

**RECLAIM
OUR
RIGHTS!
UNITED
CAMPAIGN**

Conference 2008

GMB
BRITAIN'S GENERAL UNION
**PROTECTING YOU
AT WORK**

What Does the United Campaign do?

The United Campaign works with all of our affiliated unions to campaign for a framework of positive trade union rights. The Campaign calls for the repeal of the repressive and illegal anti-trade union laws introduced by the Conservatives between 1979 and 1995.

In recent years the United Campaign has worked with the GMB and other affiliates on a Charter of Workers' Rights and has helped to draft the Trade Union Rights and Freedoms Bill.

If enacted the Bill would significantly strengthen trade union rights, including: better protection for striking workers, simpler and fairer industrial action balloting, reform of the use of injunctions by employers, allowing solidarity action in certain circumstances, prevention of the use of replacement labour during strikes, and trade-union rights for prison officers.

An Update on the Trade Union Freedom Bill

The United Campaign and GMB — Campaigning to Extend Rights at Work

For the third successive year the United Campaign has encouraged an Early Day Motion in support of the Trade Union Freedom Bill. So far 47 MPs have signed EDM 1604.

We are writing to MPs who have yet to sign and are encouraging readers to write to their own MPs. There is a model letter on our website for affiliates and supporters and those who recognise the need for more trade union freedom at least to comply with fundamental rights.

The United Campaign hopes to get support for amendments to the Employment Bill in the House of Commons to incorporate all or some of the provisions of the Trade Union Freedom Bill. We have amendments already drafted and will be given to MPs who are prepared to raise the issues involved.

Later in the year we intend to encourage another Trade Union Freedom Bill – this time as a 10 Minute Rule Bill. Along with our

supporters we hope to arrange a rally to coincide with the reading of the bill.

In addition there have been a number of union motions covering the Trade Union Freedom Bill. We welcome the GMB's support and the added impetus this gives to the campaign for collective rights and the abolition of unlawful anti union laws.

Over the page we comment on the Viking, Laval and Ruffert judgments from the European Court of Justice (ECJ) linking this to the issue of temporary and agency workers, whose lack of rights and poor terms and conditions is being used to undermine the position for working people and pensioners.

There has been some success with the agency workers, which is an example of continuous pressure producing results. To quote Paula Goodman recently: "We must keep coming back to seemingly unbreakable walls with stronger chisels".

Fringe Meeting Tuesday 10 June

6.00pm

**Roma Room
New Continental Hotel
Millbay Road**

IER and the United Campaign have drafted, developed and promoted the Trade Union Rights and Freedom Bill. But the Bill has been rejected by New Labour, despite winning the support of TUC and Labour Party Conference and 184 MPs. Now the government are discussing the details of an Employment Bill. But the Bill fails to mention the fundamental issues contained in the Trade Union Freedom Bill. We think this is a missed opportunity and one that should be reversed if Labour is to once again win the electoral support of millions of trade unionists.

Chair: Sue Harris, Thompsons.

Speakers: Paul Kenny, GMB; John Hendy QC, IER; John Usher, UC

THE
INSTITUTE
OF
EMPLOYMENT
RIGHTS

**RECLAIM
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An Update on the Latest Developments

Balpa and Life After the European Court Cases

Following the Viking and Laval judgments from the ECJ in December, the decision in Ruffert in April once again had human rights and fundamental freedoms for workers lose out to business rights in the EU.

Meanwhile, in the High Court, British Airline Pilots' Association (Balpa) withdrew their case on the third day of a hearing that started on 18 May 2008 and said they will withdraw plans for strike action. They have decided the case may be too costly and the result may still leave them with no protection from being sued for BA's losses in the event of a strike, even though the union had properly conducted a ballot in accordance with the UK's restrictive laws.

An overwhelming majority of BA's 3,200 pilots voted in favour of a strike over BA's plans to set up a new airline subsidiary using a pilot workforce the union thought could act as a "Trojan horse" to drive down conditions throughout the airline.

Irish Referendum on Ratification of the Lisbon Treaty

The Technical Engineering and Electrical Union recently urged its 45,000 members to vote against the treaty in the referendum to be held on June 12 on the back of recent judgments by the ECJ which they said had shown the pendulum had "swung against workers' rights and in favour of big business."

However, the Irish Congress of Trade Unions on May 21 voted in favour of supporting the Lisbon Treaty. General Secretary, David Begg expressed satisfaction that Congress had adopted a clear position, but added this did not stop individual, affiliated unions from advising their members on a different course of action.

The "No" vote of Irish workers in the referendum to draw attention to the disastrous effect on "Social Europe" by the ECJ decisions, whilst supporting EU membership, would appear to be consistent with the responses to the GMB motion at TUC last year calling for a referendum in the UK.

ETUC and European Parliament Response

The ETUC passed a motion on 4 March before the decision in Ruffert saying "In these cases the ECJ does not sufficiently recognise and allow trade unions to defend their members and workers in general against social dumping, to fight for equal treatment of migrant and local workers, and to take action to improve living and working conditions of workers across Europe."

The European Parliament clearly intended prevailing pay and conditions should be those of the country where the work is being carried out as it specifically wanted to overturn the "country of origin" principle in an earlier draft of the Posting of Workers Directive.

Some within the Parliament appear concerned enough to try and redress this. A draft motion for the Parliament to consider includes references to welcoming the Lisbon Treaty and ensuring the Charter of Fundamental Rights of the European Union is made legally binding. The right of

trade unions to negotiate collective agreements in certain cases and to take collective action to defend their interests including strike action is also included in the motion. It doesn't however mention the "opt out" the British and Poles have secured from legal enforceability.

A Step Forward For Agency Workers

The GMB can be proud of its leading role in the Temporary Agency Workers Campaign. As was widely reported, on 21 May Andrew Miller withdrew his Private Member's Bill in the light of an agreement with Government, the CBI and unions.

If the agreement is honoured there will be an EU Directive soon to give equal pay to agency workers – albeit after 12 weeks on the job and subject to collective agreements.

This is definite progress, but the devil will be in the detail and we will wait to see what the final EU directive looks like and how effective the legislation is.

Read more news at www.unitedcampaign.org.uk

How Can You Help?

- Encourage your union branch to join the United Campaign
- Visit our website for a sample motion and to download materials
- Write a letter to your MP encouraging them to sign EDM 1604 and to support the Trade Union Rights and Freedoms Bill
 - Support and attend our rallies and events

All links and downloads can be found on the **resources** section of our website at www.unitedcampaign.org.uk

Sponsored by:



Become a campaign supporter 2008-9

The United Campaign is financed solely by supporters fees from trade union bodies and individuals. By becoming a supporter you or your branch show your agreement with the recall to repeal the anti trade union laws, and aid the Campaign's fight.

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<input type="checkbox"/> Individuals (cost to be placed on the mailing list)	£12

Please make cheques payable to United Campaign, and send to the United Campaign Secretary, 39 Chalton Street, London, NW1 1JD. Donations are gratefully received.

Code - AFF-0809-GMB

Region/Branch

Name (of Secretary)

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Tick to receive United Campaign updates via email

National Unions affiliated to the United Campaign



There are also over 200 individuals, branches and organisations affiliated to the Campaign