

## An Update on the Latest Developments

### Lindsey Dispute Highlights the Need For A Change in EU Law

Recent protests at the Lindsey Oil Terminal in Lincolnshire and elsewhere in Britain have led to calls from unions for EU laws to be changed after the European Court Judgments. Alan Johnson, the Health Secretary said: 'These various judgments have distorted the original intention [of the Posting of Workers' Directive] and we need to bring in fresh directives to make it absolutely clear that people cannot be undercut in this way.'

But we say a revision of the Posting of Workers' Directive will not be enough. After the ECJ decisions, attempts to strengthen workers' rights at the expense of those of businesses will at least require a "social progress protocol" called for by the ETUC.

Meanwhile, in spite of the anti union laws in the UK, the recent protests took the form of 'wildcat strikes' or "unofficial" industrial action.

"Secondary action" was taken by construction workers from work places on Humberside, in Yorkshire, South Wales, Sellafield in Cumbria, Fiddlers Ferry and Heysham in the North West of England and Grangemouth, Longannet and Cockenzie in Scotland. Polish workers also joined the action in

sympathy, stopping work at Langage power station near Plymouth. Some 6,000 workers across over 20 construction sites at power stations and oil refineries took unofficial action as part of the dispute.

Workers protesting at the Lindsey Oil Refinery in Lincolnshire returned to work after management promised an additional 102 jobs would be made available to "British" workers previously earmarked for Italian and Portuguese workers at the plant. The unions have predicted that more protests would soon flare up at other sites over the issue.

The issue concerned the exclusion of British workers for the convenience of the employers. The British National Party (BNP) attempted to exploit the issue for their own ends but were rightly chased off many of the picket lines.

### New EDM Calling for Improved Conditions for Workers

Jon Cruddas MP has recently tabled **Early Day Motion 677** 'Labour Standards, Employment and the EU' which already has 75 signatures. We are encouraging supporters to write to their MP asking that they sign if they have not already done so.

### Demonstrations to be Held Across Europe in Support of Workers' Rights



The ETUC are organising a series of demonstrations throughout the EU to seek to establish the fundamental rights of all citizens to take action in the face of threats to their wages, families and pensions.

The demonstrations will take place in Brussels, Prague, Berlin and Spain between the 14th and the 16th May 2009.

### The Employment Act 2008 - A Missed Opportunity to Redress the Balance

The Act was a very significant lost opportunity to address the failures of UK law to meet international human rights standards on collective and individual work place issues.

In October 2008, despite a widespread campaign, the Minister for Employment Relations, Pat McFadden, refused to offer even a consultation to address the weaknesses in the law. A vote was forced and 45 Labour MPs

We support this initiative and have been pushing for such action. As the ETUC say on their website "Social Europe has five main characteristics" the first of which is "fundamental social rights, including freedom of association and the right to strike." Without a real result to reverse the ECJ decisions, Social Europe is dead.

voted for a key clause taken from the Trade Union Rights and Freedoms Bill. This led to Gordon Brown suffering his biggest rebellion in the Commons since taking office, although the amendment was not passed.

Now the Act is in place, many unions may want to look to their rule books to take any advantage from the provisions in the Act in relation to expulsion of members of fascist parties.

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