

Report of Unite Executive Council Meeting 7th to 8th July 2008

This report is written for members in the Health Sector. This is a purely personal report, reflecting my own impressions of the meeting. This is of course not a formal record of the Executive Council meeting, and should not be considered as such.

This was the second meeting of the newly elected Unite Executive Council.

The planned venue for the meeting was unavailable, and it was therefore held in an extremely cramped room. It was difficult to see who was speaking, and difficult to organise paperwork.

Frank Wood and I had submitted two proposals in advance of the meeting. The first was that the Union should affiliate to the 'Public Services Not Private Profit' campaign, in line with the decision taken by Amicus Policy Conference last year. The second called for consultation with relevant senior lay representatives (at Executive, Regional Council and National Industrial Committee level) prior to future appointments of Regional Secretaries and National Officers. This reflected the concern expressed to me by several senior lay reps that the National Officer for Health, Kevin Coyne, had been moved out of this position in the middle of a national pay dispute. The move had become known minutes after the last Executive Council meeting ended. It is possible that this move damaged the relations between Unite and the other NHS unions whose members had opposed the pay award, resulting in the negotiators for other unions accepting a very unsatisfactory three year award.

Joint General Secretary Derek Simpson indicated before the meeting that he was not willing to accept these proposals.

Minutes and Matters Arising

The minutes of the May Executive Council meeting were agreed after some discussion.

75% Rule

A former T&G section colleague felt the minutes did not accurately reflect the May meeting, as there

was no record of Derek Simpson's intention to use the '75% rule' to stop the creation of Executive Council sub-committees. Chair Tony Woodhouse said it was T&G practice only to record decisions, so this would not be included. The colleague who raised the point said the matter had been deferred by the EC and could be brought back. Derek said it would be strange to record a status quo, as this was taken as read and didn't need to be in the minutes.

Mileage

An EC member asked the FGPC to look at mileage allowances for lay delegates, given the sharp increase in the cost of petrol.

EC Proposals

I raised concern that a point had been deleted from the standing orders discussed at the May meeting: '*A member of the EC should give the Joint General Secretaries not less than 14 days notice of any proposal that he/she wishes to place on the agenda*'. This had been in line with Amicus practice, where it was routine for NEC members to raise matters of relevance to their own region or sector. My notes of the May meeting indicated a brief discussion focusing on the 14 day notice period, with reassurances from JGS Derek Simpson that the Executive could of course have items on the agenda. My notes did not show any proposal or agreement by the Executive Council to delete the standing order.

Assistant General Secretary Ray Collins said removal of the point reflected the concern expressed by EC members over the 14 days, as they had felt this could be used to inhibit debate. This therefore accurately reflected the views of the meeting. I noted that two EC members had already been told they could not raise agenda items, and there was a

need for a positive right to do so in line with the original standing order.

Joint General Secretary Tony Woodley said there needed to be a strong degree of commonsense, and a clearly defined way of bringing business to the Executive whether we called it a remit or correspondence. It was commonsense that business should come through constitutional committees and the situation would be untenable otherwise. The Executive Council had a right to raise their point of view, and there was no intention to inhibit this.

I spoke for a third time saying that Tony was opening a debate that had not been had at the meeting. Minutes were an accurate record of the meeting and the decisions taken by the meeting. The Joint General Secretaries had put a set of detailed standing orders to the last meeting, and the minutes should reflect what had been agreed.

AGS Ray Collins repeated that there had been a strong consensus on the 14 days and that therefore led to the removal of the standing order.

The Chair put this position to the meeting and it was agreed.

Other Standing Orders Amendments

An EC member noted that the standing orders still contained the sentence, *'The Chair may exclude from the meeting a member who persistently interrupts or otherwise causes a disturbance or fails to obey the Chair and such a member shall remain excluded until an apology and assurances as to future behaviour satisfactory to the Chair has been received'*. He said the May meeting had agreed this was unnecessary. This was agreed.

A further correction to the standing orders was the replacement of *'In the event of an equality of votes, the proposition before the meeting shall fall'* with *'In the event of an equality of votes, the proposition before the meeting shall not be carried'*. It was agreed that this had been the decision of the May meeting.

It was also agreed that minutes should be circulated to all branches.

Matters Arising

An EC member from the former Amicus section raised a matter arising from the election of the Chair, Tony Woodhouse, at the previous meeting. He reported that when he had attended his Industrial Sector Conference on 6th June, JGS Derek Simpson had been very critical of Amicus EC members who had voted for Tony Woodhouse. The EC member had then identified himself as one of those who had done so in the 'Q&A' session, and felt that Derek's comments had been personally abusive.

The EC member said he was more concerned that Derek had not been acting in line with the requirement of Section 3.9 of the General Rules approved with the Instrument of Amalgamation: *'The Joint General Secretaries shall be under the control of and act in accordance with the directions of the Joint Executive Council. Between Joint Executive Council meetings each Joint General Secretary shall exercise the Joint Executive Council's powers provided that he/she shall not act inconsistently with an existing Joint Executive Council decision'*.

The same EC member reported that he had then faced a vote of no confidence over the same issue when he attended his Industrial Sector Conference following the Joint General Secretary's address. The Chair of the Conference Arrangements Committee had happened to be in attendance at the conference, and had ruled that the vote of no confidence could proceed although it had no bearing on the individual's Executive Council role. The EC member felt the guidance given to the Conference to allow the vote was wrong.

The EC member went on to report that he had raised these concerns with JGS Derek Simpson prior to this Executive Council meeting. Derek had told him, *'I don't care what you think or say'*. The EC member did not believe this was appropriate. He said he regretted having to raise these issues here.

JGS Derek Simpson did not respond. Chair Tony Woodhouse expressed his own view that the way people voted was a matter of conscience. The EC member thanked the Chair for his response.

Two EC members raised items regarding proposed industrial sectors, and were advised this was a later agenda item.

An EC member noted that the information with the ballot on the new rule book said the EC recommended a 'Yes' vote, but in fact the EC had only agreed the time table. She was advised by JGS Tony Woodley that the EC had agreed to recommend a 'Yes' vote.

Finance and General Purposes Committee

The FGPC had met on 23rd June. Most items discussed by the FGPC were covered elsewhere on the EC agenda. There was little or no debate by the EC on most items covered by the FGPC. The exception was the discussion on Union properties outlined below.

The FGPC minutes noted that the reallocation of duties of Regional Secretaries (Jennie Bremner, Kevin Coyne, and Laurence Faircloth had been fully discussed with the individuals concerned. The JGSs were aware of concerns raised by EC members that they had not been consulted. Unfortunately Derek Simpson and Tony Woodley had had their phones off during the May EC meeting, and were unaware of the outcome of discussions until after the meeting.

The FGPC had been told that Union finances for the period ending 31st December 2007 had been finalised and would be submitted to the Certification Officer. (These were submitted to the EC for information).

An appeal for TU HIV-Aids projects in Sub-Saharan Africa would be circulated around regions and branches, to be reported back to the FGPC for further support.

A recommendation will be made by the JGSs to the FGPC on support for a campaign for an independent health review of cancer deaths in the semiconductor and computer component manufacturing industry.

In the T&G section, statutory allowances will be increased in line with the employee pay settlement from June 2008. Amicus section lay members expenses will be increased by the same percentage. This is an interim step towards integrated processes and procedures.

The JGSs advised the FGPC that they have agreed that all 'remits' (resolutions) will ultimately go to the Executive Council. The degree of involvement of the FGPC will be considered by the JGSs and a recommendation made by them to a future meeting. *(This is an area where the predecessor unions have different traditions. In Amicus, the General Purposes and Finance Committee was closely involved in all areas of the Union's work, and typically made recommendations to the NEC on resolutions. The role of the T&G's Finance and General Purposes Committee was a good deal more minor than this, typically dealing with financial and administrative items only).*

One EC member asked about apprenticeships, and was advised by JGS that we would be looking to deal with this issue in the 'Warwick II' discussions with the Labour Party.

Finance and General Purposes Committee: Union Properties

The main debate in this agenda item was around Union properties. The process of bringing together two large unions inevitably requires a major review of union facilities. Chief Finance Director Ed Sabisky reported an ongoing process of identifying needs with Regional Secretaries, agreeing this with the Joint General Secretaries, and consulting with lay members in regions. Proposals should be finalised by September. An EC member from the South East stressed the urgent need for a regional office in Oxford. Another EC member was concerned that a decision had been taken in Sheffield to close the

T&G office without consultation; JGS Derek Simpson reported that the Union had two offices in spitting distance in Sheffield, one that could accommodate all our people and one that could not. We could consult but there was no need.

Another EC member had thought the property report was coming before this EC meeting. She said there was speculation in regions about what was sold and what was purchased, and we had to finalise plans and go out to consultation to end the innuendo and instability.

The discussion around properties and around the Sheffield office became briefly heated, with two EC members reporting that members were approaching them about this and JGS Derek Simpson saying he did not believe this. Another EC member reported that consultation with lay members had taken place in the North East and Yorkshire in the former Amicus section, and that this should also have happened in the T&G section. The colleague from the South East felt that where consultation had happened and decisions had been taken, we should move on. We needed offices fit for purpose, and a functioning Union.

JGS Tony Woodley said there was no problem with people being held to account, but there was no question of people dilly dallying or delaying. Regional Secretaries weren't taking the decisions. Ed and Les (Bayliss) were coordinating the process. The report had come back to the JGSs a week or ten days ago, and Ed and Les had been told 'Go out and talk to people'. There needed to be commonsense around no duplication, and not having offices that were too small. No one was messing around, and proposals would come back as soon as there was consultation with lay committees.

Joint General Secretaries Report

This was a lengthy agenda item (and was returned to several times, as other shorter reports were taken during this debate).

Organising Agenda

This is, quite rightly, an important area of work for the Union. Most unions have lost members over recent decades. Unite aims to target strategic areas for systematic organising work to reverse this trend, and to deliver real benefits for members on the ground. This will go alongside a '100% campaign' designed to substantially strengthen membership where we already have recognition.

JGS Tony Woodley reported on membership and organising. Membership is in line with projections. Figures from January to June show substantial recruitment, with 333 new shop stewards and two new shop steward's combines established. A primary aim for the Union is to build sustainable workplace organisation. There would need to be a process of identifying strategic priorities for organising initiatives. In the past we had had great ideas but they were under-resourced. There was so much potential in the world of work out there. The intention was to identify targets in September, considering information from industrial sectors, Regional Secretaries and Organising Teams.

Deputy General Secretary Jack Dromey reported on the process of integrating Amicus and T&G organising capacity. We now had in excess of 100 organisers, and four new Senior Regional Organisers (London: Miles Hubbard; South West: Gulam Bakawala; Wales: Chris Stiles; South East: Mick Duncan). The plan was for an Organising Unit and team in each region. Jack Dromey gave the example of a Honda production line where workers had not had access to water while working. A Union campaign had delivered on this, and we had 259 new members. An example on a much larger scale was the Union's work in the Meat industry. We had won a number of agreements on the equal treatment of agency workers. We were now laying the basis for a global meat workers combine, linking up unions worldwide.

This was a positive discussion, about an area of real future significance. The intention is to link in national and regional campaigns, and to encourage officers to be working on 100% targets in particular

companies alongside the targeted organising initiatives. Membership numbers are expected to shift as the detailed work is done.

I talked about the large number of public sector members in Unite, our growing membership in Health, and the enormous potential to build our membership and organisation in the public sector. I asked for an assurance that health and other public sector areas of our membership would receive serious consideration for detailed targeted organising work.

An EC member talked about the need to involve lay members more in the organising strategy, saying we couldn't put this on the back burner.

Deputy General Secretary Jack Dromey said that all sectors of the Union would be looked at. We would need to identify strategic priorities, but for the rest of the union it was business as usual – building organisation and membership.

There was a brief discussion about members joining on line, and flagging this up to reps. Currently the Branch Secretary gets an email to say a new member has joined – it was agreed in principle that the senior rep for a workplace needed to get this information.

JGS Tony Woodley reported on the Shell dispute. In the past, these drivers had taken real pay cuts, sometimes £10,000 to £13,000. We'd had the moral high ground in the dispute. Tony reported on attempted Government interference to stop Shell reaching a deal, and about the robust response from the Union. We'd had a deal within 20 minutes. This was the difference between General Secretaries putting members' interests first, not Ministers' interests first. We were going to move on now to look at a sector wide pension scheme. This wasn't the first victory and it wouldn't be the last.

NHS and Public Sector Pay

JGS Derek Simpson talked about the serious situation in the NHS, as our members challenged

the pay restraint of the Government. Our members had voted for industrial action in a ballot. There was a slightly different situation to the tanker drivers. These were people who were angry with the employer but people who cared. They knew it would be patients who suffered in the event of industrial action. Unison was seriously embarrassed by events. Our tactics were important.

Assistant General Secretary Gail Cartmail gave a bit more detail on the dispute. The Government had a policy of pay restraint, every pay settlement was now expected to go through the 'Treasury Gateway' and the Government had now announced it favoured three year deals. This created severe difficulties. Our members had been told a deal had been done by Unison and the RCN. It was worth less than 8% over three years. Unions had consulted – our own vote against was unprecedented. We had set up a sub-group of lay members to support National Officers in taking this forward. We had a situation now of local authority workers taking industrial action on 16th and 17th of July, our NHS Day of Action on 18th, followed by action by coast guards on 19th and 20th and further action by civil servants. We would be defending pay for our members in the public sector, using the slogan of 'Cut My Pay – No Way' not just in the NHS but more generally.

Peter Allenson, Unite National Secretary for the Public Sector (from the former T&G section) also reported to the EC. He was very clear that with RPI at over 4%, pay offers of 2% or little more meant pay cuts. Public sector reform was about 'efficiency savings' but this meant money saved on our members backs. The money for lower grades wasn't enough. The wider context was one of outsourcing. Our members had voted for industrial action.

An EC member representing public sector workers congratulated Gail and Peter on their work. He also praised a meeting the previous week, bringing together senior lay reps from the former Amicus and T&G sections for the first time. He said people wanted us to take industrial action, and were asking for it. The Day of Action was important, and we needed the material – flags and so on. He also made

an important observation about ballot results – the way you ask a question on the ballot paper determines the outcome!

I spoke in this section of debate, outlining strong concerns about the role of Unison – noting that it was unacceptable for a TUC-affiliated union to break ranks with other TUC affiliates to negotiate a separate pay deal, and equally unacceptable for a TUC affiliate to ask the Government to impose a pay deal that had not been agreed by Unite. I stressed the vote of our members for industrial action, and the importance of this mandate. I also talked about the industrial muscle of groups of our members. Almost any hospital procedure these days involved blood tests or looking at tissue samples – our laboratory staff could bring hospitals to a standstill. On the T&G side, hospitals just couldn't run without porters and other ancillary workers. Again, our members had industrial muscle. Any industrial action would of course include emergency cover to protect patients, but we had real strength.

Frank Wood, the other EC member for Health, spoke about the Day of Action on the 18th July. The Day of Action would make people notice what was going on. We should be aiming to get other people to join in, not just Unite, and also looking for support from local authority workers. This wasn't just about pay – it was how you treated health workers. We should be praised for what we do, not seen as a problem.

Another public sector worker spoke in the debate. She talked about porters and domestics taking home £200 a week. This wasn't good enough. We'd held our heads up and had to show our strength. Unison was in disarray. We weren't happy about the deal and we weren't happy about Unison's actions.

There was also a brief discussion on local authority 'Red Book' members. This covers local authority craft workers. Peter Allenson reported that a final offer had now been received for this group, and a pay ballot was now in hand. The discussion also covered the issue of 'dispensations' in local authority industrial action – covering, for example,

care workers in old peoples' homes. This was an important issue, dealt with at local level.

A further comment in this debate was around Shell and Grangemouth being important. We needed the message to go back to our public sector members, 'Unite is fighting back and Unite is winning'.

Derek Simpson concluded the debate on public sector pay saying this was not just a battle for health but for the wider union. We had to win the hearts and minds of the public. It wasn't going to be easy for tens of thousands of public sector workers to make a breakthrough, but we were going to do everything we could to win that struggle.

HR Issues

The General Secretaries' report also covered the HR issues arising from bringing the two unions together and integrating staff and officer groups. Job evaluation is progressing according to timetable. Around 230 employees have applied to take voluntary redundancy. The issue here is the need to sustain the Union. There is not an intention of releasing employees through voluntary redundancy if positions then need to be filled. There is also no intention of leaving members unrepresented.

Regional Co-ordinating Officer positions had been advertised, with 55 employees applying for 24 posts. Selection will commence this month. The intention is that General Secretaries, the appropriate Regional Secretary, and EC members will be involved in recruiting to these senior positions.

Education

JGS Tony Woodley reported that a review of education was taking place, led by a project team chaired by AGS Les Bayliss, including Graham Goddard, Jim Mowatt and Mike McCartney. The intention is for education to be determined nationally, and to reflect the Union's priorities of politics, international trade unionism, and organising. While the priorities of the two

predecessor unions had been different, education had not been fit for purpose in either.

Les Bayliss also reported, commenting on 82 tutors and 150 learning reps. The arrangements for their employment needed to be clarified, and all information taken into account before decisions were taken.

The Amicus education department was disbanded two or three years ago. Several former T&G section EC members are clearly unhappy at rumours that all future education could be provided via the TUC, and expressed strong opposition to this. My impression is that there has been a greater degree of lay input into education in the T&G than there has in Amicus.

USW Merger, Temporary and Agency Workers Directive, Working Time Directive

An EC member noted that we had not been briefed on the announcement of the merger with the USW. JGS Derek Simpson felt this was unnecessary, as it had been discussed at the previous Executive Council meeting.

Another EC member, speaking on the USW merger, noted that the last EC had had quite a discussion on the makeup of a six by six steering committee for the union, and the General Secretaries or FGPC were going to come back to us with proposals around this. Derek Simpson responded that no thought had been given to it, and it remained to be sorted out.

A third EC member talked about the benefits of the merger, and the links now being made internationally with USW members.

An EC member commented on the 12 week lead-in period in the Temporary and Agency Workers Directive. The rest of Europe had wanted protection from day one. There was a CBI-TUC agreement that we hadn't seen. The CBI had reported they accepted 12 weeks because they had agreement on a working week of more than 48 hours. We should seek to get this overturned.

Derek Simpson responded that neither he nor Tony Woodley had been involved in any agreement on the Working Time Directive, and any suggestion they had discussed it was false. The protection for temporary and agency workers would restore collective bargaining in many areas – it was 12 weeks before it kicked in, but it covered 70% of relevant workers. The Big 4 had led the negotiations on the TUC agreement on this.

In Europe, the Working Time Directive and the Temporary and Agency Workers Directive had become tied. The issue with the Working Time Directive was around stand by time – on call being counted as working time. It caused many problems if on call was counted as working time – for example in European hospitals. The TUC had had nothing to do with any agreement with the CBI. We'd agreed 12 weeks on temporary and agency workers, and in the future we would try to reduce it.

I had already indicated to speak in the discussion on the USW, but also wanted to raise points on working time. I asked for a commitment that the Union would be opposing any increase in the maximum working week, and expressed concern that stand by or on call might not be counted as working time. This was relevant to many of our members. I asked for the TUC agreement to be circulated to the Executive Council.

I also picked up on the point raised previously about the USW, saying that I supported the merger and the potential to build international organisation. I said the issue had been around lay input into the steering committee. The six USW members were Full Time Officers by definition, as the USW Executive were all employed on a full time basis by the USW. The proposal at our own meeting had been for lay input from Unite, for example, with steering committee members elected from the Executive Council. Could the General Secretaries or FGPC look at this and bring proposals back to the EC?

Derek Simpson responded robustly, saying that he was bemused. He continued, 'You come here and

require a commitment. It's not you versus us unless of course that's how you look at life'. He said he was delighted I supported the merger as it was the first union merger I had supported. He responded to the point raised by the first EC member on the make up of steering committee places, saying these had not yet been worked out.

Zimbabwe

An EC member asked about fellow trade unionists working under difficult conditions in Zimbabwe, and what help we were able to give. Derek Simpson reported on ongoing contacts via our International Department, and the Zimbabwean trade unionists who came here at great risk to themselves. We would find a way of assisting whenever we could.

An EC member talked about an attempted arms shipment to the Zimbabwean regime, that had been blacked by dockers at a series of ports – first at Durban, and then at ports in Angola and Mozambique. This was solidarity of working people to stop the Zimbabwean regime getting the arms they needed to repress people. Another EC member commented that Gordon Brown had praised the blacking of arms shipments – but in this country it would be illegal industrial action.

Other industrial sectors

A brief discussion took place on several industrial sectors. Health had been covered in some depth the previous day, so was not raised again.

Reports included the attempted victimisation of one of our EC members working as a bus driver – his employers had backed down hastily after a supportive response from the Union.

The Government had tried to block moves to change the 'accommodation offset' to protect migrant workers in agriculture. It has been common practice for employers to deduct a large amount of money from wages to cover sub-standard accommodation, leaving migrant workers grossly exploited. Farm workers, farmers and independent

members of the Agricultural Wages Board had united in demanding an end to the practice, and forcing a retreat from the Minister.

Our drivers in Argos were likely to be taking industrial action.

An EC member for Construction reported that there were issues with an employers' representative about to head up the JIB. This was unprecedented and would be detrimental for our members. It was agreed that AGS Les Bayliss would raise this with the National Officer and seek to get a sector meeting together.

An EC member raised the need for the extension of gangmaster protection to construction, and highlighted press reports of John Hutton's opposition to this. The EC member reported on construction workers from Lithuania being paid £8.80 for a 39 hour week on a construction project in the UK. Tony Woodley agreed. Many deductions from wages were illegal, but it was impossible to enforce when it was only two men and a dog doing the enforcement. We would be looking to extend gangmaster protection in Warwick II.

Political Report

Laval case

JGS Derek Simpson reported on this case, describing it as the most massive challenge to trade unions for a long time.

The background to this is that Swedish unions took action against a Latvian construction company (Laval) that refused to sign a collective agreement. The Swedish Labour Court referred the matter to the European Court of Justice. The ECJ ruling was that – although the right to strike is fundamental – the right of businesses to provide cross-border services takes priority. If this judgement holds, it will be illegal for any union to take industrial action to defend pay or working conditions that are undercut by migrant workers (except where minimum legal standards apply). So in Britain,

unions would be allowed to take action to make a company pay the minimum wage to migrant workers, but action to defend any pay or conditions better than this would be illegal. It would be against the law for Unite to take industrial action to defend national pay rates in the NHS as services are outsourced, or to uphold national agreements in construction, for example. This is a shocking judgement, which has huge implications for every European trade union.

There are now several similar judgements, all of them threatening the right of unions to defend their members while remaining within the law.

Derek Simpson reported that BALPA (the airline pilots union) had been forced to withdraw when threatened with legal action by BA. Cabin crew faced a similar threat (of pay being undercut by jobs being outsourced).

John Hutton (Labour Secretary of State for Business, Enterprise and Regulatory Reform) had intimated that the Government supported the ruling. Derek Simpson indicated that a Government that let that out would have no chance of winning the next election. The Union's vigorous campaign against this would continue, and we would prioritise this at the TUC. The issue of trade union freedom would be fully discussed as part of 'Warwick II'.

Derek went on to talk about wider political and industrial issues. We would be raising, as part of Warwick, the right to take collective action where an 'associated employer' was concerned. The Government didn't want to be seen as soft on unions, but the time had come for us to be firm. Workers faced rising food prices and fuel prices, a lack of affordable housing, the credit crunch, a Government trying to stick to a 2% wage cap in the public sector. It was arrant nonsense to expect people at the bottom of the food chain to pay the price not those getting boardroom bonanzas. We heard about the 'oil crisis' – it meant we pay, and the money goes into the pockets of the rich and powerful.

We'd be going onto the attack on the question of the economy and what needs to be done. At the same time, we'd got an absolute priority of winning the next election for Labour. It was a paradoxical question, and raised the issue of how to do a balancing act. We had to get Labour to tell ordinary working people they're on our side.

Derek also commented on the Agency and Temporary Workers Directive, saying we hadn't got the final draft yet but we needed to be particularly aware of anti-avoidance measures. If agency and temporary workers didn't have rights, it left the core workforce vulnerable – trade unionists could be undercut. The protection wouldn't kick in for 12 weeks, but at least we had got a baseline in there.

Miami Five

Tony Woodley reported on the Miami Five case, outlining the need to support these individuals. The case involves five Cuban men wrongly imprisoned in the USA, and has the support of the Cuban Solidarity Campaign. The Union will be using one of its TUC motions to highlight this case.

Tony Woodley went on to flag up the same issues as Derek. The 'credit crunch' meant that people were being driven into debt, and the people responsible gave themselves massive bonuses while we paid the price. We were seeing unacceptable behaviour from greedy corporate fat cats. We needed a windfall tax on greedy corporate oil companies. We called on a Labour Government to take the money back. We'd had the Governor of the Bank of England come to the TUC last week. He'd said that wage rises themselves *weren't* inflationary, and if utilities were to increase their process in line with predictions, this would add 1.25% to 1.5% to inflation. What was the Government doing to stop this happening? We needed our Government and our Prime Minister to get up off his butt and stop this happening.

An EC member talked about us not being listened to. How could we impress on this Government that if they didn't do what we were asking, they were heading for gloom and doom. We only had to look at the local election results, and the Crewe by-

election. It was so frustrating – listening to the reports, and then Brown was quoted in the FT yesterday saying there would be no return to secondary action.

Charlie Whelan, Unite's Political Director, said we had carried out a survey of 8000 of our members, and were going to take the results back to Brown's people.

JGS Derek Simpson said it was frustrating, but people were wrong to say 'Let's not give the money, let's disaffiliate, let's start a new party'. This wasn't the answer – the answer was to win back the Labour Party. On pensions and temporary and agency workers we were bringing them round, although it was painfully slow. We'd got a political strategy. 'Pressure, pressure, pressure' – that was all we could do.

We were building the union and using pressure to create a political climate conducive to unions. We had to put every shoulder to the wheel. If we did not, we would get a Tory Government that would welcome Laval. Changing Labour was the only solution we'd got.

Unions today weren't in the same place as five or six years ago. People talked about lay democracy – there was no more democratic union than Unite and its predecessor unions, pushing for the rights of our members. People weren't understanding the question of 'How to make Labour change'. We weren't going to progress by letting a Labour Government go; we'd got to change it and change it fast.

An EC member commented on the Ulster Unionists support for 42 days detention. Why had Unite MPs been silent on this? Had there been an agreement reached? Did this have an impact on our members? He was advised by Charlie Whelan that this was not an issue for us – we had no formal position to give MPs.

An EC member said he was disappointed that the TU Freedom Bill wasn't going to be incorporated into Warwick II. Tony Woodley said this issue would

come up under Warwick II. He described counter claims as a 'lie', and said every element of the TU Freedom Bill would be up for discussion. It was the enemies within and people who were undermining our movement who said it would not be. He did not believe it was acceptable to move to Warwick II without serious changes to employment law.

An EC member suggested using an Early Day Motion and a campaign on anti union laws to get the issue back onto the agenda. Charlie Whelan felt we might want to keep our powder dry on what we want.

Another EC member quoted from the media, reading 'Brown vowed he would not turn back the clock on labour law'. Unions that provided 90% of Labour's funding were flexing their muscles. We were going into Warwick but Brown's mind was made up. What were we going to do about funding?

Derek Simpson said, the question was, what was the alternative. Labour were in with big business, but what were we to do? Walk away? Vote them out and let the Tories back in? How long were we going to go on supporting them? As long as it takes. We had to get labour returned – but the best way was to get them to change some of their policies.

Tony Woodley said we had to think logically. This Prime Minister was wedded to neoliberalism and incapable of breaking through the 'free market rules OK' line. He couldn't break from that. In Scotland they were saying, no more privatisation, free prescriptions. Also in Wales – no more privatisation of the public sector. Were these countries off their heads? No. we would continue to push and push and push.

An EC member said Labour had done some good over the last ten years. The issue wasn't supporting Labour but taking Labour back over. There were some nutters out there who didn't want to.

Another commented on a written assessment before the EC on how much of the first Warwick agreement had been achieved, noting that we hadn't got NHS services directly provided. This was a major issue.

I came in on a similar point. The document presented to the EC stated that 'NHS services to remain directly provided' was a 'yellow' area – partially achieved. I said that this was a massive red alert. The Government's attention had switched away from hospitals to community NHS services, where 80% of NHS contacts took place – GP visits, physiotherapy, health visiting, speech therapy and so on. There was rapid privatisation of these services – a complete market free for all, consolidated by Darzi's report the previous week. There was a race to the bottom in standards of clinical care, fragmentation of services that made planned and integrated NHS care impossible, and we were going to see huge job loss going forward. Doing this was the best possible way for Labour to lose the next election.

Charlie Whelan felt that the document (from TULO, the Trade Union and Labour Party Liaison Organisation) was a factual statement on where we are.

There were a small number of other comments from EC members on the political report. One said one of the good things coming out of Europe was control of working time. Now we were losing it – with the government and with our own members. People didn't have the confidence to stop working long hours, and were also making up low wages by working long hours.

Equalities

Diana Holland, Assistant General Secretary for Equalities, reported on an important victory for migrant domestic workers. In the past, these people had effectively worked as slaves. The Government's points-led approach to immigration would have led to a return to bonded labour for this group. The Government had now agreed to preserve the overseas domestic worker visa, following union pressure.

She also reported on other issues we were raising with the Government and would be raising under Warwick. These included statutory rights for equalities reps, stronger protection for disabled

workers against sickness procedures being used in a discriminatory way, and flexible working rights being strengthened. The Union is still pushing for mandatory pay audits.

Sectors and National Officers

The EC endorsed a list of sectors and National Officers. This includes Health to remain as a separate sector, with Karen Reay and Dave Fleming as National Officers.

There were a number of disputed areas. The GPM sector had been renamed 'Paper, Graphical and Media' – the EC members for the sector had not been consulted and expressed strong disagreement. A paper from leading lay activists in transport was distributed, with an EC member stressing the need for a coordinating group going forward. Construction and local authorities remain contentious, with different views about where local authority workers should be placed. In IT and Communications there is disagreement about whether there is any industrial logic in the CMA being placed with IT. Further consultation will take place on Construction/ Local Authorities and on IT and Communications.

Finance

The Finance report (also covering membership) was a brief one, although more detailed accounts – already submitted to the Certification Officer – were distributed for information. EC members requested more detailed information on membership in the future – for example, broken down by region and sector, by gender and ethnic origin. Total membership is marginally below 2 million. Financial and membership data given at the meeting were very much in line with previous projections given to the Executive. The overall objective remains for a budget that falls within subscription income, and for long-term growth through building organisation.

Legal Report

Two points are perhaps worth highlighting from this.

In the case of Unite the Union versus Renold Chain, union members had won a substantial payment as there had been no meaningful consultation prior to redundancies taking effect. Although several 'consultation' meetings had taken place, the Employment Tribunal ruled that Renold Chain had determined the outcome well before the start of 'consultation'. This is an important case – and of potential relevance in today's NHS.

BALPA was forced to withdraw from a case against BA, in the context of the attack on trade union rights arising from the Laval judgement. BALPA was required to disclose all emails between union members and union officers, and discussion that had taken place on a website. A lesson of general applicability is to seek to confine discussions on industrial issues that could lead to legal cases of this sort to the telephone or face to face meetings, and not to record discussions in writing.

Correspondence, Resolutions and Remits

Remits is the T&G word for resolutions. Remits in the T&G have historically come from 'constitutional committees'. It is evident talking to T&G colleagues that T&G structures have lent themselves more readily to this approach than Amicus structures.

The EC approved resolutions on:

- Support for Iraqi trade unionists
- A call on the Government to build a strong sustainable manufacturing base to maintain economic growth
- Lobbying MPs in support of rest facilities for professional drivers
- Adequate lay consultation over and an established procedure for the appointment of Regional Secretaries
- Opposition to blacklisting of trade unionists in construction

A motion on problems with the Electoral Reform Society during Executive Council elections was noted. There had been issues around different procedures in each predecessor union. AGS Ray Collins would seek a regional report and copies of any relevant correspondence.

A motion from the Chemical, Oil and Rubber National trade Group was referred to the Legal Department as it made reference to a Legal department decision; as a standalone motion it did not make sense.

Regional Women's Organisers

This was an important agenda item. The discussion on this issue had been deferred several times, while heated informal discussions took place.

The T&G has had one of the best records in the union movement of serious targeted work to make the Union relevant to women, Black members, and LGBT members. There's been some really good work done, and there's no question the proportion of women and Black members has risen sharply. This hasn't fully rippled through, though, to the elected committees in what is now Unite.

The T&G National Women's Committee had sent a 'remit' - a resolution - to establish a dedicated Women, Race and Equalities Officer in each region of the Union. The proposal from JGS Tony Woodley was for dedicated Equalities *Organisers* rather than dedicated *Officers*. Many T&G Executive members - men as well as women - were clearly unhappy about this. They told me this meant reducing the status of the posts, and risked watering down the commitment to equalities. Women T&G Executive members reportedly told Tony Woodley that they were not prepared to accept this. It was seen as a 'red line' issue.

It was difficult as someone from Amicus to understand the nuances of the disagreements. A deal was eventually done, and informal discussion indicated that the lay Executive members who had led on this were happy with the outcome. It was therefore possible to move forward in a united way,

in the context of a very positive step to raise the profile and importance of equalities work within the Union.

Gill George

13th July 2008

A series of speakers spoke in support of the proposal. A former T&G section member made it clear she was happy with the outcome, and that equalities had to be at the heart of our union going forward.

A former Amicus section member talked about the excellent record of the T&G, and said the decision was in line with an aspiration of the former MSF Women's Committee.

I said Unite could be a lead union on equalities. We'd got off to a good start on defence of abortion rights, funding for the Love Music Hate Racism carnival, and support to the recent demonstration against the BNP abortion rights a couple of months ago. The campaigning side sent a message to members and potential members about the Union we are, and the Union we aspire to be. The other side of things was getting our structures and procedures and policies right. This proposal might not be perfect, but it could be reviewed in a year. The Union was doing well on this.

Work will progress now to establish these senior roles with a dedicated remit of organising women at work, promoting equalities in the bargaining agenda, and delivering better representation of women, Black and Asian members on our committees and at our conferences.

TUC Motions

Draft motions were distributed just before the end of the meeting. These covered the economy (including a sharp critique of the wealth gap presided over by a Labour government, and a call for the redistribution of wealth); collective bargaining rights (in the light of Laval and similar rulings); employment rights and support for the Trade Union Freedom Bill; and support for the Miami Five.