



**SAY 'NO' TO HEALTH CUTS
THE CUTS AND MENTAL HEALTH ISSUES
SAVE OUR NHS!**



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EDITOR'S NOTES

*"zero hour contracts
... are slave labour by
another name and bring
uncertainty to the exploited
person and an inability to
plan their lives"*

Ronnie Draper @ronniebfawu

THE NEXT 20 MONTHS will be crucial in determining the shade of government we will have in 2015, with the cut and thrust of manifesto pledges coming to the fore.

At present we have a clear idea of who the enemy is and what measures we have to take to combat the daily attacks being waged on working people.

Are you Tories in disguise?

The problems really start when you get a government that pledges to be the friend of our class until the day after being elected and then changes into Tories in disguise.

The sad fact is that many people see the Labour Party as just another shade of blue as they dither on policy and abstain on some of the most fundamental issues affecting working people.

The National President and I listened to the debacle of debate in the House of Commons surrounding benefit payments for people being forced onto Workfare. Labour's response appeared to be given by David Cameron wearing a Liam Byrne mask. I am pleased that some of the Labour members of parliament, who sit on our parliamentary group, went against the front bench and refused to abstain.

It's not rocket science, just good old fashioned Labour policies

You can understand that Ed Miliband and friends don't want to be premature with all their manifesto pledges as the popular ones may be adopted by the opposition, but inertia, silence and dithering compliance are not the way to keep your support.

A couple of months ago, Bob Crow, the RMT Union General Secretary spoke about the feasibility of the formation of a workers political party, an idea that was rubbished by many, but is it?

Who speaks for us?

The country is run on the worst two-tier system ever – and the gap is getting wider on a daily basis, but who is speaking up for the little guy? Who from a political standpoint can say that they are representing the views of those in the bottom echelons of the earnings bracket? At one time we would have shouted out 'The Labour Party', but now I'm not so sure.

We have some great MPs within the Labour Party (I won't embarrass them by naming names), but we also have quite a lot who believe their role is to make funny noises when the Prime Minister rises in the house and to nod in agreement with everything Ed Miliband says.

I'm sorry but politics is not as black and white as that. There are *meant* to be some grey areas. Maybe the confusion is that they, like many of us, believe there is less than a cigarette paper between the two sets of policies?

There are the first signs of movement with Ed Miliband's statement on the privatisation of the Royal Mail. I would have liked him to be unequivocal in saying labour would reverse the Tory sell-off – but, *hey ho*, it's a start.

What else?

But what about the big policies? What about heinous taxes like the Bedroom Tax that is driving people into poverty and deep despair?

Come out and say 'we'll scrap it' – that would be a sure-fire vote winner.

There are many more examples like the outlawing of *zero hour contracts*. Despite the protestations of company owners who say they assist flexibility, they are slave labour by another name – bringing uncertainty to the exploited person and an inability to plan their lives. Outlawing this practice is another vote winner.

What about affordable housing, free higher education, a return of the NHS into public ownership, a cut in the disproportionate VAT levied and a reversal of the anti-worker employment laws that allow the unscrupulous employer to exploit with impunity?

All real time popular vote winners, not rocket science, just good old fashioned Labour policies, funded by reversing the tax cuts for the rich, introducing a mansion tax, getting companies to pay their correct tax on profits and a levy on bank transactions.

All eyes on Ed

These will all be hot topics as we go into conference season and many eyes will be on Ed Miliband as he addresses the Labour Party conference in Manchester.

I for one don't want him to be statesman like Churchill was, I don't want him to be 'eloquent' like Blair – all talk and very little substance, **I want him to give a leader's speech**. Not just as leader of the Labour Party, but as the potential leader of our *country*. No idle promises just firm commitments. A sort of spirit of '45 speech without the need for wartime rebuilding.

He can do it if he has the will, the belief and the honesty.

Happy retirement, Billie

Before ending I am sure you will join me in wishing Billie Gallagher (our No 7 Regional Officer) and his wife Fay a long and happy retirement. He has been a great asset to both the Northern Ireland Bakers Union and to the Bakers Food and Allied Workers Union in every challenge and every position he has undertaken.

I am sure that Laura Graham will have inherited many of Billie's positive traits and will also have her own enthusiasm to rely on as she takes up the running of the region. Good luck to them both.

The quarter has also seen the retirement of Martin Hanlon our No 6 Regional Officer with John Martin taking over the responsibility for driving the region forward. We have enjoyed many a pint of the dark stuff over the years and I hope that will continue. Again good luck to both Martin and John.

Ronnie Draper
General Secretary

NATIONAL PRESIDENT IAN HODSON

AS USUAL, OUR ANNUAL CONFERENCE involved some fantastic debates and the contributions from delegates are getting stronger every year. It is becoming obvious now that our Union has some great talent among its membership. We have both young and older members who, along with regular attendees, really get stuck into the debates and have no fear of addressing delegates, but what made this year's event so special, was the number of 'first time' delegates who made telling contributions and came across as seasoned Conference-goers! Thanks to everyone who took part.

I would like to thank Raj Hussain who, along with Haroon Rashid has brought so many great motions to Conference over the years. Many will be aware of the closure of Birmingham's Hovis site and whilst we welcome Haroon into the position of Full-Time Officer for Region 3, I would like to offer Raj and all BFAWU members at Hovis our solidarity and best wishes for the future. It would be remiss of me not to mention Guljinder (Gully) Purewal and Jit Singh for all they did at RF Brookes, along with all our representatives and members at that site. Again, we wish both them and all those affected by the closure of the company, all the very best for the future.

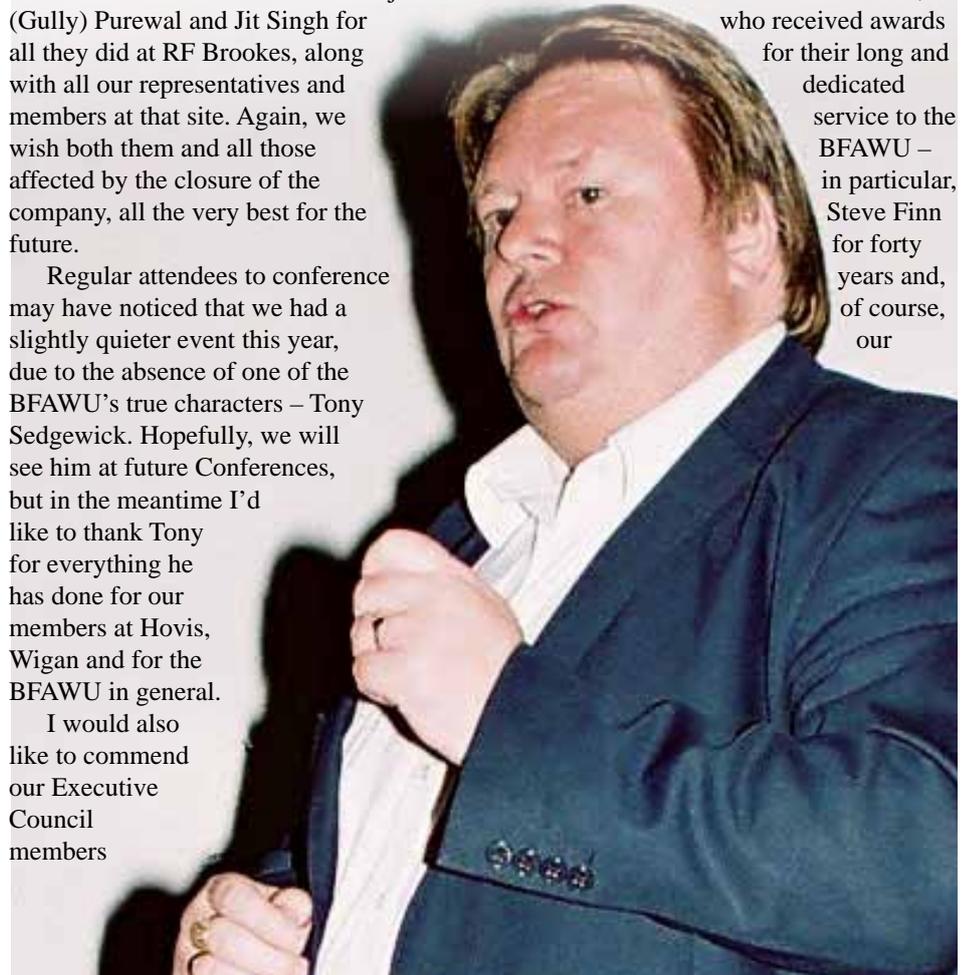
Regular attendees to conference may have noticed that we had a slightly quieter event this year, due to the absence of one of the BFAWU's true characters – Tony Sedgewick. Hopefully, we will see him at future Conferences, but in the meantime I'd like to thank Tony for everything he has done for our members at Hovis, Wigan and for the BFAWU in general.

I would also like to commend our Executive Council members

for what they bring to Conference. Sometimes, I think we forget how difficult it can be in terms of responding in often heated debates and I know that many delegates remarked on the positive contribution they made.

Among the many excellent motions passed this year, one that I would like to touch on concerns more young members being given the opportunity to attend Conference. I truly believe that this will further re-energise future Conferences as those young members will be able to learn how these events work and become the regular Conference-goers of tomorrow. Moving the resolution, our young members' EC representative, Rachel Mullen, pointed out the benefits she has gained from attending Conference with regular attendees. She now feels more confident and has gained a greater understanding of what Conference is all about.

Before moving away from Annual Conference, I would like to pay tribute to those members and activists, who received awards for their long and dedicated service to the BFAWU – in particular, Steve Finn for forty years and, of course, our



General Secretary, Ronnie Draper who claims to have joined from birth! A special mention goes to Pat Rowley, who was given an award for his exemplary contribution to our Union. He has been an absolute stalwart over the years, going above the call of duty to raise the profile of the BFAWU. He believes in the need for fairness and justice and remains committed to trade unionism. He is a shining example of what our Union is all about. Still rocking, still organising and still attending events. Thank you Pat both for your words of wisdom and your solidarity.

Workers need a Pay Rise!

Recent reports show that the cost of getting to and from work has increased by 17.6%. In addition, food costs are rising between 7–20%. The cost of just about every type of food item is sky-rocketing. Housing costs and fuel prices are increasing along with the cost of water – something the Tories said should now no longer be regarded as a human right. Wages are constantly under attack from employers keen to pursue more and more creative ways of cutting pay, not to mention introducing zero hours contracts and exploiting loopholes in the Agency Workers Regulations.

The issue of zero hour contracts was one that the BFAWU fought against in 2011. For whatever reason, we remained a lone voice in that battle. Now, it appears that hundreds of thousands of people are being exploited by something that could have and should have been nipped in the bud a few years ago. Unfortunately, we gained little support and plenty of apathy when we challenged zero hour contracts and as a result, they have become almost an epidemic.

Some people think that we should keep our heads down and accept that there is no alternative. That's just wrong. If bankers can threaten to leave the country unless we pay them huge wages and bonuses and politicians can play the expenses system and secure massive pay increases, then I think it's justifiable to argue that workers should be paid what they're worth. I happen to believe our members should be paid highly and their skills should be valued, not undermined.

Trade Union Festivals

History tells us that the Tolpuddle Martyrs are regarded as having brought about modern day trade unionism. The parallels between then and now are there for all to see and I would encourage everyone to attend the annual event which celebrates

them and the Trade Union Movement. It is held every year and 2014 will see the event celebrating its 170th year. It's full of music, discussion and humour and gives a great feeling of solidarity. There are some great characters and speakers taking part from right across the movement.

As I write this article, we are preparing for the Wigan Diggers' Festival. The Diggers' 'nickname' came from their belief that the land should be available for everyone to dig and sow – the idea being that anyone (irrespective of personal wealth) could live and eat by the sweat of their own toil. According to them, *'the earth was made to be a common treasury for all'*. The Diggers also advocated absolute human equality (including equality between men and women), which in the 1600s was a very radical idea. I think looking at the values and policies of the current government and the Tories in particular, this idea would still be viewed as a step too far. Recent studies have even concluded that the UK is the most unequal country in the western world.

Labour Party Link

Democracy will ultimately be the casualty of breaking the link between Trade Unions and the Labour Party. Faced with three political parties funded through wealthy, private donors, who do you think will have the greater influence over the policies of each party? Unless you have the cash, you will have no say whatsoever on any policy, and the only concern of party chairmen and leaders will be the interests and guarantees of private financiers. It will be like an arms race between some of the world's richest families.

We already see the influence this has on the current Tory party, whose cash can be traced back to fifteen rich families, either directly or through big corporations.

It's clear that the real issue of corruption in politics is the influence of lobbyists who have been found paying huge amounts of money to political parties. It has been suggested that the money involved influenced changes to government policy. The issues surrounding the government's apparent U-turns on the plain packaging of cigarettes and minimum alcohol pricing would certainly back up that claim.

Let's not also forget the Conservative Party's links to payday loan companies and other profiteers. Some would say that those links helped steer discussions away from the incredible interest charged by these legal loan sharks.

Taking all that into consideration, it seems strange that the debate and coverage on political party funding focussed almost exclusively on the Trade Union monies paid to the Labour Party – a party founded by Trade Unions in order to give a wider political voice to working people thus making the House of Commons more representative by giving them the opportunity to become MPs. It's rather telling, if not *disappointing*, that Ed Miliband allowed the Tories to set the agenda and dictate the rhetoric on the whole issue.

Racist Vans

Adolf Hitler had his SS and Gestapo, David Cameron has his vans and Border Agency heavies; patrolling menacingly in black and conducting inspections of areas in London with largely non-white neighbourhoods.

They are targeting illegal immigrants with the kind of 'go home' message championed by far right groups in the 1970s. If anyone takes the time to read between the lines, it's clear that the government's aim here is not necessarily weeding out people who are living and working in the UK illegally. It's simply geared towards causing suspicion, fear, hate and division whilst promoting inequality.

Being the wrong colour is now justification for making you look guilty. No doubt the next thing we will see is the letter 'I' painted on 'suspected' homes with those living there expected to wear a badge with *'non-white British'* on it.

It's amazing how this government has targeted and offended just about every section of society in its short term in office and I would put nothing past them.

General Strike

I know that there was some concern expressed about conducting workplace ballots in relation to the issues surrounding the call for a general strike. **I am absolutely clear that consulting our members is the right thing to do.**

I understand that some employers believe that working people should not be asked their opinion and should simply follow instructions. We have now conducted the biggest poll on the TUC's call for the 'feasibility' of a general strike of any trade union in the UK.

Unsurprisingly, the result thus far has shown that an overwhelming number of BFAWU members back the call.

Watch this space.

Ian Hodson
National President

AT THE MARXIST FESTIVAL, held in central London in July this year, many debates took place but one stuck in my mind throughout.

The main cause is the onslaught of capitalism, brought about by the idealism that if we look after number one, we will achieve a better and wealthier life style.

It became a selfish need in us to give our children everything we didn't get, whether we had the money or not. With the introduction of credit cards, and shops such as *Brighthouse*, whose interest rates are astronomical, we were led to believe that material wealth was the way forward. This imposed pressures on us to provide a better standard of living even if this meant going into debt – thereby forming a silent divide in communities between the *haves* and *have nots*.

“Are people too selfish for socialism?”

The selling off of the Public Sector industries by the Tories in the 70s and 80s gave out the wrong message that everyone would be better off.

There would be more money in your pockets for a better standard of living, and we would all own our own homes. This is true, but only for the chosen few! The shareholders and the millionaires.

GET ACTIVE!



Peter John Fox
National Vice President

AT THE MARXIST
FESTIVAL IN LONDON
ON 11TH JULY

It maximises profits for companies, so the rich get richer and the poor get poorer. This is why people move around trying to find permanent work.

Communities' breakdown as the communal spirit is lost from people

money than you can earn working. This is not so, as most of the money goes to private landlords whose rents are colossal, just to keep a roof over their heads. The remainder is for their bills and food.

Bedroom Tax

Another attack by this ConDem government is the introduction of the bedroom tax, forcing people to move out of their homes and leave the community they may have been brought up in. These *divide and conquer* tactics stop the communities having the solidarity, to stand up and fight against it happening.

In Bolton alone there are 11,000 people on the waiting list – all applying for the 91 one-bedroom homes that are on offer. The local council pleaded with the landlords not to evict the tenants that fell behind with their payments. This is not just in the north of the country but in Bournemouth and other towns in the South, as there are not enough single bedroom properties in social housing.

Community Spirit

Solidarity is harder to come by, as the community spirit has been eradicated over the years. Neighbours hardly speak to each other, community centres are non-existent, and public houses are shut down. All places where the working class used to communicate with each other and bond with their exchange of views.

Marxism 2013

Explaining a world in turmoil: 11 - 15 July, Central London

Migration of Workforce and the Breakdown of Communities

The global economic crisis and other influencing factors have led to mass migration of people in various key locations around the world.

Here, with the closures of the Mines, Steelworks and Cotton factories in the United Kingdom, whole communities have had to find work elsewhere, bringing about the exodus of families, desperate to make a living and feed their children. This is not, and was not, people just moving from town to town, or county to county, but moving from country to country.

Capitalism increases exploitation, by decreasing wages and reducing terms and conditions of employees.

moving from one place to another looking for work. Families cannot help youngsters to find jobs now in the same place of work, as companies cut the workforce to the bone in pursuit of profit.

Trust

When communities breakdown, new people come in and trust has to be built. This current government has taken advantage of this, and by putting their message out through their media, instilled distrust into the heart of our communities.

'*Skivers, scroungers and wasters*' – just a few of the derogatory remarks that this government uses as weapons to put family against family, neighbour against neighbour. Putting statements out that people who are on benefits, receive more

Thatcher once said “*there's no such thing as society. There are individual men and women and there are families.*” That is what this government has done – split the communities, starting in the Thatcher years, carried on through Blair and Brown, and now being finished off by Cameron and Clegg.

It might be a hard thing to ask but we need to get the community spirit back, talk to our neighbours, colleagues at work, about the issues we all face and bond again. As divided we will struggle, but together *we will win*.

Solidarity!

Peter John Fox
National Vice President

DISABLED PEOPLE IN THIS COUNTRY have not experienced an attack like this since we started battling our way out of the institutions in the early 1970s. Despite cuts to benefits and support services and a rise in hostility to disabled people, all combining to push us out of society, *we are not letting this happen without a fight.*

Disabled people and the poorest members of society are being hit harder by the cuts than anyone else. We are far from 'all in it together'. Research from The Centre for Welfare Reform (in 'A Fair Society? How the Cuts are targeting disabled people') shows that the most severely disabled people are being hit *nineteen times harder* than the average person in the UK.

By 2018 disabled people will have lost more than £28.3 billion in benefits and entitlements with some disabled people being hit by six or more cuts at a time including the scrapping of Disability Living Allowance, the Independent Living Fund, changes to Employment and Support Allowance and the Bedroom Tax.

Before the ConDems came to power disabled people were already twice as likely as anyone else to live in poverty. Now things are much worse with people being left with no income at all, forced to survive off foodbanks. Like Stephanie Bottrill earlier this year, the disabled grandmother hit by the bedroom tax, some are tragically taking their own lives unable to see how they can carry on.



FIGHTING THE CONDEM ATTACK ON DISABLED PEOPLE

The government and the right wing media like to present benefit claimants as scroungers in order to get away with making the poor pay for a financial crisis we did not cause but the reality is very different. Over the last two years, 93% of new claims for housing benefit have been from people in work. With wages getting lower in real terms, while the cost of living goes up and up, many people need benefits to top up low wages.



At the same time, government cuts to disability benefits are forcing disabled people out of employment because they are losing the support that means they can work.

On top of this disabled people are losing access to the law to protect themselves. From 1st April this year, Legal Aid could no longer be used for welfare appeals. Current plans to transform legal aid will stop disabled people from being able to take legal challenges against government.

The good news is that disabled people are not just letting this happen. **We are fighting back.** In October 2010 a disabled people led campaign called *Disabled People Against Cuts* (DPAC) was set up to oppose the ConDem attacks.



Since then we have fought back every way we can – from street protests to taking to the law courts to raising awareness about the impact of the cuts to giving individual disabled people hope and support. We held a week of action last year to coincide with the Paralympic Games and highlight the reality of disabled people's day-to-day lives under the ConDems, ending with a protest of more than 700 people outside ATOS' headquarters in Euston and an occupation by disabled activists of the Department for Work and Pensions building.

We also recognise the importance of uniting with other groups affected by the cuts, especially workers. The attacks on benefits are a way of attacking all workers' rights. We must stand together in solidarity and unity to protect our communities and fight for the kind of society we want.

DPAC will be holding another week of action this year from 28th August until 4th September.



For more information about the week of action, how to get involved in DPAC or how your branch can affiliate contact **Ellen Clifford**:

mail@dpac.uk.net
www.dpac.uk.net
 @dis_ppl_protest

Marxism and Mental Health



SARAH WOOLLEY

ON FRIDAY THE 12TH JULY I attended an interesting session on *Marxism and Mental Health* at the Marxism festival 2013 held in London. I have always been interested in mental health issues, from studying psychology at school to issues experienced with family and friends. Some of the information shocked me with regards to the number of people suffering from mental health problems.

The number of people experiencing mental health issues is rising – and rising fast. There are currently 450 million people worldwide suffering some form of mental illness, with the most common being anxiety and depression. In the course of just twelve months, 1 in 4 of us will experience some mental health issue.

The real disease

Capitalism is having a major effect on this, pushing more and more people into depression through the worry of not being able to pay bills, not having enough money to feed their children and becoming more and more anxious at the thought of bailiffs knocking at the door or worse still losing their homes altogether.

Look at Stephanie Bottrill who committed suicide over the thought of having to find money every week to cover the Bedroom Tax brought in or, more recently, the man who cut his own throat in the jobcentre in Cheshire for the same reason. Unfortunately I don't believe these will be isolated cases. Riverside Housing Association in Liverpool is

working with its tenants on the back of what happened with Stephanie by bringing in the Samaritans to ensure they have someone to turn to – to avoid any more incidents like this. Other housing associations should follow this lead as, most of the time, simply talking would help prevent the fall into depression and ease anxiety – but it shouldn't have taken such a tragedy for people to start reacting.

There can be no keener revelation of a society's soul than the way in which it treats its children.

Nelson Mandela

The problems we are facing are not only affecting us but our children too. As you read this, 10% of our children are suffering mental health issues – this is 3 times more likely if they live in a poverty-stricken home. It shocked me to find out that so many of our children are affected by such illnesses. The root of the majority of peoples' mental health issues today are the society we live in and the treatment of mental health.

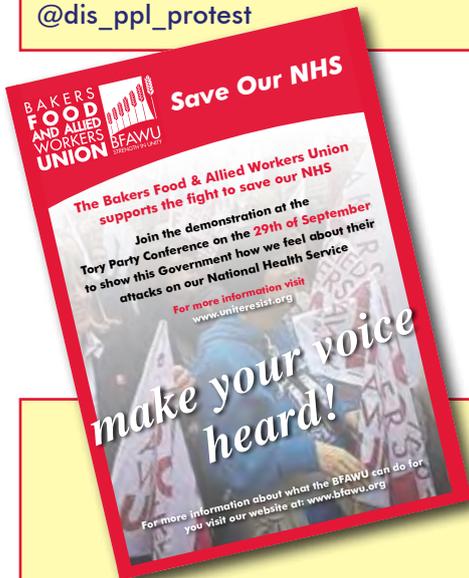
Though it is not as much of a taboo as it was years ago, people still do not understand it. It isn't like a broken leg that you can see. Often people are referred to as *odd* or *weird*, ignored, laughed at or bullied when in fact it has probably taken a great amount of effort on their part to even get out of bed in the morning let alone leave the house.

Research from the charity MIND has shown 87% of people on benefits say the cuts have had a detrimental effect on their health due to the added stress of trying to survive on even less money than before.

My conclusions

We need to talk more – most sufferers sink into themselves and even their nearest and dearest don't know something is wrong until it is too late. They may put on a front but are sinking lower and lower on the inside:

- Try to ensure our children don't become burdened with our problems.
- The '*scrounger*' with curtains closed as you go to work may well be in such a depression they may not leave their bed for days.
- The '*weirdo*' hanging around the bus station may be in a psychotic state – and may actually need our help.
- Most importantly, *never* write off a mentally ill person who cannot work – they have the same rights and values as any other person.



29th September

Join with us to

SAVE OUR NHS

Meet at the **Tory Party Conference at Manchester Central**

more: www.uniteresist.org

CREDIT UNION OR A BANK?

WHY USE A CREDIT UNION INSTEAD OF A BANK?

This is a common question that we are asked. To best answer this question, it is helpful to explain what both of these organisations are and are not. Credit unions and banks are both financial institutions but this is where the similarities end. Let's first briefly explore what banks are and then move on to credit unions.

Banks are for Profit

Banks are for profit – generally they are shareholder-owned companies delivering a wide array of financial services to the public at large.

They are regulated by the government. As a *for profit* organisation, their overriding concern is to use their resources as efficiently as possible to maximize earnings. This means that consumers are *a means to that end*.

It does not mean that they do not care about their customers, but it does mean that the first question they must ask is *'how much income can we extract from our customers – without driving those that are profitable to another financial institution?'*

Banks have become so efficient at this process that the industry has repeatedly set record profits year on year for the better part of the past decade.

Credit Unions are for YOU

Credit Unions are *not-for-profit* organisations offering a wide array of financial services and they are owned by their membership. If you have an account



Mark Baker
BFAWUCU Treasurer

looks at the advantages of
Credit Unions over Banks

with a credit union, you are both a member and an *owner*.

Membership is limited and you must be eligible in order to join. These requirements vary from credit union to credit union. As a member/owner, you have the right to both vote and run for the Board of Directors. You get only one vote regardless of how much money you have at the credit union and all of our directors are volunteers and receive no compensation for their service.

This process guarantees that your credit union is looking out for *your* financial interests, not a small group of shareholders. They are also regulated by the government.

Credit Unions can and do make excess earnings (profit), however this money belongs to you the members, not stockholders or management. This money is used to fund required reserves to ensure a safe and sound financial institution. These reserves provide credit unions the ability to safely survive

economic downturns, loan losses and periods of slower income growth. It is the goal of credit unions not to accumulate more reserves than their Board feels is necessary for their long-term viability.

In fact, most earnings are returned to the members in the form of lower loan rates, higher share deposit rates, fewer fees and better service. Some Credit Unions, also return excess earnings to the members in the form of bonus checks during those periods when earnings have outpaced reserve requirements.

Driving down costs

If you are looking for a financial institution where you are more than a pound sign, a credit union is a great choice. The existence of Credit Unions actually reduces the amount of business done by the big banks – anything that keeps their profits down must be good (unless you are a shareholder!)

Because you are the owner, your voice is always heard, it is your interests that come first, not big profits.

CREDIT UNION ROADSHOWS

BFAWUCU Credit Union has organised a series of **Credit Union Roadshows** – giving you the opportunity to find out more about how this can help you.

Please look at **page 22** for more information on how they can benefit YOU.



Lyall, second from the left, in thoughtful mood at last year's Conference

Lyall Creighton

Myself, Vi Carr and several ex workmates from the Premier site in the North East attended the funeral of **Lyall Creighton** on the 14th March this year.

Lyall was a well-respected shop steward and a good friend.

Rest in Peace, my friend

Alan Milne

LORD BEECROFT'S PROPOSAL that bosses should be able to terminate employment under a 'no fault' dismissal scheme was sensationally rejected but with so many employment law changes coming into effect, workers are struggling to keep up.

Employment law specialist, Sadiq Vohra of Walker Smith Way, outlines the recent changes and the potential impact on employees across the country.



29th July 2013 – Introduction of employment tribunal fees

From 29 July 2013, claimants wishing to submit a claim to the Employment Tribunal have to pay a fee – and a further fee if the case proceeds to a hearing.

These costs will place a financial burden upon workers seeking to enforce their legal rights. There are two levels of fee: **Type A claims** are generally for monies due such as unpaid wages, notice payments and redundancy payments. These have an issue fee of £160 and a hearing fee of £230. **Type B claims** include unfair dismissal, discrimination, equal pay and whistleblowing. These carry an issue fee of £250 and a hearing fee of £950.

The charges are seen by many as an attempt to stop working people from exercising their employment rights. What is worth noting is that the fees will not be payable by those with a gross income of less than £13,000 or those who are in receipt of income support, working tax credit, jobseekers allowance and other associated credits.

The BFAWU has confirmed that it will support members by loaning the necessary fees, which will be repayable if recovered from the other party.

EMPLOYMENT LAW CHANGES HOW WILL THEY AFFECT ME?



AN ARTICLE BY
SADIQ VOHRA
WALKER SMITH WAY
SOLICITORS

July 2013 – Cap on unfair dismissal awards

There is soon to be a cap introduced – resulting in the maximum compensatory award for unfair dismissal being capped at *the lower* of either one year's pay or the existing limit of £74,200.

There is also a threat to lower the maximum compensatory award in the future to a *national salary average* (currently £28,000).

Whilst there is no specific date given for its introduction, it should come in by the end of this month.

September 2013 – 'Settlement Agreements'

This is the new name for *Compromise Agreements* – coming into force by September 2013.

These are 'Without prejudice' discussions and cannot be used in evidence at Tribunal.

When an offer to *settle* (that is, to end your employment) is made by an employer, it has to be in writing and you have to be allowed 10 calendar days to consider the offer.

You also have to receive independent legal advice before you make the decision as to whether or not you accept the offer.

While you won't have an automatic right to being accompanied at settlement agreement discussions, the ACAS (*Advisory, Conciliation and Arbitration Service*) Code does recognise that there is a need for this. A work colleague or representative may be able to attend future meetings unless there is associated 'improper behaviour'.

Guidance notes on what is classed as improper behaviour can be found on the ACAS website or by downloading the *Code of Practice on Settlement Agreements* document.

The future

Finally, there are a variety of other changes which have been proposed for introduction in the coming year – most notably, a draft 'employee ownership' bill has been proposed which will allow employers to offer shares in the company to new staff members – but on condition they sacrifice some employment rights, on such issues as redundancy and unfair dismissal in order for them to be allowed an ownership stake in the business.

If you require advice on any aspect of employment law, speak to the experts who can help you to get the outcome that's right for you.

Contact Sadiq by emailing: svohra@walkersmithway.com or call 0800 7310717



ENOUGH IS ENOUGH!

DEMAND JOBS NOT CUTS

A PEOPLE'S ASSEMBLY, DÁIL ÉIREANN, SEPT 18TH 2013

WE ARE INVITING YOU to support and participate in *A People's Assembly* on September 18th, the day the Dail re-opens after the summer recess to call for an alternative to further cuts and austerity in the upcoming budget 2014.

As you are aware, this year's budget will take place in October and the coalition government intend further austerity measures and cuts to meet the EU-IMF Troika's deficit targets.

While there is currently some debate as to whether meeting this target will involve an 'adjustment' of €3 billion or €2 billion, there is no doubt that more pain is planned for ordinary citizens and the economy in the form of further austerity cuts and taxes.

The likely cuts and austerity measures in the forthcoming budget will come on top of five years of similar policies which have seen €24 billion taken out of the Irish economy – with devastating effects for low and middle income workers, distressed mortgage holders, hundreds of thousands that have lost their jobs, pensioners, young people, the disabled and host of other vulnerable groups.

Surveys by organisations such as the Irish League of Credit Unions and other civil society groups and agencies confirm an ever-worsening slide towards poverty, long term unemployment, emigration, homelessness and public despair.

Even the former EU-IMF Troika mission chief to Ireland, Ashoka Mody, recently stated the need to end the austerity 'experiment' being pursued in Ireland, on the grounds that it is deepening the economic crisis and preventing recovery.

Mr Mody's assessment confirms the analysis of a host economic think-tanks, trade unions, civil society and opposition political organisations, who have argued for some time that austerity as a policy is failing disastrously both in Ireland and across Europe.

Socially and economically, it is abundantly clear that the policy of austerity to pay off the debts of private banks and bondholders must be urgently replaced with a policy that prioritises jobs, fairness and economic growth.

While there has been widespread public anger and opposition to the range of austerity measures introduced in recent years –

campaigns against hospital cuts, anti-household/property tax protests, protests against disability, education, community and income cuts, the recent successful campaign against the plan to sell-off the harvesting rights to Coillte, fury at the 'Anglo-tapes' – this opposition has been fragmented and episodic.

There is an urgent need to bring together the different groups and sectors adversely affected by austerity and those campaigning against these failed policies into a sustained movement demanding a fair and sustainable alternative.

A group of trade unionists, campaigns, opposition TDs and concerned citizens have come together to urge that we begin this process with a large *People's Assembly* on Wednesday September 18 at 6pm on the day the Dail reconvenes following the summer recess.

The overriding theme of this event will be to say '*Enough – Jobs and Fairness not cuts*', demanding not just an end to austerity but also putting forward alternatives that promote employment, sustainable growth, fairness, rights and a more accountable democracy.

It is our hope that this assembly will bring together different groups and organisations and the general public affected by austerity

and campaigning against it and mark the

beginning of a new process calling for an alternative policy – both in the run-in to the budget and beyond it.

We appeal to you to commit your organisation/group to support and promote this initiative and to add your name to its list of participants.

Yours in Solidarity,

Richard Boyd Barrett TD, People Before Profit Alliance

Jimmy Kelly, Regional Secretary, Unite

John Douglas, General Secretary, Mandate

John Halligan TD, Independent (Waterford)

Andrew St Ledger PRO, The Woodland League

Enough is Enough!

DEMAND JOBS NOT CUTS

A PEOPLE'S ASSEMBLY, DAIL EIREANN, SEPT 18TH

We urgently need:

- A united movement of resistance to austerity that demands an alternative - jobs, services, protection of the vulnerable and our environment and real democracy.
- A people's coalition that brings together workers, the unemployed, young people, pensioners, the disabled, struggling mortgage holder, community and environmental groups.

FIVE YEARS after the onset of economic crisis, the policy of bank bail-outs and austerity is a disastrous failure. The recent "Anglo tapes" show the contempt the bankers and elites who caused the current crisis have for the victims of their economic crimes. Yet still, our politicians protect the banks and the super-wealthy, and force our society to pay the price.

Unemployment remains at crisis levels and tens of thousands of educated young people leave the country every year. Over 180,000 people are unable to pay their mortgages, poverty and homelessness are on the rise and workers' pay, conditions and rights are under serious attack as companies go bust or scramble to stay afloat. Vulnerable groups such as those with disabilities, special needs or lone parents are repeatedly attacked. Our health, education and public services are being cut to ribbons.

The government and EU-IMF Troika answer is to continue with further austerity, the privatisation of services, state assets and natural resources; giving them away to multi-nationals. They are planning billions in further cuts and austerity taxes in the forthcoming budget.

Supported by:




GFTU CONFERENCE



A REPORT FROM HELENA ENGLAND

THIS WAS THE GFTU'S 100TH YEAR – Well done to them on reaching this landmark. There was a letter of congratulations from Ed Miliband and his good wishes for a successful conference.

I attended the GFTU Conference along with Pauline McCarthy, Mark McHugh and Ronnie Draper. Clare Hinchcliffe and Sarah Woolley were invited, as young members of BFAWU, to give the thank you speeches at the end of conference.

There was a speech on organisation within the unions and the need to recruit young people into the union. We need to modernise ourselves and to remove the negative perception by the public of unions. Changing this perception is achievable through *education*. There were more talks on the lack of young people in the union.

There was a lengthy discussion on those who have jobs and those who don't and the government's way of dealing with this – *or not!*

Focus on Youth

It got me thinking about the unions in general and, more so, what will become of us as a small independent union? Will we face disappearance because of an ageing membership? Bringing young people into the union is going to be our life blood and the way for us to be sustainable in the future. If we don't encourage and embrace the younger generation, unions will die out – and then there will be no-one to fight the cause. We will belong to a nanny state controlled by the rich and the elite, a nation of *haves* and *have nots*.

What a great start to the conference, already giving delegates food for thought and we have only just begun. Well done to the three young people who were very professional in the way they delivered the opening of conference. This is what we as a union need to survive in going forward, the young members taking the opportunities that come their way.

Remember there *are* courses available – through our union and the GFTU – so you can progress and move up through the ranks. They help us prepare our future branch secretaries, full time officers and even future General Secretaries and Presidents of the Union.

Lesley Mercer, President of the TUC spoke on Equality in the wider spectrum such as Parliament, Business and so on. Lesley also spoke on the youth of today, employment and the Government's need to give more time and effort to getting young people into work.

There were two visitors from Vietnam, Hieuxuan Dong and Hoatran Tien who are

representatives of the Vietnamese General Confederation of Labour (VGCL).

They gave us an interesting and informative insight into their work in Vietnam. They spoke on the changes in their country and the challenges they face in union organisation and recruitment. That is why it is important for unions to work together locally and internationally for the benefit of *all* workers – no matter which country they live in. A good working relationship and *solidarity* are the key.

Ronnie Draper, BFAWU General Secretary spoke on the *Workfare* Schemes and the way they seek to exploit some of the most vulnerable people in our society and called for conference to boycott these schemes.

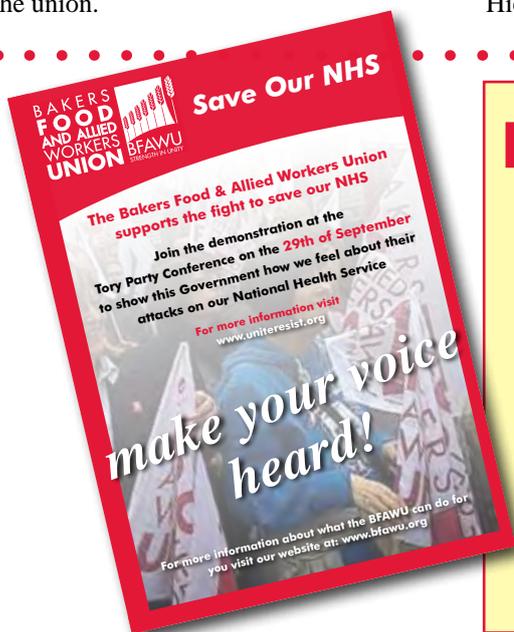
A World without Unions

There were two workshops running that you could attend – *a World without Unions* and *a World with Unions*. Boy was the first one scary! I can't explain it in this report, it would take the whole Foodworker space. You had to take part in the workshop to experience how different the workshops were – they were definitely worth attending.

I think we should invite them to our Conference and show the delegates how the world would be without the unions, believe me it's a very scary thought.

On another note, I did notice that the GFTU Conference was more male-orientated. We need to have a more equal proportion of female union members attending to redress the balance. So come on you female union members out there – put yourselves forward for nomination to the GFTU Conference!

Helena England
BFAWU, Fox's Biscuits, Batley



DON'T FORGET...

29th September

Join with us to

SAVE OUR NHS

Meet at the **Tory Party Conference at Manchester Central**

more: www.uniteresist.org



DEFEND THE LINK

THOSE READING THIS will know as well as I do that workers join trade unions because we are stronger together. Standing together we can stand up to injustice and try to ensure fair treatment from employers.

Our ability to stand up for union members depends very much on our legal rights – and on the limits placed upon these by law. Yet we also need to stand up for the interests of trade union members beyond the workplace itself. Our members need a decent health service and secure and affordable housing every bit as much as fairness at work.

Organise in the community

We need to organise in our communities as well as our workplaces and trade unions need influence – and a voice – in Westminster, and wherever else politicians legislate in ways that affect working people.

None of this is new

More than a hundred years ago, far sighted trade unionists and socialist activists saw the need for political organisation at a time when politics was a competition between the Conservative and Liberal Parties and there was no working class political organisation.

Then, as now, trade unions faced legal attacks from Parliament and the courts – and so came to see the need for a political party to represent workers' interests – **the Labour Party**.

The relationship between Labour and the trade unions has often been difficult – as when the last Labour Government pressed ahead with privatisation of public services or supported the Iraq war.

However, Labour has also achieved great things – most notably creating our National Health Service. Labour is also responsible for many of the legal employment rights which workers and our trade unions still have.

These achievements have been the achievements of a Party linked directly to the trade unions by the collective affiliation of trade unions to the Party.

Today three million trade unionists choose to pay the political levy and are therefore affiliated members – with a voice in forming Party policy and in electing the Leader of the Party.

What is 'collective affiliation'?

Collective affiliation means that, in the same way as trade unionists join together to speak to our employers with a strong collective voice, so we can express political views with the strength of numbers.

Ed Miliband's threat to collective affiliation is therefore a fundamental threat both to the very nature of the Labour Party and to the existence of a political voice for working people.

Defend the Link

That's why the Labour Representation Committee (LRC), to which BFAWU is affiliated, has launched the *'Defend the Link'* campaign – to keep a political voice for trade unions.

The campaign is gathering support from trade unionists, Members of Parliament, Labour Party members and campaigners – to win we need mass support, and that's where you come in.

You can sign up to support the campaign online at www.defendthelink.wordpress.com



There will be a meeting to launch the campaign on the 3rd September at 7pm, in the Conway Hall, London with speakers to include:
Owen Jones
Professor Keith Ewing
Manuel Cortes General Secretary of TSSA
Maria Exall Member TUC General Council and
Roger Mckenzie, UNISON assistant General Secretary

There will also be Defend the Link meetings at both TUC and Labour Party Conferences.

I hope to see you involved in the campaign.

Marshajane Thompson
Vice chair LRC



PATERSON'S SUPPORT FOR GM CROPS IS UNCONDITIONAL



OWEN PATERSON'S (pictured above) backing for unpopular causes knows no bounds. First the DEFRA Secretary of State gave unequivocal support to the culling of badgers, then he voted *against* a temporary ban on neonicotinoid insecticides (introduced to protect bees) and then, in June, he gave *unconditional* backing to GM crops.

Paterson's arguments in favour of GM were as follows – 'We need to increase food production because of growing global populations, GM is an essential part of the solution – and is good for the UK economy'.

He also went out on a limb and said, on BBC radio, that *people opposing GM crops had contributed to the deaths and blindness of 7 million children in SE Asia*.

Paterson's claim that children in the region had been denied free access to the **GM Golden Rice** (which would, it is

claimed, have provided the source of Vitamin A they are lacking from their diet) for 15 years, completely ignores the problems associated with this approach.

The first version of the GM rice did not produce enough pro-Vitamin A (which the body converts into Vitamin A).

Later versions did but it is still doubtful whether children with a diet comprising mainly rice will be able to absorb sufficient amounts to meet their needs – because this would require a certain amount of fat in the diet as well. Finally, the GM rice has not yet been given safety approval – quite important considering that excessive Vitamin A consumption has been shown to worsen lung cancer in the US.

Paterson's support for GM crops comes from lobbying by the biotech industry in the last 12 months

The solution is to *provide people with a balanced diet* and many projects in the region have demonstrated that this works but there is a failure to extend them to all communities at the rate required. In Africa traditional breeding is ahead of GM and has already bred sweet potatoes with enhanced levels of pro-Vitamin A

Paterson also claimed that GM cotton was increasing yields in India but, according to data from the Ministry of Textiles, yields have actually been *falling* in recent years despite the widespread adoption of GM cotton.

The *total* produced has indeed increased – but only because the land area growing cotton has increased.

Mr Paterson made many other spurious claims about the performance of GM crops but progress in the last 30 years has been very limited. **There is no evidence that yields of GM crops have increased dramatically compared with non-GM ones.**

Recent analysis of crop yields in Europe, which Paterson castigated for blocking the progress of GM crops, found they have increased faster *without* GM than in the US, where the uptake of GM has been massive.

Paterson ignored UN evidence that we produce more than enough food to feed the people of the world but we fail to distribute it fairly.

Politicians have failed to produce a fair and equitable distribution system which gets food to people – at a price that is fair to them and to the farmers.

The role of speculators in food crop markets has increased recently and this has made price rises more acute. The poorest people suffer most if food prices rocket up and malnutrition and starvation continue for around **1 billion people**.

Paterson's support for GM crops comes from lobbying by the biotech industry in the last 12 months.

In 2008, a major report on global food production and farming concluded that the current system failed to feed people – and damaged the planet at the same time. The UN-backed report called for



...an increasing role for women in developing production-based agroecology – farmers can grow a healthy diet if they get the right support

reform of trade, farmer-led Research and Development, improved local infrastructure and an increased role for women in developing production based on **agroecology**. This is a form of farming which mimics natural ecosystems and relies on building up soil fertility using crop rotation and organic waste recycling and uses biological controls of pests.

Successive governments have ignored these findings and backed a *technological* approach instead, including GM. This just shores-up the current intensive system of farming – which is *failing*.

The UN report called for radical reform but under the leadership of Owen Paterson it seems rhetoric and misinformation will continue to be the order of the day.

Pete Riley
Campaign Director, GM FREEZE



BIOCOTE LAUNCH BACTERIA TESTING SERVICE



GLOBAL ANTIMICROBIAL SOLUTIONS EXPERTS **BioCOTE** has launched a bacteria testing service to help organisations check and monitor levels of bacteria and other microbes in environments where hygiene is important.

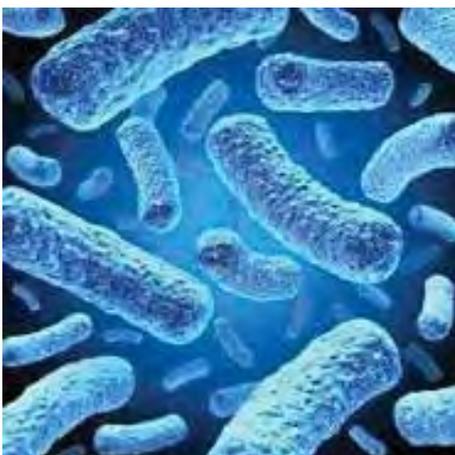
Failures in hygiene can lead to outbreaks of pathogenic bacteria such as MRSA, E.coli 0157 and salmonella, which can damage a firm's reputation and incur costs. The bacterial testing and analysis service from BioCote aims to help organisations minimise this risk by understanding levels of bacterial contamination at their premises. This not only gives a good indication of general hygiene levels but can also help identify any possible risks the organisation may be unaware of.

The service is confidential and involves BioCote visiting the organisation's premises to take samples, which are then analysed in the laboratory and translated into a detailed report to present the findings and highlight any problems. The service can be tailored to meet an organisation's requirements and may include advanced microbiological techniques.

Richard Hastings, Technical Director at BioCote Ltd, explains:

"Our Bacteria Testing Service ensures that organisations running factories, fast food outlets, hospitals or other hygienic facilities know about any possible bacterial contamination on their premises. We have been doing lab work like this for our existing customers for almost 15 years so it makes sense to make it available to the wider market.

Of course every company faces different challenges, and we have already encountered lots of different reasons for using the service including hygiene checks for franchisees, to assess existing cleaning processes or even to track down the source of known contamination."



Question:

AT THE TURN OF THIS YEAR, the ConDem government gave the go-ahead to a United States private equity firm, **Cuadrilla Resources**, to attempt to extract shale gas in the UK using the controversial technique known as *Fracking*.

Michael Fallon MP, the Energy Minister called on the industry to accelerate plans for shale gas exploration and has granted over 300 licences for onshore fracking sites.

Fracking is the process of pressurising water and chemicals deep underground to fracture rock to extract the gas. This fracturing makes the ground unstable and earthquakes often occur – and can measure up to a magnitude of level 4 on the Richter scale (signifying *Moderate* strength).

In an article published by the Daily Mail, (Friday 26th June 2013), it accuses the Government of trying to bribe towns and villages to accept fracking in their backyards. The amounts are up to £100,000 to each community. In addition, Chancellor George Osborne announced tax breaks for fracking – with tax on income cut from 62% to 30%, yet only three years ago this government pledged alongside the other G20 nations to have stopped fossil fuel subsidies.

This along with the tax breaks to the companies involved and rushed through drilling permits. This takes this investment programme spending up to £100 billion. There *could* be a lot of gas to be had, but is it worth the risk?

This might create a few badly-needed jobs but the whole picture has not been looked at. What damage will it do to the planet and what will be the cost it takes to clean the damage up? Already one firm has been prosecuted after leaking fracking waste into a nearby waterway. It was also shown to have inadequate sediment controls at its site.

The environment agency has worked hard for years to clean our rivers up and

Why are governments so intent on ruining our planet?



they are now just coming into fruition. Wildlife has started to return to these rivers, so why do they want to go back to the pollution we once suffered?

An article in the Huffington Post (27th July) states that each site commissioned would require *at least* a million gallons of water to operate. **UK Water**, representing the nation's water suppliers has expressed grave concerns both about where this water will come from and the risk of contamination of drinking water supplies.

In another article, water suppliers are concerned that taps could run dry through the amount of water that is needed to operate the fracking practice.

In the United States the chemicals used in fracking don't have to be disclosed. We can only insist on more transparency on what chemicals they use and any issue on contamination from fracking in the UK.

Studies from Canada, Australia and Norway show leakage rates of up to 20%. In Britain we are assured that the safe systems of work are of the highest

standards. We have the highest standards of work on the oil rigs in the North Sea, but in June there were 55 leaks of oil and chemicals in those fields. We don't need these leaks on our back doorstep.

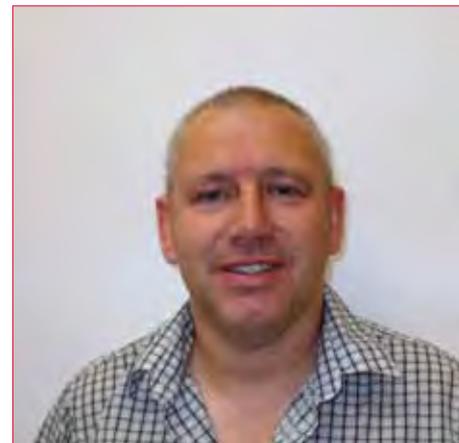
What, if any, are the benefits for the consumer?

The management of Cuadrilla has admitted that the shale gas extraction will have little effect on energy prices for the consumer. This is how we end up paying for it *twice*: in the tax breaks and the charges they make. To cap it all, the **International Energy Agency** predicts that gas prices will rise by over 40% by 2020.

This will also be disastrous in also trying to cut our greenhouse gasses in avoiding climate change as we will be burning *more* gas, not less.

Who has got shares in the bottle water companies? This government seems to be trying to make us use bottled water as in other countries such as Spain! Making even more money out of us.

Out of the fourteen people arrested in Balcombe, Sussex, nine were charged with section 241 of the Trade Union Labour Relations Act in stopping vehicles entering the site. This is another blow against our Human Rights, and the right to demonstrate peacefully.



Peter John Fox
National Vice President

Answer:

To make themselves and their friends rich!

LIFTING REGULATIONS



Julie Blackburn of Thompsons Solicitors explains employers' obligations under the Lifting Operations regulations.

The Lifting Operations and Lifting Equipment Regulations (LOLER)

1998 replaced a number of legal requirements relating to the use of lifting equipment. They encompass a wide definition of lifting equipment, ranging from heavy industrial equipment to the patient lift on a hospital ward.

Lifting equipment is also subject to the requirements of the **Provision and Use of Work Equipment Regulations 1998 (PUWER)**. Regulation 3 of LOLER adopts the same language as PUWER, substituting 'lifting equipment' for 'work equipment'.

Employers are subject to duties under the regulations in respect of any lifting equipment provided for use by employees and by third parties (though *not* members of the public). The obligations of the regulations also apply to anyone else who has control over the lifting equipment, a person at work who uses, supervises or manages the use of lifting equipment or the way in which lifting equipment is used at work.

Equipment provided by employees themselves is also covered by LOLER.

The regulations state that before lifting equipment (including accessories) is

used for the first time, it must be thoroughly examined. Equipment and accessories used for lifting people must also be examined at least every six months. Other lifting equipment must be examined at least annually or at intervals laid down in an examination scheme drawn up by a competent person. All examination work should be performed by a competent person, who must submit a report to their employer to take the appropriate action.

Regulation 4 requires employers to ensure that lifting equipment is of *adequate strength and stability*. 'Adequate strength' was defined in the 1960 case of *Milne v CF Wilson*, that it was not just adequacy in respect of the statutory safe working load, but the actual load the equipment is expected to bear. This was reinforced by subsequent cases.

Regulation 5 imposes a mandatory duty to ensure that equipment used for lifting people will prevent users being crushed, struck or from falling out, while reg 7 provides a duty on employers to mark safe working loads on equipment. Regulation 8 states that an employer must ensure that the lifting operation is planned by a competent person, appropriately supervised and carried out safely. This is a *strict* liability, so if an injury results as a consequence of the failure to plan or supervise, that in itself is proof that the operation was not carried out safely.

The **LOLER regulations** require that lifting equipment provided for use at work is:

- Strong and stable enough for the particular use and marked to indicate safe working loads
- Positioned and installed to minimise any risks
- Used safely – that is, the work is planned, organised and performed by competent people

AND

- Subject to ongoing thorough examination and, where appropriate, inspection by competent people.

In the case of *Delaney v McGregor Construction (Highlands) Ltd*, the employer used a fork lift truck to unload steel rods from a lorry, because there was no crane or sling available. The rods fell on Mr Delaney. The Judge said the firm was in breach of Regulation 8 because the operation had not been properly planned by a competent person, and of Regulation 6 by failing to ensure that the risk of being hit by falling rods had been reduced to the *lowest level reasonably practical*.

The Court of Appeal found, in the 2007 case of *Ellis v William Cook Leeds Ltd*, that the judge in the original case was right to find that the employee's injuries were caused by lifting a steel casting with a crane.

When the castings fell off the tray, it was normal working practice to move them by the crane as long as it had not jammed. The injured man had been trying to remove a cone-shaped casting by attaching a hook from the crane to the narrow end of the casting and operating the crane with the handheld control as usual. But the hook flew off and knocked him unconscious. The hook had been bent beyond normal tolerance.

The judge said it was likely that the casting was jammed, which was reasonably foreseeable. Attempting to move a casting that was at risk of jamming by using a hook, which could slip under the load, was extrinsically dangerous. This was an inherently dangerous working practice and the employer was liable (although Mr Ellis had contributed to the accident by standing too close to the crane).

This underlines the fact that, while employees do not have duties under LOLER, they do have *general* duties under the **Health and Safety at Work Act** and the **Management of Health and Safety at Work Regulations (MHSWR) 1999**, to take reasonable care of themselves and others who may be affected by their actions and to co-operate with others.

GREGGS: RISING TO THE LEARNING CHALLENGE

AN HISTORIC EVENT TOOK PLACE at the Greggs Balliol Bakery on Tuesday 27th September – the launch of the first on-site learning centre.

The learning centre which is yet to have its official title will support staff from Greggs in the North East. Staff at the Balliol and Gosforth sites will now be able to learn in their own dedicated learning facility.

The pilot learning centre was officially opened by the BFAWU General Secretary, Ronnie Draper and Gavin Kirk, the Supply Chain Director for Greggs. The partnership between the BFAWU, Greggs and the BFAWU learning Services shows the commitment by all parties to the Learning Agenda.

Ronnie Draper stated, *“It may have been a long time coming but we are here now and this is where the hard work by all truly starts”*.

Kevin Haynes, Head of Learning and Development for Greggs, stated that although both sides may have not seen eye to eye through this process, a relationship has developed with the common goal of encouraging learning and development to all Gregg’s staff.

Others who also attended the event from Greggs were Cath Delaney, Head of People for Supply, Janet Templeton, Supply People’s Manager for Greggs Gosforth Site and Ray Arkley, site trainer at Gosforth.

Kendra Walker, the Project worker who is supporting the site said, *“From open days run at both the Balliol site and the*

Gosforth site with Lizzie Dinning, Gosforth Branch Secretary and lead ULR, we have carried out a lot of Learning Needs Analysis with staff. We are all very excited to start the learning journey with staff at Greggs”.

Branch reps from across both the Gosforth and Balliol sites came to give their support as well, as did Rachel Mullen, representing the retail sector and youth workers. Andrew Lambert, Branch Secretary for the Balliol site said, *“I can’t wait to get started, I have expressed interest in doing a computer course with the learning services”*.

Alan Milne, BFAWU Regional Officer for Region 5 said, *“This is great for the staff at Greggs. Education and development is a key factor in building the confidence of people to aim higher. Through education and development, staff can take charge of their learning and personal development. This in turn improves their work skills which will support employees within the workplace”*.

John Vickers, the ULF English Project Manager agreed, *“Education is a powerful resource that, when used, is a most powerful ally. We understand the importance that education plays in the lives of our learners at work, in families and in social lives.”*

The Learning Centre will work in partnership with further education providers to deliver a range of courses and recognised qualifications in IT, Maths, English as well as bite-size brief courses in Health and Wellbeing.



From left to right: Dave Storrie, Unionlearn North Senior Union Support Officer; Janet Goodwin, BFAWU Learning Services Project worker; Kendra Walker, BFAWU Learning Services Project Worker; Ronnie Draper, BFAWU General Secretary; Kevin Haynes, Head of Learning and Development Greggs and Alan Milne, BFAWU Region 5 Regional Officer.

ANNUAL CONFERENCE MOTIONS PASSED 2013

RULE CHANGES AND NEW RULES

3 New Rule

That this conference agrees that members with 50 years membership should receive a pewter Baker in recognition of a remarkable achievement.

4 New Rule

That this conference agrees elected delegates to Trades Union Congress, Labour Party conference and such, must attend and stay to the close of said conference unless there are genuine emergency reasons to do otherwise.

5 New Rule

This Conference agrees that, due to the damning Jackson reforms, the EC has the authority to amend and implement any changes necessary to ensure that we are able to offer our Membership a competitive Legal Services package, without impacting on the Union's economic viability.

7 Rule 5.4: Retired & Unemployed Members

In the first paragraph, after the first sentence, insert: 'Qualifying Retired Members may choose to make a one-off £25.00 entitling them to Retired Membership for life; this payment cannot be reduced to reflect contributions already paid'

9 Rule 14.3: Branch Management

Remove the entire rule and replace with the amended wording below.

Each Branch may elect Union Learner Representatives. The Learner Representatives must normally complete a Union Training course in Learner representative skills within 6 months of election. Upon successful completion of this course they will be issued with Learner Representatives Credentials by the relevant Regional Council. Regional Councils shall elect one Learner Representative per Region to attend the National Union Learner Representative Committee plus a substitute.

The role of the National Learner Representatives Committee shall be to discuss the progress of the Union Learner Reps programme/ learning activity within the Union/Industries and to make recommendations to the EC on these matters. The National ULR Committee shall not have decision making powers.

The National Learner Representatives Committee shall consist of one Learner Representative from each Region the National Officers plus co-opted members. Only Learner Representatives who are working in workplaces recognised by the relevant Regional Council can be Learner Representative under the Rule and serve on Learner Representatives Committees at whatever level.

Meetings of the National Learner Representatives Committee shall be held at least one week prior to the quarterly EC meetings.

National Learner Representative Committee members will hold office for a period of two years, be eligible for re-election and paid fares and fees as per Regional Council members. Where a Learner Representative Committee member is unable to attend a meeting, substitutes are allowed.

Each Branch or Regional Council will include on their agenda the item 'Learning and Training' to encourage discussion of this important subject.

12 Rule 20.1: Duties and Payments of National Officers and the Executive Council

That this conference agrees that this Rule be amended to read: "The general management of the Union shall be invested in a committee of management termed the Executive Council consisting of the National President, General Secretary, and members elected in accordance with Rule 22.6(b) "

15 Rule 22.2: Nomination and Election of Delegates for Annual Conference

That this conference agrees to delete the whole of rule 22.2 and replace with the following:

There shall be no restrictions on nominations. Each Branch shall be allowed one Delegate per 100 members or part thereof with a maximum of three delegates from any one Branch. A branch will be able to elect a further delegate if they elect a member under the age of 27 However, where there is a shops section within the factory branch, additional to factory branch delegates, nominations shall be held within the shops section and election on the basis of one delegate per 50 members or part thereof with a maximum of two delegates from that shop section.

GENERAL MOTIONS

Rights at Work

17

Conference agrees to condemn the practice of companies within the food industry using scanning devices to undermine our members at work including the threat of dismissal. This is a serious infringement of basic rights at work.

National officers to send a letter to all companies using this type of system demanding the eradication of such threats against our members employment

18

That this conference agrees to keep up pressure on this government to stop making detrimental changes to employment law. Workers do have rights and should be able to exercise them without fear.

19

That this conference supports this resolution and agrees that pressure be applied to employers by the trade union to return Christmas Day to the employees and that Christmas Day December 25th becomes and remains a non-productive and non-working day.

20

This conference applauds the introduction of a national living wage and the employers who are enlightened enough to pay it.

We now, as employers ourselves, seek to join the scheme and be accredited with the Living Wage foundation.

This will mean that from now on, all BFAWU employees will be paid a living wage.

Branches

23

That this Conference agrees that Branch meetings in March will be called at any time in March which is convenient for Branch Secretaries and its Branch Members.

ANNUAL CONFERENCE MOTIONS PASSED 2013

24

Conference agrees that all Branches ensure an effective Branch Structure is in place to enhance recruitment and retention.
ORGANISE, ORGANISE, ORGANISE...

Health, Safety and Welfare

25

That this conference agrees tea and coffee will no longer be served on the balcony, this is a health and safety issue. It needs to be at the back of the hall.

26

Conference agrees to lobby Government for the implementation of 'tougher penalties' against Employers found guilty of failures in Health & Safety legislation. Derisory fines are unacceptable and we demand custodial sentences as required.

28

That this Conference agree to lobby government to ensure employers support shop workers to have procedures in place to protect all shop workers from attacks and robbery and make sure employers support staff and ensure employees do not suffer any money losses when off work due to stress.

29

Conference agrees that all trade union safety representatives should have the legal right to be involved in all stages of Risk Assessments within the workplace. Executive Council to lobby Government through our Parliamentary Group.

30

Conference supports the concept that all Branches ensure they have 'DEFIBRILLATORS' within the workplace and the safety representatives to ensure this happens.

31

That this Conference agree to lobby government to protect employees against adverse weather conditions within shops and that employers provide correct heating or cooling systems within workplaces.

32

Conference agrees to raise awareness through the Trade Union Congress the 'avoidable' accidents & tragic loss of life caused at Level-Crossings across the United Kingdom and demand action to revise, review and implement improved safety systems.

34

That this Conference agrees to lobby the Government to pass a new law enforcing the wearing of a cycle helmet for all cyclists.

37

Conference agrees to lobby Government through Health & Safety Commission to ensure that Companies requirements to carry out Risk Assessments every 12 months is made Mandatory. National President to raise this Early Day Motion through our Parliamentary Group.

38

Conference agrees that all Branches ensure that Safety Representatives invoke their Legal Rights under the Safety Representative Safety Committee Regulations 1977 to enable effective representation at Branch level.

National Health Service

41

Pressure must be put on the government to greatly improve the early diagnosis of dementia sufferers. Although no effective cure is yet available early treatment can help many people continue to live healthy lives at home for many years.

42

That this Conference agree and deplore this governments shameful drastic cuts to our once proud National Health Service.

The Royal College of Nursing is warning that elderly people will suffer most if the NHS continues to make further cuts to nurses and other hospital staff. Official figures show more than 6000 nursing posts have been lost since the general election and the RCN fears a similar number could go by 2015.

Patient care will suffer as nurses are forced to treat more patients, and NHS trusts would have to resort to employing more foreign nurses and agency staff if local NHS trusts continue to make such cuts.

We must fight the government to stop further erosion of our NHS and when the Labour Party get back into power we must remind them of their pledge that, they would put patients first and back real reforms needed to improve the NHS and use the money David Cameron is wasting on his damaging NHS reorganisation to protect 6000 nursing jobs.

Locally, Labour will act as the last line of defence to protect the NHS, Labour Mayors and Councillors will be champions for patients, and defenders of NHS values. We are fighting to defend the worst effects of David Cameron's damaging Health and Social Care act. Please Support.

43

That this Conference agrees that we lobby the Government not to shut any Accident and Emergency Departments.

44

That this Conference agrees to lobby the Government to stop the privatisation of the Ambulance Service.

47

That this Conference agree to lobby government to improve our GP systems and make all GPs put best practice in place so patients are not left to suffer unnecessarily, and patients are not left waiting to be referred to specialists, which could potentially save lives.

48

That this Conference agree to lobby government to reduce the cost of prescriptions especially for people who rely on medications on a regular basis.

49

That this Conference agrees we should lobby to have the age of a woman's first smear test to be lowered from 25 years to 18 years.

ANNUAL CONFERENCE MOTIONS PASSED 2013

Banking and Finance

50

Conference agrees to lobby Government to ensure that Her Majesty's Revenue and Customs revise the present Tax System by eliminating all the present loopholes to ensure ALL companies including Multinationals PAY the required taxes in this country.

51

Conference agrees to the concept of re-nationalising the Banking Industry in an effort to eradicate the carnage created in the recent scandals created within the industry. Ensure the Labour Government have this as a priority in their Manifesto when they are back in Government.

52

This conference finds the practise of 'payday loans' an abhorrent means of offering credit to financially desperate working class people.

This is a badly regulated business that needs legislation to prevent people falling into a cycle of debt from which it is almost impossible to recover.

Our Parliamentary group will lobby for legislation to curb this practise and to introduce an interest cap.

Government and Political

53

That this Conference deplores the greedy MPs who wanted a £20,000 pay rise in their salaries when people on benefits were capped at 1% for the next three years.

54

Conference agrees to lobby government to regulate all aspects of a Member of Parliament's expenses to be made open and transparent with view to eradicating the culture of fiddling.

55

Conference agrees that any Member of Parliament found guilty of fiddling expenses MUST never be allowed to hold a Public Servant post again and face time in a prison cell.

56

That this Conference agrees that the dangers of UKIP should be shouted from the rooftops to our members to make it very clear the dangers involved in electing these people and their racist policies, are an attack on the fundamental basic principles of the trade union movement and all working class people whatever the gender, faith, creed or colour.

57

That this Conference agrees that workfare is nothing but cheap exploitation of labour and companies who use it should be taken to court as slave labour was abolished many years ago.

58

That this Conference urges the government through its Parliamentary contacts, to create real permanent jobs instead of Agency jobs, as Agency Jobs gives no security of employment, it exploits workers with low pay and Terms and Conditions.

60

That this Conference agrees that the big companies like Tesco and Asda dictate how you run your company. If you don't comply they cancel orders, which puts people's jobs at risk.

61

The government must commit policies to reduce child poverty by creating employment for all and provide benefits that lift children out of their social exclusion. The Child Poverty Act of 2010 is being ignored by this present government.

62

Conference condemns this unnecessary culture of Austerity being used by this Government and demand a campaign, spearheaded through the Trade Union Congress to demand the CHANGE.

63

That this conference calls on the Labour Party when it comes to power, to repeal the Anti-Trade Union Laws on the rights of freedom of peaceful assembly as it is now time to bring the United Kingdom back into conformity with Human Rights Law.

64

That this conference agrees and supports the need to remain within the EU to safeguard the Health & Safety legislation and other workers' rights.

65

Conference agrees to lobby Government on the reductions in awards from the Criminal Injuries Compensation Authority and the decision to reform eligibility entitlements eradicating payments for minor injuries.

66

That this conference, through the trade union movement, put pressure on the Labour Party to give workers back their rights and change back the detrimental changes that this Tory/Lib Dem government have made when they next get in government.

67

Conference agrees that the Labour Party MUST reverse the attacks on Employment Law this present Government has implemented and include as a priority in manifesto including the reduction in consultation period from 90 days to 45 days.

69

That this conference agrees to lobby the government about the poor train services, plus the rising cost of train fares.

Energy

70

That this Conference agree to lobby government to put pressure on energy companies to reduce the cost of all energy prices in line with the cost of living to cap profit margins so they have to pass saving on to the consumers.

71

That this Conference agree to lobby government to reduce fuel prices and taxes on fuel, within the UK. We in the UK have the 2nd highest price on diesel and the 7th on petrol within Europe.

ANNUAL CONFERENCE MOTIONS PASSED 2013

Education

72

Basic first aid should be introduced to the school curriculum at the earliest possible age. Early learning will provide children with basic skills for life, skills that could help save many lives.

73

That this Conference agree to lobby government. To stop discrimination within colleges and schools on grounds of religion pupils should be taken on grades alone not what their beliefs are.

75

That this conference agrees to lobby the government; that more is needed to support adults who have a prognosis of dyslexia in the workplace.

76

That this conference agrees to lobby the government to fund more colleges; than private companies, in response to redundancy funding.

Welfare and Benefits

77

That this conference urges our union through the TUC to raise the issue of 'Single Working Parents' and the lack of support given to them with child care and other issues relating to Single Parents.

78

That this conference agrees that Government must provide the same level of financial aid and security to those struggling to pay their mortgage, which would reduce the number of repossessions.

79

That this conferences agrees to lobby the government on the way they are reducing the services for the sick and elderly of this country. The sick and elderly are some of the most vulnerable people of society and should be treated with dignity and respect.

80

That this Conference agrees that we must lobby the Labour Party to promise to repeal the Welfare Reform Act 2012. This is seriously impacting on refuge services for domestic violence. Two thirds of those hit by these freezes are women. The fear is that without access to refuge the domestic homicide figures will rise significantly.

81

That this conference agree that the cuts in welfare reform will reduce the amount of benefits people can get if they are deemed to have a spare bedroom in their Council or Housing Association Home. This measure will apply from April 2013. The power to do this is contained in the Welfare reform act 2012 and is commonly referred to as Bedroom Tax this means, children under 16 of the same gender are expected to share.

Children under ten are expected to share regardless of gender. Disabled tenant or partner who needs non-resident overnight carer will be allowed an extra bedroom.

This act does not take into account children with various disabilities be they mental or physical.

Local Government/Social Services

82

That this conference put pressure on this Lib Tory government to stop the cuts in council care both in council run homes and care at home and give back some dignity to our pensioners.

83

That this conference supports this resolution and asks that pressure be put on local authorities to maintain street lighting during the hours of darkness, and other times due to various factors.

Family

86

This Conference calls for our parliamentary group to review the 1985 Housing Act, and ascertain if the "Overcrowding" standards are still acceptable for the modern age, and lobby the government for improvements to the legislation if needed.

Miscellaneous

87

That this Conference agrees to support a Free Press.

91

Conference agrees that flood defences need to be developed and improved in all areas as a matter of urgency. The impact on the affected public is unacceptable and should not be tolerated. Union to initiate campaign through raising this issue through the local MPs across affected areas.

92

Conference agrees that Insurance Companies continue to provide comprehensive cover for those in society living in high risk areas of flood damage and lobby Government to ensure this is a priority.

EMERGENCY RESOLUTIONS

Emergency Resolution 3

That this conference support the five disabled people who are seeking to appeal to the Court of Appeal following the decision of the High Court which stated this procedure unlawful on 24th April 2013.

Motions remitted at the Annual Conference appear on the next page

ANNUAL CONFERENCE MOTIONS REMITTED 2013

RULE CHANGES AND NEW RULES

1 New Rule **Branch 450 Manchester**
That this conference agrees to a new rule mobile phones must be switched off for the duration of conference.

GENERAL MOTIONS

Health, Safety & Welfare

39 **Branch 313 Hovis Birmingham**
Conference agrees that Branches forward an accident report in relation to all accidents on site to the Regional Health and Safety delegate.

Crime & Justice

84 **Branch 450 Manchester**
That this conference agrees in light of the 2 Police women murdered in Greater Manchester, our executive council lobby MPs to change the law on convicted murderers. Life must mean life and the convict should serve his or her sentence in solitary confinement.

EMERGENCY RESOLUTIONS

Emergency Resolution 1

This Conference agrees that there should be a *Jim McLelland award for outstanding achievement*.

This award is for an individual or group of people who do something outstanding, the EC to decide whom to award the award to. The reason I'm asking for this is that Jim died earlier this year and some heartfelt messages were left on the Union's website. His funeral was attended by the National Officers and Full Time Officers, friends and family. As the weeks turn to months, the months to years and years to decades, let us award an award in memory of Jim.

Emergency Resolution 2

In view of the Jackson Report and the detrimental changes to Employment Law that this conference give the EC the right to add 5p or 10p to our weekly subscription solely for the purpose of raising a much-needed strike/legal fund



Credit Union

THE MEDIA IS FULL of horror stories of vulnerable people being fleeced by many payday loan sharks and by crippling interest payments on other short-term loans. People simply trying to make ends meet, give the kids a treat for the festive season or birthday or to pay for a replacement washing machine or other household appliance.

It was in order to avoid these pitfalls and to assist members that the Union set up the first national Credit Union in the UK. Members have the confidence of a swift, easy approach to loans for those unplanned emergency and low interest rates.

How can you find out more? Come along to one of our **Credit Union Roadshows** to see for yourself.

Credit Union Roadshows

Come along to find out the benefits of belonging to the Credit Union for yourself.

Warburtons, Wakefield **21st & 22nd August**

Warburtons, Newburn **27th 28th August**

Manor, Carlton **2nd/3rd September**

Speedibake, Wakefield **9th/10th September**

Aunt Bessies **1st/2nd October**

Further roadshows are planned for Scotland in Winter 2013.

There is nothing to stop you arranging a roadshow *yourself* in your own workplace – we will be delighted to help and support you simply contact:

Sam Vickers 07739 326017
sam.vickers@bfawu.org

OR

Pauline Nazir 07739 326013
pauline.nazir@bfawu.org

GLOSSARY OF ACRONYMS

BFAWU	Bakers Food and Allied Workers Union.
EC	Executive Council.
RC	Regional Council.
EU	European Union.
MP	Member of Parliament.
UK	United Kingdom.
NHS	National Health Service.
GP	General Practitioner.
RCN	Royal College of Nursing.
TUC	Trades Union Congress.



Credit Union

2012 FINANCIAL STATEMENT TO MEMBERS

UNDER SECTION 8 OF THE Trade Union Reform & Employment Rights Act 1993, the Union is obliged to give the following Statement of Finances to members.

1 Salaries

Executive Council Members – in 2012 payments of £1177 were made to members of the Unions' Executive Council under Rule 21.1 (p)

National Officers – in 2012, the salary and other benefits paid to the General Secretary was £64,041, and to the National President £62,035.

2 Income and Expenditure

Total Income 2012 = £2,970,206
Total Expenditure 2012 = £3,096,993

3 Contributions from Members

Contributions from members in 2012 totalled £2,603,216

4 Political Fund

Total Income 2012 = £79,374
Total Expenditure 2012 = £73,959

5 Auditors Report to Members

We have audited the financial statements on pages 1 to 15 which have been prepared under the historical cost convention and the accounting policies set out on page 7

This report is made solely to the Union's members, as a body, in accordance with the Trade Unions and Labour Relations (Consolidation) Act 1992 (Amended). Our audit work has been undertaken so that we might state to the Union's members those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Union and the Union's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of Executive Council and Auditors

As described on page 16 the Union's Executive Council is responsible for the preparation of the financial statements. It is our responsibility to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the

Trade Unions and Labour Relations (Consolidation) Act 1992 (Amended). We also report to you if, in our opinion, the Treasurer's Report is not consistent with the financial statements, if the Union has not kept proper accounting records, if we have not received all of the information and explanations we require for our audit, or if information specified by law regarding officials' remuneration and transactions with the Union is not disclosed.

We read the Treasurer's Report and consider the implications for our report if we become aware of any apparent misstatements within it or inconsistencies with the financial statements.

Our responsibilities do not extend to any other information.

Basis of opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board.

An audit includes examination on a test basis, of evidence relevant to the amounts and disclosures in the financial statements.

It also includes an assessment of the significant estimates and judgments made by the Executive Council in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Union's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material mis-statement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion the financial statements give a true and fair view of the state of the Union's affairs as at 31st December 2012 and of its income and expenditure for the period then ended and have been properly prepared in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 (Amended).

31st May 2013

Auditors

Haines Watt Gatwick LLP

Chartered Accountants
Statutory Auditors
Consort House, Consort Way,
Horley RH6 7AF

6 Members Complaints

A member with any concern over, or complaint about these Accounts or the handling of the Union's finances, can avail themselves of the following procedures:

Under Rule 25.1 members have the right to inspect the Union's books. This can be done by contacting Head Office.

Members can raise any questions on the Union's Accounts or financial affairs by writing to the Executive Council via Head Office.

A member who is concerned that some irregularity may be occurring, or have occurred, in the conduct of the financial affairs of the Union may take steps with a view to investigating further, obtaining clarification and, if necessary, securing regularisation of that conduct.

The member may raise any such concern with such one or more of the following as it seems appropriate to raise it with: the Officials of the Union; the Trustees of the property of the Union; the auditor or auditors of the Union; the Certification Officer (who is an independent officer appointed by the Secretary of State) and the police.

Where a member believes that the financial affairs of the Union have been or are being conducted in breach of the law or in breach of the Rules of the Union, and contemplates bringing civil proceedings against the Union or responsible Officials or Trustees, s/he should consider obtaining independent legal advice.

Conclusion

As normal practice, each Conference delegate was supplied with a copy of the full, detailed Accounts of the Union for 2012. Any member wishing to avail themselves of these Accounts should contact their Branch Secretary. Alternatively, copies of the Union's Accounts for 2012 and the Treasurer's Report are available from Head Office, free of charge to members.

Ronnie Draper
General Secretary

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JOIN THE BAKERS, FOOD AND ALLIED WORKERS UNION

Application forms from any Shop Steward or, to find out more, complete the form below

WANT TO KNOW MORE?

BAKERS, FOOD & ALLIED WORKERS UNION

Head Office
Stanborough House, Great North Road, Stanborough,
Welwyn Garden City, Hertfordshire AL8 7TA

I, the undersigned, would like to know more about the benefits of membership of the above Union:

Name (Block letters)

Address

..... Postcode

Where at present employed

Occupation

Signature Date

Please complete details above and hand to your local representative, Branch Official, Regional Office
(for addresses see above) or send to Head Office.