

United Campaign

to Repeal the Anti Trade Union Laws

FOR TRADE UNION FREEDOM

Article: “Collective Rights Under Attack”

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Collective Rights Under Attack

UK workers need a progressive Europe, a Europe that offers them protections and social justice, not a selective Europe that just advances the interests of big business.

There has always been an uneasy compromise between employers and workers at the heart of the 'European project'.

In less than a year though the rulings in the four cases by the ill-named European Court of Justice (ECJ) have pushed this delicate balance seriously out of kilter - with dire implications for workers right across Europe.

Before the cases came out labour laws were worse for us than they were 100 years ago following the Trade Disputes Act of 1906. After the 4 ECJ cases we've gone back to the 19th century.

I have no doubt how important this is. Rights of collective action, including the right to strike have been decimated. You and I and all the citizens of Europe and throughout the world have need sound collective rights to fight against poor working conditions, poverty and discrimination.

I have raised the issue personally with union colleagues in Europe; the Prime Minister and MEPs. Unite will be putting resources behind the drive to overcome the effect of the ECJ decisions. More action is planned and we will keep you informed and provide campaigning materials in a dedicated area on the website.

One theme running through all the decisions is that ECJ would only permit the exercise of collective labour rights where the courts say they are 'proportionate' and 'justified', and their test for those is heavily weighted in favour of exploitative employers.

In the Laval case the ECJ ruled that unions cannot take action against companies employing imported workers at rates below those for local workers, except to defend wages up to a universally applicable minimum. For the UK it this means no more than the National Minimum Wage.

In the 'Rüffert' case the ECJ cut the member states' power to make law to protect worker rights. It overruled the German regional government of Lower Saxony, which makes its contractors ensure that local union-backed labour standards are maintained. A Polish contractor was allowed to get away with paying less than half the rate of pay of German workers. It won't be long before more and more employers exploit that.

The case could be used to destroy progressive agreements that we have won, like the GLA requirement for its contractors that they pay at least the 'London Living Wage' (currently over £7 per hour) instead of the lower National Minimum Wage.

We've got a fight on our hands to reclaim Europe for workers rights instead of bosses. Join Unite in taking up this issue and seeking urgent change. Together we can win.