which are about 40% of the current employees and falling due to this being closed some years ago.

The above pension changes are a challenge to Unite at many of our companies that still have DB schemes.

### **Significant job loss/redundancies/closures and effect on sector**

**Pearson Group** - have announced a possible 4000 redundancies worldwide. It is expected that around 10% of the UK employees may be affected.

**Penguin Random House** – The company have announced closure of its warehouse near Coventry by 2017, with the loss of around 225 jobs.

**TMG Trinity Mirror Group, Newcastle** - The company announced the closure of its site, resulting in approximately 50 job losses. Unite is now taking legal advice looking at the lack of consultation at the “information and consultation body” . Unite reps had met with this body and management 10 days prior to the announcement and had specifically requested information about possible movements of titles.

### **Strategic plans for the sector**

**Graphic Packaging** - A meeting took place of all UK reps for this company, to discuss moving towards an Information and Consultation body. It was agreed to look at an EWC for this group and the National Officer will be meeting colleagues from Ver.di (German Union for Paper and Packaging) to look for a second letter partner.

**Digital Revolution** - Members in the IT industry produced their own document on the forthcoming digital revolution and what it would mean not just for the IT industry but for manufacturing and services in general. The document recognises the significant increase in the use of digital technology and computer power over the next few years and how this will affect jobs and employment.

A booklet has been produced entitled “A New Digital World” which has been widely circulated and a further meeting is being planned with the AGS to discuss the wider implications of the digital revolution and “Industry 4.0” on employment and jobs in manufacturing.

### **Political activity**

During the Christmas break the Government’s Media and Culture department slipped out a request for “ideas and comments” on how the Digital Revolution would affect the UK economy.

---

# uniteNOW!

---

Rather than do a specific response Unite sent the Minister a copy of “A New Digital World” document and offered to meet with them with experts who are Unite members.

We have received a response thanking us for the document but the Minister declined to meet with us at this stage.

## **METALS (INC. FOUNDRY)**

### **Background**

**TATA Steel Europe** has already put its Long Products Business on sale and narrowing down its focus on “profitable and promising business divisions in Europe like its strip business while moving away from continuously loss making units.

Globally, declining steel demand and increased production in China and Russia have resulted in high export levels at unprecedented levels never seen before which has had a drastic impact for our members working in the steel industry facing uncertainty of their future and the community they live in.

Despite continued pressure on the Government for intervention and support very little action has been realised to date. Our Union has continued in pressurising and lobbying for intervention and support from government and the European Union.

### **Membership and Organising**

Despite the depressing situation in the Steel and Foundry Sector in the UK the National Committee has continued to focus its attention at membership organisation and has not lost sight of initiating campaigns with a view of ensuring that the Sector remains at the heart of manufacturing strategy in the UK. This initiative is to create a Manufacturing Combine to ensure that every Sector in Manufacturing is fully involved with UK Steel at the heart of the strategy.

## **SERVICE SECTOR**

### **Introduction**

The Finance Sector has made modest but welcome inroads in challenging the pay matrix model ensuring in a number of major banks that staff otherwise excluded received some cash. The pay negotiation outcomes in a climate of job cuts and zero inflation should not be underestimated and the Sector has maintained a good media profile for Unite.

The Health Sector’s membership continues to report net growth with membership at 101,230. All relevant Sectors are now engaged in the Unite Check Off Campaign to secure the ‘switch’ from check off to direct debit based on workplace campaigning. National and Regional Steering groups are up and running.

Across almost all sectors covered by this report, public and private sector employers are chipping away at the worker’s ‘share’. It is evident that employers are preparing to remove paid meal breaks, remove unsocial hour’s payments and introduce other cost cutting measures to compensate for the introduction of the so-called National Living Wage, changes to NI and HMRC rules on allowances. For this reason the Public Sector Combine reviewed ‘pay’ in the context of changes to all quantifiable terms and conditions of employment and Unite has encouraged the TUC to engage with all relevant unions to gauge the potential for coordination on cross cutting issues that will further shrink the

worker's 'share'.

Coordination with our sister unions in Europe and more action to combat social dumping is now a priority for construction. As this report demonstrates urgent action to safeguard migrant workers from flagrant exploitation and secure equal pay is justifiably demanded.

## **BUILDING CONSTRUCTION AND ALLIED TRADES**

Unite, are working jointly with UCATT & GMB, supporting our members who are lobbying Local Authorities and Venture Capitalists Clients who continue to award major Energy from Waste Projects around the UK to non-UK companies who continue to hide behind the EU Posted Workers Directive, whilst paying slightly above the National Minimum Wage, resulting in a 63½% cut in Wages instead of these projects actually utilising the recognised industry collective agreement (NAECI).

As renowned International Engineering Companies from the sector with a UK base and workforce, simply cannot secure or even construct these contracts them either in the current market environment, as these Client's hover like vultures in supervising the Race to the Bottom resultant in our members been made redundant.

- Peaceful Demonstration will continue to go ahead on a regular basis
- The three Trade Unions will continue to seek talks with the respective European Trade Unions for a cross sector European approach.
- The Unions will continue to oppose Social Dumping in two ways, highlighting where those European Workers are paid a pittance in Wages and UK workers are continually overlooked for employment and the next generation of apprentices similarly are lost to the industry.
- Evaluate the opportunity for a political lobbying in the UK and EU highlighting the necessity for the Posted Workers Directive to recognise the Industry Collective Agreements as the standard as opposed to the National Minimum Wage; otherwise our long established industry based collective agreements will be obsolete and will be a thing of the past?

## **PAY NEGOTIATIONS**

### **Scottish Local Government Craft Workers Pay and Conditions**

A two year Pay deal has been agreed in Scotland by all the three craft unions. Members will get a 2.5% increase over the two years of the agreement. The agreement front loads the increase with 1.5% in the first year backdated to April 2015 and then from April 2016 1%.

### **Red Book England and Wales 2016-2018 Pay Offer**

The Local Government Employers have made a final pay offer to the Craft JNC Trade Unions. The Offer is:

From 1 April 2016:

- £930 (equivalent to 6.72%) on Building Labourer grade
- £436 (equivalent to 2.95%) on Heating & Ventilation Mate grade
- £580 (equivalent to 3.89%) on Building Operative grade

---

# uniteNOW!

---

- £210 (equivalent to 1.31%) on Plumber grade
- £276 (equivalent to 1.67%) on Engineer & Electrician grade
- 1% on all allowances

From 1 April 2017:

- £475 (equivalent to 3.22%) on Building Labourer grade
- £375 (equivalent to 2.46%) on Heating & Ventilation Mate grade
- £300 (equivalent to 1.93%) on Building Operative grade
- £300 (equivalent to 1.85%) on Plumber grade
- £300 (equivalent to 1.79%) on Engineer & Electrician grade
- 1% on all allowances

For all other Craft JNC employees (regardless of job title and designation) whose rate of pay differs from the salaries set out in the Craft JNC 2014-16 pay agreement, but is still contractually linked to the annual settlement reached by the Craft JNC, the Employers' offer is as follows:

From 1 April 2016: 1% on basic salary and allowances

From 1 April 2017: 1% on basic salary and allowances

The Local Government Employers Side have stated they are seeking to dissolve the Red Book Craft Agreement over the next two years.

## **COMMUNITY YOUTH AND NOT FOR PROFIT MEMBERSHIP AND ORGANISING**

### **Care International UK**

Recognition agreement signed at this international NGO. CARE fights poverty and injustice in the world's most vulnerable places and employs around 100 staff, mostly in the UK.

### **GMB**

The GMB NNC recently ran a ballot of all Staff and Officers asking if they wish to seek recognition for Unite to have collective bargaining rights for the whole workforce. There was overwhelming support for this proposal but the result was not wholly conclusive as the ballot was run regionally and no results were received from two regions. Unite has now met with the GMB Senior Management and proposed that a further joint ballot should be held of all the workforce on the question of a collective agreement with Unite. It is proposed that if a majority of those voting are in favour then GMB should agree to enter into such an agreement. The SMT are questioning the validity of the results of a ballot in the event that a substantial majority do not participate. Unite have firmly asserted that we are unwilling to enter into an agreement alongside representation rights for another staff body. The proposal is for a single recognition agreement with the criteria for success being a simple majority of those voting. This proposal is going back to the SMT for their further consideration.

## **SIGNIFICANT INDUSTRIAL DEVELOPMENTS (PAY AND TERMS AND CONDITIONS)**

JNC (Pink Book) youth work pay and terms and conditions

- The employer's side have advised local authorities that it is their intention to bring the JNC Pink book agreement to an end, via assimilation.

---

# uniteNOW!

---

- Unite has hit back by asking Unite Local Councillors Network to write to the Chief Executive of the LGA to instruct LGA Officers not to proceed with plans to assimilate the JNC Pink Book.
- The defence of the JNC Pink Book will be a huge priority for the section in 2016.
- A lobby of the LGA Executive is to be held on Thursday, 3rd March at Local Government House, Smith Square, SW1 – widespread support for this event to support our Youth and Community members in their struggle to defend their national pay and conditions.

## **SIGNIFICANT JOB LOSS/REDUNDANCIES/CLOSURES AND EFFECT ON SECTOR**

### **Warrington Borough Council**

- The Council have proposed a £600,000 cut to effectively end youth services in Warrington.
- Youth workers remaining in employment will be moved into Locality Teams and will be managed by bosses without a youth work background.
- Youth and community workers will also be removed from JNC Pink Book terms and conditions. The 45 day consultation started on 6 January.

Sadly, proposed cuts in youth service budgets continue unabated in the following Local Authorities: Bexley, Brent, Dorset, Havering, Lancashire, Plymouth, Rhondda Cynon Taf, Richmond upon Thames, Southwark, Thurrock and Walsall.

## **INDUSTRIAL DISPUTES**

### **Action for Children**

Unite members have voted by 71% in favour of strike action and 88% for action short of a strike following long running negotiations with Action for Children on issues relating to pay and conditions. The unjust proposal to abolish increments for grades 3 and 4 has been dropped by management, following a letter signed by the majority of the affected staff and hard negotiating by the joint unions.

Given the geographical spread of our membership this result is a powerful demonstration of the anger amongst these workers. We balloted members at nearly 140 workplaces, across all ten regions and the majority of those workplaces only has one member .

However, management have refused to see sense on a fair pay deal and are unilaterally imposing a deeply divisive pay settlement that benefits only some staff for 2015/16 with 40% getting no cost of living increase, and have given no assurance that 2016/17 will be any different. The 1% pay increase will only be given to staff not receiving an incremental pay increase and some TUPE'd staff are also excluded from the 1% increase.

- Over the last 5 years staff have received virtually no pay rises
- Part time and sessional employment is increasing and full time employment is decreasing
- For the last 4 years AFC has made a surplus – last year £13.18m
- Total Directors salary bill increased last year by 26% (one new Director on £120K and an 8% rise for another)
- The Trustees judge that £30m surplus is needed but currently reserves stand at £40.09m

Unite is now urging the management not to ignore the growing anger among the workforce as there is growing frustration with their high handed approach. The management is being urged to enter talks at ACAS to seek a solution to this dispute and avoid the need for action that will disrupt services to vulnerable children, young people and families.

<http://www.unitefoursociety.org/blog/entry/action-for-children-staff-vote-overwhelmingly-forindustrial-action/>

## **Waltham Forest Citizen's Advice Bureau**

Members at Waltham Forest CAB have voted by 78% for strike action in a dispute over restructuring following the award of a new contract, resulting in a reduction of roles available and lack of enhanced redundancy package. The issue has now been referred to ACAS for talks in an effort to resolve the dispute and remove the need for strike action.

## **Northern Ireland Public Service Alliance (NIPSA)**

Unite members at NIPSA, the trade union for civil and public services and the voluntary sector in Northern Ireland have taken industrial action over a long-running pay dispute that was a result of an extensive job evaluation exercise. The General Secretary had recommended the pay increase to their General Council but the GC refused to accept this. Following further strike action the GC have agreed the pay claim but refused to backdate. The members have reluctantly accepted in order to settle the dispute.

## **POLITICAL ACTIVITY**

The sector senior team met with Anna Turley MP, Shadow Civil Society Minister to highlight the issues faced by our members across the sector. Anna is keen to develop a close working relationship with Unite and used a case study that we provided in a Parliamentary Debate; this focussed on the issue of planned detrimental changes to terms and conditions as a result of a social care employer preparing to implement the National Living Wage in April. Subsequently Unite sponsored an informal networking event at Labour Party HQ hosted by Anna Turley MP, Shadow Civil Society Minister where she announced the workstreams that she will be focussing on in the coming years.

## **EDUCATION**

### **SIGNIFICANT INDUSTRIAL DEVELOPMENT PAY**

Higher Education pay starts in March with 3 meetings through to May. The joint claim has gone into UCEA with a heads line of:

- 5 % increase across all spine points on the 51 point pay scale
- Agreed minimum rates of pay for roles within all a occupational groups , including academics career pathways in the 2004 agreement.
- Nationally agreed action for institutions to close the gender pay gap by 2020
- Nationally agreed action for institutions to reduce the proportion of their staff on casual and zero hour contracts and to ensure that their pay reflects the rate for the job of permanent staff
- to establish the Scottish sub committee of new JNCES as set out in the agreement

### **JOB LOSSES / REDUNDANCIES / OUTSOURCING**

# Manchester staff in IT were under a compulsory redundancy order this has now been withdrawn in favour of Voluntary Redundancy Works dept is in dispute over redundancy



---

# uniteNOW!

---

# Kings College have started a managing change programme which could lead to redundancies .  
# Exeter University have now completed a VR package of 200 employees , however this has meant that work hours have increased , there are more temps , training is an issue and overall low morale .  
# University of Sussex still have outsourcing issues in estates and facilities management .  
# Cambridge University have announced an ambition to outsource depts by 30%  
# East Anglia University are considering outsourcing the works dept .  
Restructuring is the new order of the day some 15 Universities have started consultations on restructuring , just some of these are : UEL , RCA , Exeter , University of Sussex , Bristol , Bath and the list goes on.  
This restructuring could lead to redundancies and outsourcing .

## **SIGNIFICANT CHANGES TO T&Cs**

- Lancaster have negotiated a new recognition agreement along with a new partnership agreement
- Works dept have just gone to a 36.5 hrs contract with 1 weekend working 1 in 4 . Management want to reduce overtime premiums this is an ongoing issue and could end up in a dispute .
- Southampton have a new single spine frame work removing the bottom two spines .
- They report some difficulties around the job evaluation of HEERA . Other Universities have issues as well particularly when Reps are not involved in the changes .
- LSE there is a HR review
- Strathclyde there is a security review . Also the trades are not on the spine framework.
- Queens University on going in house union problems between branches of old T&G and Amicus.
- Bath University there are a number of retention issues particularly amongst apprentices.
- Problems with the newly proposed grievance procedure , this has not been signed off
- Exeter University has further problems that the staff reward system is not fair Works depts review to changing from 5 day working to 7 day working
- Loughborough has an issue on regrading an splitting the grade 6 between academics and non academics .

## **ENERGY & UTILITIES**

### **MEMBERSHIP AND ORGANISING**

Small development in United Utilities based upon proposed changes to pension scheme and successful ballot for industrial action.

## **SIGNIFICANT INDUSTRIAL DEVELOPMENTS (PAY AND PENSIONS)**

### **Magnox**

Company subject to Enterprise Bill currently progressing through Parliament which re-designates all decommissioning companies, i.e., Magnox, Sellafield, Dounreay, etc., as public sector. Extensive lobbying of Parliament and some changes achieved to the Exit Cap for Magnox which will not now be introduced until September 2016 allowing current redundancy to be completed on old terms.

### **EDF**

Re-negotiated pension scheme retaining final salary and introducing defined benefit for new starters was accepted overwhelmingly by members.

### **EDF EFS**

Following a week of strike action, Company have conceded the contentious points in regard to travel time, closure of depots and installation of vehicle telematics etc.

---

# uniteNOW!

---

## **Significant changes to membership terms and conditions (pay, holidays, hours, on call, shift and overtime premiums, etc)**

### **Sellafield**

Freedom of Information request has revealed a serious assault on terms and conditions and preparations for taking on the Unions over 2 years in preparation. A Decommissioning Combine has been established.

## **SIGNIFICANT JOB LOSS/REDUNDANCIES/CLOSURES AND EFFECT ON SECTOR**

### **Closures**

Eggborough, Ferrybridge, Longannet, Rugeley and Fiddlers Ferry coal fired power stations have all announced closure. Approximately 2000 Unite members affected directly and negotiations ongoing regarding redundancy package etc.

## **POLITICAL ACTIVITY**

### **Enterprise Bill**

Meetings in House of Lords and House of Commons regarding Enterprise Bill. Really good support from MPs at 2nd reading in the House of Commons particularly in regard to Magnox.

## **OTHER ACTIVITIES**

### **Hinkley Point C**

Awaiting Final Investment Decision. Workforce currently re-mobilising. Threat from deal to future build at Bradwell which will be a Chinese design and build, bringing the risk that current agreements on terms and conditions and labour origin will be challenged.

## **FINANCE & LEGAL**

### **Legal & General Industrial Action:**

Members at Legal & General's flagship site in Kingswood, Surrey are continuing with the campaign to save 1,550 jobs. Following a consultative ballot where 63% of members voted in support of industrial action, a final ballot resulted in a 68% vote in support for action short of a strike.

As part of this campaign, the reps have protested outside L&G head office in the City, lobbied and gained the backing of local MP Crispin Blunt and presented a deputation to the local council. Unite has commissioned an independent impact report which reveals that closing Kingswood will rip a £21 million black hole into the local economy. The report has been presented to L&G management, reported in the media and submitted to local politicians. Unite has also written to local authorities and companies whose pensions are handled from the Kingswood site. Members are currently working to rule and are refusing to work overtime.

### **PAY BALLOTS:**

In the major banks HSBC (2.2%), RBS (2%), Lloyds Banking Group (2%) and TSB (2.5%) have all conducted successful ballots to conclude new pay deals.

While these 'pay pots' were distributed through a pay matrix model that Unite continues to oppose, progress was made on the issues raised by members in the surveys preceding negotiations.

Notably, in RBS Unite secured a £300 underpin for all staff irrespective of their annual review. In LBG Unite secured pay awards for 7,000 staff who were not initially included in the pay matrix. In HSBC

---

# uniteNOW!

---

the bank agreed to meet formally to review performance management and the endemic levels of unpaid overtime revealed by our survey. In TSB staff received a 12.5% 'bonus', worth around 6-weeks wages.

## **Major Employers:**

### **HSBC:**

In February HSBC attempted to impose a pay freeze across all staff globally. Following meetings between Unite and UK CEO Antonio Simoes the bank agreed to honour its agreement with the union, which ensured 28,000 clerical grade staff were exempt from the freeze. Following global outrage from staff the bank U-turned and cancelled the pay freeze entirely.

Unite told [The Guardian](#): "This is a deeply embarrassing U-turn for the bank, but a victory for staff across HSBC globally. The bank's attempt to freeze pay was grossly unfair, shamefully handled and Unite is glad that the resulting outrage has forced Stuart Gulliver to see sense. This episode shows the importance of having a recognised trade union which can make sure senior management hear the voice of staff loud and clear."

As a response to the international problems within HSBC, such as outsourcing and the global pay freeze, Unite convened a meeting of international trade unionists in Esher, in partnership with UNI Finance. This included trade union reps from Malaysia, Uruguay, Turkey, France and Malta.

### **Lloyds Banking Group:**

In February LBG cut 1,750 further job roles; however following consolation with Unite compulsory redundancies will be avoided in favour of relocations, voluntary redundancy and 'bumping'. Unite The Mirror, "Any impacted staff must be offered genuine and suitable alternative roles. There is absolutely no case for compulsory redundancies."

In December & January, members at Scottish Widows launched a consultative ballot following the bank's proposal to make the traditional Scottish Bank Holiday of 2nd January a normal working day. The result, a 74% vote in favor of industrial action, brought the bank back to the negotiating table and saw a revised offer of a day in lieu and an effective triple time payment. This offer was accepted by a ballot of the members.

### **Royal Bank of Scotland:**

RBS members voted 95% in support of a new proposal negotiated between Unite and the bank regarding holiday pay. The bank agreed to pay a percentage rate of 7.7% every time overtime or standby work is undertaken. Where a member has worked overtime during a given month this additional holiday pay element will be included in the normal pay roll for that month.

RBS also announced the end of sales-led performance related pay for retail staff, following negotiations with Unite. This meant the removal of incentive schemes for c 20,000 frontline employees, with an increase in fixed base pay taking effect from 1st January 2016.

Speaking to The Guardian, Rob MacGregor said: "Unite has long campaigned to end the hard sell in retail banking and here we see RBS moving away from sales target-based bonuses, resulting in a pay rise for the majority of retail staff. It is time for other banks to follow suit and end the hard sell."

### **Barclays**

Unite reps from Barclays bank travelled to Brussels in January to take part in the 'Barclays European Trade Union Alliance'. This meeting of trade unionists from across the European Union was

supported by the European Commission and UNI Europa Finance, our international affiliate. As a conclusion of the meeting, the Alliance released a statement pledging to challenge and resist outsourcing, offshoring and job cuts.

## **Ireland: Strong Voice, Secure Work & Decent Pay for Finance Workers**

In February the Finance sector in the Republic of Ireland hosted a successful conference for reps from across Ireland. Led by organisers Roy Hassey and Tayra McKee, the conference addressed issues specific to Ireland and those faced in common with the UK. This included the Living Wage, attempts to impose Media Pay Scale models, attacks on pensions and the attempted use of 'excepted bodies' to block union recognition.

The Irish region will be supported by the sector centrally in their efforts to launch an Ireland-wide Organising campaign, with a focus on the Living Wage and preventing the imposition of Median Based Pay.

Talks are ongoing between the union and Irish Life over the ongoing dispute caused by Median Based Pay. Successful industrial action by members from Dublin and Dundalk in November brought the employer back to the negotiating table. If the union can succeed in preventing Irish Life from adopting this pay model it will set a vital precedent across the Irish finance industry.

## **Sector Conference: Work-Related Stress**

The industrial sector conference of November 2015 called on the sector to focus on work-related stress as a contributing factor to mental health problems. Three out of four bank workers reported symptoms of workplace stress, such as anxiety attacks, insomnia and depression, in a Unite survey of members across the major banks.

Unite told Reuters News Agency: "Work-related stress is a very serious and increasing problem. We are working with employers to tackle the issues that cause stress, such as long working hours and the effect of long-term staffing reductions.

The survey results were covered by [Reuters](#) news agency, gaining additional coverage in outlets such as The Daily Mail, Irish Times, City AM, Yahoo News, Business Insider and EuroNews.

In addition the sector met with the Bank Workers Charity to discuss new material and support which can be made available to reps. This will include material for campaign stalls as well as workshops run by the BWC for senior reps who handle our help lines.

The industrial sector conference also voted unanimously in support of Unite's new broad industrial strategy. At the January NISC each company committee or equivalent body across the sector was tasked with reporting how they planned to consolidate and extend our collective bargaining agreements, with a focus on the themes Strong Voice, Secure Work and Decent Pay. These reports, which will be heard at the April NISC and will form the basis of a national strategy for the sector.

## **HEALTH**

### **MEMBERSHIP AND ORGANISING**

The health sector membership continues to build on previous reported net growth, with a total at 31st January 2016 of 101,230. There continues to be a significant recruitment of healthcare support workforce staff that includes admin and clerical staff, ancillary support staff, porters and healthcare

assistants. They made up 43% of new members during January.

## **NHS Pay and terms and conditions**

All UK health departments and employer organisations had submitted their written evidence to the NHS pay review body (PRB) by January 2016 and the publication of the PRB report and pay recommendations for 2016/17 is expected by the end of March.

The NHS staff council's sub group's review of Agenda for Change has continued slowly whilst the main focus for NHS employers in England has been the junior doctors' dispute. The lack of progress will put back the timeline for completion of the first stage of the review beyond April.

The separate negotiations for the ambulance services in England arising from the 2015/16 pay agreement for England continue following the submission by Unite, Unison and the GMB of written supplementary evidence to the PRB. These negotiations will be subject to the outcome of the supplementary evidence to the PRB and its recommendations. However, following the recent ambulance partnership forum - the NASPF there would seem to be little appetite from the employers to introduce a national recruitment and retention premium (NRRP), stating unrealistically that within two years ambulance trusts will have little or no problem with recruitment and retention of paramedics. This stance may quickly lead to a joint staff side political campaign and ultimately further industrial action ballot among ambulance sector workers.

In Northern Ireland there had been no progress regarding NHS pay for 2014/15 and 2015/16 since July 2015 due to the political situation. On 8th January there was a press release from the health minister announcing the imposition of a non-consolidated 1% pay increase for staff at the top of their pay bands. There had been no indication or consultation with the unions on this decision. Unite and the other unions are consulting members for potential industrial action on the pay imposition which now leaves Northern Ireland as the lowest paid health workers in the United Kingdom having salary scales the same as those of April 2013 and replicates what Jeremy Hunt did for the English NHS in 2014.

## **NHS England**

Trade Unions have requested further facilities for trade union representatives. NHS England hopes to establish a budget for trade union facilities within Cabinet Officer Guidelines in 2016/17.

A number of NHS England functions are in the process of transferring to NHS improvement, the consultation is in process. There are currently no local on call agreement within NHS England. A consultation has begun regarding on call arrangements in NHS England.

## **Care Quality Commission (CQC)**

Pay negotiations have moved slowly since the claim submission in September 2015. The CQC now considering Staff side's proposal of every employee moving on one step by 1% and a 1% allowances. They will also consider the impact of implementing the Living Wage foundation's living wage. In 2015, the CQC did not spend their bonus pot of £600,000. We will look at best practise examples of how to distribute the bonus pot without relying on performance related pay principles.

## **Equalities**

The health sector NISC has established a sub group on equalities which is developing a toolkit for training sessions for reps and members in workplaces.

---

# uniteNOW!

---

## **Mental Health**

The Unite in Health team met with shadow health minister, Luciana Berger MP, in January. A Unite in Health strategy in response to the health sector conference motion on mental health has been written and a roundtable of key mental health activists will take place in April 2016.

## **Campaigning**

Unite in Health has given its full support to the junior doctors in their dispute with Jeremy Hunt's imposed contract changes. Joint union guidance for supporting the juniors' industrial action on January 12th, January 26th and February 10th had been circulated but the action on 26th January was

suspended. Despite Hunt announcing the imposition of the new contract following the second strike on 10th February, the union remains committed to supporting junior doctors publicly.

Unite supported the march and demonstration held on 9th January in London for the campaign to retain bursaries for student nurses, midwives and the wide range of professionals that Unite represents. Len McCluskey spoke at the rally held in Whitehall. Unite is fully behind the student bursary campaign and support various actions for this cause.

## **LOCAL AUTHORITY**

### **LOCAL GOVERNMENT PENSION SCHEMES**

LGPS England and Wales, Cllr Roger Phillips has been appointed as chairperson to the Scheme Advisory Board. The next board meeting has been scheduled for 23rd March and will allow progress to be made on board funding, a levy on local pension boards to be implemented and the work of the sub committees to resume.

A consultation has been launched on the investment regulations and criteria for pooled investments. Unions have objected to the proposals to restrict ethical investments. Joint legal advice has been sought on councils who have set up joint pension boards/committees. Government proposals to cap exit payments will impact on councils in respect of pension benefit payments.

## **PAY TERMS AND CONDITIONS**

### **NJC England Wales and Northern Ireland**

The employers have offered 1% in 2016, 1% in 2017 and some bottom loading to comply with the new National Living Wage (NLW). Two thirds of councils in England and Wales are now paying the real Living Wage. Unite and Unison are recommending rejection of the offer with GMB making no recommendation. Members are being consulted throughout February in a postal ballot.

In Scotland members, including the Craft, have accepted a settlement of 1.5% for 2015, 1% for 2016 and implementation of the living wage, £8.25, for all council employees setting pay at a higher level than England and Wales.

## **Outsourced Employers**

Veolia are in joint union talks on holiday pay and discussing a draft proposal to include payments for allowances and overtime. A joint seminar with the RTC and Chemical and Pharmaceuticals sectors will take place in March 2016.

## **Pay claims have been lodged with Sita (GDF Suez).**

Cornwall Council have terminated their IT contract with BT and brought it back in house following

failures by BT to meet KPIs.

TUPE plus arrangements have been agreed with Greenwich Leisure Limited for the duration of the contracts outsourced in Bromley.

## **SIGNIFICANT JOB LOSS/REDUNDANCY/CLOSURES AND EFFECT ON THE SECTOR**

Councils in Scotland are facing significant job losses as a result of the historical debt and an ongoing council tax freeze. Unions have organised a lobby of the Scottish Parliament on 24th February. Councils in England and Wales are facing further cuts through to 2020 with changes to business rates and government support grants hitting labour councils hardest. An additional £300m funding has been directed to Tory controlled authorities.

## **Disputes**

Hull Unions are challenging the proposals by the labour run council to qualify the union's entitlement to a full time convenor position. Politicians at local, regional and national level have been asked to intervene and urge the council to reopen talks. A lobby of the council and joint union demo will take place on 25th February.

Greenwich Members took 4 days of strike action in February to protect the Mobile Library from closure. Public petitions will be followed by a lobby of the Council.

Bromley Members have taken 8 days of strike action. A campaign against the outsourcing and use of volunteers has been launched against the company 'Community Links' bidding for the contract with 4 days of demonstrations.

Portsmouth Plans to withdraw paid facility time were challenged by the unions and following political lobbying, were withdrawn

Walsall Proposals to introduce a pay cut/pay freeze are being challenged by the unions.

Knowsley Unions are challenging proposals by the council to charge for union facilities.

Oxfordshire Industrial action has taken place against cuts to Children's Centres and Youth services

## **STRATEGIC PLANS FOR THE SECTOR/POLITICAL ACTIVITY**

A leaflet "Local Government Matters" has been produced to promote the role of local government workers and highlight the cuts. A well-attended joint union fringe meeting on working together with labour councils took place at the Annual Labour Councillors Conference

The strategy going forward is to engage with the labour party, community groups and campaign groups to promote the value and importance of local government and public services, oppose funding and service cuts and place the blame firmly with the Tories.

Over 50% of labour councils have signed up to motions and statements opposing the Trade Union Bill.

## TRANSPORT & FOOD SECTOR

### PASSENGER TRANSPORT

#### Stagecoach Group

##### Interim Results

- Group remains in good financial shape
- New band financing arrangements now in place
- Cautious outlook as recent revenue was softer than expected in UK bus regional operations.
- Bus operating profit down 18.9% on same period last year.

**UK Bus (London)** - Business performed well but revenue impacted by congestion which affected quality Incentive Contracts income. 11 out of 15 contracts had been retained in the re-bidding process and 2 new contracts had been won.

**UK Haul** - Division continued to perform strongly. Further passenger revenue growth had been achieved in all three franchises. There was however some revenue weakness following the terrorist attacks in Paris.

**Virgin Rail Group** - West Coast Rail franchise continued to perform strongly and was planned to run to March 2018.

**Green Roads** - Complaints continue to come in about manager around the country are attempting to use this system as a disciplinary tool. The company has been advised that the first time disciplinary action is taken against a Unite member using Green Roads then the Union will withdraw from the scheme.

**Medical Examination Policy** - Following the Glasgow bin lorry crash and a fatal accident in Coventry involving Stagecoach gaps had been exposed in the PVC medical process in terms of lack of information/input from GPs who hold the medical records. The company wished for more regular medical checks for drivers over certain age groups with consideration being given to a compulsory retirement age. I have set up a sub committee of the NLC to work with the company on these issues.

**Holiday Pay** - I continue to meet with the company on this matter but progress is painfully slow. At present agreement cannot be reached regarding the payment on holiday of voluntary overtime. However, we are close to testing this at Employment Tribunal.

**Equality Reps** - Following the ongoing success of the Wormens' Committee at Stagecoach, I have formally requested that the company recognise our equality reps. A positive response is expected at the next NJCF.

**Stagecoach Megabus** - Has announced the 50th Domestic Inter-City coach routes in France serving 27 destinations with a €10m fleet of 35 coaches.

#### First Group

- Trading update third quarter featured
- Group revenues decreased by 9.5% due to
- (a) Change to the rail franchise port folio



(b)The number of First Student operating days due to the timmign of the school calender

- Outlook for operating profit in the current financial year slightly lowered by trading in the period.
- Awarded Trans Pennine Express rail franchise in December, increasing duration of First Rail portfolio to at lease 2033.

**First Bristol Bath, WSM & Wells** - Unskilled maintenance grades, have accepted a two year offer backdated to April 2015 giving 2.2% this year and either 2.0% RPI or CIP, whichever is greatest in the second year. Due to expansion a new depot site is being sought in Bristol.

**First Huddersfield** - The company attempted to change the terms and conditions unilaterally of our members. Following industrial action negotiations have taken place with a ballot on a settlement due to take place with the positive recommendation of the negotiating committee.

## **RMT**

At the time of writing the RMT have still not agreed to the terms of the Memorandum of Understanding produced by the TUC.

## **ROAD TRANSPORT COMMERCIAL, LOGISTICS & RETAIL DISTRIBUTION**

### **Membership and 100% Campaigns in the sector**

There are currently 35 live 100% campaigns in the sector which have in total recruited 3,983 members. Including closed campaigns there have been 12,300 new members over 172 campaigns. Total sector membership is 77,236.

### **Grocery Retail Logistics**

Tesco - The company pursued its usual tactic of trying to divide and conquer our membership in distribution by attempting to impose a deal reached with Usdaw on our sites. Through strong collectivity our stewards and members agreed to seek a final offer from the company but not agree proceeding until all depots had reached the same point. This resulted in 3 out of our 4 recognised depots holding consultative ballots for industrial action and Livingston depot, still unrecognised, doing the same. The company called reps from the recognised depots to a meeting on the same day but intended to see each depot separately. Our stewards refused to fall for this crass attempt at dividing our membership and won concessions from the company. The outcome of the talks is that each site achieved an improved deal to that agreed by Usdaw sites and also secured a guarantee from the company to meet to discuss establishing a national forum for Unite and recognition for our union at Livingston - this meeting to take place before the end of February. I must pay tribute to both officers and stewards who attended numerous meetings and conference calls and really stepped up in challenging Tesco. I have now met with Tesco directors to pursue the issues of recognition for our members at Livingston and establishing a forum for our members to meet with the business at national level.

### **General Haulage**

**Eddie Stobart** - A number of these reps have agreed to take part in shop stewards training but without the company giving release the courses have had to be organised around the driver's availability. A dedicated Stobart course has been set up in February and all of the existing activists within Stobart's will be offered regional training courses. We have for some years been pursuing

---

# uniteNOW!

---

legal claims for holiday pay for over 400 union members. Over recent weeks we have been in negotiations with Stobart's legal representatives on the claims and we are hopeful of a settlement in the very near future. It has been identified that Eddie Stobart's have operations in other EU states and we have requested detailed information from the company in order to fully investigate this potential opportunity to establish an EWC.

## **PDP (Petroleum Driver Passport), Industry Training Standard**

We have drafted and agreed a standard with the industry to be used by all forecourt staff in the UK in preparation for all fuel tanker deliveries. We now have all terminals in Northern Ireland agreeing to implement the PDP in their terminals, with the remaining and largest terminal also now agreeing implementation in principle with a mandatory date to be followed, it is worth noting that this has taken significant effort by the industry and Unite to achieve this as Ireland is out with the original ACAS agreement.

STATIC NOTE: Our tanker driver membership in Ireland were not part of the 2012 enough is enough ballot, the PDP was taken into Northern Ireland by the UK DODF to improve standards for our members and the sector in the same manner as in the mainland UK, the above development was taken at the eleventh hour by the Derry terminal owners and taken for commercial reasons to gain other terminals work.

## **CIVIL AIR TRANSPORT**

### **CAT Civil Air Transport Membership Numbers**

The CAT membership as of February 2016 stands at 64,487 an increase of 64 over the previous quarter.

### **Key developments by company**

**British Airways** - The settlement offer to the LGW restructuring failure to agree is now out to ballot, with results pending. Talks regarding the impact of the ending of 'contracting out' of pensions have concluded. The position of the unions was that the APS/NAPs pension evaluation and discussions on improving BARP will all of which will impact of member's pension decision's, are therefore related and should be dealt with in a single set of discussions. The company has decided to deal with matters separately and has passed through the additional employer costs on to employees. Unite and Gmb have registered a 'failure to agree'. More outsourcing of work, prompted by IAG's desire to seek synergies within the group has occurred, with Cargo being target for 100 jobs to be transferred.

**Heathrow Airport Limited** - Of the two senior stewards suspended by the company, one has been dismissed and the other is awaiting an outcome of his disciplinary process.

**Norwegian** - Collective bargaining for the agency crew used by the company has been progressed, and UK agreement aimed at avoiding 'flags of convenience' with Unite and BALPA proposed.

**Swissport** - The company has exited Gatwick after the significant loss of contracts, with the transfer of all employees to Aviator. A further pay offer has been made which was rejected in a ballot of members. The company is now considering a counter proposal.

---

# uniteNOW!

---

**TCX** - The company's proposed introduction of an additional level of service for crew has been imposed. Industrial relations have almost completely broken down with serious concerns over the company engineering a dispute in order to break Unite current union structure up. Unite's legal director has written to the company and a consultative ballot of crew is to take place.

## **Sector Campaign updates**

### **Air Quality**

A briefing for Cabin Air Quality has been organized for MP's, and the Unite transport Sector conference has agreed to develop a campaign on 'air quality' and Diesel emission which will include ultrafine particles.

### **Hub Airport**

The announcement by the government of a delay in the choice of airport for additional runway expansion means Unite will continue to campaign on the issue of Heathrow as the preferred location. A campaign outline has been developed to ensure maximum political support for the case.

## **RAIL**

### **Network Rail & the Shaw Report**

Hosted by the TUC, Unite along with other rail Trade Unions met with Nicola Shaw on 16th February for an update on her review into the shape & financing of Network Rail commissioned by the Chancellor of the Exchequer & the Secretary of State for Transport which is expected to be published between 9th – 16th March. Despite media speculation Shaw claims not to have reached any firm recommendations on the future governance arrangements for Network Rail although she did say that she does not envisage the Department for Transport having an 'ownership' relationship with Network Rail going forward. By way of background the scoping report published by Shaw in late 2015 did say that options to be considered included full or partial privatisation, monetisation of noncore assets, the sale or concessioning of parts of the infrastructure, and joint ventures and PPPs. The Shaw Report is one of three studies commissioned by the government. Dame Collette Bowe, nonexecutive director at the Department for Transport and Network Rail Chairman Sir Peter Hendy have both now published reports emphasising the need for reform of long term rail infrastructure financing. Unite is determined to ensure that diversity and our skill agenda play a prominent part in any structural review. We also anticipate that the Chancellor of the Exchequer will link any recommendations arising from the Shaw Report and the much heralded 'northern powerhouse'.

### **Launch of the Rail Supply Group Strategy for Productivity & Growth**

Unite attended the launch of the Rail Supply Group productivity strategy - Fast Track to the Future - in Coventry on 1st February. The launch was also attended by both the Secretaries of State for Transport & Business, Innovation & Skills and we were able to challenge them to draw a correlation between a successful UK rail sector & the UK steel industry as a key component of the supply chain with the need to retain skills. The Chair of the Supply Group was very supportive of the need to involve trade unions in any coherent skills plan.

**London Underground** - Unite still considers the dispute unresolved by rejecting a 4 year pay offer of 1% plus £500 consolidated for Night Tube introduction in first year with 1% or RPI (whichever is greater) in next three years of a pay deal. Industrial action ballot still live but no further strike action

---

# uniteNOW!

---

planned as yet. The pay offer remains lower than the going rate for pay settlements in the rail sector (2.5-3%).

**Rail General** - With the abolition of contracting out for pension schemes various the rail trade unions and the association of train operating companies reached a national agreement which is being implemented across the UK by the individual train companies which has led to the preservation of the final salary occupational pension schemes albeit with pensionable pay caps going forward, revised retire the pension ages and contribution rates to offset the increase in national insurance rates. Difficulties remain with Bombardier and members are being balloted on proposals.

## **FOOD, DRINK & AGRICULTURE**

### **100% Organising Campaigns**

The Sector has over 200 campaigns running out of the regions, which has resulted in over 12,500 new members in the sector. The NISC are continuing with the strategy working group for the Sector to put into practice and plan for the strategy to be rolled out to the regions, a positive meeting has taken place with the regional officers who have responsibility for the FDA sector in their regions along with the chairs and executive members to enable the RISC to roll out the strategy within their companies.

**Scottish AWB** - The Board is to be kept, an important achievement. Unite submitted a strong case. The National Farmers Union (NFU) of Scotland however put forward their demands to the Scottish Government for the abolition of the Scottish Agricultural Wages Board sparking fears for rural workers' rights. In its submission to the Scottish Government the NFU argued that the existing UK employment rights provides sufficient protections for Scotland's rural workers and called on Holyrood to follow the example of the previous UK Coalition Government by scrapping the board in Scotland. The SAWB has established minimum levels for the wages, terms and conditions of agricultural workers since 1949 and its scope covers upwards of 20,000 agricultural- related jobs across the country. "The reality is that reliance on minimums would have meant pay cuts and an increase in working hours in what is already a very dangerous industry Unite submitted our concerns and it has now been accepted by the Scottish government that being reliant on the minimum wage was not sufficient protection for farm workers and agreed to retain the SAWB.

## **EQUALITIES REPORT**

### **STATUTORY RIGHTS FOR UNION EQUALITY REPS AND MANDATORY EQUAL PAY AUDITS**

These have been the 'unfinished business' priorities of the Equality Act 2010. I am pleased to report some progress on both and Unite has been positively raising this in the media too.

- Through negotiation, we are again making progress in gaining recognition for union equality reps. We will further strengthen the campaign over the coming year
- Following pressure, the Tory government, which had previously not supported the enabling clause Labour had inserted in the Equality Act, is now proposing to introduce this Section 78 requirement for companies with more than 250 employees to publish annually figures to show : mean and median gender pay gap, gender bonus gaps and the number of men and women in each quartile of the company's pay distribution.

## **EQUALITY & MENTAL HEALTH IN AN AGE OF AUSTERITY**

Unite workplace reps have confirmed that mental health is the most pressing equality issue they are facing at work, and Unite delegates at this TUC event included Road Transport & Logistics representatives as well as Unite Disabled Members Committee participants. Key issues included :

- mental health and managing stress at work as a health, safety & well-being risk assessment, labour management systems issue
- mental health, stress and ensuring disability equality through reasonable adjustment
- Mental Health First Aid training
- mental health issues and stress faced by women, by BAEM, LGBT and young workers
- the impact of cuts
- the impact of harassment, bullying, discrimination, pregnancy

**TRADE UNION BILL, DIVERSITY AND EQUALITY** – it is essential to keep in the public eye the diversity of jobs and people covered by the Trade Union Bill – and that the majority of those in the sectors particularly targeted are women, with high proportions of BAEM workers too. We also know that nearly all major equality advances have been through achieved through trade unions – undermining trade unions undermines equality at work.

## **WOMEN**

### **Regional Equality Committees**

Following the reports from our last national women's committee of large numbers of vacancies on regional womens committees following the unintended consequences of the new rule on composition of the regional equalities committees regional women's committee chairs are looking at the composition of the regional womens committees. In addition, there are a number of vacancies on many of our regional equality committees and we are working with the regional women's and equality officers to ensure that we are reaching out to activists who qualify to fill the vacant seats can be co-opted on to our committees.

## **BLACK, ASIAN AND ETHNIC MINORITY MEMBERS**

### **Regional BAEM Committees**

Following the Regional BAEM Conferences last year, some Regions have struggled to elect a full complement of delegates on their Regional BAEM Committees. I have been working with those regions to look through the results of the National BAEM Survey and target the members who expressed an interest in becoming active. I have also been scrutinising the recent Unite Equalities Survey to assist the National BAEM Committee on the issues facing our reps and members in the workplace and have an informed support role being developed.

### **Equality Strategy in Rolls Royce**

I have had an initial meeting with the Central HR to work in collaboration with our reps and building a robust Equality Initiative starting from Recruitment, Development, Progression and Retention of all under-represented groups. Further detailed discussion is ongoing. A working group of our senior reps has been set up and work on mapping the workplace has started.

## **Immigration Bill – Document Checks**

We had a number of Fringe Meetings with speakers from the TUC and Migrant Rights Network at the recent National Industrial Sector Conferences. It was well attended by delegates and resulted in delegates requesting more information and guidance on the Immigration Bill.

We are working very closely with the TUC to update the “Immigration Document Checks and Workplace Raids” Negotiators’ Guide. This is currently taken longer than anticipated due to the bad writing of the bill and the amendment which the government continue to bring forward at committee stages both in the House of Commons and the House of Lords. This Bill will have a profound impact on all our members, those in the front line expected to do the checks and those who seek employment and access to services.

## **BAEM in Apprenticeships in Science and Engineering**

Evidence has shown the limited growth in ethnic minority numbers involved in the programme, most similar to the trend among 16 to 18 year olds. I am working closely with our Manufacturing Sector to ensure that the image of Apprenticeship in the BAEM community is improved. Communications work should continue, raising awareness of Apprenticeships is crucial in increasing their reach and should continue to emphasise the full range of frameworks, and the career pathways, available. The ‘earn as you learn’ message is a useful one to attract young people and the key message that the government is providing funding for Apprenticeship training costs for young people.

We are working closely with the TUC, Union Learn and the Voice to ensure the engagement from the BAEM Community so that apprenticeships are seen as a viable and worthy career path.

## **BAME Labour**

Our campaign work in the political front has continued and we have ensured that the campaign material and themes reflect the concerns of our members including underrepresentation in local authorities, to the Labour Parliamentary Group. The National Committee is keen to ensure the forthcoming election campaign materials on the Trade Union Bill, Heart Unions Week of Action and the European Referendum carry positive messages on the need to stay in the European Union. Currently the issues will include the challenges which have had to involve the European Court of Justice decisions which have had a positive effect for our BAEM Community.

## **DISABLED MEMBERS**

### **End Austerity Now - People’s Assembly Demonstration 16th April**

We are building participation in the demonstration and assisting in organising the equality blocs. This is a key time to raise the cumulative impact of the cuts in relation to equality particularly PIP universal credit, tax credits and cuts to services.

### **TUC Disabled Workers Conference, 18-20th May**

Unite has submitted a motion on access to transport to the TUC disabled members conference.

### **Disability equality roadshow**

We are working with Debbie Abrahams MP to build a disability equality roadshow to build community events to ensure disabled peoples voices are heard in the development of Labour party policy.

## **LESBIAN, GAY, BISEXUAL AND TRANS MEMBERS**

### **LGBT History Month – throughout February**

We have focused our LGBT history month campaign on sharing the importance of LGBT trade union activism. This campaign has been supported by an updated leaflet and poster but also sharing online memes which encourage members to share their stories and experiences as LGBT activists linked to a Unite Live article. The Unite National LGBT Committee would particularly like to thank Pauline Doyle and Taylor Humphries for all their work in supporting the campaign with the development of the LGBT heart unions campaign materials and video footage.

### **TUC LGBT Conference 23-24 June**

Unite has submitted a motion on trans equality to the TUC LGBT Conference.

## **Retired Members**

### **PENSION JUSTICE CAMPAIGN**

This campaign represents pensioners' organisations, charities, trade unions and parliamentarians. The campaign is to secure equality in a range of pension matters. There are a number aims and objectives concerning:

- 2016 new state pension, to include existing pensioners if beneficial to their circumstances
- To ensure that those women born between April 1951 and April 1953 are not disadvantaged by the changes to the state pension age
- For Carer credits to be introduced into auto enrolment pension schemes
- To ensure survivors benefits are applied to all pensions
- To introduce equal pension rights for same sex partnerships

We will be working to promote these in discussions with MPs and Peers, producing supportive material briefings and research, sharing information between supporters and organising meetings of interested parties to decide how best to promote the campaign. Unite are being asked to sign up to and participate in the work of the campaign group and a proposal will go before the F&GPC shortly.

## **Young Members**

### **DECENT WORK FOR ALL PILOT CAMPAIGN – NORTH WEST**

Towards the end of last year we were approached by the North West Region to collaborate with their current regional strategy. From a young members perspective this strategy is still in the development stage and has many different facets (internal and external).

Internally the intention is for the North West Young Members Committee to combine forces with the Regional Industrial Sectors Committees to run young member workplace campaigns under the Decent Work for All banner. From an external perspective the North West Young Members Committee will be split into three campaign groups (Merseyside, Manchester and Lancashire). The Merseyside group have targeted Liverpool 1 as a Decent Work Zone. I have been contacting a number of student groups and community members informing them of the plan to target Liverpool 1 to build up the level of activist engagement. Research has also been compiled.

We have mapped every sector and workplace in the North West and we have recently presented the ideas of an internal strategy to all RISC secretaries and chairs. This presentation included the membership breakdown of each sector, its young member density, the percentage of young members in the each sector and the number of young activists. A similar presentation has also been

---

# uniteNOW!

---

made to the North West F&GP. Based on the feedback and usefulness of the presentation I believe it is imperative that as many regions as possible get similar presentations highlighting the institutional issues with young members in our sectors.

In the immediate future we will be developing relations with specific RISC's who would strategically benefit from young members input into their work plans. This is the first young member analysis to take place in any region. If a strategy can be developed and implemented that both revitalises the industrial sectors and targets untouched sectors of the labour market then it will be a success and the pilot model will be rolled out into other regions.

## POLITICAL REPORT

### Introduction

It is difficult to know where to start a report on political developments over the last three months with new events unfolding every day. Since my last report, MPs voted to support air-strikes but an overwhelming majority of the Shadow Cabinet supported the Labour whip and voted against, despite wild predictions of massive disobedience on their part. It was also good to see that almost every MP in the new intake supported by Unite in the General Election voted against air-strikes, demonstrating once again that our political strategy of focussing our support on those who most closely reflect the values of our members is the right thing to do.

Trident has also taken up many column inches over recent weeks, but despite attempts by the media and others to mischievously twist our position, **Unite's strong commitment to our policy position of defending jobs** does not in any way weaken our support for Jeremy Corbyn's leadership. That support is based primarily on his strong message of hope on fighting austerity and cuts, rebuilding our shattered economy, investing in manufacturing and restoring democracy to create a fairer, more equal society.

In the meantime, the EU Referendum is now dominating the political agenda, with the date set for 23rd June. Cameron's much anticipated 'renegotiation' was an abject failure in terms of achieving most of his key objectives and in particular he failed to secure an opt out on workers' rights. The Tory party is now massively divided with so far nearly 150 MPs and 7 Cabinet members supporting the 'Leave' campaign, including would-be PM Boris Johnson, Mayoral hopeful Zac Goldsmith, Michael Gove and Iain Duncan Smith amongst the most prominent.

Meanwhile, with just 7 Labour MPs currently declared as being in favour of leaving the EU, this is an issue where the Party is strong and united. However, continuing lack of discipline from some backbench MPs who refuse to accept the massive democratic mandate given to the leadership, is still contributing to the image of a Party that is much more divided than is the case in reality.

Meantime the dismantling of our democracy continues apace. The changes to voter registration have resulted in countless numbers of people being excluded from the electoral register, the recent Boundary Commission announcement will mean 50 fewer constituencies with Labour losing by far the majority of those seats, and the slashing of short money, combined with the attacks on Trade Union funding, are measures deliberately designed to starve the only credible opposition party of funds.



---

# uniteNOW!

---

The sell off of public services, in particular the NHS, continues and ever-deepening cuts are causing untold pain and suffering in blighted communities, with foodbank use still increasing and the gap between rich and poor

widening. It is therefore more important now than ever before to engage our members in politics, to do all we can to make them understand how crucial Unite's political strategy is to achieving our industrial objectives, and to ensure all our activists are involved in campaigning in their communities as well as in the workplace.

The work of the Political team will therefore continue to focus on developing our networks of affiliated supporters, encouraging as many as possible to join and become involved in the Labour Party, and above all to be part of an outward-facing, campaigning and energetic movement, deepening our roots in every major town and city as we step up the fight back against austerity and strive for a fairer, more equal society.

## **1. May Elections**

On Thursday 5th May elections are taking place for the Scottish Parliament, the Welsh Assembly, Police and Crime Commissioners and in local government in England including for directly elected Mayors in London, Liverpool, Bristol and Salford. As indicated above, these elections are strategically very important, not just politically but because most of them will have a direct impact on members' jobs. With Tory councils vowing to step up outsourcing and to end facility time even before the Trade Union Bill becomes law; with a potential threat to the Labour Government in Wales, and with a real opportunity to make a positive difference to the lives of Londoners, the work that we can do as trade unions could have a genuine impact on outcomes.

### **(a) Targeting**

In line with Unite's Political Strategy, we will be targeting between one and three key councils in each region in England, and in Wales and Scotland will be targeting key constituencies, although clearly there is a massive challenge in Scotland. The criteria for identifying targets are:

- For councils, they must be marginal, either a Labour council in danger of losing control, or a Tory council where there's a real chance of gaining control
- They should be councils where we have a positive relationship with the Labour Group so we can work together on the campaign
- Where we have a large local authority membership, senior stewards will be central to the campaign
- In these councils, we are identifying Unite members in the key wards that are at risk so our targeting can be even more focussed
- In Wales and Scotland, candidates are being supported who broadly share our values

### **(b) Voter Registration/Postal votes**

Although not as bad as initially predicted, voter registration has plummeted since the changes to the registration system. The Comms team has produced some excellent materials and we will be encouraging large workplaces to run voter registration drives between now and 18th April, the final date to register. In view of evidence that postal voting has a turnout of in excess of 70%, we will also be encouraging members to register for a postal vote between now and 19th April which is the closing date to sign up. As well as supporting workplace drives, in particular using learning centres

---

# uniteNOW!

---

where these have been established, RPOs will be establishing phone banks of activists to be run on a member to member basis as part of this drive.

## **(c) Getting the vote out**

If we can get our members to turn out to vote, Unite can have a real impact in May. The turnout in these elections is typically low: around 50% in the Scottish Parliament, 40% in Wales and around 30% in English councils. In effect, those who turn up have more power to determine the outcome than in the General Election.

We will use all of channels to communicate the importance of voting, and of voting Labour, in the elections:

- Materials in all Unite offices and sent to large workplaces
- A briefing for Unite officers and key stewards
- Coverage of elections in UniteWorks and on UniteLive
- Support for workplace visits by politicians
- An agenda item for Unite committees
- Targeted contact by email, SMS and direct mail
- Social media promotion, coordinating messages/announcements with Labour and TULO unions.

RPOs will continue to organise campaign events for Affiliated Supporters to get them involved in our campaigning activities.

## **(c) UKIP**

Despite only taking one seat in the General Election, UKIP are far from being a spent force and are now getting a significant boost as a result of the focus on the EU Referendum. In Wales they are likely to win seats on the list system, potentially damaging Labour's prospects. In English councils they will continue to target coastal towns and South/West Yorkshire. There is a particular threat in Rotherham following the child safeguarding scandal, and where as a result the council is being completely re-elected.

We are designing materials that highlight the reality of UKIP and their politics, and will specifically target communications with members in those areas where UKIP is the biggest threat.

However, we cannot ignore the fears and concerns that many of our members have over immigration, nor can we hope to calm those fears by simply throwing statistics at people. We will therefore be working with our friends in Show Racism the Red Card, who have extensive experience on this subject, to produce a guide for activists on how best to discuss immigration in a positive way in the workplace.

## **(d) Proposed timeline for campaign:**

### **MARCH**

- Affiliated supporter meetings
- TULO campaign days in London, Scotland and Wales
- Materials to workplaces in London, Scotland and Wales
- Start of communications to members in London, Scotland and Wales
- Voter registration campaigning

---

# uniteNOW!

---

- Targeted postal vote campaign

## **APRIL**

- TULO campaign days in England
- Start of communications to members in England
- Materials to offices and workplaces in England
- Voter registration campaigning
- Targeted postal vote campaign
- UniteWorks election content
- Social media activity
- UniteLive blogs/content

## **MAY**

- Final GOTV messages targeted by area and voting intention

## **2. EU Referendum**

The Political team has been working with colleagues from International and Communications Department to put together a provisional campaign and messaging leading up to the EU Referendum for discussion by the EC. Significant work has been done both with the TUC and with the Electoral Commission and a detailed briefing has been produced on the law governing campaigning in the referendum, together with a regular digest of the communications of the key campaigns groups. A presentation on the proposed campaign and its messaging will be given to the EC.

## **3. Parliamentary Activities**

### **(a) Trade Union Bill**

The Trade Union Bill continues to be the main focus of the parliamentary work. We have continued to work closely with the House of Lords to secure positive amendments on the Trade Union Bill, with our biggest priority being workplace balloting. We are in regular contact with the Labour Lords team, and continue to supply them detailed briefings and evidence to support their arguments in the debates. We have also met with a number of Peers from all sides of the House in order to brief them on our priorities, and have recently written to all members of the House of Lords urging them to reject the empty concessions on the Bill that the Government have floated. The Report Stage of the Bill is expected to take place towards the end of March, this is the Stage where there will be votes and we hope to win some meaningful and positive concessions.

### **(b) Aerotoxic Syndrome**

We held a very successful meeting with the Unite group of MPs to discuss the problem of toxic air on planes. The meeting was well attended and was followed up the next day by two MPs raising the issue in the Commons. The government recommended applying for a backbench debate on the issue. A widely supported application has been submitted, and we anticipate the application will be successful.

### **(c) Fair Tips**

The Fair Tips campaign continues to be supported in Parliament. Despite the consultation on tipping practices closing in November last year, Sajid Javid has still failed to produce a response. We have been working with Paula Sherriff MP to ensure Javid takes some action on the issue, and Chris Grayling responded in Business Questions that he would raise the issue with Javid.

---

# uniteNOW!

---

## **(d) Sports Direct**

As the campaign against the failure to pay the minimum wage and mistreatment of workers at Sports Direct continues, we are working with a number of MPs to keep up pressure on Mike Ashley. This has resulted in Ashley offering to meet MPs towards the end of March, and we are ensuring that they are fully briefed on all the issues and key priorities for Unite before attending the meeting. Furthermore, we have also met with Iain Wright MP, Chair of the Business, Innovation and Skills Select Committee, to discuss how the Committee could assist in holding Mike Ashley and Sports Direct to account.

## **(e) Community, Youth Work and Not for Profit sector**

Continuing to link up the industrial with the political, Sally Kosky and some lead reps for the CYWN4P sector met with Anna Turley MP, Shadow Minister for Charities and Civil Society, to discuss the key issues in the sector and establish an effective ongoing working relationship. Unite agreed to sponsor an event with all leading charities and not for profit organisations, which was attended by Unite officers and reps from the sector to ensure that trade union issues remained firmly on the agenda.

## **Affiliated Supporter Engagement**

Unite has over 100,000 Affiliated Supporters who signed up to take part in the leadership and deputy leadership elections in September 2015.

We have been working hard to build on this and to encourage Affiliated Supporters to take the opportunity to get involved in the Labour Party and play an active role in local campaigning and policy development.

To date there have been 8 regional events held so far with another 12 planned for March and April. The events are tailored to reflect local issues but all have included presentations from politicians, Unite officers and lay members and have incorporated a training element and an opportunity for networking. The events have enabled Regional Political Officers to identify activists, CLP delegates, CLP co-ordinators and potential future candidates.

A series of guides has been produced to supplement the face-to-face events, explaining the role of Affiliated Supporters, the Labour Party's structures and a jargon-buster. The aim is to demystify the workings of the Labour Party and give Unite's Affiliated Supporters the confidence to get involved.

## **INTERNATIONAL REPORT**

### **Introduction**

The international situation within which UNITE operates remains extremely difficult. Negotiations concerning the UK's membership of the EU have now been completed and the date for an 'in-out' referendum set. The referendum will take place against the background of continuing economic and political instability exasperated by the tragic refugee crisis and situation in the Middle East.

In the United States both Democrats and Republicans are in the process of choosing Presidential candidates in what will undoubtedly prove to be a divisive and difficult election. Meanwhile in Latin America Venezuela's right wing dominated parliament continues to undermine the left wing Maduro government, peace talks continue between the government and the FARC rebels in Colombia, while Bolivia's Evo Morales lost a referendum to enable him to stand for President for a fourth term.

---

# uniteNOW!

---

## **Meeting with BIS on TTIP services and investment chapters:**

UNITE was part of a small TUC delegation to meet trade officials within BIS to discuss aspects of the proposed services and investment chapters of TTIP. The inclusion of at least four trade lawyers within the BIS team that met with the delegation is indicative of their desire to try and persuade us that there is nothing to fear within TTIP for public services. However, as with the meeting with DG Trade, once you move past the general expressions of protection for public services and try to look at the detail even the BIS trade lawyers have to admit that much of what they claim to be protection of public services is simply a matter of interpretation and it would be up to the courts, and/or whatever form of ISDS or ICS exists, to make a final determination in a number of very important areas.

## **Workers Uniting Steering committee:**

The Workers Uniting steering committee took place at the end of 2015. The committee discussed the political situations in US, UK, Ireland and Canada and reviewed work that has taken place with multinationals, solidarity and education. Particular focus was on the situation with steel and tyre industries which is affecting the UK and US, and the effect that China has had on the industry by dumping steel into the economy. The next steering committee will take place in March in London 2016.

## **Solidarity Work**

### **Turkey:**

UNITE was represented in a recent delegation to the Kurdish part of Turkey that met with Kurdish leaders, political parties, trade unionists, civil society leaders, prisoners groups, and women's groups. The situation in the main Kurdish cities is akin to civil war with massive repression being carried out against the civilian population, mass detentions and all out military assaults. All the signs are that the situation will deteriorate further and solidarity with the progressive Kurdish forces will become even more important.

### **Spain:**

Two significant cases against striking workers were held in February. On the 9th February the trial began against 8 Airbus trade union members of the Spanish unions CCOO and UGT for taking part in a picket that was connected to the general strike in 2010. Each of the trade unionist could face more than eight years in prison. In the same week as the Airbus trial Lola Villalba, General Secretary of the CCOO Services Union of Malaga, and Gonzalo Fuentes a member of the regional executive committee of the Services Union, were acquitted of charges relating to their actions on the picket line during a general strike in November 2012. The court, by acquitting the two accused, recognised the right to strike. It also accepted that pickets were entitled to publicise the strike and to ask workers to participate.

### **Cuba:**

Relations continue to thaw with the US government now allowing chartered flights to Cuba and an official visit of President Obama planned for 20-21 March. Cuba has stated that five key issues remain to be resolved before normal relations can be achieved - the lifting of the blockade; the return of the illegally occupied Guantanamo Naval base territory; an end to subversive radio and television broadcasts from US to Cuba; the cancellation of US funding and plans to promote regime change; compensation for the damages caused to the Cuban people caused by half a century of blockade and aggression. However the forthcoming presidential elections in November 2016 could

see progress overturned if Ted Cruz or Marco Rubio are elected.

## **Palestine:**

The UK government has launched a major attack on the Palestine Solidarity movement, issuing guidance that would entail the banning of any kind of ethical procurement by local governments, public bodies and any organization that receives public funding, including some student unions. Leicester City Council is at the forefront of a test case being brought against it for refusing to purchase goods or have anything to do with companies operating in the illegal settlements. UNITE GS Len McCluskey wrote to the leader of the council expressing UNITE's full support and a meeting with the leader to discuss support steps has been arranged. Meanwhile the situation in Palestine continues to deteriorate with detainee Mohammed Al-Qeeq a Palestinian journalist on his 84th day of a hunger strike (17/02/16) in protest against his Administrative Detention by Israeli authorities.. Since the beginning of 2016, Israeli occupation forces have destroyed or dismantled 283 homes and other structures across the West Bank, displacing over 400 Palestinians.

## **Colombia:**

In the peace process an agreement has now been reached on "Victims" - the fourth point on the six point agenda, however, doubt has been expressed as to whether a final deal will be signed by the 23 March deadline. A UN Security Council Resolution has been agreed which will ensure the Security Council will set-up a group of observers to monitor a future ceasefire and the laying down of arms. There is currently debate about how the peace process will be finalised with the Colombian Government favouring a referendum and the FARC favouring a constituent assembly.

In January 2016 JFC organised a meeting in the European Parliament with live video link up with the Government Peace Commissioner and FARC chief negotiator Ivan Marquez. JFC have now been accredited with official advisory status to the peace talks. A draft UNITE Action Plan for the freeing of Huber Ballesteros was agreed by the International Committee.

**Venezuela:** The Venezuelan right-wing recently repeated its claim that the elected President – and former trade union leader – Nicolas Maduro will be removed from office within six months, with National Assembly leader Henry Ramos Allup declaring that Maduro would be removed due to an "unstoppable" force, even adding that "today, no one doubts that that lapse of six months is too long." A VSC day school on the current situation will be held on March 5th at 11.00am at the ITF House 49-60 Borough Road London, SE1, entitled "High Stakes in Venezuela & Latin America".

## **EDUCATION REPORT**

### **LEARN WITH UNITE (LwU)**

The Conservative government has yet to inform the TUC, which administers the Union Learning Fund (ULF), whether we have been successful with our UNITE bid for £1.9 million for the project in 2017. Rather than being subject to the whim of some Tory minister, we are currently putting arrangements in place to secure funding in the event of the Conservatives either reducing or even cutting this funding altogether.

## Finance Report

As noted previously, the second financial storm, the decline of Legal Income, has continued to impact the results. We have weathered the storm of the last pension valuation and cut non-front line costs to a level where the £12.3 million annual pension deficit reduction contributions (including the Republic of Ireland) can be met out of operating income. Legal Income, which peaked at £11.3 million in 2013, fell to £8.4 million in 2014 and to £6.2 million in 2015. It will continue to fall in coming years.

More specifically, Total Income amounted to £165.7 million on a preliminary basis in 2015 – an improvement of £3.2 million versus 2014. A breakdown of Unite's £165.7 million Total Income in 2015 is as follows:

	£m
Contribution Income	156.3
Driver Care	3.0
Legal Income	6.2
Affinity/sundry Income	0.2
Total Income	165.7

Contribution Income (excluding Driver Care) increased by £5.4 million or by 3.6% versus 2014. As member subscription rates were increased by about 4.7%, this implies that paying membership fell by around 1%. Versus prior years when paying membership was falling by 3-4% per year, this is an excellent result (and on track with the 1% decline assumed in the Financial Strategy). Legal Income, as noted above, fell by £2.2 million. Driver Care income and Affinity/sundry income were flat.

Total Recurring Expenditure totalled £144.6 million on a preliminary basis in 2015 – representing an increase expenditure of £3.1 million versus last year with the following comments:

- The cost of Employer Disputes rose by £0.7 million in 2015 to £3.9 million.
- The cost of Members Legal Representation declined by £0.8 million as consequence of tight control on legal costs as well as relief on the liability for other sides costs in lost PI cases (the flip side of the loss of legal income).
- Owing to the General Election occurring in 2015, the cost of Political Affiliations and Grants increased by £2.4 million versus 2014.
- National Organising spending increased by £1.0 million during 2015, reflecting a higher number of organisers and the provision of a car for each organiser.
- Employment Costs excluding Organising fell by £0.9 million in 2015. As salaries were increased by 2.3%, this means that the Union had fewer employees on average in 2015 compared with 2014.

As a consequence, Unite recorded a surplus before Investment Income and Non-Recurring Items of £21.1 million on a preliminary basis in 2015 – an improvement of £0.1 million versus 2014.

Investment Income amounted to £2.1 million in 2015 – the same as a year ago. Non-Recurring Items excluding Pension Deficit Reduction Contributions amounted to £7.1 million on a preliminary basis in 2015 – £0.8 million higher compared with 2014. Included within the Non-Recurring items were £1.5 million of employee severance, £2.9 million of VAT write-offs on property purchase and refurbishment and £2.5 million on property write downs.

Unite achieved a surplus prior to Pension Deficit Reduction Contributions of £16.1 million in 2015 – a result which was £0.8 million worse than the year before.

Pension Deficit Reduction Contributions totalled £12.3 million in 2015 -- £0.8 million less than 2014 (2014 included a one-off payment related to the Republic of Ireland scheme). Under the Deficit Recovery Plans agreed with the two sets of Trustees (UK and ROI), these contributions will be £12.3 million through 2024.

Taking everything into account, Unite posted an overall surplus of £3.8 million on a preliminary basis in 2015 – a result which was the same as 2014. The result means that the Union remains on track with its three year financial plan.

### **Liquid Assets**

As indicated, Unite's liquid assets amounted to £104.9 million as at 31st December 2015 -- up by £3.8 million versus year end 2014. This increase was the result of a combination of (1) the positive operating results of the Union during the year; (2) a slight growth in value of the Union's marketable securities; (3) offset by net capital spending on property purchase and refurbishment. Going forward, the Union's marketable securities have fallen along with the global markets in early 2016 and the spending on the Birmingham project is due to ramp up.

### **National Dispute Fund**

From a starting balance of £32.0 million at the beginning of 2015, the balance of the Dispute Fund has risen to £34.2 million as at 31st December 2015. This reflects inflows of £3,888,612 (the 2.5% diversion from Branch Administration) offset by Dispute Benefit payments totalling £1,739,367. Note that there has been no deduction of expenses/costs reflecting the EC's previous endorsement of the General Secretary's recommendation to this effect.

### **Maternity Benefit/Shared Parental Leave**

In response to a query, it is proposed that the Union's maternity benefit provided to members under the Enhanced Membership package be changed slightly in order to accommodate shared parental leave situations. Specifically, previously the benefit was only paid to a member who was off work on maternity leave for the 10 week period covered by the Union's benefit. From 1st April 2016, it is proposed that the member can claim the full 10 week benefit entitlement if they alone or in conjunction with their spouse taking shared parental leave are off work for the 10 week period. In either event, as now, the member must pay full subscriptions during the period for which the benefit is claimed. This change would apply equally to adoption situations.

### **Lay Member Expenses**

Unfortunately, HMRC have again changed their allowable subsistence structure (with which we must comply) as follows:

- Elimination of the £5 breakfast allowance for trips commencing prior to 6 am.
- Introduction of a new 15 hour allowance of £25 inclusive of dinner (essentially the combination of the previous £10 ten hour allowance and the £15 evening meal allowance) if no meals are provided by Unite.



- Reduction of the evening meal allowance if not claimed as part of the new 15 hour allowance from £15 to £10.

All other allowances/conditions remain as they are -- e.g., the £5 incidental overnight allowance and the £50 per overnight international allowance stay the same. Except for the elimination of the breakfast allowance which is a detriment to the prior regime, these changes should not make much difference to members (except for having to learn the new system in order to comply/adapt to it).

In line with HMRC stipulation, it is proposed that this new regime come into effect for travel commencing on and after 6 April 2016.

## Legal Report

### HOLIDAY PAY

Since the last Council meeting the Employment Appeal Tribunal ('EAT') gave their long awaited decision in the *British Gas v Lock* appeal on 22 February 2016.

The EAT decision re-affirms the law established by Unite in November 2014 with the *Bear Scotland & other* cases, which said that overtime and other allowances should be included in holiday pay, was correct and applies equally to commission.

British Gas argued that the legal position established by Unite in the *Bear Scotland* case was wrongly decided, did not apply to commission and therefore should be ignored. The EAT disagreed. The Judgment confirms that the legal principles Unite fought so hard to establish regarding overtime and paid travel-time were correctly decided and apply equally to other payments including commission. Whilst the decision does not establish any new legal principles, it confirms that the position established by Unite applies to all regularly received payments, as we have always said.

Some employers have used the British Gas appeal as a reason for refusing to resolve holiday pay disputes industrially. Their excuse for delay is now over. The law is clear and our position has been re-affirmed and strengthened by the EAT.

It is possible that British Gas could appeal against the EAT decision; however we are aware that they are continuing to try and settle the case. When anything further is known regarding this we will update

We have seen some excellent industrial deals since our last update. A few of note to mention include:-

- Ford - a deal which protects members extremely favourable enhanced contractual terms in respect of a holiday bonus and holiday entitlement, whilst including all payments (including voluntary overtime) for statutory holidays with 1 year's back pay reflecting the full value of any potential claims;
- Southampton Council – a deal which means the Council will be paying holiday pay 'top-up' payments to include all overtime (including voluntary), standby and callout payments for all contractual (32 days) holiday;
- Lincoln Council and 4 private companies in East Midlands region - agreed deals to pay average pay for all contractual holidays

In December over 20,000 holiday pay claims were issued for members against British Airways in the first strategic targeted multiple claim of this size.

---

# uniteNOW!

---

Whilst the number of industrial deals appeared to have slowed down during the latter half of last year, we are still seeing a steady flow. The strategic turning point is likely to be dependent on whether British Gas appeal to the Court of Appeal or settle the cases as has been indicated and we are preparing for either eventuality. More should be known in the next few weeks.

## **UPDATE ON BLACKLISTING CASES**

Unite Legal Services continue to lead the Claimants' group in the High Court blacklisting litigation, with the 10-week trial due to start on 9 May. Following the Defendants' admissions in October, offers of settlement have been made in almost all cases. Unite has urged members not to accept these offers. Save in a very few circumstances, the offers have not been accepted.

Witness statements have now been exchanged for the Lead and Reserve Claimants for trial, and the Claimants have served their final schedules of loss and expert forensic accountants' reports. Cullum McAlpine has not provided a witness statement and is not to be called by the Defendants to give evidence. Mary Kerr, the wife of Ian Kerr, who ran The Consulting Association, is to be called by the Defendants.

The Claimants continue to press the issue of disclosure by the companies. An important 2-day application was determined in the Claimants' favour in January, with the companies being ordered to conduct further searches and disclose further documents and pay the Claimants' costs. This has led to the Defendants announcing on 24 February that they have finally found the email accounts for Sir Robert McAlpine and one of his colleagues, and will disclose them to the Claimants.

A further Case Management Conference took place on 26 February. The Defendants' application to exclude evidence to be advanced by the Claimants in relation to loss of earnings was successfully resisted. The Claimants' application to cross examine a company witness who had not provided a statement was successful. Dates were set for further disclosure to be provided by the Defendants. Although the group litigation register will close on 4 March, potential new Claimants will still be able to bring claims subject to limitation.

## **UPDATE ON LEGISLATION**

### **The Trade Union Bill and related attacks on trade union and working people's rights**

The Bill remains before the Lords. In spite of the Government's enthusiasm to push the bill through, it is beginning to identify some problems.

A leaked letter from BIS minister Nick Boles, dated 26 January and copied to the Prime Minister, set out ministerial concerns about getting the Bill through the Lords and proposes a number of limited concessions (the letter can be read here: <http://www.slideshare.net/tradesunioncongress/leaked-bis-letter-on-trade-union-bill-concessions?ref=http://touchstoneblog.org.uk/2016/02/leaked-letter-shows-ministers-recognise-large-parts-of-tubill-arent-fit-for-purpose/>).

Concessions being considered include:

- a review into whether unions should be allowed to conduct e-ballots for strikes (but there would be no date for such a review to report and there may be a pilot limited to general secretary elections; and there is no mention of workplace balloting);
- a procedure to consult the Scottish Parliament and Welsh Assembly, which may involve further concessions on the Bill in relation to Scotland and Wales;
- assurances as to the independence of the Certification Officer and to allow appeals of the CO decisions to the EAT on a point of fact (currently limited to points of law).

---

# uniteNOW!

---

- concessions on the proposed additional requirements for information on the ballot paper.
- withdrawal of the increase in the notice period for industrial action from seven days to 14 days.
- increasing the time that a ballot is legally valid from four months to six months.
- deleting the need for a picket supervisor to wear an armband and badge.

Separately, BIS published the response to consultation on ballot thresholds in “important public services”, including “support staff in ancillary roles” (whereby 40 per cent of workers eligible to vote in certain sectors must say “yes” in addition to the requirement for 50 per cent participation in all ballots). BIS said: “We have considered the issue [of support workers] carefully, and will therefore table an amendment to the Bill at Lords Committee to remove the broad reference to ancillary workers from clause 3.” The 40 per cent threshold will continue to apply where a majority of members entitled to vote in a ballot are normally engaged in the provision of “important public services” and this includes those working in the private sector.

Draft Regulations were also published with the response seeking to define the sectors covered by the 40% requirement and Unite was particularly interested to see that nuclear decommissioning was not included at this time. Unite has written a letter to ministers of relevant departments encouraging them to exclude other sectors proposed in order to comply with international law.

On other aspects of the Regulations we are concerned to see a catch-all in relation to health services in 2. (d) “other care services...”. We argue this is not limited to essential services, is too wide and that uncertainty will breed complexity (whilst remaining opposed to the requirements generally). The same comment is appropriate in relation to transport services 5. (2) (c) “ticket sales and other services which enable trains to operate”.

The Parliamentary Joint Committee on Human Rights has published its objections to aspects of the Bill. It concluded that the Trade Union Bill “raises a number of human rights concerns” and accepted the cumulative effect of the proposals, including those in secondary legislation, such as the plan to permit agency workers to cover strikers’ jobs and that the ban on check off could be lawful, unless it was “justified”.

## **British Bill of Rights**

In December Gove announced that the Government’s plan to consult on scrapping the Human Rights Act and introducing a “British Bill of Rights” has been put back again until the “new year” due to the complexity.

Perhaps the best explanation is given by the President of the Supreme Court, Lord Neuberger, last year. Neuberger observed: “If we had a constitution, this would presumably have primacy over decisions of the human rights court in Strasbourg and even those of the EU court in Luxembourg. Where those decisions appeared to be inconsistent with any fundamental [UK] constitutional principles, those principles would prevail.” The issue is whether or not the Government will try to use the British Bill of Rights to create Constitutional Court, similar to Germany’s, and whether the Supreme Court should be that body”.

Unite’s concern is to ensure that collective rights remain and are not watered down in the process.

---

# uniteNOW!

---

## **Court and Employment Tribunal Fees and Structure**

Unison's application for permission to appeal its case on ET fees to the Supreme Court was granted on 26 February. Still the statistics point to a 70 per cent drop in the number of cases being brought before the tribunal.

The Common's Justice Select Committee took its final oral evidence on 3 February in relation to Court and Tribunal Fees and its report is awaited. Evidence from senior judiciary in relation to court fees caused a stir when Lord Justice Dyson told MPs the recent rises were "dangerous" and based on "hopeless" evidence. Meanwhile, the Government has abandoned plans to introduced court fees for defendants in criminal cases.

The Scottish Government has announced it intends to abolish employment tribunal fees in 2016 *"ensuring that employees have a fair opportunity to have their case heard."* Related to this is the discussion by BIS and the MoJ about a draft Order in Council of what constitutes a Scottish case in the context of the passage of the Scotland Bill devolving further responsibilities to Scotland, which is expected to include the administration of ETs