



## ***RF BROOKES (LEICESTER) DISPUTE***

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# EDITOR'S NOTES



DESPITE THE FACT that David Cameron has done more U-turns than a stock car driver, the legacy of his heinous governments' policies will last for generations. We have seen a moral victory for the industry with the reversal of the *pasty tax*, but given the three-pronged attack from business, unions and the general public, it is not so surprising.

## Double standards and self-serving arguments

Of greater concern is the withdrawal of protective legislation covering health and safety and employment. In a country where it has always been relatively easy to sack a worker, the Tories introduce legislation to extend the employment length to 2 years before redress to an employment tribunal is a possibility. We have legislation that allows unscrupulous employers to serve notice on contracts of employment and to reduce the terms and conditions of those who are already struggling to make ends meet. I have always been intrigued as to why we need to pay huge salaries to get the best managers to run businesses but shop floor workers have to take lower pay to make them more competitive. Is it a flawed logic or just a massive dose of double standards?

If workers have little or no redress through the legal system and their employer refuses to listen, then we have to find other ways to get some attention and maybe, like the 'anti-pasty tax' campaign, we need to take our voices to the streets. The British public is a very powerful vehicle, whether it is electing government or making companies profitable, they can make a significant difference. Telling a Member of Parliament that they are not representing us as we would like or as they promised makes no difference whatsoever, but going out on the knocker, chatting to people on their doorsteps or at public gatherings does have influence.

Clearly if we get enough of a groundswell then the change is made democratically through the ballot box. Likewise a company that is hell bent on breaking workplace agreements, tearing up contracts and moving products from factory to factory to enable workers to be made redundant, has to be dealt with in the same way.

When they refuse to listen in the boardroom and maximising profit is the only consideration, then workers will be forced to

act in different ways. Like the campaign to get an MP to listen is taken to the electorate, the workers whose terms and conditions are threatened by an unscrupulous employer should have redress to the customer. It is not feasible to knock on thousands of doors to complain about corporate greed or indeed demonstrate the underhanded ways in which some businesses achieve cuts, but it is possible to demonstrate outside the supermarkets who accept cheaper products from manufacturers who plunder their workers' terms and conditions to pay for ludicrous discounting.

Yes, the Marks and Spencers, Tescos, Asdas etc. of this world want to make profits and so they should, but reputation also means a lot to them and if they are seen to be associated with a business that is seen to be trampling over their workforce, then it would do little to enhance that reputation and, of course, they could potentially become a powerful ally.

## Halfway to Paradise?

As we approach the halfway mark of this Tory administration it is interesting to listen to both Tory and Liberal voters' opinions and to see the hairline cracks of the coalition growing on an almost weekly basis. It will be interesting to see what level of accountability they heap upon themselves and how much is attributed to the treachery of their respective members of parliament.

There is always the temptation to say smugly 'don't blame me, I didn't vote for them', but the reality is that we all live under and have our lives impacted by them, so smugness counts for little. The tit for tat squabbles over the reform of the House of Lords counts for little in most people's eyes. All they will see are different people falling asleep on a big leather bench who are paid significant amounts of daily expense for the privilege. Likewise, boundary changes mean nothing to most mere mortals, except that the only party that significantly gains from it are the Tories and that in itself is reason enough to object.

But what about the marriage made in heaven between Tweedle Cam and Tweedle Clegg? Cameron can't deliver his troops on House of Lords reforms because they stand to lose the most and Clegg won't deliver his side on the boundary changes as a reprisal. These characters are running the country along with a Chancellor who can't do sums let alone control banks, an Industry Secretary who knows little about business and a Health Secretary who probably doesn't know what the initials NHS stand for – never mind the concept. To boot they have a Lord Mayor who fails on the zip wire as spectacularly as he will fail the people of London in the long run.

## Two and half years is a long time in Politics

The next two and a half years will be a long time in politics and an even longer time living under Tory constraints. We should start the dialogue *now* of how we will achieve a Labour government committed to working people – a Labour government that has compassion for its electorate, a Labour government ready to re-introduce protective legislation and, above all, a Labour government that keeps to and enforces its manifesto pledges.

We have to fully understand that our anger has to be channelled in a constructive way that remains focused until the end, then – *and only then* – will we be able to afford ourselves a wry smile.

Ronnie Draper @ronniebfawu

## Bridlington 2012

2012 CONFERENCE – It shows that I'm getting old as the year flew by, it certainly didn't feel like a year since the last one.

Conference is the place where we set out the plans for the future, so I would like to take this opportunity to recognise that the year ahead will be a difficult one but that we will be resolute. Our FTOs are being asked to do more and more and are delivering for our union. Our activists are coming under more pressure in their workplaces and I would like to pay tribute to their resolve and their fantastic contributions. I would like to thank our office staff, who have been asked to learn new skills, take on additional work and have delivered.

I would also like to pay tribute to our General Secretary for his stewardship of our union and congratulate him on his first full year in office. Most of all I would like to thank all our members for their support, loyalty and solidarity.

### Accent on youth

There were lots of new faces and so many first-time delegates who made some fantastic contributions.

The really pleasing aspect was the young activists who took part speaking from the rostrum to add their contribution, shaping the future of our Trade Union. Our young activists are tomorrow's full time officials and union leaders, like Christopher Lay, Sarah Woolley and of course Rachel Mullen, our new hotly-contested young Executive Council member, to name but a few. Also, Haroon Rashid, Raja Husain, Janine Cockayne and Tony Sedgwick made some interesting and welcome contributions.

It seemed like everyone had something to say this year and that was superb. I'd like to thank everyone for their contribution. Before moving away from recognising the contributions of our activists, I feel that I must mention one of the stand out contributions of our delegates. Godson Azu singing *Solidarity Forever* was pure magic.

### Executive Council elections

Conference also saw the elections of the new Executive Council and I would like to pay tribute to all those who chose not to stand again, retired or who were unsuccessful, Marilyn, Vi, Dave, Seamus and Eddie.

I would like to take this opportunity to welcome our new Executive Council and wish them luck, for the role that they perform is a critical one for the future of our Trade Union.



## NATIONAL PRESIDENT IAN HODSON WRITES

I would also like to thank all those that took part in our elections and wish them all the success for the future.

Conference had some amazing speakers: John Slaven (STUC), Colin Burgon (MP), Doug Nichol (GFTU General Secretary), Violet Dickenson (Asylum Aid Charter) and the hardest working MP in Parliament, John McDonnell.

### *Say NO to cuts, say NO to austerity. Solidarity!*

We saw over 100 motions debated at Conference covering a wide range of issues including internal matters and rule changes, the introduction of strike pay, support for our public services as well as international issues.

The overriding concern expressed was the lack of direction of the government and the attacks on Pay and Terms and Conditions by employers in our industry – many of whom choose to attack Terms or refuse to improve them even when they are in a financial position to do so.

### Solidarity with RF Brookes' members

During conference, our members at RF Brookes (Leicester) took strike action against their employer for refusing to honour their contractual rights. The action was solidly backed (as you can see on the front cover), the picket line was normally 200 strong with a real buzz, singing, drummers and food being served as members showed they would not be bullied or accept the undermining of their rights.

I would like to thank our members, activists and FTOs who took time out to visit the strikers, all the organisations that have supported our members in the dispute by donating, sending messages of solidarity and also leafleting the general public to raise awareness of the dispute.

### Solidarity and mutual support

Let us be clear, our union will resist where necessary, take industrial action if pushed and fight back. We are **not** going to be intimidated, threatened or bullied.

We are off our knees and will **not** accept second best. The use of agency workers and the exploitation by employers of these workers **will** be highlighted. Employers who introduce new contracts to avoid having to pay their workers in line with permanent staff will find that our members are resilient. They are prepared to take action in support of the exploited and to protect jobs and Terms and Conditions because we see clear evidence of employers introducing agency workers, followed by the loss of permanent jobs and cuts in pay.

Around the country, many branches under threat by aggressive employers are deciding whether to take industrial action. They can be assured that if they choose to do so, we **will** support them.

Our industry seems to be following the same path as other industries and the lead is being set by the government. Tax breaks, bonuses and huge pay rises for the rich and removal of rights, cuts and pay freezes for workers, the sick and the disabled.

### We need change in this country:

- A government for the **people** – not just for the lobbyists.
- A government that makes a legal commitment to enshrining employment rights.
- A contractual obligation that commits the government to full employment.
- The re-nationalisation of our NHS.
- An education system that sees investment in schools and an ending to subsidies in private education.
- The re-nationalisation of our railways and improvements to public transport, not just for the Olympics but for the people in and outside of London.
- A tax system that is fair and those at the top paying their fair share.
- A one-off wealth tax
- The ending of the state funding to bad employers who force working people to live on benefits as they fail to ensure that they receive a living wage.

If you feel that this is the country you want, a country that aspires, that wants a future for your children as well as theirs, opportunities for all our society not just those that are able to afford it, then join the hundreds of thousands that are taking to the streets on October 20th, not to protest, but to **demand change**.

**Ian Hodson**

# CONFERENCE 2012

HELLO EVERYONE, I attended conference this year with the thoughts in mind of what it may bring – however, apart from a few glitches, there were no worries and once again, we had a fantastic conference

It was good to see and meet other seasoned delegates, but also to see new delegates attending conference

The speakers and the debates were just as they should be, you will always get people agreeing and disagreeing on the motions to conference, this is a part of what conference is about

The delegate speakers we had did us proud, and well very done to all the first time speakers, who were brave enough to come up to the rostrum to have their say

It is not an easy task to carry out, but they all did so with confidence and ease (even though they may not think so).

This is what we want from the delegates young or old, the motions to conference can be thought provoking and revitalise some delegates to get up speak on certain motions that they feel strongly about.

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***Let us make next year be even more thought provoking and put many more motions in to conference that are meaningful and debatable***

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If the 2012 conferences is anything to go by, we can look forward to next year's conference being has equally fantastic.

On another note:

- I would like to take this opportunity to thank all delegates who voted me into the position as the **Women's Representative** on the Executive Council
- Also *Well done! and Welcome!* to the other delegates who gained positions on the executive council

May we all stay united and strong in whatever we may have to face

***Strength in unity and united we stand.***

Yours fraternally,

**Helena England**

BFAWU, Branch Secretary  
Fox's Biscuits, Batley



▲ **John McDonnell** (BFAWU Parliamentary Group Chairman) addresses Conference



◀ *Not just so everyone could get freebies off the stall...*

**Dick Punshon** makes a welcome appearance at Conference, sharing his experience and raising spirits.

At the end of his address, Dick received the **Pewter Baker** from Ronnie Draper, in recognition of his service to the Union.



▲ *Delegates enjoying contributions from the floor at Conference*

**I have been to a lot of meetings and conferences over the past few months, and they all have had one thing in common ‘Austerity and the economic climate – why it is not working’.**

I believe that it is not working because it does not help the masses. That is US, the working class. It only helps the fat cats and the rich.

The debt of the country is mostly from the private companies whose debt is at 426% whereas the public debt is so insignificant that it doesn't show.

So why all these cuts to the public services? Could it be to line the pockets of their mates in business, or that we the tax payer have to pay to get the private sectors debt down.

## AUSTERITY AND THE ECONOMIC CLIMATE

### Building our future

Speaking with other union representatives and activists of other unions we find that we need to invest in building, to get the economy going. This in turn will create more money from taxes and rent from properties. This will also give the homeless and people waiting for houses an affordable rent to pay. It will also stop the unscrupulous landlords getting subsidies from the government and save them money.

The jobs that it will create would be from the architects, planners, builders, glaziers, electricians, plumbers, scaffolders, plasterers, decorators, road workers, new transport routes for buses. The list is phenomenal. It will create jobs, give people the work that they need and keep them from the dole queues.

Out of this will come apprenticeships for our children and give them a future to look forward to. It will give them the skills and knowledge that they need. This in turn will benefit all from the government with the taxes, down to the shop floor workers with better pay and conditions.

### Invest in a green future

The government needs to invest in green technology so it can serve our future and the future of our children. Solar panels, wind farms, and any other form of energy as the oil and gas will not last forever. As we have seen with the spiralling cost of petrol, gas and electric in the last few years. These companies need to be taken back into public ownership, regulated correctly, and any profits from them to be used for new technology. This country could and should be at the forefront of all new discoveries in science and industry, and not slipping behind other countries that are developing at a rapid pace.

### Commit to public ownership

We need to take the energy and transport companies back into public ownership, to create more jobs and to bring the cost down for the consumers.

### A lost generation of voters

At the 2010 election, Labour lost 5 million voters. Not to the Tories or the Lib Dems. No. *The voters could not be bothered to turn out.*

We have found that we have a lost generation of voters, who don't see Labour as winners or that they are working for *them*.

This needs to be changed. It can only be done by the trade unions. The trade unions need to be integrated into the Labour Party, and to make Labour **The party**. A people's party, the way it should be. That works for us.

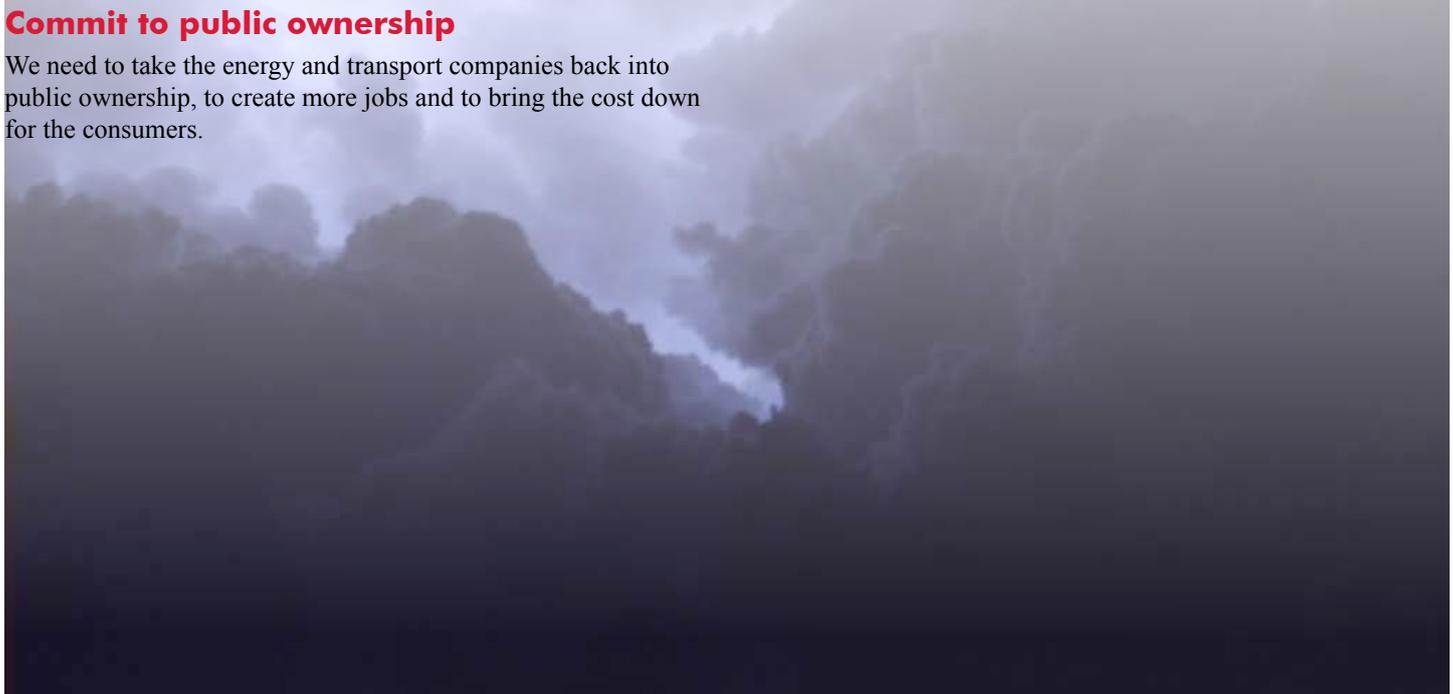
Branches need to be affiliated and members should attend these meetings to put our views forward. Trades councils are another to take our views and policies through to the TUC.

### Make our views and opinions count

The people have not known hardship like we are now facing with this government. There is a need for education in the politics of the country.

Many people say they are not bothered about politics – but politics are there in everyday life and we don't know that we are doing it. Whether it is in the latest music craze or debating if we should keep the trident missiles, or withdraw from Afghanistan. Views and opinions count, **so let's get ours heard**. Branches – join the trades councils, labour party, local Labour representative committees and any other organisations that will help our cause and get *our* policies to be *their* policies.

**Peter John Fox**





## RMT GENERAL SECRETARY BOB CROW WANTS OUR SUPPORT

JUST HOW OUT-OF-TOUCH the government of millionaires is from the pain they are inflicting on working people was demonstrated perfectly by the recent ‘pastygate’ scandal, when the chancellor slapped 20 per cent VAT on take-away hot snacks.

Before being shamed into a U-turn the posh-boy prime minister was caught telling porky pies about the last time he bought a pasty.

There is no area of life that has not been hit by the ConDem government’s cuts and its obsession with privatisation that allows their city mates to turn what’s left of our services into a cash-cow for shareholders.

Whether it’s libraries, care homes, education, the NHS, welfare, pensions or council housing, everything we have fought for over decades has been put under the hammer by a government determined to make working people pay for an economic crisis caused by corporate and banking greed.

The tax burden for the poorest has gone up, yet for the rich and corporations it has been cut. The biggest tax and benefits losers are the poorest ten per cent of families with children, while cuts in services hit the poorest 15 times harder than those in the top ten per cent of incomes. But for the bankers, spivs and corporate bosses whose greed caused the recession it is obscene bonus and tax-dodging as usual: tax-dodging alone costs Britain £120 billion a year.

Far from rescuing the economy, the government has made it worse, turning tax-payers into benefit claimants by destroying

jobs and choking any signs of recovery – and the debt is going up, not down.

Like other services, transport has been set up for a massive attack that will hit passengers and transport workers hard – yet protect the profits of the privateers.

- **Bus routes**, particularly in rural areas, have been slashed, leaving some of the most vulnerable in our society immobile. On services that remain, fares are rocketing, and the ‘big five’ operators who dominate bus and rail continue to blackmail local authorities for subsidy.
- **On rail**, the government aims to slash up to 20,000 jobs, abolish guards, close ticket offices, cut platform staff, water down and fragment maintenance and cut ‘unprofitable’ routes – while imposing inflation-busting fare increases year on year.

Our railways face the biggest threat since Beeching’s Axe more than half a century ago.

Roy McNulty, the wealthy businessman who wrote the government’s policy, noted that Britain’s railways were more expensive than those elsewhere in Europe. But he conveniently failed to consider that those more efficient railways remain *publicly owned*. He also ignored the fact that UK rail workers are among the most productive in Europe.

The government could cut railway costs at a stroke by turning off the tap that pours billions in public money into the back pockets of shareholders.

The private sector has drained a staggering £11 billion from the railways since privatisation, yet their profits are the one thing the government aims to protect. Never mind that the dangers created by a privatised, fragmented railway have been at the heart of disasters at Hatfield, Potters Bar, Tebay and Grayrigg. And never mind that investment in rail is now four times more expensive than in British Rail days.

- We know that passengers, particularly women travelling alone at night, want to see more staff on stations and trains, not fewer.
- We know that our environment needs a policy that encourages people to use trains more – rather than pricing them back into cars.

RMT will not stand by and watch our industry wrecked, but this is an attack on passengers as well and we need a united campaign alongside rail users, transport and environmental campaigners and trade union councils.

Together, all the rail unions and the TUC, have launched **Action for Rail**, a campaign that aims to build opposition to the government’s plans and to pose the alternative of a people’s railway, playing a vital and growing role for the economy and the environment. We owe it to the generations to come to prevent a blow to the railways that would take decades to put right.

Across Britain, more and more people have rumbled the big lie that people’s livelihoods, services and quality of life should be destroyed to cut Britain’s debt.

We know that proportionately Britain’s debt was more than twice the size of today’s in 1945 – yet a Labour government built millions of council homes and created the National Health Service, providing jobs and boosting the economy.

**There is an alternative to cuts, and that is to invest in jobs and services, end the multi-billion tax-dodging industry and harness the banking system to help the economy grow.**

RMT members will be out in force in London on October 20, marching for that alternative.

*I hope you will be too.*

**Get involved** – visit [www.actionforrail.org](http://www.actionforrail.org)



# A FUTURE THAT WORKS

## WHY WE'RE MARCHING

### Austerity isn't working

Our country faces long-term economic problems. But our political leaders have failed to face up to them.

For the next five years or more, unless policies change the economy will not grow, incomes will not rise, and there will be almost no new jobs.

If the government keeps on with big spending cuts and austerity we face a lost decade. Even on their own terms government policies are failing. To close the deficit we need a healthy, growing economy that generates tax income. But austerity has led to a vicious circle of decline.

Instead of just letting the banks go back to business and bonuses as usual, we need policies that promote new and old industries.

This new approach would create jobs, especially for young people.

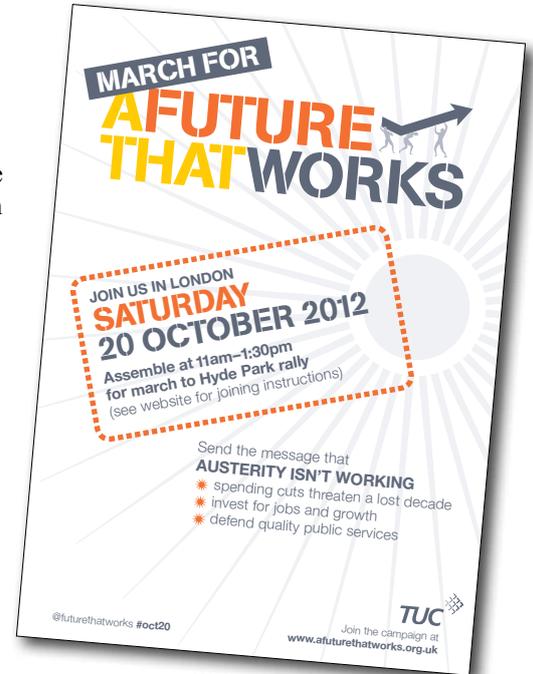
It would encourage companies to raise average pay, penalise big bonuses and invest in training and new industries. It would crack down on tax evasion by big companies and the super-rich. It tackle the growing inequality between the super-rich and everyone else.

Rather than deep, rapid spending cuts, we need to reverse our decline and build an economy that works for ordinary families.

### We need a future that works!

Demand change a future for *Aspiration* not *Austerity* BFAWU urges its members to attend this March and join in Solidarity with other trade unions and organisations standing up for a fair and better future for all not just the millionaires.

**Contact your Stewards and find out details about transport to this event.**

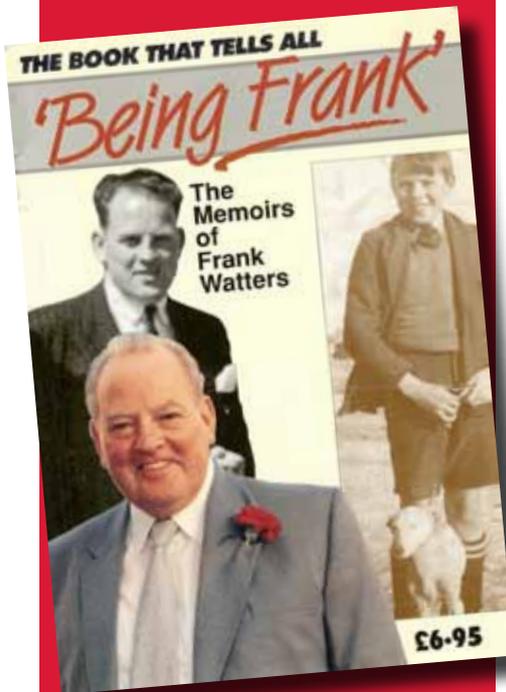


## 40 Year Award



Roy Streeter, No4 Regional Officer, is on the left of Ronald Lancaster who is receiving his 40 year award is in the centre and Ian Hodson National President is on the right. Ian made the presentation at the No4 Regional Council

# THE LYONS BAKERY STRIKE 1982



An extract from the memoirs of  
**Frank Watters**

Communist and unionist  
born December 25 1920  
died July 25 2002

## Chapter 16

**"One good turn deserves another"**

### **The Lyons Bakery strike of 1982**

I became involved in the Lyons Bakery dispute from its beginning as I was living in the area and I made the acquaintance of the pickets as I passed them every morning and evening. Soon I was introduced to the Vickers brothers, John, the leader, ably supported by his brother, Sam. Many of the workforce they led were women and, though the wages were not generous, they often provided a vital income for families in an area of high unemployment. The local pits at Monk Bretton, Carlton and Wharnccliffe had already been closed some years before the wave of closures heralded by the 84/85 strike and the bakery had been built on

derelict land left vacant by former pits. The industrial estate on which it was built was a key element in the local authority's efforts to generate new industry, to fill the void left behind by the shrinking coal industry, and local councillors were keen to see a settlement to the dispute.

One of them telephoned me and asked me what chances there were of the strike committee accepting arbitration. I asked him who he had in mind to arbitrate and he asked me if I had any suggestions. Off the cuff, I thought of Professor Michael Barrett Brown who was Principal of the nearby Northern College, the local authority funded 'Ruskin of the North'. He thought the company would welcome any suggestions, as they were keen to see an early settlement of the dispute. I asked John and Sam to get the strike committee to consider the proposition but the strike was absolutely solid and, with the money that was coming in from pit collections and the other local support they were enjoying, the strikers were in no mood for compromise. I told John and Sam that I was confident that the outcome would be favourable and they agreed to call a committee meeting after the imminent Easter holiday.

I was spending the Easter holiday in Birmingham and on my way there I was held up by a lorry that had broken down on the motorway. The lorry was loaded with spirits, which had to be disposed of, and I acquired a bottle of brandy at a very reasonable price. Returning home from the holiday weekend, I stopped to have a word with the pickets at the bakery. I told the women pickets on the line it looked like being a cold night and I gave them the brandy to warm themselves up. I went home and phoned John to arrange to meet him at mid-day the next day, after the strike committee meeting so that we could get on with arranging a briefing for Professor Barrett Brown.

When I arrived at the picket line the following lunchtime I was met by a very glum faced John. 'How did it go?' I cheerily enquired. 'How did it go?' he wailed. 'There was a group of women on the picket line last night and they came into the meeting at eight this morning completely pissed up. I could not get any sense out of them. What I can't understand is where they got the drink from.' I looked him in the eye and made my confession. 'Sorry, comrade. I gave them a bottle of brandy to keep them warm during the night.' The meeting had decided: no compromise, no arbitration, a fight to the end and victory.

It was obvious the firm still wanted a settlement so I suggested that the union approach the management and tell them that they also wanted a speedy resolution of the dispute but that they would prefer to do it without outside intervention. It worked; a settlement was reached and the union in the plant went from strength to strength. John became Yorkshire and Humberside District Secretary for the Bakers Union and Sam became a regional officer.

During this dispute I introduced John to various NUM Branch Secretaries. There was no problem getting cash from the pits as many of the miners' wives or daughters worked at Lyons, but this was John's first foray into the class struggle and he suddenly found himself with the unfamiliar role of public speaker, addressing packed meetings of miners' delegates and officials. At that time there were still about 20 pits in the Barnsley and Carlton areas and they were represented by the Panel of about 80 delegates, most of them experienced and articulate speakers. John had to face them and explain why the Lyons workers were on strike. I knew he was nervous, but I assured him that the Panel chairman, Ron Rigby, would give him all the help he needed. He must have made an impression because the financial support flowed in. John has since told me that as a union official he has had to speak at conferences and on occasions at the TUC, but addressing that crowded room full of miners was the most frightful experience of his life.

During the 84/85 miners' strike the Lyons workforce honoured their debt to the miners and their families. Twice a week a vanload of cakes, pies and pastries arrived at the Barnsley strike centre at the Junction Inn, just outside the town centre. Of course John and Sam, who made the deliveries, were obliged to stop for a chat and to buy the striking miners a pint or two, so it began to become a costly excursion for them. The bakery management were approached and they agreed to a token payment to cover these out of pocket expenses!

The Bakers Union at Lyons repaid their debts in other ways, too. Through their good offices, I was able to buy plenty of cakes and pastries from a special shop at the bakery when the local branch of the British Soviet Friendship Society was entertaining a party of visitors from the Soviet Union and the Morning Star Bazaars also benefited from the same source. **One good turn deserves another!**

**'Frank Watters taught us what trades unionism was about.'**

The Bakers, Food and Allied Workers Union, who represented more than 1,600 members at Carlton in Barnsley and in Wakefield, were forced to withdraw their labour in April 1982. Although this struggle revolved around the January wage settlement, the dispute was actually about the disclosure of information. The representatives, led by brothers John Vickers (Branch Secretary) and Sam Vickers (Senior Shop Steward), insisted that we needed the information to negotiate on equal terms with the company. The company had always denied the Union the information in previous years.

However, none of the representatives at Carlton had very much experience and they lacked confidence. 1982 was different. We had a massive vote in favour of industrial action, 1,277 for, 44 against. We started that action with a work-to-rule in mid-April. The Union at this stage was very pleased at the way things were going. Our members were supporting any action that the representatives were asking. However, two weeks into the work-to-rule the company went to the night shift members at both Carlton and Wakefield at 1.00 am, issuing them with an ultimatum. They told our members that if they did not work normally they would not be paid. Every one of our members marched off into the canteen. The night shift steward rang the secretary and senior steward. We held a meeting and decided



we would picket the day shift, and inform them what had happened. For the first time the Union was not in control of the pace of the dispute.

***There is nobody quite like Frank Watters. Long may he continue to agitate, educate and organise amongst us.***

**Arthur Scargill, 1992**

Many of the officials had never been in this situation; most had never been shop stewards. We were well organised inside

while we were at work and we thought we were not doing too badly outside the gates. We had informed the Union nationally, set up our picket line and our District Secretary was writing to other branches. Cracked it! Then, enter Frank Watters; he just appeared on the picket, asking for our secretary. He picked us up by the scruff of the neck, gave us names of contacts for help. He took the secretary and other officials to meet Owen Briscoe, who was Secretary of the Yorkshire NUM. From that meeting John Vickers was allowed to address the NUM Council appealing for help. This proved to be greater than we ever imagined. NUM secretaries were coming to our picket line asking for our secretary, asking what help we needed and making donations to the strike fund. NUM members were coming to the picket line giving cigarettes, fuel and moral support. Frank Watters gave us many contacts for other organisations, in particular the Trades Council.

But many of the officials at Carlton received much more from Frank, they received guidance, experience, but most of all they learned lessons that can only be taught by special people. He also gave friendship. We met many new friends, particularly in the NUM. When the miners' strike started two years later, we knew what we had to do. We owed the miners. We did not need to be asked for help, we knew from our experience.

Frank Watters taught us what trade unionism was about:

***We are all Comrades.***

**John & Sam Vickers**



**Obituary:**

**Tom Bowman**

**Tom Bowman**, ex-branch secretary at British Bakeries of Westerhope and District Chairman of Northumberland and Durham, has passed away. *Gone but not forgotten.*

Tommy was well respected throughout our union and by the amount of ex-workers from his old site who attended his funeral as well as regional members and the General Secretary, Ronnie Draper.

As Dick Punshon described Tommy – ***"A great guy who served us well"***

*Tom Bowman [right] with Alan Milne (Regional Officer Region 5) [left] and Dick Punshon*

# UNITE THE RESISTANCE CONFERENCE LONDON 23<sup>RD</sup> JUNE



AFTER A NIGHTMARE of a journey down to London, through the day before wet weather and four different trains later, myself and the National President arrived at the conference.

The key themes of this conference are, *'Solidarity with the movements against austerity across the globe and Building the TUC national demonstration against the cuts'*.

They have planned a march of over 500km to Madrid which should arrive in Madrid on the 11<sup>th</sup> July.

### Investment – not Cuts!

Mark Serwotka, General Secretary of the PCS union, was next to speak, and said that after the national pension strikes in May their members have not waited for the next wave of action, they have taken industrial action. Also, we shouldn't make the same mistakes that we made after the November 20<sup>th</sup> protests by not taking action straight after.

He mentioned if we had taken action in January, we would have brought this government down. He spoke of the austerity and said that we shouldn't be looking at cuts to the pensions or the public services but *investing* in them.

### Students in Quebec

A student from Quebec spoke about the plight of the students in Canada. He said that a lot of students would not be able to

government's plans of a decade of austerity so it means more and more cuts and people working longer until they drop.

### to sum up...

- We need to get this government out as they are killing this country They are putting us into far worse debt than even Thatcher put us in, during the 80s – and far worse debt than we had after the second world war.
- Lets support the *'68 is too late'* campaign for our pensions and hopefully take it further and reduce the pension age as France has done.
- If we do nothing, then we will get nothing done, and we will get walked over. If we stand and campaign then we will have a chance.
- If we fight and campaign and take action, then *we will win*.

### In Solidarity

Peter John Fox

# UNITE THE RESISTANCE

### Speaking for Spanish Miners

Segundo Menendez Collar spoke first and at the time of writing this they had been on strike for over 40 days. Occupying the mines and the government buildings, they are also blocking the major roads in northern Spain.

He has been a face worker for over 30 years and in his daily work he had become quite useful in handling explosives. The reason for the strike is that the government in Spain are refusing to honour the plant's redundancy pay as the mine has finished production this year.

The government is cutting funds to the mining industry by 60% with a production cut of 40%. This will take the industry to closure of the whole mining industry in Spain, causing mass unemployment and marginalisation of the mining community.

The claim that the miners are making is equivalent to what the government is giving the banks as a gift of 0.02%

go to school, as they wouldn't be able to pay for it. Even if they had a part time job and worked through the summer period.

There was mass truancy when over 310,000 students went on strike, and over 100,000 students marched together in the student protest in Quebec.

### Other speakers

Tony Benjamin, a Bakers Food and Allied Workers Union member, spoke about the attacks this company has undergone to reduce their terms and conditions, and the strike action that they are taking. He did excellently as he said he was not used to public speaking.

Tiana Andreo, a Greek public sector worker, told of the power of strike action, when all the public transport shut down Athens.

Among other speakers was John McDonnell MP., who gave his solidarity to the conference. He told of the

### About Unite the Resistance

We are a group of trade unionists from the NUT, PCS, Unison, Unite and UCU who called a national convention to discuss the coordinated strike action set to take place on 30 November 2011.

The conference brought together trade union activists, anti-cuts campaigners, young people, students and pensioners in order to build the widest possible support for the strikes.

We have called a new conference for 17 November 2012, to discuss how to take the fight against austerity forwards after the TUC demo on 20 October 2012.

visit: <http://uniteresist.org>.



## FRACKING

I put a motion into my local Constituency Labour Party (CLP) to ban the practise of Hydraulic Fracturing (**Fracking**) in the Borough of Wigan. A very good debate followed with people from all over Wigan participating.

### For or against?

Geologists and councillors were all in favour of the banning of the practise, but the council itself had to be against banning it for legal reasons. It was passed at the CLP, but with an amendment for the council.

I personally think it should be banned nationwide – not just in my Borough of Wigan, with all the dangers that it brings.

### What is 'Fracking'?

Chemicals and water are mixed together then pumped underground at high pressure to break the shale or rock, so that the gas can be extracted. This should be done over 300 hundred metres below any water supply, but the practise shatters the rock or shale and releases the methane gas. If this and the chemicals reach the water supply, then it will get polluted. If it is drinking water the methane gas can travel through the water and pipes and on release through the taps could ignite.

It has also been suggested that Fracking is a cause of cancer from the inhalation of the gas.

### So what, I'm insured!

Seismic activity has been reported up to a level 3 earthquake which is like a 400 ton truck passing by. In 2011, two seismic events of magnitude 2.3 and 1.5 took place in Lancashire near Blackpool. This can cause damage to the environment and to your homes. This then leads to the insurance companies not covering the damage caused.

The Nationwide Mutual Insurance Company has become the first major American insurance company to do this as it says its policies are not designed to cover the risks associated with fracking. It's only a matter of time before our insurance companies follow suit.

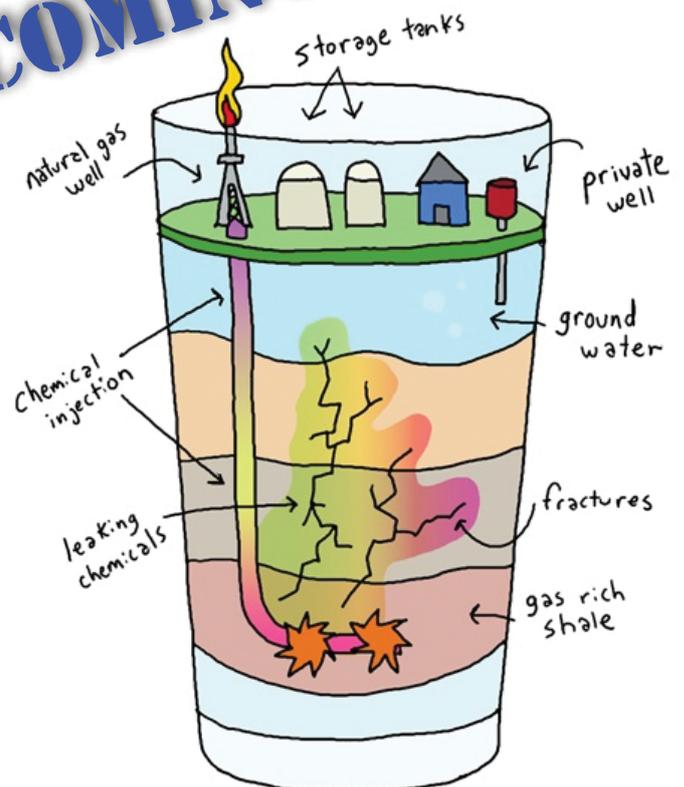
The gases that escape could be linked to global warming, with the ice caps melting. No statistics have been made from the methane gas of what harm it might be doing to the planet, and the ozone layer that surrounds our planet.

I ask all our members who are in the Labour Party to send a motion to your local CLPs to stop this dangerous and costly practice to all of us!

Fraternally,

Peter John Fox

**COMING SOON...**



**TO AN ENVIRONMENT NEAR YOU!**

# Defibrillators Save Lives

**"We can't bring back the loved ones we have lost but we can fight to stop other families walking in our shoes."**



## FACK Appeal for Donations June 2012

**fack families against corporate killers**

We set up FACK in 2006, because employers' failure to comply with health and safety laws killed people we love, our stories show the need for strong health and safety law, strictly enforced. FACK was launched at the Hazards conference in 2006, not for revenge but to fight for justice for all families like ours, and for safer workplaces for everyone.

Before it happened to us, we thought health and safety was strictly applied in all workplaces, and few people were killed each year. How wrong we were. The truth is workers, and members of the public, are at far higher risk of being killed at work than publicised; most deaths are not accidents but completely avoidable incidents caused by poor management and criminally negligent employers; the law is not strictly enforced, and penalties for the few employers ever prosecuted are too low to act as a credible deterrent. FACK gives families the voice to campaign against the corporate killers by demanding stronger law and enforcement, raising awareness that over 1,300 die in work-related incidents each year, not just the 173 reported to the HSE, and by putting the human face on workplace death by telling our stories.

FACK directly supports families at inquests, trials and the investigation process, where we do make a difference. Steven Allen, a young construction worker, was killed in 2007 by a block grab being used for a job prohibited by the manufacturer. Initially the HSE decided not to prosecute as the death

was 'not foreseeable' and the company blamed the dead worker. FACK argued this was wrong, the decision was reversed, the company prosecuted in 2012 and fined over £100,000. The judge made it clear no blame attached to Steven, giving his family some sense of justice.

When FACK began we were lobbying ministers to improve health and safety but since 2010 we are fighting a government hell bent on destroying an already inadequate health and safety system based on the lie that it is a 'burden on business'. FACK provides evidence that it is us who carry the unbearable burden of employers' crimes in pain and suffering for all our lives, while employers pay less than a quarter of the cost of their safety crimes that kill and injure people just for going to work. FACK's evidence exposes government claims of 'over-enforcement' as a lie: not one of the people we love was killed by too much regulation or enforcement but by far too little of either.

FACK works with trade unions, supports families of union members killed at work, promotes the fact that union workplaces are safer workplaces, supports specific trade union campaigns, and the Hazards 'We Didn't Vote to Die at Work' Campaign against this government's deadly attack on our health and safety.

FACK founder members began with little more than anger and fire in their hearts, supported by Greater Manchester Hazards Centre and Hazards magazine and have directly helped about 100

families. FACK has achieved a national profile by speaking at trade union, employers and legal meetings and conferences, at Parliamentary lobbies and Workers' Memorial Day events, staging protests and vigils at courts, lobbying MPs, ministers and the HSE, giving evidence to Professor Loftstedt's review, working with safety organisations, and being featured in the press and media. FACK members funded production of a DVD 'Face the FACKs: the human cost of workplace killing' in which families tell their stories with bravery and eloquence. Trade union regions, branches and trainers have bought 500 DVDs and show them as part of training and reinforcing the campaign message that good health and safety is a matter of life and death. We now have sponsorship from Irwin Mitchell solicitors, donations from trade union branches, some national unions and generous individuals.

Perhaps unsurprisingly given the government's vicious, unjustified lies and attacks on workplace health and safety, Chris Grayling, the DWP Minister responsible for health and safety, repeatedly refuses to meet us, claiming he is too busy. However, he has met all the business groups and insurance companies driving the cuts in regulation and enforcement that will benefit them, and harm all of us. Deaths at work went up by 19% in 2010/11 the first year of the Con-Dem government. No-one voted to die at work, please support FACK in working with you to expose the government's lies and stop it killing more of us.

**FACK is fighting for everyone to go to work and come home safe every day**



## FACK Appeal for Donations June 2012

### FACK aims:

- To unite families in one strong voice to campaign for an end to work-related deaths, by stronger regulations and preventative enforcement
- To demand better treatment and support for families
- To advise and advocate for families during the investigation process
- To publicise the true number of people killed in work-related incidents, to refute the lies that good health and safety is a burden on employers' by showing that it is us who bear the burden of employers criminal negligence
- To put a face to each person killed so we remember them while fighting back
- FACK supports the Hazards 'We Didn't Vote to Die at Work' Campaign

FACK c/o G.M. Hazards Centre,  
Windrush Millennium Centre,  
70 Alexandra Road, Manchester M16 7WD  
Tel 0161 636 7557  
mail@gmhazards.org.uk www.fack.org.uk

**No Justice at Work?  
There is now –  
support FACK**

### Please support us by making a donation

- order our DVD: Face the FACKs: the human cost of workplace killing for £10
- visit our website: www.fack.org.uk
- join us on Facebook: families against corporate killers
- put families in touch with us
- use our stories to lobby MPs, MSPs, Ministers, employers.

### FACK founder members

Read our stories at [www.fack.org.uk/about](http://www.fack.org.uk/about)

Dawn and Paul Adams 'our son Samuel Adams, was 6 when he was killed by construction failures in a shopping centre in 1998'  
Lizzi Herbertson 'my husband Andrew Herbertson, aged 29, was killed at work in 1998'  
Mike and Lynne Hutin 'our son Andrew Hutin, aged 20, was killed at work in 2001'  
Mick and Bet Murphy 'our son Lewis Murphy, aged 18, was killed at work in 2004'  
Louise Taggart 'my brother Michael Adamson, aged 26, was killed at work in 2005'  
Linda Whelan 'my son Craig Whelan, aged 23, was killed at work in 2002'  
Dorothy & Douglas Wright 'our son Mark Wright, aged 37, was killed at work in 2005'

**fack families against corporate killers**

**fack families against corporate killers**



Please turn over to support us by returning the form overleaf

We are donating to **FACK**

We enclose a donation cheque for £ .....made payable to GMHC Ltd marked 'For FACK' on back

Organisation .....

Contact name and e-mail .....

Address .....

Please return form and donation to:

FACK c/o G.M. Hazards Centre,  
Windrush Millennium Centre,  
70 Alexandra Road, Manchester M16 7WD  
Tel 0161 636 7557 mail@gmhazards.org.uk  
www.fack.org.uk

In the UK, over 30,000 people have a cardiac arrest outside of hospital care each year. If casualties are treated with early defibrillation, the chance of survival is overwhelming. Survival rates as high as 75% have been reported when the casualty has received prompt defibrillation. However, time is an important factor in terms of how effective defibrillation is. Each passing minute decreases the chance of success by 10%. According to the UK Resuscitation Council, defibrillation should take place within *three minutes* of collapse.

On average, it takes ten minutes for an ambulance to arrive at a scene from despatch. Valuable, life-saving minutes are lost. Although it may be possible to keep a person alive by using CPR, the individual concerned will not recover through that process alone. Defibrillation is required promptly, if it is to be effective.

Cardiac arrest is a consequence of a disturbance of the electrical activity in the heart, most often an abdominal heart rhythm called *ventricular fibrillation*. The current impulses in the heart no longer follow the normal pathways and fail to synchronise the muscle cells, provoking the sudden arrest of the heart's pumping activity.

The victim breaks down and faints very quickly, most often without warning. On defibrillation, an electric shock is applied to re-synchronise the activity of the heart. The defibrillator automatically analyses the victim's heart rhythms and delivers a shock if required.

Researchers say that the instant availability of defibrillators in public places to treat cardiac arrests saves lives. The European Heart Journal reported that a US and Italian team had analysed data from Brescia before and after machines were placed in the community.

The team found that the one-year survival rate trebled to three in one hundred patients. The researchers, from Milan, Brescia and Washington Universities, also said that the study proved defibrillators could be operated by lay people easily, and safely. They concluded that if the response time for using defibrillators was shortened to within eight minutes, it would save the lives of 15 out of 100 people who collapse with cardiac arrest.

Being very easy and safe to use, today's automated defibrillators are accessible to anyone, anywhere, be it at home, the supermarket, in the workplace and at public events.

They can be used by the victims' relatives, colleagues or even bystanders. Defibrillators have now been placed in shopping centres, railway stations and airports in the UK in recent years, to be used by trained volunteers. More than 2,000 more defibrillators have been earmarked for other public places, such as underground stations, coach stations and ferry ports across the UK through the lottery-funded National Defibrillator Programme.

The move was introduced to help increase the survival rates of the seven in ten cardiac arrests that happen outside of hospital care.

Colin Elding, medical spokesman for the British Heart Foundation said: 'Modern defibrillators are becoming increasingly quick and easy for the lay person to use, which can mean the difference between life and death... every second counts when someone's heart goes into cardiac arrest'. He went on to say: 'an electric shock needs to be delivered to the chest as quickly as possible to restore the person's heart to a normal rhythm'.

**The BFAWU recognises that Defibrillators will not always save lives, but we feel it will give an improved chance of survival if they are available, and welcomes the position that some forward thinking companies have taken with regard to placing them in their establishments.**

We would encourage all our Safety Representatives to raise the issue of defibrillators on their Safety Committees. Statistically 5% of all Sudden Cardiac Arrests (SCAs) will occur in the workplace – 100 people every week in the UK alone! Whilst there is no specific legal requirement for employers to

provide defibrillators in the workplace there is an increasing likelihood that this may soon change.

Some issues that should be considered sudden cardiac arrest can strike virtually anyone – man or woman, young or old – anywhere, anytime and often without warning and that includes the management. In fact, 13% of workplace fatalities are from sudden cardiac arrest.

Many factors in the workplace can increase the risk of SCA or limit the timely delivery of potentially lifesaving defibrillation therapy.

- An ageing work force, particularly in industrial companies
- Work sites with high voltage equipment
- Urban locations, which may be difficult for emergency responders to reach due to the need to negotiate traffic, staircases, elevators, escalators or crowds of people
- Industrial campuses that may have tight security controls or spread out facilities
- Relatively remote locations, which may result in longer response times by emergency medical services.

FACK is *Families Against Corporate Killers*.

To get involved or to find out more:

Visit: [www.fack.org.uk](http://www.fack.org.uk)

Mail: [mail@gmhazards.org.uk](mailto:mail@gmhazards.org.uk)



## AN URGENT APPEAL

### Durham Miners' Gala needs Friends

The Durham Miners' Gala is 141 years old and has survived numerous strikes, lockouts, depressions, two world wars and the vindictive destruction of our coalfield. But if it is to survive into the future, it requires many friends.

Each year the cost of organising the Gala increases while the finances of the Durham Miners Association diminish. In looking to the future we are relying on the people who hold the Gala close to their hearts to donate on a regular basis to secure the future of the Gala.

Any person who donates £2.00 per month or over, by standing order, will become an official **Friend of the Durham Gala** and will receive an A4 glossy magazine packed with photographs of the Gala and a report of the speeches each year.

Please help ensure that this Gala, which is so important for our sense of friendship, community spirit and social justice, will continue. The Gala is the guarantee that the struggle and sacrifice our forefathers made for us will never be forgotten.

Please become a Friend of the Durham Miners' Gala.



### Why do reps do what they do?

Most trade union reps feel a sense of injustice and know something's wrong – it's more than just instinct. It not just something you do, you do it because you care. Its who we are...

### Why and how do we recruit?

More members make us stronger. If members feel part of something, that is the key. Talk to them and ask them. If they say no, walk away; don't be like a Jehovah's witness! A couple of weeks later, ask them if they are alright and want to have a chat. You can guarantee it works, because someone, somewhere, will always eventually have a problem in work...

### How can reps set a good example & follow best practice?

People have to be proactive. We need to organize. Banter is good. Point of contact is essential. Union subs used to be collected individually. A book would be taken round. The personal touch was always the best and what we need more of today. Say good morning, talk to workmates and take note of issues in their daily lives. Offer to help if there's something wrong. (Raise in branch meeting, for example, see a manager, Union lawyers) Finally, feedback to the person.

### Do Facebook, Twitter and other online media work as online recruitment tools?

Those are a few of many new ways of building solidarity – but the old ways are still the best, one to one. People are the bottom line – its all about making the right connections.

### What response would you give to those who say 'I don't believe in Unions.'

But you believe in democracy, right? Take away the unions, and what do you get? Dictatorship. Think of Britain without a voting system and you end up with a Saddam Hussein-style dictatorship, with no freedom of expression. The same applies with Unions.

Free managerial reign is a terrifying prospect, especially in Tory Britain. It's worth noting that a huge percentage of people in Britain didn't vote, so the unthinkable reality isn't impossible.

Our everyday working rights under constant threat and attack and anti-trade union laws are paramount to this government's ideological agenda. Without the people standing together, in solidarity, united as one, we won't have the strength

in numbers needed to protect our workers. Unions are there to protect the working man. Would you go into court without a lawyer? Don't go out on a limb in isolation or give the employer a foothold over you. Get protected and join the Union.

### And for those who comment their previous Union was unhelpful and corrupt?

Stress 'We aren't like that at all, in fact, we do things like this...' and use examples of how you and other people can prove the words you say in action. Not Unions should be tarred with the same brush because of one bad experience. Work with this Union to have your say and we will listen! (The BFAWU for example, is the largest independent trade union that doesn't make sweetheart deals.)

Following on from GFTU course 'Organising effectively' (a must for all trade Union reps) **ANDY** 'the Billy Graham of Trade Unionism' **BIRCHALL** and BFAWU Reps, **JOHN FOX** and **NICK HUGHES** (Hovis, Wigan) spill the beans on recruitment and the secret of 100% membership...



**ANDY LAW reports...**

### What have Trade Unions ever done for employers?

One only has to look to Germany – one of the few nations on earth to have a cash surplus – to realize how Unions working with employers can set a world alight. Britain – outside of Thatchers Union busting measures (reaping social, economic and political consequences still seen to this day) – saw workers develop the trade Union movement out of the Industrial revolution.

This led to the Labour Party, which in turn led to better Health and safety, preventing children and adults alike suffering horrific deaths in the name of budgets, targets and efficiencies. Trade Unions help make workplaces safer for employers through the tireless work of reps across the length and breadth of Britain. A BFAWU motion opposing the HSE cuts of 35%, following the increase in accidents and deaths at work, has been forwarded to the TUC. **NOT IN MY NAME – WE DIDN'T VOTE TO DIE AT WORK.**

### I can't afford to be in the Union?

Its less than a pint (a week) to protect you and your mates! Explain we all have financial pressures, but for less than a few tins of lager or a bottle of wine – and with the uncertainty of job security – can you afford not to?

### What benefits does the Union offer to me?

Above all else, protection (as well as benefits.) [www.bfawu.org](http://www.bfawu.org) or speak to your local Union rep or branch secretary.

### How much of a difference do extra numbers make?

When there is extra strength in numbers and we are a proactive, reactionary force – working collectively and not individually – it makes us more powerful and effective. We have better bargaining power and money.

### What about those who cannot be proactive Union members?

Even just being in the Union to pay subs makes a big difference, as money is going towards organizing the Union, protecting you daily and improving benefits.

### Should casuals or part-time workers join the Union?

Yes – they are more vulnerable to threats than full time staff. The fact that Premier Foods Stoke (Manor Bakeries) and Premier Foods Wigan (Hovis) have kept the wolf that is agency labour from the door is because of the strength of the

Union branches there. This has been used as constant tactic to recruit; upon speaking to casual staff who don't join the Union, in response to the frustration of been laid off, its worth pointing out the entire reason they are in a job is because the Union has opposed agency labour.

### **What about freeloaders? Do they reap all the benefits of contributing BFAWU members?**

Although the Union are responsible for breaks and pay rise settlements that all automatically benefit from, freeloaders (that is, people not paying into the union but still attempting to benefit from its services) are not entitled to free legal protection for them and their family to and from work, representation from the Union during disciplinary measures, sick pay, free courses offered by the BFAWU learning centre or the new cashback bonus scheme to name a select few.

### **Can a non-member just join on the spot if a problem in work arises?**

If the Union has been the contempt of the non-member, there is a good chance that the answer maybe NO. Primarily, if the person fills the Union membership form in first, representation will in many cases be provided, but with no guarantees – is it really worth the risk? Stop freeloadng and putting yourself and others at risk. JOIN TODAY!

### **What about people who don't see themselves as a part of the union?**

Engage them! My wife thinks I'm mad. At 8 o' Clock one Friday night I got a phone call from one of these sales people. I did them a deal. I would answer their questions if they answered mine. I asked them about the working conditions, it not been a great time to work, then told them "it's no good, you should join the Union, mate!"

### **Any stories of what the Union has done for you personally?**

Well, the free lawyer bonus for one. My neighbour was putting up a boundary fence that was going to be quite high. I didn't know what the height allowance was so I called for the free half hour consultation.

They told me it should be no higher than 6 foot 6. Provided it didn't go any higher, I offered my neighbour a hand. I would have been none the wiser otherwise; a little bit of knowledge can go a long way.

### **Any accidents and injury claims?**

Me myself, actually. I had an accident in my car when I was hit by a 'white van man'. I was off work for three months and called the BFAWU. I couldn't work or get out in my car. But they said not to worry and the solicitor come to my house. The firm then sorted out my compensation...

### **How do we keep sacked or redundant people in the union? What strategy should we use?**

Before the person goes, remind them to 'give us a call whenever you need us, we're on your side' and offer them a standing order form.

### **Please give a few examples of the BFAWU/Union recruitment success in Wigan.**

- An employee from Blockbuster Video was sacked for joining the BFAWU Union, which is discrimination and against the Law. The cocky employer ("it's got nothing to do with you" syndrome) was soon left on the back foot by the BFAWU rep, re-educating his lack of understanding. The employer has an advantage knowing the worker is not in the Union.
- A BFAWU recruit who works self-employed in a computer shop now recruits members.
- Upon speaking to the 'fed up' hotelier in the Imperial Hotel, Blackpool (host to our two day course), when asked if she was in a Union, she told Nick 'it wasn't allowed'. Not that it should come as a great surprise, given the portraits of Tory Prime Ministers shaming the walls of this otherwise grandiose hotel.
- UNITE in Wigan spoke to ten people in the local pub, telling them to 'give us a call' if they had any hassle in work, offering to represent them.

Andy Law



Delegates on an organising course relax after a hard day's learning in Blackpool



**IN THE CONCLUSION  
TO HIS ARTICLE  
IN SUMMER  
FOODWORKER,  
JOEL SMITH  
LOOKS AT THE  
PROTECTIONS  
OFFERED BY THE TUPE  
LEGISLATION**

### **TUPE protection against unfair dismissal**

An employee may be unfairly dismissed if the reason for their dismissal is the transfer itself or a reason connected with the transfer.

As you would expect in a profit-driven economy, the protection given to employees is limited. TUPE allows an employer to dismiss employees lawfully after a transfer where the reason is an economic, technical or organisational (ETO) one.

In the current economic climate employees become more vulnerable to employers using this 'get-out' clause. For an employer to demonstrate that it has a valid ETO reason, the key test is whether there is a proposal for a reduction in the number of employees required to undertake the work. If overall the employer wants to maintain or increase the workforce numbers the dismissal of particular employees may well be unfair. However, where proposals mean that there will be fewer employees doing the work than before, the employer may well be allowed to dismiss under TUPE – subject to the normal rules governing dismissal.

# **T.U.P.E. LEGISLATION WHAT IT MEANS TO YOU**

## **TUPE – protection for Terms and Conditions**

If a new employer takes a contract of employment because of a TUPE transfer, employees can accept improvements to terms and conditions. In contrast, the employer cannot reduce or ignore existing terms and conditions – even with an employee's agreement (a process known generally as *harmonisation*).

This is something that an employer may want to do, particularly if its own 'original' employees are on lower terms and conditions in comparison with those employees who have transferred in.

It is *essential* that **archives** of the terms and conditions of employment at a particular workplace are kept by trade unionists, particularly where members are affected by a TUPE transfer. For example, I dealt with a case for trade union members where they needed to rely on records of terms and conditions from 1996 when they had been transferred to another employer. Just about everyone had forgotten about the terms concerned but the records had been kept by the union, which was very helpful.

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### ***The stated purpose of TUPE was to stop a race to the bottom in terms of pay and conditions***

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However, under TUPE an ETO reason not only allows an employer to dismiss employees following a transfer, but also enables it to alter the transferred employees' terms and conditions. There is no particular time limit on this.

Again, in order to take advantage of this exemption from TUPE the employer must demonstrate that the changes to terms and conditions also require a reduction in the number of employees undertaking the work.

If an employer seeks to change all employees terms and conditions and not just the transferred employees then other rules will apply.

## **Protection of working conditions**

TUPE provides some protection to employees' working conditions (which are distinct from their *contractual* terms).

If employees experience a substantial reduction in their working conditions they might resign and claim that they have been dismissed. Working conditions can cover a broad range of circumstances, but might include, for example, a change in the location of their workplace meaning that their daily commute has significantly increased.

However, the problem with this element of the protection is that, for most employees, walking away from a job – even if the conditions are worse – is not a viable option.

## **Government attacks**

It comes as no surprise that government ministers, having enjoyed 'evening suppers' with rich and powerful business leaders, have now turned their attention to the supposed 'red tape' imposed by the TUPE Regulations.

The government is seeking to find ways to water down some parts of the regulations introduced in 2006, even though they introduced greater clarity for all, both employers and employees.

A recent call for evidence by the Department for Business, Innovation and Skills sought views on whether certain aspects of the regulations are a burden on businesses. There is no evidence that it does, but this is a government that seems happy to accept anecdotal evidence provided by the powerful business lobby, rather than the statistical kind.

However, amending or watering down the TUPE regulations may not be legally possible under the European Union directive, around which the regulations are built.

The stated purpose of the TUPE regulations was to stop a race to the bottom in terms of pay and conditions. In this respect it has not been entirely successful, but it remains for the trade union movement an important restriction upon employers to simply do what they want, when they want to.

The trade union movement will need to remain vigilant as to what the government proposes to do and potentially campaign against proposals on TUPE alongside other attempts to reduce employee protection at work.



*Margaret with Ian in The Gateway*

## ONLINE BASICS AT MANOR BAKERIES, STOKE

MARGARET COOK HAS BEEN at Manor Bakeries Stoke for 35 years and currently works full-time in the wrapping section. Margaret has seen a lot of changes in the industry with new equipment and different ways of working being introduced in the workplace, so when *The Gateway*, the new learning centre, opened Margaret saw it as an opportunity to try something different herself.

Courses are being run for English, Math and Basic Information Technology. Margaret went along to talk to the ULR, Ian Day, about learning the basics of IT but didn't want to commit to a 'taught' course. Ian showed her how to get on to On-Line basics, explaining that she could learn in her own time.

Margaret says:

*"The Gateway is a nice relaxed area to work in and I go there for an hour every Wednesday 10.45am – 11.45am. Help is there when I need it and I am able to work at my own pace with no pressure. Going to learn something new I felt quite apprehensive but after a few sessions felt a lot more comfortable"*

She went on to say, *"I would like to say a big thank you to Ian Day for being very helpful and supportive while I was in the centre."*

**If you want to enrol on any of the courses in your learning centre, see any of the ULRs on site and they will help you to get online too.**

### John Baxter (1944–2012)

If you read any issue of Foodworker up until last year, you will find the small print on the bottom of the last page details who produced it: Tecmedia Limited. Managing Director **John Baxter** was a charming, clever and witty contributor across the board of BFAWU publishing. If you have a union application form, a handbook, a business card or if you have used a



Freepost envelope, the odds are that it passed through John's hands at some point. His input was enormous and helped to shape BFAWU's identity for members.

A graduate of Nottingham University, John worked in journalism for many years (a lifelong member of NUJ) before taking over Tecmedia, a publishing consultancy.

John passed away last week after a long but characteristically stoically-borne illness. He leaves behind him Joanna, his wife, together with many saddened friends and colleagues. Our thoughts are with them.

**Ronnie Draper**

## LASPO: LOOK TO THE UNION FOR HELP

THE GOVERNMENT HAS pushed through its devastating attack on access to justice for injured people despite massive opposition from the trade unions, the Labour Party, victim support groups and civil rights organisations.

As a result of the **Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act** becoming law people injured in workplace accidents, or who develop diseases related to their work, will find it hard to persuade a solicitor to take on their compensation claim, unless they can pay lawyers fees themselves or they are a trade union member.

These reforms will come into effect next April, they rip up the current arrangements that enable genuinely injured people to get legal representation without the risk of having to pay from their own pocket if they lose their case.

The law says that the injured party has to prove who was legally to blame for their accident and that they were injured as a result. All the defendant, (normally the employer's insurance company) has to do is deny they are at fault.

The current system is knocked by government and the media because they say it encourages a so-called compensation culture, but it is the only way that someone involved in an accident can pursue justice.

### No win, no fee... no solution

No win, no fee agreements work on the basis that the guilty party pays the insurance premium that a claimant takes out to cover the costs of things such as medical and expert reports should they lose. Such reports are usually vital in order to prove who or what caused the accident that led to the injury, the exact nature of the injury and the short and long term prognosis. But they can cost hundreds or even thousands of pounds.

From next April, someone with a less than straightforward injury, where the cause of the accident and the nature of the injury are less than obvious, may find that lawyers ask them to pay in advance for the considerable costs of such outlays, because insurance premiums will no longer be paid by the losing defendant.

At present the insurance premium covers the costs of disbursements if the case is lost. The lawyer involved does not get paid. The injured person doesn't have to pay anything.

### Success fees, but what does 'success' mean?

To recognize the risk that they won't get paid, claimant lawyers get a 'success fee' from the guilty party in successful cases. This enables them to take the financial 'hit' in unsuccessful claims.

Under the new rules the success fee will no longer be met by the other party. Instead, up to 25% of the claimant's compensation can be deducted by their lawyer as a success fee. It cannot be right that a successful claimant does not receive their compensation in full. They didn't ask to be injured, after all.

The reality is that lawyers will choose not to take on cases for victims of injury and industrial disease that they cannot be sure they will win. People whose cases are anything but straightforward, which is often the case with workplace accidents, and who aren't in a trade union, will find that lawyers won't be prepared to take on their case because of the risk of not getting paid.



### Free personal injury advice and representation to help you put your life back together.

#### Don't be left counting the cost, it's your right to claim.

An injury or illness can have a devastating impact, many years after they occur. Difficulties working, expensive treatments, travel costs, not to mention the emotional price you and your family may have to pay.

Why should you be left counting the cost if it wasn't your fault? The answer is simple, you shouldn't.

As a BFAWU member, our legal team is here to get you the compensation you deserve. Our solicitors will act as fast as possible and 100% of the compensation received is yours - no hidden charges, no nasty surprises.

And remember, changes to the legal system may mean it is harder to claim after April 2013. So if you have been injured in the last three years, **contact the BFAWU about making a claim now.**

**Call the BFAWU Legal Helpline on 0800 587 7518**



Thompsons Solicitors is a trading name of Thompsons Solicitors LLP  
Watkins & Gunn Solicitors, MWR Solicitors and Thompson Solicitors are regulated by the Solicitors Regulation Authority.

### Attacking the compensation culture

The reason the government has made these reforms is, it claims, to curb the huge rise in compensation claims. But the vast majority of claims are for injuries sustained in road traffic accidents. It is these that have been rising disproportionately.

And yet, because such claims are usually uncomplicated, it is unlikely that the reforms will do anything to reduce their number. Ministers say they don't want to stop the victims of workplace accidents and industrial diseases claiming compensation, but they refused to exempt such claims from the Act.

The plans won't save any money for the government either. We will just see more injured people reliant on the NHS and benefits when compensation for their accident would have helped pay for their care and rehabilitation.

Only the insurance industry will benefit from the changes because it will have to pay out less as people will not be able to claim.

### If you have a claim, the Union will support you!

These changes have a significant impact on union members. The BFAWU is working closely with its solicitors to work out ways in which claims can still be supported and will keep members informed. But if you or a member of your family think you have been injured through no fault of your own, don't delay in contacting the union's legal service.

Claiming now may make all the difference.

**Call the BFAWU Legal Helpline now on:  
0800 587 7518**



## TORCH BEARERS!

WITH THE INSPIRING BACKDROP of the unique **Olympics** mosaic, Fox's Biscuits of Batley welcomed the Olympic Torch into their canteen on 20th July.

Passing pentathletes and non-athletes were able to have a picture taken with the torch after making a contribution to the canteen fund. In this way, we raised **£87.00** which is to be donated to **Cancer Research UK**.

The torch was brought in by **Alex Dumitru** (above left, in the olympic tracksuit).

Alex is a BFAWU Health and Safety representative at Fox's.

Alex was chosen to carry the torch because of his charity work. He carried the torch in Leeds City and said it was a privilege to be asked to take part and he would treasure the memories of what was a fantastic day, forever

The person next to him is **Craig Oakland** who is a shift manager at Fox's.

Another proud charity donor was **Peter Pratt**, shown above with the torch.

Incidentally, the Olympic mosaic was made (by Fox's office employees) of party rings and custard creams! Thanks again to Fox's for making this possible.

**Helena England**  
BFAWU, Branch Secretary  
Fox's Biscuits, Batley



## Pat's Petition

WHEN I WAS GROWING UP my Great Uncle and Aunt owned and ran a small bakers shop in Burnley – just the two of them working long hours, baking their wares and delivering locally. Times were hard and eventually they had to sell the shop. Not as a *going concern* but to be restored to a private house.

Ill health overtook my Great Aunt due to the type of work she did but fortunately there was support (both financial and care) through the Welfare System – a system people thought would always be there to support in times of need.

**Wrong.** Disabled people, their carers and families are now facing cuts to services from every source. Not only are they losing vital disability allowances but the social care they desperately need as well. You think of any service or help a disabled person would need and that will no longer be available.

It is unthinkable what is happening, but happening it is – all in the name of saving money. Oh yes, these cuts have been tarted up with clever use of propoganda but the end result is the same.

**Pat's Petition** was born to help reach people who could not attend protest rallies or marches. It was a way for those people to express their real fears to the government and unite with one voice.

Support has come right across the whole of the UK – from a little limbless group on the Isle of Wight through to Clergy, disabled organisations, MPs and MSPs up here in Scotland. So many people care and sign. It has been amazing.. Just myself and 6 other on line friends – all disabled and or carers. We have worked tirelessly to promote Pat's Petition and to date we have **41,500** signatures.

Join with me and let's show that we are not prepared to be destroyed. Sign the petition please.

Thanks, Pat Onions  
xxx



<http://epetitions.direct.gov.uk/petitions/20968>

# ANNUAL CONFERENCE 2012

## RULE CHANGES/NEW RULES

### 1 New rule

#### Branch 201 Hovis Avonmouth

That this Conference agrees that all local agreements need to be signed in conjunction with the Organising Regional Secretary, and all National agreements to be signed in conjunction with a National Officer.

### 4 Rule 1.4

#### Branch 201 Hovis Avonmouth

That this Conference agrees that rule 1.4 needs to show the meaning of the abbreviation FGPC – as mentioned in rule 20.8.

### 7 Rule 5.2

#### No7 Regional Council

Sickness benefit should not be paid during maternity leave, it should only be paid before and after said leave.

### 12 Rule 5.2

#### No3 Regional Council

Rule 5.2 Benefits-To reduce deferment period for unemployment pay from 2 weeks down to 1 week.

### 16 Rule 11.1 Complaints

#### Branch 201 Hovis Avonmouth

That this Conference agrees rule 11.1 after the 1<sup>st</sup> paragraph; If the complaint is about Branches not being elected in accordance with Union rules, the complaint should be made to the Organising Regional Secretary, so it may be forwarded to the RC or EC.

### 27 Rule 22.19. Election of the

#### Executive Council No3 Regional Council

That this Conference agrees that only members from the appropriate Region will take part in the election of EC members from their respective Region. The voting and counting to take place on the same day, with the results released before the close of conference on the said day.

### 29 Rule 22.21 Full Time Officials Executive Council

That this conference agrees that the full time officials committee can nominate a maximum of 5 motions at Annual Conference for one of their representatives to speak on. The full time officials committee

to determine the 5 motions and who will speak on their behalf. The individual official to speak can vary but no more than five motions can be spoken on behalf of the full time officials at any annual conference.

### Composite 1 (32, 33 & 34)

That this Conference agrees that we should have a strike fund. The said governed by the General Secretary and the National President. The fund could be raised from branches, Regional Councils at Annual Conference and the generosity of the National Executive Committee.

### 35 New rule

#### Branch 201 Hovis Avonmouth

That this Conference agrees that a new rule is added, to state when rule changes come into effect.

## GENERAL MOTIONS

### Rights at Work Motions

### 36 No5 Regional Council

Vulnerable workers – That Conference agrees to support Branch 582 in asking the Parliamentary group to lobby against the increasing use and abuse of vulnerable workers and a lack of protection from present legislation.

### 37 No5 Regional Council

Changes to agency labour laws – That this conference put pressure on this government to close all the loop holes in the agency workers laws and make companies follow the laws and changes and not at the detriment of the employee.

### 39 No5 Regional Council

Agency Workers – That this Conference agrees to support that agency and new starter workers receive the same terms and conditions as the permanent staff they are working alongside.

### 40 Branch 215 Postal Branch

#### Bill of No Rights

That this Conference condemns the new Bill of Rights which makes it easier to sack employees, and then making it harder for them to make claim to an Employment Tribunal for unfair dismissal. This is yet another attack on workers term's and & conditions and a form of slavery and must be opposed.

### 41 Employers' charter

#### No5 Regional Council

That Conference agrees to demand that the Governments' attack on employment law is challenged through the parliamentary group.

### 43 No5 Regional Council

Changes to length of time employers can dismiss or give out temporary contracts That this conference put pressure on this Tory government and consecutive governments whatever party to make changes to the laws on how long employers can keep employees on temporary contracts or shorten the time that companies can terminate employee contracts.

### 45 Greggs 580

That this Conference lobby Government to put in place a national grievance and disciplinary in place and ensure all Companies follow this procedure.

### 46 No3 Regional Council

That this Conference agrees to 'The Right to represent' members in the above process as a legal process for all employees. That we lobby the TUC to push the government to make it a right. Currently the Legal Right only covers employees in Disciplinary and Grievance Procedures.

### 47 Greggs 580

To protect union members from being put under extra stress from Managers who believe they have no procedures to follow.

### 48 No3 Regional Council

#### 'Branch Noticeboards'

That this conference agrees all branches ensure that 'union noticeboards' are active and updated.

### 53 No3 Regional Council

#### Hepatitis B Injections/ First Aiders

That this conference agrees that all companies should provide Hepatitis B injections for all first aiders within their workforce. The Hepatitis B injection is a three day course at £80 and would prevent first aiders becoming infected or risk of infection being minimised. Hepatitis B is contracted through bodily fluids, eg. blood, saliva, vomit etc. And once infected, it always remains within the system, and

# MOTIONS CARRIED 2012

could possible lead to ill health and death in the long term. All medical and emergency services are given these injections as norm under 'DUTY OF CARE'. Why first aiders in companies should be treated differently. Injections are strongly recommended by Medical Bodies, Environmental Health Groups. Anyone dealing with bodily fluids should be given this vaccine by their employers. In Europe, it is given free to everyone who is old enough to get this vaccination. We would ask if the costs to the companies would not outweigh the chance of catching this life threatening disease.

## 54 No5 Regional Council

To conference supports more efforts to utilise trading with national companies for the benefit of members and the union itself eg. stair lifts, disabled facilities etc.

## 55 Greggs 580

That this Conference agree to lobby this Government to ensure all schools have a national accident reporting system just as in work places to help monitor accidents in schools.

## 56 No3 Regional Council

Employers using cheap companies to keep costs down when issuing footwear. It is up to our members to ensure footwear provided is suitable as per the Personal Protective Equipment at Work Regulations 1992.

Conference agrees to conduct surveys across the branches to evaluate and challenge employers as this is clearly a major issue in our industry.

## 57 Manor 390

That this Conference supports a motion to lobby the Government to review and revise the decision to cut the Health and Safety Executive budget by 35%. We currently are in receipt 125,000 accidents and 900 deaths a year – actions undertaken to reverse this trend would be in the best interests of both employee and employer. We reject claims that Health and Safety is a burden on workplaces as there cannot be a price put on saving lives. Everyone should be entitled to the dignity of the safest workplace possible. I ask you to support the motion.

## 58 Branch 505

That this conference opposes the government proposal to share NHS details with private companies.

## 59 No2 Regional Council

That this Conference says NO to privatising our health service. Hands off Danny boy. We are the biggest stakeholders in the health service. We must not let them take this away from us. Those who go abroad for operations and pay up front and then bill the NHS is a form of queue jumping and must not be allowed, only the rich can afford this.

## 60 No2 Regional Council

This Conference supports that the Shadow Secretary for Health. His anger at pay cuts from 30,000 nurses and demotions as hospitals try to fill a £30 billion hole in their finances. Just emerged.

## 61 Branch 450

That this conference agrees to lobby the health minister to scrap prescription charges for asthma sufferers. People should not have to pay for a condition such as asthma which is out of their control and needs regular treatment.

## 62 No3 Regional Council

### Fat Cats Pay in the NHS

That this conference condemns the huge payments given to Consultants Doctors, Health Officials etc. while nurses face pay cut/pension increases that will cost them thousands of pounds in pay cuts.

## 63 No3 Regional Council

That this conference agrees that the age of breast screening for women should be reduced from 50 years of age to possible 35 years of age, as it is the most common cause of cancer in women 35 years of age and under in the UK.

## 64 No3 Regional Council

That this conference agrees that the aids awareness campaign that was last seen in the 1980s be brought back as six thousand at least new cases of HIV are reported in the UK a year, the young and the old alike needs to be made aware that this disease has not gone away.

## 65 No. 7 Regional Council

Conference agrees that were private cosmetic surgery has been under taken ,the NHS should not have to pick up the bill if the said surgery goes wrong or found to be faulty.

## 66 Branch 505

That this conference calls for the Bank reforms to be implemented with immediate effect.

## 67 Manor 390

The Union calls for the Government to forcibly nationalise the Banks.

## 68 Birmingham/West Midlands District Branch

### British Troops out of Afghanistan

This conference is mindful of the continued loss of life amongst British troops in Afghanistan. It would seem that government and military consider our troops to be expendable.

This conference agrees that this carnage must not be allowed to continue and calls for all British troops to be brought home within the next twelve months.

Let the government do something the majority of British people want:

*'BRING THEM HOME ALIVE, NOT IN COFFINS'*

## 69 No2 Regional Council

That this Conference supports that we should all share the belief that *Occupy Bristol* and *St Paul's, London* is a force for good as it expresses common hopes and dreams of us all, fairness for all in society and a more just world.

## 70 No2 Regional Council

That this Conference agrees that Whitehall's catalogue of excessive spending on Government credit cards must stop. Spending as high as £25 million in a year is excessive spending – despite orders to tighten their belts and cut budgets.

## 71 No2 Regional Council

That this conference agrees that new Labour fed the greed of the fat cats. For example, boardroom salaries have risen 500% since the 1980s while average pay has risen three fold. These salaries didn't start rocketing in May of last year. They took off in the first decade of this century under a party called *New Labour*. Company bosses now take home 145 times the average wage in his Company. *What a scandal!*

## 72 Greggs 580

That this Conference lobby this Government to ensure supermarkets profits are monitored

# MOTIONS CARRIED 2012

to ensure our bakery industry is not forced to close due to supermarket price wars.

## 74 Branch 450

That this conference agrees to ask the government and all local councils to review the astronomical cost of funerals. The North West of England has the highest rate of 'paupers' funerals in the UK due in no small part to the inability of remaining loved ones to pay.

This issue is a sadly overlooked national disgrace and needs to be addressed. No one losing a family member should ever be worried about whether or not they can afford to pay for the funeral.

## Composite 2

The Union calls for the government to first nationalise then regulate the energy companies to put a stop to the ridiculous price hikes.

## 81 No5 Regional Council

**NEETs** (*Not in Education, Employment or Training*) – That Conference agrees to campaign against the record number of young people leaving school and education with no employment future and demand that both employers and the State create systems to address the scandal.

## 82 Manor 390

That this Conference calls on the Government to raise dyslexia awareness in the UK and better support for those affected, particularly in schools. Dyslexia is classed as a disability in the Equality Act 2010.

There are eight different types of dyslexia and ten percent of the UK population suffer, 4% severely. As a hidden difficulty, a large percentage of the UK still does not understand what dyslexia is. Many are severely disadvantaged in life as a result of this condition. Please support this motion.

## 83 National Vocational Qualifications Executive Council

That this conference agrees that we demand that this Conservative government reverses its decision to get rid of many of the National Vocational Qualification Courses.

## 84 No5 Regional Council

**Social Housing** – That Conference agrees to lobby the Government to build more council homes to alleviate the shortage.

## 85 No5 Regional Council

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

## 86 No3 Regional Council

That this conference agrees to support putting an end to the shameful treatment and Care of the elderly in today's society.

## 88 No5 Regional Council

I ask that this conference lobby the government to lower the age of retirement to 60 for all so that it may open jobs up for the younger generation to step into.

## 89 Branch 215 Postal Branch

That this conference agrees that Francis Maude MP and his Tory mates who are ruthlessly slashing the pensions of millions of public sector workers but all the while are set to receive a gold plated pension for themselves. These hypocrites need to be told that we are not all in this together.

## 91 Manor 390

That this Conference supports the continued fight for an International Labour Law and the use of boycotts on multinational corporations who fail to acknowledge the legitimate right of workers to form and or join trade Unions.

All over the world, online pressure groups such as Labour Start, IUF and the International Federation of Trade Unions bring to our attention brothers and sisters who support trade unions face blackmail, threats, loss of jobs and even death to either form part of a trade union group or set one up. Please support the motion.

## 92 Branch 215 Postal Branch

### Anti-Slavery Day October 2012

That this conference agrees that when the anti-slavery day comes around each year it possibly involves more people than the African slave Trade of the 1600s & 1700s. We as a union and a nation need to stand up and oppose this vile trade.

## 95 Branch 450

That this conference agrees that National Officers expenses be more transparent to members.

## 97 Branch 450

That this conference agrees that the subject of full time officials being reimbursed for broadband be addressed. This is not trying to say we should not be paying this. This is to say we should be paying a competitive amount per month not top rate.

## 98 Branch 450

That this conference agrees for the Executive Council to consider the implementation of a one off payment in terms of BFAWU contributions for retired members to cover their membership indefinitely. Retired members could then be given the option of whether or not they want to be informed of quarterly branch meetings.

This may significantly reduce the administration cost of writing to retired members to ask them for £0.56 in contributions. Unions such as Unison have implemented this with great success.

## 99 No5 Regional Council

**Legal Aid** – Conference we ask your support in lobbying Government to protect the legal aid allowances.

## Emergency Motion 1

That this conference calls for support for our brothers and sisters at RF Brookes (Leicester), who will be taking 'strike action' for four days commencing this Thursday, defending their 'redundancy package'.

## Emergency Motion 2

That this conference agrees that when a union official is dismissed this union will bring to bear the full force of our National Office on the employer.

## MOTIONS REMITTED TO EXECUTIVE COUNCIL

### No3 Regional Council

#### National Elections

Conference agrees that Executive Council do an investigation to establish why only 15% membership actually voted in these elections; with a view to reporting back to October's regional council



# FINANCIAL STATEMENT TO MEMBERS 2011

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 2011, payments of £1160 were made to members of the Unions' Executive Council under Rule 21.1 (p)

**National Officers:** In 2011 the salary and other benefits paid to the General Secretary were £63,004, and to the National President, £60,998.

## 2 Income and Expenditure 2011

Total Income = £3,001,016  
Total Expenditure = £3,120,570

## 3 Contributions from Members

Contributions from members in 2011 totalled £2,551,809.

## 4 Political Fund 2011

Total Income = £76,653  
Total Expenditure = £67,751

## 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 mis-statements 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 2011 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).

### Haines Watt Gatwick LLP

Chartered Accountants

Statutory Auditors

Consort House, Consort Way

Horley RH6 7AF

10<sup>th</sup> May 2012

## 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 2011. Any member wishing to avail themselves of these Accounts should contact their Branch Secretary. Alternatively, copies of the Union's Accounts for 2011 and the Treasurer's Report are available from Head Office, free of charge to members.

**Ronnie Draper, General Secretary**

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