

Newsletter

For The United Campaign to Repeal the Anti-Trade Union Laws

Issue 2

June/July 2007

**RECLAIM
OUR
RIGHTS!**

**UNITED
CAMPAIGN**

Trade Union Freedoms Bill Second Reading — 19th October 2007

The Trade Union Rights and Freedoms Bill will now be placed for a second reading on the **19th October**, when there is expected to be a debate.

After the Government Minister talked out Paul Farrelly's Temporary and Agency Workers Bill listed in front of the Trade Union Freedom Bill, insufficient parliamentary

time was allocated to allow John McDonnell to put the case. The good news is that Paul and John agreed on a tactic to enable both Bills to be listed on 19 October. That gives the United Campaign a new focus. We welcome your continued support, working together on organising and promoting the Bill's return before Parliament in October.



We are looking to encourage TUC and others to support a **rally for 18 October in Westminster**.

As part of the ongoing campaign it's important for everyone to put forward motions in support and to continue to encourage MPs to sign **Early Day Motion 532**. In the last session of Parliament there was an Early Day Motion 1170 that had the support of 187 MPs at the time that it was withdrawn in accordance with the Commons Rules. But it has not gone away and was brought back for the latest session. So far 99 MPs have signed, the more MPs that sign this motion, the greater the political pressure. If your MP has not signed, please use the model letter on our website to write to your MP (see further information box overleaf).

National Rally for Trade Union Freedom 18 October 2007

Trade Union Rights and Freedoms Bill Second Reading 19 October 2007 — rally in support

Venue and time tbc — check www.unitedcampaign.org.uk for updates

Victory in ASLEF v UK and Now DTI Says They Will Change the Law

On 16 May the DTI put out a consultation paper where they say they will not appeal the decision of the European Court of Human Rights on 27th February 2007 where 8 judges found unanimously in favour of ASLEF.

In the last newsletter we said "If this Government does not repeal these laws, we believe the next one might well have to..." And the DTI say they will change the law.

The consultation paper proposes one of two options.

Both would allow trade unions the right to expel those who are members of a political organisation with principles contrary to the unions' principles. But the United Campaign says this does not go far enough even to comply with the judgment or the principles of freedom or association.

The Government says the case is limited to its facts and there only needs to be change to deal with a union's right, in accordance with its

rules, to expel those in a political party whose beliefs are opposed to those of the union. In this we say the DTI is wrong. In ASLEF v UK, the European Court of Human Rights accepted the position that Article 11 of the European Convention on Human Rights - the right of freedom of association and to form trade unions - means that the right of ASLEF to choose its members outweighed the BNP member's right to freedom of expression.

(Continued on page 2)



"Welcome to the June edition of our newsletter. We've recently seen signs of real progress with the publication of the Trade Union Rights and Freedoms Bill and the Bill being considered in the debate about the future direction of the Labour Party. Although progress could be quicker, the cause is just and together we will continue to reclaim our rights."

John Usher,
United Campaign
Director

Inside this issue:

| | |
|---|-----|
| Trade Union Freedom Bill Second Reading — 19 October 2007 | 1 |
| DTI Consultation Paper — ASLEF v UK | 1-2 |
| The Cases of Viking & Laval | 2 |
| Further Information & Resources | 2 |
| Become A Campaign Supporter | 2 |

The Cases of Viking and Laval

In two important cases before the European Court of Justice the court must decide about union rights to take industrial action. Companies argue this interferes with the rights provided by the EU Treaties for them to carry on business freely throughout the 27 member states and to benefit from individual rights of freedom of movement for work.

On 23 May 2007, two Advocate General's delivered similar opinions in the cases, which the ECJ will pay heed to before delivering their judgment.

Both cases concern companies attempting to bypass fair pay and conditions for their workers. In the "Laval" case the AG said "...the right to resort to collective action to defend trade union members' interests is a fundamental right." However, the AG's are clear that the right to take collective action is limited and would not be protected if it sought to discriminate in favour of a particular nations workers or interfered with relocation of workers within the EU. It remains to be seen how the judgments impact on particular circumstances and events.

If the right to resort to collective action to defend trade union members' interests is to be protected by the EU, surely the UK restrictive anti-union laws, including against secondary action, require change.

To read more detailed information on the cases visit the news section on our website.

ASLEF v UK – DTI Consultation Paper

(Continued from page 1)

But it goes further to say that "under Article 11 unions must remain free to decide, in accordance with union rules, questions concerning admission to and expulsion from the union".

We say that Thatcher's law that outlawed unions from

"unjustifiably" disciplining, or expelling strike breakers must go as it is in breach of Article 11. This is another argument that the United Campaign and others such as the TUC with the encouragement of their affiliates have been putting over the years.

Further information:

Visit www.unitedcampaign.org.uk to find out further information about the Campaign and what we stand for. Click on **resources** to find:

- A copy of the Bill
- Early Day Motion 532
- Check whether your MP has signed EDM 532 and send a model letter
- The ASLEF v UK case
- The DTI Consultation Paper on ASLEF v UK
- A Briefing Note on the Laval & Viking cases

For updates on the Campaign and the Rally on the **18th October** check the **News** section of our website.

Contact the United Campaign

Email us: Info@unitedcampaign.org.uk

Write to us: **United Campaign, C/o 39 Chalton Street, London, NW1 1JD**

Visit our website: www.unitedcampaign.org.uk — Affiliation forms can also be downloaded from here

Become a campaign supporter

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

- | | |
|---|------|
| <input type="checkbox"/> National Unions - 100,000 or more | £600 |
| <input type="checkbox"/> National Unions - 100,000 or less | £120 |
| <input type="checkbox"/> Regional Unions | £60 |
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Please make cheques payable to United Campaign, and send to the United Campaign Secretary, 39 Chalton St, London, NW1 1JD. Donations are gratefully received.

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National Unions affiliated to the United Campaign



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



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