



global

**FAST FOOD
RIGHTS**
update

**RECOGNITION FOR LEARNING
SERVICES FROM TUC SCOTLAND**



EDITOR'S NOTES

"You must vote YES for the Political Fund"

Ronnie Draper @ronniebfawu

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WE CANNOT OVER-EMPHASISE the significance of two major happenings during June 2014 to our union. Firstly, we have our Annual Conference in Southport where delegates will set the policies for the coming year and, secondly, we will be running a ballot to determine our ability to campaign on and carry out those policies.

From 1847 (when our union was formed by a group of bakers in Manchester) to the present day, we can evidence the differences we have made to working people's lives and to society in general. The difference between then and now has been the introduction of the need to ballot our membership every 10 years, on the question of retaining a Political Fund or not. When the Thatcher government brought in this legislation during 1984, the idea was that members would vote *against* political funds and therefore remove the right for trade unions to campaign on the issues affecting them.

Not 'junkmail' – but real benefits

This month every member of the BFAWU on the mainland UK will receive a ballot paper through the post from the Electoral Reform Services *that needs filling in and returning in the pre-paid envelopes provided*. This is not your usual junk mail that goes straight in the bin or the letter that finds its place behind the clock for later attention, **this letter demands immediate attention as the benefits to you and your families are immeasurable.**

Think about the issues that we have dealt with in the past and continue to campaign on now: The maximum exposure to flour, maximum working temperatures, the power of supermarkets, bedroom tax, the living wage, the protection of our NHS, education, access to justice, housing etc.

... without a political fund the union would not be able to campaign on any of these vital issues

This is an extensive list that is by no means exhaustive but a list that has commonality in that, without a political fund the union simply would not be *able* to campaign on any of these issues.

Because it is called a *Political Fund Ballot* it should not be confused with voting intentions in local or general elections. A political fund is needed whatever the colour or persuasion of the political party in power. We have to retain the right to campaign on the issues that affect our members' lives and livelihood whether it is the Tories, Labour, UKIP, Liberals or Monster Raving Looney Party making the decisions.

That is why your cross in the 'YES' box is crucially important.

The 96th Annual Conference

Our first conference in Southport for 38 years will see the biannual election of our union's National Executive and, with it, the people who will take the hot seat of decision-making and policy implementation for the next 2 years.

With 100+ motions on the Conference floor, the responsibility on delegates to research, understand and vote the right way, is immense. Likewise when it comes to electing the National Executive Members from their regions, decisions have to be based on ability to do the job, the desire to engender change within the union and a willingness to take the difficult decisions when needed.

UKIP – Fruitcakes and Loonies?

At the time of writing the local council results are coming in and it is apparent is that UKIP are punching above their weight, gaining seats in both Labour and Tory heartlands and it would be wrong to just put it down simply as a protest vote against the establishment.

UKIP have targeted their campaign and that has proved to be an effective ploy and this despite their apparent lack of a coherent manifesto outside of the immigration card, despite the adverse press they have received regarding racist, xenophobic and homophobic comments made by some of their activists. I believe the litmus test will come when they gain some MEPs to the European Parliament. Will their attendance record be greater than their leaders' or will it be a way to gain the riches of position from a body they don't believe in? If they don't attend, what difference will their policies make?

I find it bizarre that a party that actively campaigns *against* Britain's membership of the EU is happy to earn immense wealth from just sitting in the European Parliament.

Who stands up for me?

If May's results show anything, it's that people feel *betrayed* by mainstream parties.

The Tories have forced austerity upon the working class, forcing them to pick up the financial debts created by the bankers and high rollers in society. At the same time, they reduce the opportunities for those in dire need to rely on the welfare state.

Labour has failed to produce any pledges that are going to dynamically change people's lives – instead, we have had a mishmash of abstentions in parliament, apparent support for Tory spending plans and potential divisions between Labour and the unions.

As for the Liberals they bastardised their decent principles the day they sold their souls to the devil to gain 5 years of power.

If Labour is to halt the propagation of UKIP's voice then they have to be open and honest with the electorate. They have to listen and, more importantly, act on peoples' fears, they have to make pledges that they are going to keep rather than a clever play on words that can be changed once elected and they need to re-establish the values that made them popular in the past.

We have 11 months to change the political landscape for the good of working class families, let's make sure that the Bakers Food & Allied Workers Union is at the forefront of that change.

Ronnie Draper
General Secretary

NATIONAL PRESIDENT IAN HODSON

So, CONFERENCE IS UPON US once again, but with the new setting of sunny Southport. We've had an upsurge in delegates this year and an increase in motions, as well as some fantastic speakers agreeing to take part, so with any luck, we're in for a lively few days.

Our Conference gives delegates the opportunity to discuss the issues that impact them, their families, their members, their workplaces and their communities. Delegates have the power to influence the policies and the direction of our Union and it's a great source of pride for me that our members shape and map out the aims and aspirations of our organisation.

Looking at the agenda this year, it really does emphasise the reality of the cost of living crisis that our members are facing and we will be focusing on this. We'll also be highlighting the vulnerability of workers in our industry due to employers' over-reliance on agency labour, along with the creep of zero-hours contracts that are spreading throughout the entire labour market like a cancer.

Our Union has always been at the forefront in the fight-back against the casualisation of workers. The stand our members took at Hovis in Wigan last year is an example of how we can rally our members, communities, politicians and other affiliates around an issue of high importance and *win*.

In the US, workers in the fast-food industry are fighting for a living wage and their direct action through strikes has started to turn the tide, with a number of states now signing up to a minimum wage of \$15 an hour. Our Union's rule book has supported the call for a living wage for decades. Unfortunately, the fear of failure always left us reluctant to determine a figure, so we must congratulate those brave workers in the US who have stuck two fingers up to capitalism and fought so hard for decency and fair play. *They are an inspiration to all of us.*

Over the years, our reluctance to enter disputes, coupled with the fear of job losses threatened by our employers has seen us lose company pensions, sick pay, breaks and all those benefits we used to enjoy. Meanwhile, bosses' salaries have skyrocketed and the shareholders are smiling. Of course, we can trace a lot of this back to the anti-Trade Union legislation brought in by Margaret Thatcher and continued through successive



governments. The political classes know that attacking peoples' representatives has a demoralising effect. Thanks to this, along with the apathy of a large percentage of the general public and a pro-austerity press, we now live in a society that tries to make you believe that if you take any kind of action or form any kind of resistance to what is nothing more than blatant oppression, your world will come tumbling down.

Our victory in Wigan last year is clear proof that this is complete nonsense, and we should use that example to embolden us, galvanise us and strengthen our membership. It's the ordinary people who have been made to pay for a crisis of capitalism that they didn't create and the government have used classic divide and rule politics to force through their agenda.

Subsequently, the employed have been set against the unemployed, the private sector has been set against the public sector, able-bodied people have been set against disabled people and the young have been set against the old.

The media have played their part with various newspapers demonising anyone that might claim any form of benefit. TV debates and reality shows featuring benefits claimants spew from our TV screens and we're conditioned to hate them. It's classic propaganda from the Goebbels copybook. *Der Führer* would be proud.

Meanwhile, the *real* culprits, the real scroungers in our society – the bankers, the tax avoiders, the political classes, the lobbyists, the royals and those in big business have walked away with all the loot and increased their wealth whilst we fight one another for the scraps. This is the reality in David Cameron's Big Society Britain and we have a moral duty as Trade Unionists to resist and oppose, because you can be damned sure that no-one else will.

We are living in a country that has become the chosen playground for billionaires because we have generous tax breaks and virtually everything that's profitable is up for sale. The Royal Mail, education, forensics, blood supplies and even Ordnance Survey maps have been sold off to party donors, hedge funds and friends of the government. David Cameron is a political prostitute that anyone with a few quid can have a ride on.

If there was no money in this country, believe me, the billionaires would not be here. Despite this, we are told that there's no money to pay for adult services, no money for our children's services, no money for our schools and no money for our hospitals. That brings me very nicely onto our once mighty NHS.

Having pretty much ripped it to pieces and sold it off to their friends, the government are now considering introducing charges to see your doctor. Let's be honest, as wonderful as the NHS is, we still pay for it through our taxes and national insurance contributions. Exemptions notwithstanding, we also pay for prescriptions, we pay to park at hospitals and even have to pay if we want to watch TV while we're in hospital. To talk about charging people to see a doctor when they're ill is beyond the pale. I say if they bring in charges, let's take to the streets. If the NHS isn't worth fighting for, what is?

The NHS made Britain the civilised country it became after World War II, the envy of the world. Now it lies dismantled and picked apart by profiteers who put money before human life. Nye Bevan would be disgusted, not just with our political classes, but with *us* for allowing this to happen. *Is it not time we demanded better? Is it not time that we looked further than our own back yards?*

Politics in this country has become a rotten, pus-filled sore that needs lancing. It's time that *we* came first – instead of corporate donors and fat-cats, who always get first dibs at the trough. It's time that we refused to accept the excuses, the boring rhetoric and verbal diarrhoea peddled to us day in and day out by our politicians. The trust has gone and we've all had enough. **It's time to unite, take the fight to them and remind them that they work for us.**

Our Union has taken some brave decisions. We've stuck our heads above the parapet on a number of occasions and supported workers not just in our own industry, but outside it as well. If we want to bring about any kind of change, we won't achieve it in isolation. There are over five million Trade Union members in the UK. It's a huge amount of people and

if they were mobilised together, along with affiliates and other like-minded people, it would be a movement that would be virtually *unstoppable*.

When you consider that David Cameron now intends to bring about further anti-Trade Union legislation (should he be re-elected next year), the need to organise, mobilise and get our point across is greater than ever. There is strength in unity, and it's high time that we exercised that strength. Remember—they are the few, *we are the many*.

Like me, I know that many of you would have been shocked and saddened at the death of RMT General Secretary, Bob Crow; a great Trade Union leader and friend of every worker. Bob was a true working-class fighter who led his union and his members without fear. The Trade Union Movement lost an absolute giant, but knowing Bob, I'm sure he'd say, "*Don't mourn, organise!*".

We also lost another hero to working people recently – a man arguably the greatest Prime Minister we never had, Tony Benn. I have just finished reading his last book – '*A Blaze of Autumn Sunshine*'. It's an excellent book, and I would urge anyone, irrespective of political persuasion to get hold of a copy. I had the pleasure of meeting him and there was no doubt that he was an inspiration to many. He believed that if you could find money to *kill* people, you could find money to *help* people. That speaks volumes about his priorities. People always came first as far as he was concerned. May he find the peace that he fought so hard for, during his time on earth.

If you are attending our Conference, come and say hello, get involved, get inspired and most of all, enjoy it.

Solidarity

**Ian Hodson
National President**

SOLIDARITY!

SAM VICKERS PRESENTS two cheques to striking workers at **Doncaster Care UK**. The cheques were donated from **Suma foods** and the **South Yorkshire Anniversary Fund**.

The workers have already had four weeks of strike action and had just started another two weeks. They started this action after the company cut their wages by almost *fifty percent*.



WILLIE BRENNAN AWARDED THE HELEN DOWIE AWARD FOR LIFELONG LEARNING

In what is a very harsh environment for all Dawnfresh employees, with some working in freezing conditions, jobs were generally perceived by locals to be a dead end, low-skilled work in a seafood factory. Willie's work in lifelong learning has turned this negative perception on its head, and has allowed many of his colleagues to undertake positive learning steps to enhance their long-term employability.

Willie persuaded management to recognise the importance of establishing a workplace learning steering group, whereby the BFAWU, the employer and Scottish Union Learning could meet to discuss learning and drive opportunities forward in the workplace. This was achieved through Willie's tenacity at a time of tense industrial relations. As a direct result, there is now a route for employees to progress into management and other areas of work within the business. Additionally, in January 2014, the BFAWU organised a *Diversity* course through the Learning Fund. The entire Dawnfresh workforce, some 260 employees, were given paid release to attend the course during their normal shifts.

Such is the success of the new learning partnership between the union and employer that it has raised the profile of the business. Marks and Spencer, a major client of Dawnfresh Seafoods, is using the partnership of BFAWU and Dawnfresh as a case study of good practice within the sector. **As ULR, Willie has transformed the way learning is delivered in his workplace.**

Grahame Smith

STUC General Secretary:

"The work of Willie Brennan as a Union Learning Rep, in upskilling members to provide a better opportunity of career and financial progression in Dawnfresh Seafoods, is particularly impressive. In addition, he has organised new members to join the Branch through learning, resulting in almost 90% union density within the company.

Across Scotland, ULRs are working in all sectors of our economy to help colleagues raise their skill levels by securing agreement with employers for better access to learning and training. Willie Brennan is a worthy example of this exceptional work and the STUC is proud to present him with this award."

Johann Lamont MSP:

"I wish to congratulate Willie Brennan on the outstanding work he undertakes in promoting lifelong learning within Dawnfresh Seafoods. Willie's inspirational efforts as a BFAWU Union Learning Rep demonstrate how trade unions can help change people's lives. His story also demonstrates how trade unions can work with employers in a constructive and cooperative way to support the growth of skilled jobs within successful companies.

We recognise the sterling work the trade union movement undertakes within the workplace and society, and the priority it gives to learning and skills. Willie is an example of this and represents all that is finest in trade unionism. I'm delighted to present Willie with this award."

Aileen Ponton

CEO of the SCQF Partnership:

"The SCQF Partnership is very pleased to be sponsoring the Helen Dowie Award in 2014. As Scotland's lifelong learning framework, we felt it was fitting to be sponsoring one of Scotland's most prestigious lifelong learning awards and Willie Brennan is a very worthy recipient."

Ronnie Draper

BFAWU General Secretary:

"The BFAWU is proud that Willie Brennan has won this prestigious award. His dedication, commitment and application to our Development Fund project has been a fantastic example that I hope is replicated throughout the whole of the UK. Our sincere congratulations go to Willie along with our thanks to our Project Worker, Mark McHugh, and all who have made this award possible."

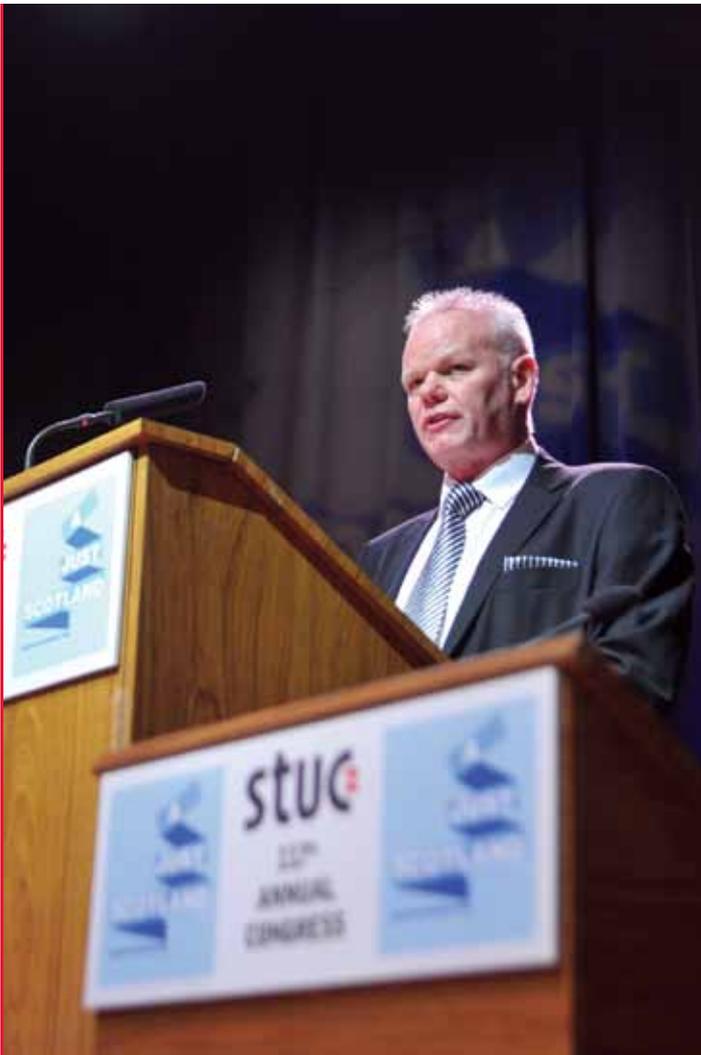
Helen Muir

Dawnfresh HR Director:

"Dawnfresh Seafoods Limited is delighted and immensely proud that Willie Brennan, our BFAWU Union Representative, has been awarded the STUC Helen Dowie Award for Lifelong Learning.

Willie is an integral link in the strong partnership between the BFAWU and our business and he is a staunch advocate of incorporating lifelong learning within Dawnfresh. We would like to congratulate Willie on this wonderful achievement and send him the very best wishes from all his colleagues here at Dawnfresh."





“It’s quite humbling to receive this award to receive recognition from the STUC as a ULR and on behalf of my fellow union members. Helen Dowie laid the groundwork in union learning because she cared, and her work paved the way for me to become a ULR years later. My biggest achievement was getting my employer to buy into union-led learning.”

I would like to thank the BFAWU at local, regional and national levels for its support and would also like to thank the Board of Directors and Chairman, Mr Alastair Salvesen, and all the Dawnfresh staff for their support and having the vision to go forward with union learning.

Union learning is supporting the growth of the food industry whilst helping to improve the lives of our members in the workplace.”

Willie Brennan



LEARNING SERVICES AND URTU SIGN LEARNING AGREEMENT

GREAT NEWS FOR THE **BFAWU Learning Services** and **URTU** – we have recently signed a Learning Agreement to work together.

We have found that we are working together more and more on sites within the industry and both organisations agree that in order to maximise the delivery and availability of benefits to the workers, it is important that, where we can, we work together. The agreement provides a framework that enables this to happen.

Copies of the Learning Agreement are available by contacting **Louise Bennett**, the Project Administrator

email: louise.bennett@bfawu.org



Jeff Latham (left), Project Manager from URTU, signs up with **John Vickers**, Project Manager for BFAWU Learning Services English Project



From left to right: **Judith Swift**, **Janet Goodwin**, **Kendra Walker**, **Karen Plasom**, **Jeff Latham** and **John Vickers**

40 YEAR AWARDS

Ray Bux and Barry Austin

Bro Ray Bux (Br 405), now retired, and **Bro Barry Austin** who works at Hovis, Wigan (Br 417) were presented with their 40 year badges and free cards at the Regional Council meeting in April by Geoff Atkinson, Region 4 Regional Organising Secretary.

Bro Ray Bux started to work in the baking industry at Derbyshire's bakery on Counce Street, Blackpool in 1972/73. This was eventually taken over by Warburtons and he transferred to the Brinwell Road site in 1984 where he worked on the mixing floor until his retirement in 2001. He enjoyed his time at Warburtons and still misses the camaraderie from his time in the industry.

Member Bro Barry Austin started work at the Hovis, Wigan site in 1973 as a van lad. He left to work in the building trade for a time, only to return to the bakery where he still works on the mixing floor of the bread plant

Sis C Wellington (Branch 450), who was unable to attend the Regional Council, also achieved 40 year membership.



Geoff presents Ray Bux with his Certificate and Free Card

Janet Shaw (pictured bottom right)

Janet Shaw has been a member of the BFAWU 40 Years and, on the 4 April 2014 Pauline McCarthy had the pleasure of presenting Janet with a 40 year badge and Free Card.

Janet started work at Lyons Wakefield but after 2 years she moved to Lyons Carlton in Barnsley. Janet loves working at Carlton and has had a lot of happy years there. She has a lot to say for herself – as anyone who knows will agree! She has a few more years to do at Carlton and we all would like to wish Janet the best.

Alan Hurdus (pictured below)

After 40 years, **Alan Hurdus** of Greggs, Yorkshire, was presented with his Certificate and Free Card by David Kirk (on the right) and Sam Vickers (on the left).



Geoff presents Barry Austin with his Certificate and Free Card



THE SCOURGE OF ZERO HOURS CONTRACTS

HOW MANY WORKERS are on zero hours contracts? 250,000? One million? Five million? Take your pick.

Of these figures, the lowest is the original government estimate – the highest is from a union survey. The truth, however, is that no-one knows for sure the numbers of those employed on contracts that give no guarantee of working hours from one week to the next.

Such workers go without the most basic of employment rights. As well as no guarantee of paid work, they can be sent home without warning and often receive no sick pay or annual leave entitlement. They are also sometimes – and shockingly – subject to ‘exclusivity clauses’ which ban them from taking employment elsewhere, even when no work is available.

While it would be good to know exactly how bad this problem is, we already have enough evidence to know it’s a national scandal affecting most sectors of the economy.

Ninety per cent of McDonald’s workers are on zero hours. In the NHS, there are almost 100,000 zero-hours employees. The cancer is well advanced in the food industry. There are no accurate numbers but one can assume that many thousands of workers in the industry are on zero hours contracts.

Labour to tackle the problem

At the TUC last September, Ed Miliband promised that a Labour government would tackle the problem.

He said: “*We’ll ban zero hours contracts which require workers to work exclusively for one business. We’ll stop zero hours contracts which require workers to be on call all day without any guarantee of work. And we’ll end zero hours contracts where workers are working regular hours but are denied a regular contract.*” Miliband has recently made further pledges to ban ‘the worst abuses of the system’ of zero hours.

ConDems to ignore it!

It is good to see that the Business Secretary, Vince Cable, has announced a consultation on zero hours.

However, others in the Tory-led coalition are openly unenthusiastic about doing anything. **Michael Fallon**, the Minister for Business and Enterprise, urged the House of Commons in October not to ‘act in haste’ on the issue.



VICTORIA PHILLIPS
HEAD OF EMPLOYMENT
RIGHTS AT
THOMPSONS SOLICITORS

He considers zero hours a useful catalyst for the ‘flexible and dynamic labour market’ that, he believes, is required for economic growth by giving employers the access to cheap and easily disposable labour that they want.

90% of McDonald’s workers are on zero hours – in the NHS, there are almost 100,000 zero-hours employees

How this argument justifies having 82,000 McDonald’s workers on zero hours is a mystery. Is Fallon really saying the fast food chain would sell fewer burgers if it had the decency to give its staff some commitment on the hours they will be working from one week to the next? Are sales so unpredictable?

It’s nonsense, obviously. And, under existing law, action could swiftly be taken to tackle the worst abuses.

Existing Laws do offer protection

Firstly, exclusivity clauses (requiring a worker to be available for work and prohibiting them from working for another employer) are, in effect, a **restrictive covenant** restraining the person from pursuing their trade. They could be strictly interpreted against the employer and rendered unenforceable if they are unreasonable and not justified.

Secondly, Section 1 of the **Employment Rights Act 1996** requires employers to provide employment particulars, including ‘any conditions relating to hours of work (including any terms relating to normal working hours)’. This could be utilised to require employers to state a *minimum* and a *maximum number of hours* when required to be available for work.

Finally, the definition of ‘work’ in the **National Minimum Wage Regulations** could be modified to include time when the worker is required to be available for work and is prohibited from working for another employer, even if they are at home (rather than the existing rule that they have to be ‘at or near a place of work’). **The employer would have to pay the minimum wage for this time.**

Welfare before profit

Sadly, as characterises many of this government’s policies, the needs of low-paid workers are low on the agenda. To fight the cost of living crisis facing the UK square in the face, we need a government that is genuine about penalising abuse by unscrupulous employers, who put profits ahead of the basic welfare of their workers.

A recent study found that zero hours workers earn on average £236 a week. These are contracts that not only take advantage of those who are the most desperate to earn money, but – in non-existent job security and low wages – actively keep low earners *poor*. They offer no stability and no opportunity for social mobility.

We will wait to see the outcome of the government’s consultation. However, given its record on tackling other abuses, such as *National Minimum Wage evasion* and *blacklisting*, we should be sceptical as to whether the consultation will lead to real action that eradicates zero hours contracts once and for all.

Victoria Phillips

APRIL 2014 HAS SEEN A SIGNIFICANT and long awaited overhaul of the family justice system in England and Wales with the creation of the **Single Family Court** and the implementation of the **Children and Families Act 2014** both of which came into effect on 22 April 2014.

The Single Family Court

The Single Family Court now operates in England and Wales and will handle almost all family cases. Previously, family cases were heard in the Family Proceedings Court, the County Court or the High Court. The Single Family Court is divided into geographical areas each of which is overseen by a designated family Judge. All new family matters will be started in the Single Family Court where they will be allocated to an appropriate Judge. All levels of Judges and Magistrates will sit as members of the same Court. The changes are intended to consolidate, simplify and streamline procedures, reduce delay and ultimately improve access to justice. The new Court will use and operate from existing Court buildings.

The Children and Families Act 2014 (CFA) – So what's new?

The CFA has made a number of changes to both public and private children matters. The main changes to private family cases are:

- **Section 10** – Family Mediation and Assessment Meetings (MIAMs)
- **Section 11** – Parental involvement
- **Section 12** – Child Arrangement Orders

MIAMs

A MIAM is a confidential meeting with a trained mediator. The CFA makes it *compulsory* for a person seeking a family Order such as an Order in relation to children or family finances, to attend a MIAM before an application can be made to the Court. The Respondent is also required to attend. MIAM's are designed to explore whether there are alternative ways of resolving family disputes before an application is made to the Court. Parties will be encouraged to reach agreements rather than have a Judge impose an Order upon them.

Parental Involvement

Section 11 of the CFA does not go as far as introducing equal shared parenting, but it does recognise the importance of children having a continuing relationship with both parents following a family breakdown by introducing a presumption that, unless evidence can be shown to the contrary, both parents should be involved in their children's life, unless that involvement is harmful.

The involvement may be direct or indirect involvement and is not related to the amount of time a child spends with either party.

Child Arrangement Orders

Section 12 of the CFA abolishes what were previously known as Residence and Contact Orders and replaces them with '*Child Arrangement Orders*'. These are Orders that regulate the arrangements relating to:

- *With whom* a child is to live, spend time or otherwise have contact.
- *When* a child is to live, spend time or otherwise have contact with any person.

The reasoning behind the change is to move away from the concept that children live with one parent and visit or see the other in favour of focussing more on the day-to-day practicalities facing separating parents when bringing up children.

Ultimately, decisions will still need to be made about where children will live and the time they spend with each parent and it remains to be seen whether the new terminology will help or hinder this process.

How do these changes affect me?

What happens if I started proceedings in the 'Old Courts'?

The new rules will apply and the proceedings will continue in the Family Court. However, the Court can apply the old rules or dis-apply the new rules to ensure that the proceedings are dealt with fairly. If you have a hearing coming up, you should check to make sure the venue hasn't changed.

What happens to existing Contact or Residence applications?

Pending proceedings before the Court will automatically become proceedings for a Child Arrangement Order.

What if I already have an existing Contact or Residence Order?

This will become a **Child Arrangement Order** in respect of either a) with *whom* and *when* a child is to *spend time* with or otherwise have contact with a person (old 'contact orders') or b) with *whom* and *when* a child is to *live* with a person (old 'Residence Orders').

Has the divorce procedure changed?

Yes, there is no longer a requirement for the Court to consider the arrangements for children as part of the divorce process and it will no longer be necessary to file a statement of arrangements for the children.

Do I have to attend a MIAM?

Yes usually, or you will not be able to make an application to the Court. There are exemptions if there is a history of domestic violence or a risk of serious harm to the children.

2014 FAMILY LAW CHANGES



JOANNA McCLEAN
OF WALKERS UNION

LOOKS AT RECENT CHANGES TO
UK FAMILY LAW

You do not need to attend a MIAM if an agreement has been reached already and you are seeking the Court's approval of a Consent Order.

The legislation and changes to the Court structure are still very new and it remains to be seen how the changes will be received and how the process will work in practice. With more and more people representing themselves in family Court proceedings these changes can appear daunting at an already difficult and stressful time.

Friendly, practical and confidential advice is available on the recent changes or indeed any aspect of Family Law from Walkers Union.

Please feel free to contact Joanna:

jmcclean@walkersunion.com

or visit: www.walkersunion.com



FAST FOOD RIGHTS – UPDATE MAY 15

MAY 15 SAW THE STRONGEST STRIKES yet by fast food workers in the US.

They have been fighting since November 2012, demanding **\$15 an hour** and *union rights*. Across the US, the day saw over 150 cities hit by fast food strikes, with reports from dozens of places where workers walked out for the first time. The day was a step forwards in the battle to up the pressure on these multinational corporations. Focusing particularly on the biggest culprit, McDonald's, 15 May was built as a **global day of action**, with solidarity protests taking place across more than thirty countries.

In the week running up to it, the BFAWU-led *Fast Food Rights* campaign in Britain sent delegates from the union to an international fast food worker conference in New York. It was hosted by the IUF, an international federation of food worker unions. Around 90 attended – union organisers, McDonald's workers and campaigners from around the globe.

They discussed the situation in each country to gain an overview in the battle against multinational fast food corporations, particularly McDonald's, and how to increase solidarity with the growing US strikes.

Activists drew lessons from the different experiences, proving that the US strikers' demand for \$15 and a union was possible and achievable:

- In **New Zealand**, McDonald's workers talked about strikes that *forced union recognition*.
- A **Danish** McDonald's worker explained how they won the equivalent of *\$21 an hour*.



JULIE SHERRY,
FAST FOOD RIGHTS CAMPAIGN
ORGANISER, REPORTING FROM
THE NEW YORK IUF
FAST FOOD CONFERENCE



We were lucky to take part in a session where fast food workers explained how they got involved, the issues they faced at work, and how the strikes transformed the dynamic in their workplaces, changing how they saw their jobs and what is *possible*.

At a time when workers everywhere are seeing their pay, conditions and union rights under the most intense assault in generations, and with the scandal of 1.4 million workers on zero hours contracts in Britain, the story US fast food strikers tell is one rich with lessons about the power, combativity and creativity of the working class. It illustrates how militant resistance sometimes comes from the least likely places.

With a fightback shaping up on a national level over the issue of pay here, the potential for mass coordinated strikes by organised sections of workers can act to give confidence to those not unionised. This is especially true at a time when a mantra that working class people must pay for the crisis while the rich continue to rake it in means that a younger generation, and workers in general, are now highly politicised.

Later, we went to a mass rally at the historic Riverside Church, where civil rights movement leader Martin Luther King spoke. A fascinating dynamic to the US fast food strikes is the whiff of the civil rights movement still alive in the air.

Nequasia Legrand, a 22 year old KFC worker and now strike movement leader spoke at the rally. 50 years on, it was *"Still the time to break the silence on poverty"*, referencing a speech by Martin Luther King.

Earlier she had remarked to me, *"You know, I think about Martin Luther King, or Harriet Tubman, and I read the history."*



Jeremy Corbyn MP (bottom left) and large numbers of our members joined the protests taking place all across the UK



... from Bristol



...to Scotland

Nequasia continued, "I feel that about this – we need to stand up, and I didn't know I'd be a leader. Now the organisers got our foot in the door, but we gotta tear the door off the hinges."

Organisers have remarked on the fear they had at the beginning of the campaign in not being able to defend workers.

Kendall, speaking to delegates described how it was critical, from the very beginning of the strikes, to organise solidarity and use it to pressure public figures – in order to protect the strikers in their fight for \$15 and a union.

"If people are victimised, we take 50–100 community people, clergy, politicians to the store and take it over – it works because for the time we there it hits the profits, I mean standing there... all of us so no one is selling a burger. What they realise is it's hard to fight a union and sell burgers at the same time. And then when people are hired back, more workers always join the union and we strengthen our strikes."

The other factor to explain why the campaign was so explosive was the disgraceful conditions and day-to-day trampling over workers' basic rights – together with the anger bubbling below the surface before workers got their confidence. He said, "You look at the actual wage theft – 9 out of 10 US fast food workers are getting their wages stolen by the employers. They make them come into work, work without clocking in, get them to clock out before they

leave – managers will shave their hours at the end of the day." Again, strikers found that when they fought back, they often were able to drive the bosses back. Kendall summed it up, "Workers now found their wage cheques were bigger."

Nequasia gave an insight into how strikers found the confidence to organise. "I started wondering what single mothers and fathers were doing at the end of the week. I mean you're not surviving, not on \$7.60 an hour. But I didn't know what a union was. I was like, maybe I need to find out more, I was really excited, I wanna do this."

She described the feeling of the first strike, and how she had wondered, "Where was this at like 2 years ago?! I was really excited to see people actually coming together and that's when I was like oh I'm all for this. With the wage theft—I have worked over 45 hours at KFC, and only got paid for 8. That is not acceptable. And that is why we have to stand up to change it and get a union. **Something told me I have to get my co-workers on board, I knew it was time to make a change.**"

"Next thing you know, I went from not listening to grandma to ending up on the front cover of news, and on national TV. I never would have thought I'd be standing in front of you guys from all different countries here to try and help us make a change. That is so powerful, it keeps us going, the power of the people can make a change."

Global Action May 15th 2014

On 15 May, the Fast Food Rights campaign in Britain held successful action in around 15–20 towns and cities across the UK, with a major protest at McDonalds on Whitehall.

According to campaign organisers in the US, #fastfoodglobal became the number one trending topic on twitter around the world". So activists tweeted their pictures of protests here to the global hashtag agreed and announced from the international conference,

US fast food strikers shared and retweeted these alongside ones from all across the globe (many shown here), encouraged by the international solidarity for their courageous strikes.

Julie Sherry

Contact us:

- If you would like a speaker from the Fast Food Rights campaign to come and address your branch/region/ reps meeting
- If you would like to discuss setting up a local Fast Food Rights campaign and get organised
- If you are thinking joining the next National Day of Action

phone: 07795 412 932
 mail: fastfoodrights@mail.com



... from Barnsley



...to Milan

A GLOBAL

"The reason I'm going on strike is I don't make enough money to take care of my kids. We need to go on strike and protest — that's the only way we'll get them to improve things."

- Eddie Foreman, 40, a McDonald's worker in Opelika, Ala.

Alaska

FastFoodGlobal.org

#FastFoodGlobal

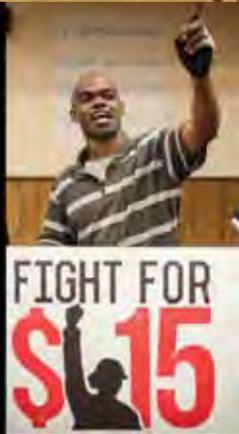
Dublin



Indianapolis

I buried my daughter and didn't make enough to pay for her funeral.

I knew I had to fight for more.



New York



Brasil

Together we are strong!

MAY 15th

PROTEST



London



ITALY JOINS FAST FOOD STRIKES
from Wall street to Milan
WE ARE 99%
THE
140 CORTEO @ CAROLIS
ANNOUNCES STRIKES SET FOR VENICE, MILAN, AND ROME

Sendai



Miyagi Youth Union perform 'Street Labour Consultation of the Night' (thank you Google translate) – hands up if you spotted that they left the time off!

Tokyo



Mumbai



Auckland, NZ the first official May 15 protest

2014



SEATTLE WINS \$15

Linda Taaffe
Secretary, National Shop
Stewards Network (NSSN)
attended the 15NOW Conference
on April 26th, and reports:

SEATTLE ON THE NORTH-WEST COAST OF AMERICA has become the hotbed focus in the fight for 15.

'15Now' is a very vibrant campaign for a basic minimum wage of \$15 an hour for waiters, hotel workers, school bus drivers, cab drivers and all low-paid public service workers across the city. It was the big issue that decided nearly 100,000 people to vote Socialist Alternative member, Kshama Sawant, onto the city council last year as a champion of the low-paid. Such has been the level of support for her and the campaign has exerted such immense pressure, that the mayor of Seattle finally proposed on May 1st that indeed \$15 would be the Seattle minimum wage. What a win – *Obama could not get even \$10 through congress!*

However, the gloves are now coming off. The big bosses are using every manoeuvre to kill this so-called outrageous demand. They want tips and healthcare to be deducted from the \$15 – and they want a 3–7 year *phase in* even for outfits like McDonalds!

At their marvellous 15NOW Conference and Rally in Seattle, workers took up all these issues in an impressive display of anger and confidence. Workers explained how the rich 1% rake in millions, while workers who clean their streets, wait on them in their restaurants and make their beds, are on the breadline. In particular, low pay affects *young people, women and people of colour*.

In loud and lively debates the conference decided on the next steps:

- Firstly, they will collect 50,000 signatures so the matter can be put on an *electors' ballot* in November (quite a usual feature of local councils there).
- Secondly, supporters in other cities will set up 15NOW campaigns to maximise the pressure on employers like *Starbucks* and *Safeways*.

At the conference were representatives from 34 states who pledged to get going. My fraternal greetings to the conference from NSSN in Britain were very warmly received and they declared their enthusiasm to build closer links with us. World-wide union action, like the demo outside McDonald's in Whitehall in London on **15th May**, will have given them a boost.

15NOW reports

On the same day, fast food workers are walking off the job in 150 cities in the US and over 30 countries around the world, 15Now is officially starting to gather signatures for its \$15 an hour charter amendment. The first to sign the petition to get the amendment onto the ballot was city council member **Kshama Sawant**.

"Today I stand in solidarity with the fast food and low-wage workers around the world who are taking action for \$15 an hour and right to organize without retaliation," said Sawant. *"These workers can't wait till 2025. I'm putting forward amendments to the Mayor's proposal to close these corporate loopholes but if the majority of the City Council sides with big business we have the back-up option of letting the voters decide in November."*

The campaign wants \$15 introduced on January 1st 2015 for all employees in big companies.

Let's link up with Seattle – and show solidarity by bringing their fight to Britain – £10NOW!

Linda Taaffe



MAXIMUM WORKING TEMPERATURE – AN UPDATE ON THE *Cool It!* CAMPAIGN

THE PARLIAMENTARY GROUP CONTINUES to campaign – along with other supporting unions in the joint union *Cool It!* campaign – for the introduction of a legal maximum working temperature, beyond which employers would have a statutory duty to implement suitable control measures.

Unsurprisingly, the issue receives greatest media prominence in the Summer when hot temperatures can be a major issue. Last Summer, Linda Riordan tabled **EDM 414** on this issue on behalf of the Group, and gave a number of media interviews on the subject. A key priority now is to get a commitment to introduce such a maximum temperature included in the next Labour Manifesto.

The response to a written Parliamentary Question tabled by Group Vice-Chair **David Crausby** brought a predictable if disappointing response from Employment Minister Mike Penning replying for the Government, following a previous question in which he said employers had to provide ‘reasonable working temperatures’.



Dave Crausby MP

Industrial Health and Safety: Temperature

Mr Crausby: "To ask the Secretary of State for Work and Pensions pursuant to the answer of 29 November 2013, Official Report, column 489W, on industrial Health and Safety: temperature, *what steps he has taken to clarify with the Health and Safety Executive what level of temperature in the workplace would exceed that considered reasonable.*" [188440]

Penning: "HSE does not specify a level of temperature in the workplace that would exceed that considered *reasonable*. **It would not be appropriate** to give a single maximum figure as it depends on the work activity and the environmental conditions of the work place."

The Group helped to convene a strategy meeting of the *Cool It!* Campaign on February 26 with TUC Health and Safety Officer Hugh Robertson and representatives from a number of the supporting unions. This agreed a strategy aimed at influencing the Labour front bench and the National Policy Forum process, and agreed that the unions would all be involved in the meeting with Shadow Employment Minister Stephen Timms (on 8 April).

Here, in addition to **BFAWU**, representatives from **Unite, Usdaw, CWU, NUT, NASUWT**, and **RMT** attended along with Chair of the Trade Union Group of Labour MPs Ian Lavery MP, John McDonnell MP, Hugh Robertson representing the TUC, and Tom Jones from Thompspon’s solicitors. The point was made over and again that the only surprising thing about this measure was that it was not already in force.

Timms’ initial response was entirely positive conceding that the unions had made a strong case for the policy, and agreeing to take it up with his frontbench colleagues. Whether his support will remain so clear once those discussions have been held remains to be seen.

We will now be pursuing a meeting with Lord Bill McKenzie who was responsible for this area of policy when Labour were last in government, and to explore the potential for tabling an amendment to the National Policy Forum’s policy documents.

The TUC have supplied a dossier of information to Timms detailing the various sectors of work affected and will be pressing for a **Maximum Working Temperature** to be addressed by Labour in its future policy commitments as one the movement’s demands.



You can help!

Help us gather useful information to support the *Cool It!* campaign by completing the **Workplace Temperature Survey** for your working environment.

Copies of this are available from Ronnie Draper at BFAWU (as shown on the form).

Please, complete and return to ronnie.draper@bfawu.org

Thank you

Workplace Temperature Survey 2014

Job Title:

What is the temperature in your work place at this moment (include date and time)?

Are high workplace temperatures of concern for you?

Are high temperatures a concern all year round? (Or are high temperatures seasonal, relating to the external temperature? Or if it is dependent on some other factor such as humidity or required clothing please?)

Confidential
Please return to Ronnie Draper, General Secretary, BFAWU
ronnie.draper@bfawu.org or Stanborough House, Great North Road, Stanborough,
Welwyn Garden City, Hertfordshire, AL8 7TA

Does your employer formerly record a) the temperature and b) staff complaints about high temperatures?

Have you suffered any discomfort, illnesses or accidents you believe have been caused or made worse by workplace heat (explain)?

What measures are currently in place to address workplace heat? Do you think that these measures are sufficient?

Confidential
Please return to Ronnie Draper, General Secretary, BFAWU
ronnie.draper@bfawu.org or Stanborough House, Great North Road, Stanborough,
Welwyn Garden City, Hertfordshire, AL8 7TA

GREAT NEWS ON DEFIBRILLATORS

GREAT NEWS – OUR CAMPAIGN has brought about a response from **Premier** and **Hovis** who have now agreed to put defibrillators on all their premises. As people will be aware, Bro Dave Suddards was going to raise the money through a sponsored activity to purchase one after a tragedy had taken place at his site. At the same time, Greggs was suggesting that it would not renew equipment at its site in Leeds. BFAWU launched a campaign and gained support from **Grahame Morris MP** who put down an EDM calling for Defibrillators in all workplaces.

EDM 544 – Defibrillators in the Workplace

That this House notes that cardiac arrest is among the top causes of fatality in the workplace; further notes that the provision of early defibrillation via Automatic External Defibrillators (AEDs) has led to reported survival rates from cardiac arrest of up to 75 per cent, with each minute of delay reducing chances of successful defibrillation by 10 per cent; commends the organisers of the London 2012 Olympic and Paralympic Games for recognising the importance of access to AEDs in cases of cardiac arrest and for providing training in their use to thousands of volunteers; and therefore calls on the Government to endorse the campaign supported by the Bakers Union amongst others and introduce a statutory obligation on all UK employers to provide AEDs in places of work.

148 families left in mourning

You would think with all the rhetoric Britain's workplaces didn't suffer any tragedies yet nothing could be further from the truth as Cameron and Osborne's health and safety cuts bite. 148 working people lost their lives between April 2012 and March 2013 meaning their families received that dreaded knock on the door informing them of the loss of their loved ones.

Working people's lives are more important than the greed of the bosses. The death of anyone trying to improve their lives by going out to work should never be acceptable. Work should improve life not end it – and politicians should be fighting for working people to have a safe and healthy working environment, not a place where lives are seen of less value than company profit.

Tragedies in the workplace normally go unreported on the news and the families of those killed get little or no support from the police or the authorities. In many cases the urgency is to get the business up and running again as soon as possible. The headline figure of those directly killed in the workplace hides the real numbers killed by work-related illnesses that take a number of years to kill the individual and recent changes to how the figures are collated mean that the true numbers of death attributed to those killed in their workplace are no longer a true reflection.

The government wants people to believe their cuts have not been damaging – it's more about making sure they get the donations in than protecting people, more about hiding the truth than taking the right decisions so no family has to hear that dreaded knock on the door. Figures also show 19,707 major injuries such as amputations fractures and burns. So much for Coalition claims of the *burden on employers of regulation – the burden is on those who have suffered*.

The BFAWU calls for politicians who vote for changes to Health and Safety that lead to working people being killed injured or made ill to be prosecuted its time they were held accountable for their actions maybe then they will make a decision based on fact rather than who pays for lunch or fills party coffers.

Fatal injury statistics – Summary for 2012/13

The information in this document relates to the latest 'full-year'; statistics on fatal injuries in the workplace, for 2012/13.

- The *provisional* figure for the number of workers fatally injured in 2012/13 is **148**, and corresponds to a rate of fatal injury of *0.5 deaths per 100,000 workers*.
- The figure of 148 worker deaths in 2012/13 is 18% lower than the average for the past five years (181). The latest rate of fatal injury of 0.5 compares to the five-year average rate of 0.6.
- The finalised figure for 2011/12 is **171** worker fatalities, and corresponds to a rate of *0.6 deaths per 100,000 workers*.
- Fatal injuries are subject to *chance variation*, fluctuating year-on-year, therefore it is necessary to look at trends over a number of years. When the 2012/13 data is added to the time series, the latest five years indicates **a levelling-off**.
- There were 113 members of the public fatally injured in accidents connected to work in 2012/13 (excluding railways-related incidents).

These statistics cover fatal accidents in workplaces in Great Britain, the primary determinant of inclusion being **RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995)**.

Work-related deaths excluded from these statistics are mainly of two types: diseases and accidents on non-rail transport systems.

- Deaths from diseases can be caused by both occupational and non-occupational factors, such as cancer, usually have to be estimated rather than counted.

Each year around 12,000 people die from work-related diseases, mainly due to exposures many years ago (of which, about 4500 cancer deaths each year due to past exposure to asbestos).

- Fatal accidents involving workers travelling on a public highway (a 'road traffic accident') are enforced by the police and reported to the **Department for Transport**.

Likewise fatal accidents involving workers travelling by air or sea are the responsibility of the **Air and Marine Accident Investigation Branches of the Department for Transport**, and are reported accordingly.



RECLAIMING HEALTH AND SAFETY AT WORK

Time for change

A trade union manifesto for reclaiming health and safety at work

IN RECENT YEARS the consensus on Health and Safety that has existed almost unbroken since the **1937 Factories Act** has begun to break down. Rather than seeing health and safety legislation as a necessary protection for workers, many politicians now claim that it is a '*burden on business*'.

10 simple measures

Trade unions have developed a list of 10 simple measures, outlined in our manifesto for reclaiming health and safety at work, which we want to see from a future government. If they were implemented, they would have a huge impact in reducing the toll of death, injury and illness which is still an everyday part of working life for so many people.

These are described in more detail on the following pages.

You can download the document in full (in PDF format) from:

www.tuc.org.uk/workplace-issues/health-and-safety



1 All Workplaces should be Inspected Regularly by the Enforcing Authority

Inspections save lives. There is a clear link between inspections and safety levels. As inspections go down, injuries go up.

In 2012 the government announced, *'In future, businesses will only face health and safety inspections if they are operating in higher risk areas such as construction, or if they have an incident or a track record of poor performance.'*

Apparently, there is no need to inspect premises they consider to be 'low risk'. The idea that offices, shops etc. are low risk is a myth that could be exposed simply by looking at the figures. Many of these areas have very high levels of sickness caused by work. Postal workers, for instance, are far more likely to suffer from a back injury because of the loads they have to carry. Supermarkets also have high levels of back pain amongst checkout staff, and injuries from slips. In addition, shop workers face high levels of violence.

Workers in education suffer high levels of stress, as do many other public sector workers including many who work in health and social care.

Trade unions want the HSE and local authorities to concentrate their inspection activities on those businesses where inspections will be most effective. However, they want to see more inspections of all businesses and for *no business to be exempt from unannounced inspections. This would be the most effective way of ensuring compliance with the law and also giving businesses, and workers, the support they need.*

2 The Regulations on Safety Representatives and Safety Committees should be revised to increase Coverage and Effectiveness

There are around 150,000 health and safety representatives appointed and supported by trade unions. A DTI paper published in January 2007, *Workplace Representatives: A review of their facilities and facility time*, estimates that safety representatives, at 2004 prices, save society between £181m and £578m each year. It estimates safety representatives prevent between 8,000 and 13,000 workplace accidents and between 3,000 and 8,000 work-related illnesses.

The recent Löfstedt report into health and safety was very positive about health and safety representatives and the benefits of

involving the workforce; however the government has done *nothing* to support union representatives.

The government also wants to make it harder to take action against an employer

We believe there is a need for stronger regulations requiring all employers to have safety representatives if they employ more than 10 workers. Larger employers should also have to set up safety committees.

Where there are lots of different employers working in one workplace, or if the employer has lots of different small sites, unions should be able to appoint *roving* health and safety representatives to cover all the workers.

There should also be a legal right for health and safety representatives to call in enforcement authorities if an employer fails to act on their concerns.

3 Occupational Health should have the same priority as Injury Prevention

Far more people are injured or killed as a result of an occupational illness than an injury. Both are preventable but employers and regulators give much more priority to the prevention of injuries in the workplace. There are around 450,000 new cases of industrial illness every year. Of those, over 70 per cent are due to stress, back pain or repetitive strain injury (RSI).

Unfortunately, very few workers have access to a fully comprehensive occupational service. A 2012 TUC survey showed that even amongst larger private employers and the public service *less than half of workers had access to rehabilitation if they were injured or ill, and only 54 per cent had any form of health surveillance.*

For workers in small companies the position is even worse. It has been estimated that less than 10 per cent of workers have access to a fully comprehensive, occupational health service through their employer.

Many European countries have much better provision than the UK and several countries place a legal requirement on employers to provide an occupational health service.

Unions believe that all workers should have free access to both health surveillance and comprehensive occupational health provision, either through a public body set up for that purpose or from services provided through the NHS.

4 There should be a new, legally-binding Dust Standard

In many workplaces dust is a major problem. Dust can be more than just a nuisance – it can be a killer. Thousands of workers are killed every year because of dust exposure. The most serious health problems caused by dust are cancers of the lungs, throat and nose, and other lung conditions called Chronic Obstructive Pulmonary Disease (COPD) – a condition that includes chronic bronchitis and emphysema.

Some of the diseases caused by dust take decades to develop and once symptoms appear it is too late. Often the worker will have left the workplace by the time they develop a cancer or COPD, especially in industries with a high turnover like construction.

Research from 2006 looked at five kinds of dust, including coal dust, talc and kaolin. The data suggests that, at present exposure rates, at **least 12 per cent of workers** could develop significant reductions in their lung function, with profound results for their respiratory health.

The TUC believes that the current standards used for the assessment of dust exposure in the workplace are totally inadequate. The TUC also argues for greater enforcement of the existing standards.

5 Workers should not be exposed to Carcinogens in the Workplace

The HSE has estimated there are around 13,500 new cases of cancer caused by work every year, with over 8,000 deaths. This is likely to be an underestimate of the real number because there are many links between work and cancer that are still only suspected but not yet proven. The HSE figures only list those where there is a proven or probable link. The TUC estimates that the true level is likely to be well over 20,000 cases a year with 15,000–18,000 deaths. All occupational cancers are avoidable.

Where possible that should mean removing carcinogens from the workplace completely, by changing the process or substituting the carcinogen with another material. In some cases that is not practical, but in these cases the worker should be fully protected from exposure.

This can be done by enclosing the process, providing protective equipment or installing ventilation to ensure exposure to any all risks is reduced as far as possible.

6 There should be a Legal Maximum Temperature in the Workplace

It is usually accepted that people work best at a temperature between 16°C and 24°C, although this can vary depending on the kind of work being done. If the temperature varies too much from this then it can become a health and safety issue. If people get too hot, they risk dizziness, fainting, or even heat cramps. In very hot conditions the body's blood temperature rises. If the blood temperature rises above 39°C, there is a risk of heat stroke or collapse. Delirium or confusion can occur above 41°C. Blood temperatures at this level can prove fatal and even if a worker does recover, they may suffer irreparable organ damage.

Unfortunately, there is currently no maximum temperature for workers, although the **Workplace (Health, Safety and Welfare) Regulations** state that the temperature inside workplace buildings must be 'reasonable'. In addition, the approved Code of Practice to these regulations states that 'all reasonable steps should be taken to achieve a comfortable temperature'.

Trade unions want to see a legal maximum temperature for indoor work of **30°C (27°C for those doing strenuous work)**, so that employers and workers know when action must be taken.

There should also be a legal duty on employers to protect outside workers by providing sun protection, water, and to organise work so that employees are not outside during the hottest part of the day.

7 There should be increased protection for Vulnerable and Atypical Workers

There are a large number of workers who are more vulnerable for a variety of reasons. European regulations recognise the specific needs of young workers and pregnant women, but other groups may at risk include migrant workers, domestic workers, some disabled workers, home workers, lone workers and people on short-term contracts.

In the case of migrant workers, they often have no knowledge of their rights, have no permanent contracts and have little access to trade unions. There is a special agency that was set up to provide additional protection for some groups of workers that were considered especially vulnerable, the **Gangmasters Licensing**

Authority, but that only covers workers in the fresh produce supply chain and horticulture industry (such as fruit picking and shellfish harvesting) where there are a large number of migrant workers. Unfortunately the powers of the GLA are limited and they do not cover other sectors with high levels of contracting or abuse of migrant workers.

Often vulnerable workers are hidden from the regulators. Some employers claim that their workers are 'self-employed', despite working for them on a long-term basis. This may be for tax or employment law reasons but many also refuse to take responsibility for the safety of these people. Workers suffer with reduced protection, either because the law is inadequate or it is not enforced.

Trade unions want to see a strengthening of the Gangmasters Licensing Authority with an extension to other areas.

Greater resources must also be given to enforcing employment rights for vulnerable groups, with a joined-up approach, so that those who enforce the minimum wage, working time and health and safety regulations co-operate to ensure that all workers have a safe workplace.

8 There should be a Legal Duty on Directors

Many people would be surprised to know that although there is a positive duty on employers such as companies and public bodies to ensure (as far as is reasonably practicable) the health, safety and welfare of all employees, there is *no such duty on directors of companies*.

Most prosecutions for breaches of health and safety laws are against employers – not an individual but a company or public body.

The current law means that if a board of directors refuses to have any involvement in health and safety, however bad the record of the company, there is almost nothing that can be done to force them to take responsibility beyond disqualification (which is almost never done).

9 Health and Safety should be a significant factor in all Public Sector Procurement

Over the years there have been a number of attempts to use public sector procurement as a way of ensuring that all contractors comply with appropriate health and safety standards. In

construction, all clients are meant to follow the Office of Government Commerce guidance on the subject. In addition, many local authorities and other public bodies make health and safety a requirement for contracts. Unfortunately, in practice, *this seems to be having little effect*.

The public sector should be a major force in setting best practice and driving up standards in areas such as health and safety. This is not happening. Even when assurances are given on health and safety, once the contract is agreed there is little evidence that significant

Trade unions want new regulations ensuring that all public contracts, not only in construction, have high health and safety standards built into them and that the client should be required to monitor performance throughout the life of the contract.

10 The UK Government should adopt, and comply with, all Health and Safety Conventions of the ILO

The International Labour Organisation sets international standards on a range of issues, including health and safety. ILO Conventions are agreed by representatives of the world's governments, employers and workers at an annual meeting in Geneva. There are about 180 of these Conventions covering major issues such as freedom of association, child labour, forced labour and discrimination. Many of them relate to health and safety either generally or in a specific sector.

Once a country has ratified a convention, a complaint can be made to the ILO if it does not implement it.

You would therefore expect that industrialised countries like Britain would not only try to ensure they meet these basic standards, but would go well beyond them. There should therefore be no difficulty in Britain ratifying all the conventions that are agreed by the ILO

The standards provide a basic minimum for labour standards across the world and are an important means of ensuring that countries ensure a certain level of protection for workers.

Trade unions believe that the UK government should show its commitment to health and safety by ratifying all ILO conventions on health and safety and once it has done so, should review UK law to make sure that it is fully compliant.

FRACKING WAS INVENTED in the 1940s but only a small amount of shale gas was extracted from the wells as they could only drill straight down. Now, technology has made fracking easier and more profitable with *horizontal* drilling.

Wells are drilled to between 5000 and 8000ft below ground and then turned horizontally. Explosive charges crack the shale and water and chemicals are pumped at very high pressure through the ground, forcing the gas out.

In the Tara fields of Australia a conservative estimate is that 44% of the wells have leaked. This figure is consistent with sites worldwide.

There were issues around policing the campsites The **Tactical Aid Unit** became heavy-handed in the treatment of the protestors, with over 200 arrests at Barton Moss alone. Those that have gone to court have been thrown out or they have been dismissed before they got there. Even **Caroline Lucas MP** was arrested at the peaceful demonstration at Balcombe Moor – also taken to court and summarily dismissed by the judge.

Protection for your homes

The government has given unscrupulous companies the go ahead to drill under your homes, causing damage *which insurance dealers will not cover.*

FRACKING UPDATE

Energy companies say that shale gas is being safely and efficiently produced and gathered. However, a major problem with the fracking process is the huge amount of water mixed with harmful chemicals. A large percentage of this fluid comes back up the well, so it is at this point that the water can be polluted with the chemicals.

In Scotland a fracking site had a spill which this Tory government kept under wraps for over a year. In Pennsylvania, America, toxic chemicals and methane gas have seeped into the drinking water. Many more spills have come from fracking sites all over the world.

We have the sites at Barton Moss, Balcombe, Blackpool and Fylde and now the one at Upton in Cheshire. The anti-fracking protection campsites at these places are doing a fine job in slowing the process down. They occupy the land either on the site or quite near to it. This community is an eclectic mix of like-minded people with a common goal in protecting our planet. The solidarity shown is one of respect for one another and the camaraderie round the camp fire on the cold nights keeps the spirits high.

What is the point of purchasing insurance policies when companies won't pay out? This may also prevent you buying a house as banks will not provide mortgages without insurance – they could even foreclose your existing mortgage.

Climate change

Over the last century the global average temperatures have risen by more than 1.4° Fahrenheit. The decade to 2010 was the warmest on record according to the statistics of the National Oceanic and Atmospheric Administration. Rising global temperatures are not the only thing – we have had more intense rain and severe heatwaves across the globe.

Alternatives

BFAWU has signed up to the 1m climate jobs – looking at *all* renewable forms of energy: wind farms, solar energy and tidal power. Renewables do not pollute the sea, rivers or the atmosphere. Nor do they put heavy vehicles through towns or villages. It grows the economy through maintenance of the technology, shipbuilding for offshore wind farms, tidal and wave power.

Peter John Fox

Anti-fracking protesters demonstrate on 5th March, with some special friends



The Failed Experiment

How to build an economy that works

by Andrew Fisher

In the last thirty five years, politicians of all parties in government ceded power over fundamental sectors of our economy to a new oligarchy of corporations. Government has become the servant, not the master, of corporate interests. Andrew Fisher describes this as a failed political experiment – an analysis that makes this book very different.

It is not about blaming the bankers, or even high powered financiers (though much blame and opprobrium has rightly been apportioned to them). Nor is it a partisan attack on the failures of Conservative or Labour governments. Instead, this is a book about the much larger political crisis that still threatens our living standards – and how we can resolve it.

Andrew Fisher has an MA in politics. He is currently the policy officer for a major trade union and he has also spoken about politics and economics at a number of BFAWU reps' forums.

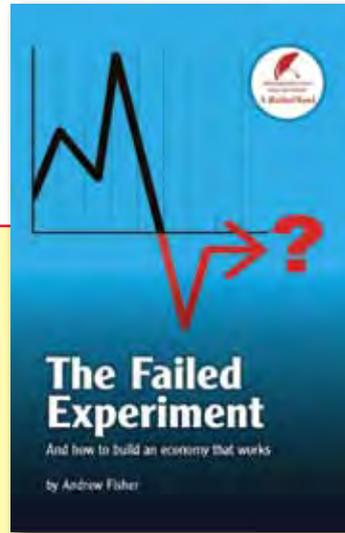
The Failed Experiment and how to build an economy that works is Andrew Fisher's first book.

In 2006 Andrew co-founded the influential Left Economics Advisory Panel (LEAP) to argue for a better economic agenda.

Find out more at:

www.leapeconomics.blogspot.com

Following the publication of his book, Andrew is keen to continue the debate: follow him on Twitter at [@AndrewFisher79](https://twitter.com/AndrewFisher79) or email him at andrewfisher1979@gmail.com



What they said about the book

"The crash of 2008 was not only financial. It was a failure of our democracy, in which politicians of all sides handed over power and wealth to a narrow elite. This book makes it clear that fixing our economy requires political solutions. A lucid and compelling manifesto for change."

Aditya Chakraborty, Senior Economics Commentator, the Guardian

"This is the best thing I have read in years. It will be readily used by campaigners as a basic handbook to explain our recent history."

John McDonnell, MP

"A compelling account of all that's wrong with the British economy - and what's needed to put it right. Great analysis, strong politics and an inspiring call to arms."

John Hilary, Executive Director of War on Want

"A crucial expose of neoliberal dogma, crammed with fact and detail, making it wonderful ammunition in the fight for social justice."

Owen Jones, Journalist and broadcaster

The book is available to BFAWU conference delegates at a special discount price of £8.95, p&p free: order online at www.radicalread.co.uk using the promotional code **CLUB** to order

Sent from Sis Jane Booker's iPad while on a Charity Trek up Machu Pichu



Dear All

Here I am after 5 days of trekking, having walked for 10-12 hours a day, climbed up and down about 10,000 steps plus a few scary bits along the way. Not to mention not being able to breathe.

So not looking my best but wearing my BFAWU T-shirt with pride.

Jane Booker



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**BFAWU 2014
96th ANNUAL
CONFERENCE
June 8th – 11th
AT SOUTHPORT**

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