

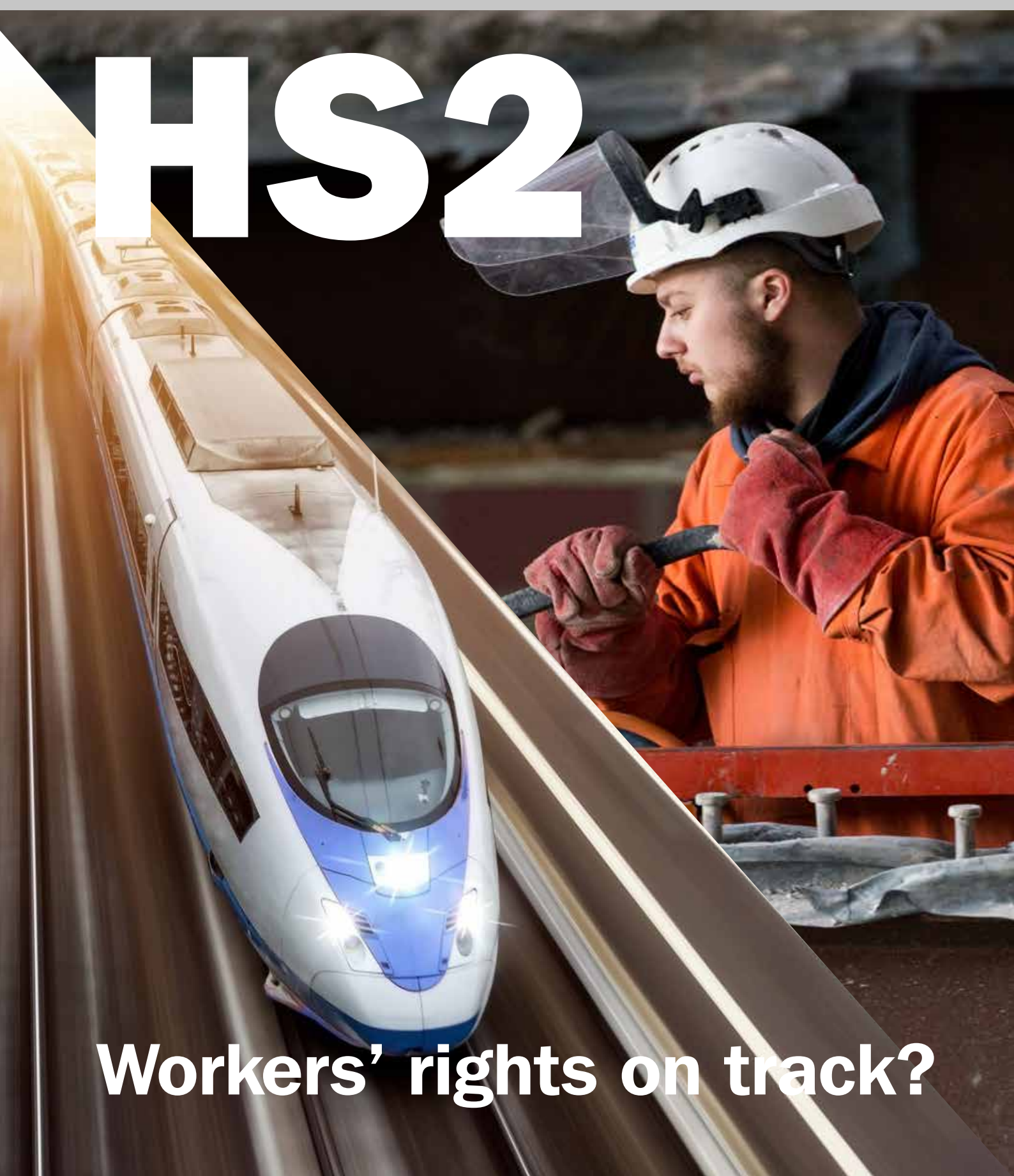
INSIDE: Lung health • CSCS update • IWMD photos

Summer 2019 The magazine for construction sector members

buildingWORKER



HS2



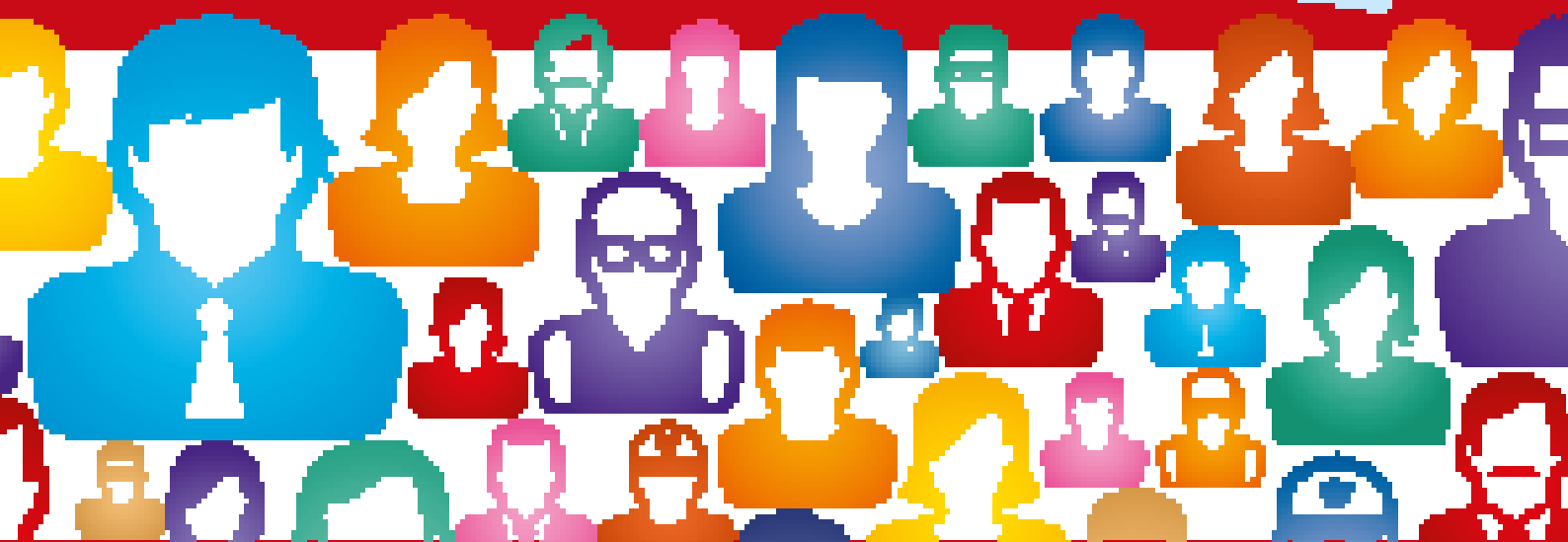
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Dear Colleagues,

If construction workers are to have their rights protected and paid a decent wage then it is essential industrial agreements are respected and the union can speak freely to workers on sites.

The refusal of the Costain Skanska Joint Venture (CSJV) to allow Unite normal access to workers, at Euston, part of the multi-billion pound HS2 project and thereby allowing relevant industrial agreements to be undermined is not only deeply troubling but entirely unacceptable.

The problems at Euston are detailed on pages 14-16. In an industry where work is temporary our industrial agreements bring an element of stability to a chaotic world, without them employers would find it even easier to drive down pay and workers' conditions.

What makes the Euston situation worse is that a framework agreement is already in place which should have prevented these problems from having arisen. Yet the client (HS2) has failed to step in and end this malpractice.

It was Karl Marx who said that "history repeats itself first as tragedy and then as farce."

If the problems at HS2 are not nipped in the bud, then the Crossrail fiasco is set to be repeated. On Crossrail a failure to ensure a working relationship with unions: led to low productivity, industrial relations issues, long delays and huge costs increases. The Crossrail project was conceived and started when construction union organisation was divided and blighted by competitive trade unionism. Unite is now the single signatory to all the collective agreements that cover the industry and we need unity not just in name but in purpose.

Unite's HS2 steering group is determined not to allow that to happen on HS2 it is not in the interest of our members or the public.

The need for onsite grassroots organisation is vital as construction is potentially a dangerous industry. On page 10-11 we focus on a silent killer. It is well known that construction workers are at greatest risk of inhaling the deadly substance asbestos. But every year many construction workers die and hundreds more have the quality of their life dramatically reduced as a result of inhaling silica dust.

I would urge all members to read the article and ensure that the health of you and your colleagues is not at risk. If unsure seek immediate advice. Of course the best defence against workplace hazards is strong union organisation so I urge you to use this edition of *buildingWORKER* as a tool to invite non-members into Unite. Together and united we are stronger.

Gail Cartmail

Gail Cartmail,
assistant general secretary



Shrewsbury pickets in legal victory

The Shrewsbury pickets have secured an important victory in their battle for justice to overturn their convictions for picketing during the 1973/4 national building working strike.

In early May the Shrewsbury 24 Campaign which represents the pickets was successful in forcing the Criminal Cases Review Commission to reconsider referring the pickets case to the Court of Appeal.

Midway through a judicial review taken by the pickets and funded by Unite, the CCRC, agreed to reconsider the pickets' case.

This was on two grounds, that original witness statements had been destroyed and this had not being declared to the defence counsel and the broadcast of a highly prejudicial TV documentary during the trial called *Red under the Bed*, the contents of which were contributed to by a covert agency within the foreign

office called the Information Research Department.

The judicial review was taken by four of the pickets Nick Warren (on behalf of his father Des), John McKinsie Jones, Michael Pierce and Terry Renshaw.

Two hours into the judicial review the CCRC conceded its actions had been incorrect and agreed to withdraw its decision of October 2017, it also agreed to pay the pickets legal costs.

The CCRC will now reconsider the pickets' applications and whether or not to refer the case to the Court of Appeal.

Unite assistant general secretary Howard Beckett said: "Unite is proud to be a long term supporter of



the campaign and to have financially supported the legal action. We will continue to stand with those impacted by this miscarriage of justice every step of the way."

"The right to organise, take industrial action or peacefully protest must never be taken for granted because those who wish to stop working people being able to defend themselves will always seek ways to do so."

Blacklisting cases settled

Unite's long running blacklisting cases have now concluded.

In the latest high court action Unite secured £1.95 million worth of compensation for 53 blacklisted workers, with the construction companies guilty of blacklisting also agreeing to pay Unite's legal fees.

Additionally, Unite was able to secure agreement for £230,000 to be paid into a training fund, administered by Unite and available to all workers who brought proceedings, with training not restricted to retraining in construction.

The latest court case builds on the 2016 court action which saw Unite

(including Ucatt which is now part of Unite) secure £19.34 million for 412 blacklisted workers.

Unite had hoped to force Cullum McAlpine, considered to be an architect of blacklisting, to give evidence under oath in court, however despite using every legal avenue available this proved not to be possible.

As a result Unite has renewed its demand for a full public inquiry into blacklisting to discover all the details behind the scandal, including the involvement of the police, security forces and the government. Unite assistant general secretary Howard Beckett said: "This is a historic agreement which provides

some degree of justice to a further group of construction workers who had their working lives needlessly ruined by blacklisting construction companies."



Lessons must be learned from Crossrail

Crossrail's delays are directly linked to the way it treated its workers



Malc McDonald

Unite has demanded that lessons are learned from the Crossrail fiasco, which will see the massive infrastructure project open at least two and half years late and massively over budget.

Many of the failures, delays and increased costs on the project are a direct result of management's refusal to engage with unions to create stable industrial relations.

Unite attempted to develop decent industrial relations on the project but the union was repeatedly rebuffed.

The poor industrial relations led to low productivity and a number of strikes. Crossrail was nicknamed the 'Hokey Cokey line' as work was repeatedly put in and then taken out.

The mismanagement on the project, was a factor in the wholly avoidable death of Rene Tiack in 2004. The problems at Crossrail are in sharp

contrast to other major infrastructure projects including Heathrow Terminal 5 and the Olympics, where clear industrial frameworks were agreed at an early stage.

Unite has supported a number of shop stewards and health and safety reps who have raised concerns about 'victimisation' after raising serious safety concerns.

Unite assistant general secretary **Gail Cartmail** said: "The delays and cost overruns at Crossrail are totally unacceptable. This is a public project, funded by the taxpayer and money should have been used efficiently.

Unite fought and won a high profile leverage campaign that should not have been necessary.

"Going forward it is essential that the lessons about poor industrial relations, which have undoubtedly led to problems and delays on the project are not repeated."

Unite's Cartmail elected deputy president of BWI

History was made in May during the Building and Woodworkers International conference in Brighton, Unite's assistant general secretary **Gail Cartmail** was elected as deputy president of the global confederation of construction unions.

It was the first time in the organisation's history that a woman has been elected to be a deputy president of the organisation.

It is also the first time that a member of a British construction union has held such a senior position within the BWI.

During her acceptance speech Cartmail said: "Today we have women on the BWI world board and world council structures, and since this moment, in the presidium. This is our joint victory. On my new position I will continue to fight for equal opportunities for men and women in the world of work, workers' rights and a better future for all."



Gail Cartmail is the first female deputy president of the BWI

Councils sign up to construction charter



The Southampton construction charter was signed in June between Cllr Christopher Hammond leader of Southampton council (left) and Unite South East regional secretary Sarah Carpenter (right)

There has been a major surge in Unite signing construction charters with local councils, in recent months. The charters help to ensure good practice on council funded construction sites.

This means that all future construction projects in these councils should follow a set of rules which will ensure workers are directly employed, national agreements are followed, unions are recognised, umbrella companies are outlawed, there are high levels of health and safety, apprentices are recruited and blacklisting is outlawed.

Three major councils in the West Midlands have signed up to Unite's construction charter.

Birmingham, Dudley and Sandwell all signed up to the charter during the spring.

Unite regional secretary for the West Midlands **Annmarie Kilcline** said: "The right to speak out on issues and

be paid a fair rate for the job is vital. The charter protects workers from bogus self-employment by ensuring workers are directly employed."

In the South East both Southampton and Milton Keynes councils have recently signed the charter, Brighton, Crawley and Hastings councils have already signed the charter in the region.

In the East Midlands Leicester city council has also recently signed up to the charter.

Over 40 councils in the UK have signed up to Unite's construction charter.

Once in place it is vital that council construction projects are monitored and that the relevant contractors are following the charter.

• *If you are aware of any projects where you believe a charter is being ignored contact your local regional officer.*

Unite ensures umbrella companies barred from Dundee council sites



Unite have cracked down on umbrella companies in Dundee

The Unite construction charter, designed to ensure good practice in the industry, has borne fruit in Dundee.

Last December Unite signed a construction charter with Dundee council. In June, Unite officer **George Ramsay** found that the charter was being breached.

Construction company Robertson Group had been recruited by Dundee to build new homes in Hill Street. Robertson was recruiting workers via employment agency O'Neill and Brennon which was then forcing workers to be employed via an exploitative umbrella company.

This was entirely contrary to the construction charter which stated that, workers must be employed on a 'PAYE basis under a contract of employment'.

After the issue was revealed the Robertson Group confirmed that all workers on the site had been moved to be paid directly on a standard PAYE basis.

A Unite spokesperson said: "Agencies attempt to force workers onto so-called 'umbrella companies', to off-load national insurance contributions and other benefits to the detriment of the worker."

Crawley maintenance workers prepare for industrial action

Housing maintenance workers employed to undertake housing maintenance on Crawley council homes are preparing to ballot for strike action.

The workers are employed by outsourcing giants Mears and Mitie.

There are 25 workers on the Mears contracts and 65 with Mitie. Both sets of workers have received just two meagre pay increases since 2010, during which time inflation has increased by roughly 30 per cent. Unite finally secured recognition for

the workers last year but despite this the companies have refused to enter into pay negotiations.

A consultative ballot has underlined the workers' commitment to undertake industrial action to improve pay.

Unite regional officer **Malcolm Bonnett** said: "Our members' standard of living has been cut to the bone by the meanness of Mitie and Mears and workers are simply not going to accept this any longer."



Housing maintenance workers have staged a number of protests Crawley

Taylor Wimpey supporting apprentices

Unite regional officer **Malcolm Bonnett**, recently visited the Taylor Wimpey development in Lindfield, West Sussex to witness the company's commitment to training bricklaying and carpentry apprentices.

In their south Thames sector the company employs 38 apprentices who are all directly employed. The visit was organised by Unite member **Donal Looney** a bricklayer master

tradesman who oversees some of the apprentices.

In their first year the apprentices work by themselves under the direction of a master tradesman before being integrated into the wider Taylor Wimpey project.

The apprentices can be easily identified on site as they wear green helmets compared to the other workers who wear white helmets.



Molly Hill apprentice bricklayer with Taylor Wimpey

Hinkley workers back period dignity campaign

Unite members at Hinkley Point have backed the union's period dignity campaign launched earlier this year. Following the launch of the campaign, Unite reps sought support for the campaign from the client and contractors at Hinkley Point. Particularly, that sanitary products were provided for free in all site toilets, but their approach was rejected. In response Unite's equality and

diversity rep **Gareth Fairburn** at Hinkley proposed that the branch fund the provision of the sanitary products, which members agreed. Details have also been provided of the campaign's aims in the toilets.

Unite's construction period dignity campaign has four aims.

1. Designated female toilets, that are accessible, clean and lockable

2. Handwashing facilities with running water and soap
3. A sanitary bin which is clean and regularly emptied
4. Sanitary products provided in a discreet location and ideally free.

Unite is campaigning for other sites to also adopt the construction period dignity campaign.

PAY AND BARGAINING

BATJIC workers secure pay

Workers operating under the Building and Allied Trades Joint Industrial Council (BATJIC) agreement saw their pay rise by 2.75 per cent in June, following negotiations between Unite and the Federation of Master Builders.

The agreement which is primarily used by small and medium sized enterprises

and came into effect on 24 June, will see general operatives/labourers receive an additional 26 pence an hour, while the advanced craft rate will increase by 34 pence an hour. Apprentice rates will increase by 2.75 per cent.

Travel and lodging allowances will also benefit from tax dispensation



Unite members will benefit from the new BATJIC pay deal

following several years when this was not the case.

Pay boost for cement and aggregate workers

Unite's officers have recently concluded a series of pay deals for construction product workers in cement, concrete and aggregates.

Workers employed producing concrete and aggregate products at Cemex, have received a 2.5 per cent pay increase. The pay increase was backdated to 1 April 2019.

Acting national officer Ian Woodland has agreed a two year deal for workers

at Hanson Cement for workers based at Ketton, Padeswood and Ribblesdale. Workers will receive a 2.5 per cent in year one. The year two increase will be in line with the consumer price index (CPI) plus half a per cent, with workers receiving a minimum of 2.5 per cent and a maximum of three per cent.

Meanwhile, at Hanson's aggregates, quarries and products division, following detailed negotiations Unite

members agreed a two year deal. The year one increase backdated to January 2019 will see basic pay increase by 2.7 per cent. In the second year workers will receive at least 2.5 per cent but this could be high as 3 per cent depending on the December 2019 CPI rate.

Workers at Lafarge cement and lime, have also agreed a 2.5 per cent increase on basic rates backdated to January 2019.

Pay increase for crane drivers

Workers at tower crane company HTC have received an inflation busting pay 3.5 per cent increase.

HTC crane drivers have received an inflation busting pay increase

Talks were led by Unite national officer Jerry Swain and were then agreed by members following a consultative ballot.

The pay increase came into effect at the end of June and will run for 10 months into April 2020, which means that it is worth 3.9 per cent in real terms.

CIJC workers receive pay increase

Construction workers employed under the Construction Industry Joint Council, the largest national agreement in the sector, should have received a pay increase at the end of June.

From June 24, rates increased by 2.9 per cent. The new minimum rates for CIJC workers sees general operatives paid a basic rate of £9.53 an hour while the minimum rates for craft workers is now £12.67 an hour.

If you are employed on a CIJC contract and your rates are below the new industry minimum rates, you should contact your regional officer for further advice about how to ensure that you receive the correct rate of pay.



Unite works with fellow trade unionists internationally to challenge the abuse and exploitation of construction workers abroad and in the UK. Recently two lay members took part in international events.

Support for jailed Turkish trade unionists



Paul Mooney the joint chair of the construction national industry sector council (NISC) attended an event this spring in solidarity with Turkish construction trade unionists who were jailed for taking lawful industrial action.

“I was asked to represent Unite as part of the International TUC (ITUC) /Building and Woodworkers International delegation going to Istanbul to discuss the situation of the trade unionists, who were jailed after demonstrating at the new Istanbul airport.

“The workers held a demonstration to complain about poor welfare/ accommodation units, withholding pay and very poor health and safety.

“During the demonstration the army and police used water cannons and brute force to break up the demonstration and systematically raided the accommodation units during the night and arrested the workers suspected of organising the protest. The arrested workers were

tortured and coerced into giving names of others involved.

“We met Dev Yap Is the union who represent the jailed workers. We heard harrowing tales of abuse to workers arrested and how the lack of health and safety was killing hundreds of operatives on the project, although the official figures state 55 deaths.

“We visited the site, accommodation and welfare amenities including sampling the food served in the canteens, which is free as part of the contracts negotiated.

“We then met with GA (the airports operators) to raise our concerns, they obviously played down the issues and claimed that they have nothing to do with the trials.

“Unite, the ITUC and BWI will continue to monitor the situation, in particular the trials of union activists and leaders.”

Paul Mooney

Bwi Global Activist Network Academy

Stuart Grice a member of Unite’s Executive Council attended a young trade unionists global activist network in Amsterdam in late April.

The idea of coming together was to address the issues that young workers face the world over.

Topics included: what is activism and why be an activist, recent successes and victory’s of the global union movement, social media and how to use it to campaign successfully and innovations in construction.

As part of the timetable we had an early morning site visit to the Afsluitdijk in Friesland a major dam and motorway that’s undergoing a massive improvement. From there we headed to Amsterdam to participate in their May Day celebrations and rally, BWI youth members led the march.

On the last day I was asked to speak on Unite’s campaign on blacklisting where I gave a comprehensive report on how the blacklist was discovered. I distributed the *buildingWORKER* magazine to all delegate’s which was well received.

Throughout the week one name came up time and time again. Skanska, from the HS2 project to mining and construction in Africa and the refusal to allow trade unions access on sites in the United States.



Young BWI delegates on the May Day march in Amsterdam

Looking after lung health at

When we talk about health and safety at work, most people in the building industry will think about accidents and broken bones – but sometimes the air you're breathing can cause problems with your lungs.

Occupational lung disease is more common than many people think. According to the Labour Force Survey – the largest household study of employment matters in the UK – there were an estimated 20,000 new cases of self-reported “breathing or lung problems caused or made worse by work” every year over the past three years. This resulted in an estimated 700,000 lost working days.

There are many different occupational lung diseases, including:

- **Allergic or occupational asthma**
- **Chronic obstructive pulmonary disease (COPD)** – a group of lung conditions including chronic bronchitis and emphysema that make it difficult to empty air out of the lungs because the airways have been narrowed
- **Pneumoconiosis** – a long-term and irreversible disease characterised by scarring and inflammation of the lung tissue
- **Mesothelioma** – a cancer in the lining of the lungs usually caused by breathing in asbestos dust.

So, which substances in the workplace can cause lung disease? “Occupational lung diseases can be caused by a very wide range of different dusts, gases, vapours and fumes breathed

in at work. These are found across various professions and industries including construction, quarrying, manufacturing, woodworkers, welders and stoneworkers,” says Professor **David Fishwick**, chief medical adviser at Health and Safety Executive (HSE) and consultant respiratory physician.

He continues: “When asthma is caused by work, for example, this is called occupational asthma. Some of the most common reported causes are flour dust, isocyanate-based paints, cleaning products, grains, enzymes, wood dusts and welding. Many other individual inhaled agents can cause asthma at work.”

The symptoms of occupational lung disease include:

- Breathlessness during tasks that aren't normally strenuous for you
- A continuous cough
- Coughing up blood.

Dr **Steve Holmes**, GP and Medical Adviser to the British Lung Foundation (BLF), says it's important to act fast if you feel you're becoming breathless at work.

“If you start a new job and you're becoming unusually breathless – or you seem to be much more breathless than your colleagues – see your GP as soon as you can. Quite often the breathlessness is linked to an allergic or environmental trigger, so seeking help quickly can stop the problem progressing into something more serious.”

Sometimes, however, it can take a while for the symptoms of lung disease

to appear – and as harmful particles are often invisible, damage can be being done without you realising it. So, it's important to make sure you're protected at work.

Dr Holmes says: “If you're offered protection use it and encourage colleagues to use it too. And if you're worried about what you're breathing in at work, the best thing is speak up.”

Professor Fishwick says: “Employees should speak to the person in charge of their work – the employer, the union or employee representative – about their health concerns. If you have any concerns about your breathing, it is always a good idea to talk about them.”

He says mentioning your breathing problems at work is particularly important to do if:

- Your breathing problems started during a specific job or work task
- Your breathing is worse at work, or better on days away from work such as weekends and holidays
- Other fellow workers are also affected with breathing problems at work
- You work with something already known to cause breathing problems – for example, flour dust, silica, asbestos.

“Employees have a right to have their health and safety protected at work,” Professor Fishwick says. “Both management and the workforce need to collaborate to address potential health issues.”

your work

He says employees should ensure they understand what they can do to prevent exposure, including:

- Ask your employer if the material being used, or dust/vapour/fume from the work activity is hazardous
- Ask your employer how the job should be done safely without creating risks to health. This information will normally be available after a risk assessment of the work has been carried out
- Follow all safe working procedures, including cleaning procedure
- Use controls such as dust extraction as you were trained to do.

If you are seeing a GP or health care professional about concerns with your lungs, and have worked previously in the construction industry, it's important to let your doctor know.

Dr Holmes says: "Some people worry about telling us their concerns, because they think they're taking up the role of doctor rather than letting us get on with our jobs.

"This isn't the case, because it's important we know your history - so if you've worked with dangerous substances, or you're in a profession with a risk of occupational lung disease and you're concerned about your lungs, tell your GP.

"If a patient came to see me with a persistent cold or cough, knowing they worked around lots of dust or asbestos would definitely be a help, not a hinderance."



Construction workers are at particularly risk from developing occupational lung disease

There's also one big thing that can help protect your lung health. Dr Holmes says: "If you're not a smoker, don't feel pressured to take it up so you can join colleagues during smoke breaks, and if you do smoke, the best thing you can do for your health is quit.

"The best way to quit is with a specialist stop smoking service - you don't have to do it without help, so talk to your doctor to find the right support for you."

The BLF and HSE are members of the Taskforce for Lung Health - a unique collaboration between patient representatives, health care professionals and other experts with a shared vision for lung health; to transform the care and treatment for patients and cut the mortality rate for lung disease, which has barely improved in over a decade.

Last year, the Taskforce published an evidence-based five-year plan covering all areas of lung health, including occupational lung disease.

For more information visit: <https://www.blf.org.uk/taskforce>

GO HOME HEALTHY

He didn't have anywhere in work where he could get changed or have a shower, he wasn't provided with overalls, the dust would be all over his clothes.

CHRISTINE MCGOUGH
TERRY, CHRISTINE'S HUSBAND WAS DIAGNOSED WITH SILICOSIS AGED 51

JOIN THE CONVERSATION AT #WORKRIGHT

GO HOME HEALTHY

They never, ever said about respirable crystalline silica. You must protect yourself and be aware of the regulations, you are protecting your own life and that of other people around you.

TERRY MCGOUGH
FORMER STONEMASON DIAGNOSED WITH SILICOSIS AGED 51

JOIN THE CONVERSATION AT #WORKRIGHT

Campaigning in Construction

All of the posters that have appeared in previous issues of Unite's publications library. To order copies for your workplace, contact your regional office who can arrange for them to be printed.

DON'T LET DEBT DRAG YOU DOWN

Construction workers, with variable earnings are vulnerable to money problems. If struggling to make ends meet don't ignore it.

If in doubt, concerned or threatened with bailiffs get immediate assistance

Speak to your Unite shop steward or call the Unite debt helpline on 0800 389 3431 or contact Citizens Advice

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Contact: Citizens Advice on their advice line
03444 111444 or go to
<https://www.citizensadvice.org.uk/about-us/contact-us/>

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WORK CAN AFFECT YOUR MENTAL HEALTH

Speak to someone before you unravel

YOUR GAMBLING - A PROBLEM?

If you need advice or support contact the National Gambling Helpline on
0808 8020 133
or via webchat at
www.gamcare.org.uk

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FIVE KEY to improve work

1. Only undertake tasks that you have been trained for and feel competent to carry out
2. Know who to contact if you are aware of a potential danger to you or your colleagues
3. Don't place yourself in danger. If in doubt don't carry out work until you are sure it is safe to do so

of buildingWORKER are available on
place, contact your regional officer or
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Don't suffer in silence

If you need someone to talk to and who is
willing to listen, contact your Unite
rep or official.

Alternatively, contact:

Mind www.mind.org.uk
0100 123 3393 or text 86463

Samaritans www.samaritans.org
116 123 (Free calls)

CALM (Campaign against Living Miserably)
www.thecalzone.net/about-calm/whatscalm/
0800 555555

WELFARE FACILITIES

What Your Workplace Should Provide

- Hot and cold running water
- Lockable toilets and showers
- Showers and toilets in sufficient numbers for men and women
- Toilet paper
- Hand washing and drying
- A seated area with sufficient seating for breaks
- Disposal bins for sanitary towels
- All welfare facilities to be cleaned on a regular basis
- Clear instructions on how to report concerns about facilities

WC

SOAP

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Please pull out and place on a workplace noticeboard

ACTIONS Workplace safety

4 Find out about the arrangements for First Aid and who to contact

5 Join Unite. Union workplaces are safer and record far fewer accidents

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Ending exploit



Unite demonstrators ask what other skeletons are in Costain/Skanska's closet

High Speed 2 (HS2) will transform the UK's railways, dramatically cutting journey times from London to the midlands and the north.

It is the biggest construction project in the UK and by the time the project is completed in 2033 it will cost in excess of £55 billion.

For such a massive project to come near to being completed on time and on budget it is essential that strict rules are introduced from the outset about how the project is constructed.

An essential element is that agreement is reached on the involvement of unions and how workers are employed.

It's the model used to ensure Heathrow Terminal Five and the Olympic Games were both built on time and on budget.

It's also a vital factor in ensuring major projects are completed safely. London was the first time that Olympics venues were completed without a single fatality.

An agreement between the unions and the client is at the heart of the very challenging project of building the new nuclear power station at Hinkley Point in Somerset laying out standards contractors must meet.

A similar agreement had been agreed between Unite, the TUC and HS2,

which establishes a framework for the construction of the project.

The lack of such clear union agreements were a major factor in the delays and the cost overruns and poor safety, which occurred on Wembley stadium and also on the Crossrail project.

The agreement for HS2 sets out clear rules on employment (barring bogus self-employment and umbrella companies), establishes that the relevant industrial agreements should be followed and acknowledges that contractors must recognise and work with trade unions. So far so good.

Station on HS2



The problem is that one of the major early contracts is continuously driving a coach and horses through the agreement, showing total disregard for both unions and the wishes of the client HS2.

The company is the Costain/Skanska (both of which were guilty of blacklisting their workers) Joint Venture (CSJV) which is undertaking the civil engineering enabling work at Euston.

The core problem is that CSJV is refusing to allow union officials normal access to the site canteen to talk to workers where they can join the union and raise concerns. Such access occurs on a daily basis on construction sites

the length and breadth of the UK and Ireland.

Without such access on a large site, where the workforce is constantly changing, it becomes incredibly difficult to protect workers and deal with industrial tensions and problems quickly and without major disruption.

Despite Unite proposing various compromises CSJV has dug its heels in and is refusing normal access. The response of the client HS2 has so far failed to ensure that its own agreement is upheld. It is our expectation that HS2 fulfills its pivotal role in protecting the rights, health and wellbeing of the workers on its site.

The spurious reason the CSJV initially stated that Unite had been barred from the site is to protect workers "health, safety and welfare".

When challenged on this nonsense CSJV doubled down on their assertions claiming that workers were too traumatised during their breaks to speak to a union official and needed to "decompress" after removing centuries old human remains from the St James Gardens area of the site.

This is disgusting and is literally playing with the wellbeing of its workers. Construction has one of the highest suicide rates in the UK and for every suicide there are 16 attempted suicides. If workers are disturbed about what they experience they need assistance.

Workers won't confide in management, for fear of reprisals. They will speak to union safety reps or their co-workers trained in mental health first aid.

By barring officials normal access to the site CSJV has deliberately allowed

a culture of fear and intimidation to fester with workers being blocked from raising concerns about pay, long hours, poor conditions, safety and blacklisting with Unite conveniently on site.

In a further sinister development the management at CSJV has sought to interfere and prevent Unite officials conducting the election of shop stewards.

It is not just on union access where the CSJV is showing contempt for workers. Soon after work began on the project Unite discovered that CSJV's preferred labour supply company Bowercross Construction Ltd was failing to pay accident and death benefits for workers. The payment of accident and death benefits which costs just £1.49 per worker a week, is a requirement of the Construction Industry Joint Council (CIJC), the relevant industrial agreement.

After Unite challenged the issue on the lack of accident and death benefit, CSJV said that it had conducted an extensive audit costing £60,000 and all other matters were in order.

That £60,000 was not money well spent. Bowercross is flouting the framework agreement on directly employing its workers, they are employed via an umbrella company for the first 12 weeks of their employment. Resulting in them being heavily out of pocket.

Once Unite raised this issue feedback from the workforce and the CSJV's own statements revealed that workers were being denied the correct holiday entitlement and were being underpaid overtime.

Under the CIJC workers are supposed to receive time and a half for all

HIGH SPEED TWO

additional hours after the first eight, Monday to Friday. On a Saturday workers should receive time and a half for the first four hours and then double time thereafter. Sunday is double pay for the whole day.

Workers for Bowercross and other sub-contractors who are working 60 hours a week, are only receiving basic pay for overtime Monday – Friday and just £3.50 extra an hour for Saturday work. The underpaid overtime is costing workers £100 a week.

On holiday entitlement workers were only receiving the minimum of 28 days of holiday a year, when the CIJC agreement clearly states it should be 30 days.

When Unite revealed these failings CSJV's senior management gave an immediate commitment that all workers would receive the correct overtime pay and those who had been underpaid would receive the correct back pay. A bill estimated to be over £1 million for the affected workers.

However, there was a twist. Workers were paid the correct overtime rates for two weeks and then Bowercross (with the support of CSJV) ratted on the deal. Claiming that they had discovered a "loophole" in the agreement which allowed them to not pay the proper overtime.

This was a complete fabrication. Their contention that they were paying above the CIJC minimum rates and so didn't need to follow the overtime rules, "as workers were better off" was completely incorrect.

Rule one of the CIJC rulebook says that the stated rates are minimum rates and employers are free to pay above them.

On a major site the CIJC rates are a safety net and only come into effect if work does not take place (for example in bad weather).

It is the actual rate the worker receives that should be calculated for overtime and other additional rates.

Unite national officer Jerry Swain said: "Workers on HS2 are being treated with contempt.

"HS2 should be the premier construction project in the UK but the contractors and subbies on the project can't or won't pay the workers correct rates of pay.

"It is imperative that HS2 management step down from their lofty perch and get involved. If this type of industrial dispute is not dealt with in the early stages of this huge project, they are only going to get worse as HS2 develops."

Unite has not stood still despite the attempts by CSJV to prevent trade union organisation. The union has held a series of demonstrations at the site, highlighting the exploitation that workers are experiencing and distributing information.

This has resulted in substantial recruitment of workers, with regional officer Vince McCoy arranging meetings off site with the workers.

HS2 dispute latest

In late spring Unite suspended action at the Euston site, in an act of good faith, to allow high level talks led by Unite assistant general secretary Gail Cartmail to take place in order to resolve the problems and create good

HS2 Overtime Scandal: The Truth

No loopholes

Overtime rates must be paid in full

- Unite exposed Bowercross for not paying the correct overtime rates and holiday entitlement was not being paid properly on HS2's Costain/Skanska joint venture
- Unite was told by Costain/Skanska project director Peter Jones that the correct overtime rates would be paid and that Bowercross had already received the money for this
- Skanska/Costain told the media: "The company concerned has been instructed to remedy this with immediate effect"
- Workers received the correct amounts for two weeks and then it was withdrawn by Bowercross as the company claimed there was a "loophole".

CSJV claims to have paid Bowercross your overtime. If this is true, what is happening with the money?

Don't get ripped off, get organised!



CSJV and Bowercross ratted on the overtime agreement

industrial relations on HS2 throughout the lifetime of the project.

In mid July those talks collapsed as CSJV refused point blank to allow union officials' normal access to the canteen during meal breaks at Euston. The client HS2 appears reluctant to step in and force the CSJV to do the right thing.

The gloves are now off and Unite will be using all options political, legal and principally industrial to ensure that union officials are allowed normal access to the site.

This is not just about the Euston site. Unless these problems are resolved now then industrial problems will blight HS2 across the lifetime of its development.

HS2 FACTS

- HS2 will connect London to Birmingham and then be extended to both Manchester and Leeds
- The entire project will be completed by 2033
- The project will cost £55 billion
- Workers on the CSJV site are losing £100 a week in underpaid overtime
- Companies guilty of blacklisting are denying Unite normal access to workers

CIJC OVERTIME RULES

- All hours over 39 hour should be paid at enhanced rates
- This applies to your actual hourly rate not the CIJC minimum rates
- Time and half to be paid after the first eight hours Monday – Friday and for first four hours on a Saturday
- All day Sunday and after first four hours on a Saturday, double time will be paid

CSCS Update

Major change ahead at CSCS

Having a Construction Skills Certification Scheme (CSCS) card or one of its affiliated organisation cards is essential for most construction workers to access sites.

There are big changes afoot at the organisation, designed to strengthen the scheme and improve services to members.

The purpose of CSCS is to register, record and demonstrate worker's competency. In recent years CSCS has moved to ensure all card holders have a relevant qualification as part of their card.

Site Visitor card

As a result of this policy the yellow site visitor card is already being phased out. All cards issued after 3 September 2018 will expire on 31 August 2020 and cannot be renewed. No new cards will be issued after 28 February 2018.

Affected workers need to apply for the appropriate card, relating to their skills, although in many cases the work being undertaken does not require a CSCS card.

Industry Accreditation

In a major development CSCS announced earlier this year that it will phase out industry accreditation (IA) often referred to as 'grandfather rights' as a way to renew for a blue skilled worker and the black managers card. Since 2010 industry accreditation has been closed to new applicants, but 60,000 card holders will still be affected by this decision.

Giving the reason for the decision to remove IA, Chief Executive at CSCS **Graham Wren** said: "Cards gained by Industry Accreditation are the only cards in the CSCS scheme which do not require the cardholder to achieve a recognised qualification."

All existing cardholders will be entitled to one more renewal. All cards based on IA renewed after 1 January 2020 will expire on 31 December 2024.

The long withdrawal period should allow experienced workers sufficient time to secure a new card. Workers who have a relevant city and guilds qualification can produce this to acquire their card and an academic qualification in a construction related area will secure a card.

If workers are members of a professional construction related body this will also secure a Professional qualified person (PQP) card. With the construction skills shortage widening, existing skilled workers are very valuable. It is in your employers' interest.

For workers who do not meet this criterion they may be able to get the relevant National Vocational Qualification (NVQ) via the onsite assessment process which is cheaper and potentially quicker. The Construction Industry Training Board (CITB) will be able to inform you if this is available in your area. Contact the CITB by calling 0344-994-4433.

Alternatively workers should sit down with their employer and discuss how to secure the appropriate training. If the company is registered with the CITB grants are likely to be available.

Service improvements

After 20 years CSCS is finally disconnecting itself from the CITB contact centre.

From next year the application process for a CSCS card will be undertaken by Teleperformance, based in Northern Ireland.

The telephone application and renewal process will be quicker but the major advance is that the entire joining and re-joining process will be available



CSCS cards are essential on most sites

online for the first time. Cardholders will receive direct communications informing them of when their card will expire. An app will also be developed to allow CSCS card holders to manage the card for themselves.

As a further bonus cardholders despite the proposed improvements in the service there are currently no plans to raise the cost of the card.

With the construction skills shortage widening, experienced workers are very valuable. It is in your employers' interest to ensure you continue to hold a CSCS card.

CSCS FACTS

- 60,000 workers have a CSCS card supported by Industry Accreditation (IA)/grandfather rights
- All workers whose card is based on IA can renew their card one more time under existing arrangements.
- All CSCS cards based on IA will expire on 31 December 2024
- After that date workers will need a relevant NVQ to secure a CSCS card
- Workers can achieve an NVQ through onsite assessment via the CITB call 0344-994-4433
- Workers should sit down with their employer to secure the appropriate training.

International Work Day 2019

Remember
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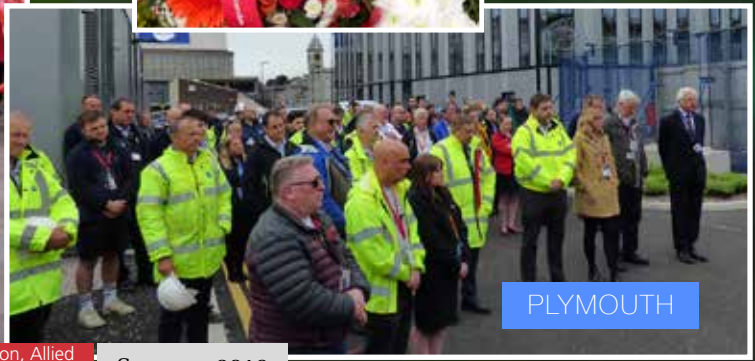
LONDON



STOKE



SANDWELL



PLYMOUTH



Workers' Memorial

Remembering the
fighters
living



PORTSMOUTH



ABERDEEN



CORBY



WOLVERHAMPTON



DONCASTER



MANCHESTER



LEICESTER



INVERNESS

ON THE CLIFF'S EDGE: skills shortages in UK Construction

There's a rocky road ahead for the UK construction sector. It's getting a lot tougher to find skilled labour, and the new blood entering the industry can't keep pace with the old hands bleeding out of it. The cliff edge of the skills shortage is in plain view to everyone, and it's rapidly pushing up project costs (along with wages) across the country. Stress fractures throughout the industry have investors shying away – but there are still ways to tackle them. What's needed is a major shift in how UK construction thinks, talks and cares about its workforce.

Construction's image problems are long-standing. In fact, it's in serious danger of drifting out of the careers conversation altogether. When we talk about construction, we're not properly highlighting its rewards, potential or prospects. Despite being one of the UK's most aggressively innovative sectors, we're still stubbornly analogue in an overwhelmingly digital world.

With emerging technologies, we're casting our employment nets wider. The trouble is, the more we rely on transferable skills from other sectors,

the harder we have to fight to keep people from transferring out.

Meanwhile, workers' mental health in the industry is undergoing a silent crisis, with soaring suicide rates and a toxic 'tough it out' culture. At the same time, with the largest gender pay gap of any UK sector, construction is filtering out huge numbers of promising candidates by slamming its doors on women and restricting the advancement of those who break in.

UK Construction depends heavily on overseas labour – much of which could easily be choked off in post-Brexit Britain. Even if there's an effective solution for that, the present uncertainty alone is thinning out an already overstretched workforce.

Unrestricted access to EU workers after Brexit seems unlikely at best, and we're starting to see a reaction to that.

While it's a stretch to see the skills shortage as an overall positive for construction we're seeing fierce competition for skilled hands driving construction workers' wages up. Hourly rates for crawler crane operators

are already up by 88 per cent in the last four years, for example. In fact, everyone from maintenance carpenters to elevated work platform (EWP) operators are seeing rates skyrocket.

In addition many workers are now travelling much further to cover more jobs we're already seeing travel tax refunds shooting up at RIFT. Average HMRC pay-outs claimed through RIFT are 9 per cent higher than last year, and the upward pressure's only building with firms fighting to attract skilled workers all across the UK.

No single measure will solve the skills shortage overnight. Tackling it will take a much broader understanding of what the industry is and can offer. That's the real message, and we need to send it loud and clear. In the meantime, talk to RIFT about getting the most out of your yearly tax refunds. With 20 years at the top of the refund business, you're always better off with RIFT.

For further details: go to RIFTrefunds.co.uk/Unite, There is a dedicated phone number for UNITE members 01233 653947.



RIFT

Construction workers are travelling further for work increasing travel expenses

Mark Thomas

Construction scams on trial

Unite's strategic cases unit, has launched mass legal action on behalf of workers who are being denied employment rights and are suffering deductions from their wages which we believe to be unlawful, when being required to work via a payroll or umbrella company. The legal case is being taken on behalf of around 40 Unite members who work for a company or companies within the labour supplier Munnelly Group.

The new cases are being taken against five different Munnelly Group companies (Munnelly Support Service Ltd, Munnelly Group plc, Bishopgate Contracting Solutions Ltd, Munnelly Security Services Ltd and Guardior Security Ltd). The Munnelly Group provides labour to many high profile construction sites and has provided labour on HS2.

What makes the case particularly significant is that while Munnelly is primarily a logistics company that provides workers to major construction sites, it channels the same workers through its own subsidiary company, Bishopgate Contracting Solutions Ltd, to be paid. Bishopgate seemingly then place the workers on payroll or umbrella company contracts and deducts a set amount from the workers' pay for their services, whilst denying the right to paid holidays.

The fresh legal action is building on the landmark case which Unite won last year on behalf of our member Russ Blakely.

The claims challenge the employment status of members (whom we believe are "bogusly" self-employed) and raise unlawful deduction of wages, in respect of the company's margin that

is deducted from the workers' wages and the lack of holiday pay. In several of the cases Unite is also pursuing Munnelly for the deduction of the apprentice levy from workers' pay, as well as breaching the right to paid holidays.

It is understood that Paul David Munnelly is a director of Munnelly Group Plc, Munnelly Support Service Ltd and their in-house payroll company, Bishopgate Contracting Solutions Ltd, as well as five other group companies that all share the same office.

In what appears to be a new low for the sector, Paul Munnelly (junior) last year boasted on LinkedIn that: "Since Bishopgate Contracting Solutions Limited became part of the Munnelly Group PLC in February [2018], Munnelly Group PLC has been committed to delivering synergies to reduce the costs to candidates.

"Munnelly Group PLC are pleased to announce that from the 6th of August 2018 candidates arranged by Munnelly Support Services Limited will receive preferential rates for payroll services.

"This will mean candidates arranged by Munnelly Support Services Ltd will take home more!"

Unite assistant general secretary Howard Beckett said: "Whilst we of course welcome more take home pay for workers. This should be by agencies cutting out the bogus payroll or umbrella company smokescreen,



Unite is committed to ensuring the umbrella and payroll scams are ended

paying their workers directly and providing proper paid holidays.

"Purchasing a payroll company to operate this facade in-house at lower rates, is not something that we believe the employment tribunal will look kindly on.

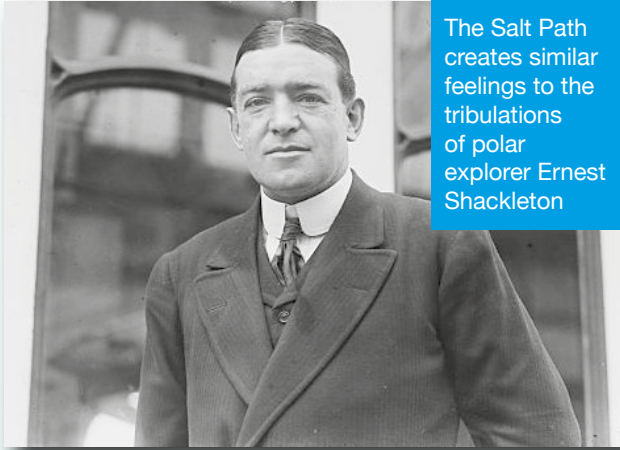
"This is exactly the type of case that Unite's strategic case unit was established to fight, where there is a clear injustice to workers and where employers have gone to extraordinary lengths to deny workers their rights."

The cases will likely be heard at the Watford employment tribunal in 2020.

This page is a counterpoint to the mainstream media and reviews important pieces of work for Unite members.

Books

The Salt Path by Raynor Winn



The Salt Path creates similar feelings to the tribulations of polar explorer Ernest Shackleton

Roma, one of the most As a change from fictional escapism, I find it's rewarding to delve into 'real life' events occasionally and experience as a reader, the trials and tribulations of others.

This excellent and inspirational book takes you on a real journey of human emotion and fortitude, aligned with courage, despair and the unknowable unknown; how it's going to end all tied into a nature book.

The last comparable book I read that affected me in the way this book does was about the rescue of Ernest Shackleton's crew in the Antarctic seas in 1915. This might be a stretch of the imagination some may say before reading the Salt Path but not so much when you have finished it.

Winn's descriptions of the landscape and nature work wonderfully well alongside the often dark times balancing out the good and the bad. The author and her husband's situation is one that any of us might find ourselves in and this book doesn't ask us to judge.

Donald McArthur

Your Recommendations

Unite members are encouraged to send ideas for future recommendations. We will cover film, television, DVDs and books. The only stipulation is a recommendation needs to be easily available. If you would like to write your own reviews please do but keep your contributions to 250 words. Send recommendations and reviews to barckley.sumner@unitetheunion.org

The Age of Decadence, Britain 1880 – 1914 by Simon Heffer

Simon Heffer, a well-known writer and journalist has written about a period in history many believe they know well.

In this weighty book (in size as well as content) Heffer examines the period before World War I which is most often portrayed as a time when Britain was a contented, orderly and prosperous country ruling a vast empire. Everything had a place and everyone understood their place at a time when deference was expected and accepted.



The Age of Decadence ended with the First World War. H,D, Girdwood

Yet this period is also described as the time of the 'great unrest'. Heffer argues and explains coherently why this was so as he details the stresses, strains and contradictions behind the image of a supposed golden age. He describes a time of unease where industrial unrest, constitutional crisis, the ferment around rights for women alongside politicians he pictures as having fallen prey to degeneracy, contributing to a turbulent time.

This book is wide-ranging in scope and topic and some sections were rather heavy going. However, the chapters detailing the rise of trade unionism alongside the growth of the Independent Labour party, home rule for Ireland and the sometimes violent struggle for women's suffrage reward perseverance.

The author concludes with the summer of 1914 where the real possibility of war in Ireland could have led to the breakup of the United Kingdom. On June 24 Archduke Franz Ferdinand was shot dead in Sarajevo, beginning a sequence of events which would lead to World War 1.

Michael Nelson

Correction

In the Spring Issue the review of the The Valley was attributed to Richard Beason it should have been Richard Benson.

MEMBERSHIP FORM GB

Please use capitals – This address will be used for the purpose of ballots

Forename _____ Title _____
Surname _____ Gender _____
House No./Name _____
Street _____
City/Town _____
Postcode _____
Date of Birth _____
Home Tel _____ Mobile _____
Email _____

About Your Job

Employer/Company Name _____
Job Title _____
Work Address _____
Postcode _____
Work Tel. _____
Which membership do you require?
 Enhanced full time (more than 21 hours per week)
 Enhanced part time (up to 21 hours per week)
 Enhanced low pay
 Enhanced apprenticeship
Year 1 Year 2 Year 3 Year 4
Date apprenticeship started _____
 Basic full time (more than 21 hours per week)
 Basic part time (up to 21 hours per week)
 Basic low pay
 Basic apprenticeship
Year 1 Year 2 Year 3 Year 4
Date apprenticeship started _____
 Driver Care (a separate Driver Care application form will be sent to you.)
Date apprenticeship due to end _____
 Other (eg Unemployed member of the community, under 18, full time student, retired members or permanently disabled members who are not in paid employment)
Date apprenticeship due to end _____

Authorisation of deduction of your trade union contribution from your pay (check-off)

Note: Not all employers operate check-off. I hereby authorise the deduction of Unite the Union subscriptions from my pay of such amounts as shall be notified to my employer on my behalf from time to time by Unite. I authorise my employer and Unite to share personal data necessary to operate check off and for my employer to inform Unite of any changes of address.

Are you paid? Weekly 2-weekly Payroll No. _____
 4-weekly Monthly

I agree to abide by the union's rules. (Rule Book is available online)

NI No. _____ Signature _____ Date _____

For Office use only

Mem. No. _____ Employer Code _____ Workplace Code _____

Political Campaigning

Unite fights for our members' interests through political and industrial campaigning on issues affecting you – from pay, pensions, and broader workplace rights to housing, equality issues and our NHS.
If you would like to be part of this, opt-in to our political fund for just 10p per week. (tick here)

Those who choose not to opt-in will not be disadvantaged in any way compared with members who do opt-in, except in relation to control of the political fund.

I support Unite in campaigning on our policies and members' priorities in the Labour Party and I would like to be a Labour Party Affiliate Supporter* (this is free for political fund payers). I authorise Unite to share my personal data with the Labour Party for this purpose. (tick here)

* I agree to the terms listed at <https://support.labour.org.uk>

Equal Opportunities

The provision of this information is to ensure equality for all and is not a requirement

Unite campaigns for equality for all and to ensure that women, black Asian ethnic minorities, disabled members, lesbian gay bisexual trans - LGBT+ and migrant workers are fully represented within the union. To find out more go to www.uniteunion.org/equalities. Confidentiality is protected. Please complete:

Please tick your ethnic origin: Black/Asian White Please tick if you are LGBT+
Please tick if you are a disabled person: Please tick if you consider yourself to be a migrant worker

Direct Debit Details – Instructions to your Bank or Building Society to pay by Direct Debit



Service User Number **9 7 1 4 6 7**

Name of bank/building society _____

Town of the Bank _____

Sort Code _____

On the selected day of the month:

7th 14th 21st 28th

Account Number _____

Name(s) of _____

Account Holder(s) _____

Instruction to your Bank or Building Society

Please pay Unite the union Direct Debit monthly from the account detailed in this instruction subject to the safeguards assured by the Direct Debit Guarantee. I understand that this instruction may remain with Unite the union and, if so, details will be passed electronically to my Bank Building Society.

I authorise the payment above. I agree to abide by the union's rules. (Rule Book is available online)

When you join Unite, you are also authorising the Union to deduct an additional amount for your subscription to your local branch fund.

Signature _____ Date _____

Branch No. _____ Job Code _____ Recruitment Code _____

Don't miss out!

Get Your *buildingWORKER* every quarter

buildingWORKER is the magazine for all Unite construction workers. In order to keep up to date with what is happening in your industry and your union you need to opt in to receive future editions.

Opting in to receive the *buildingWORKER* is quick and simple.

To receive *buildingWORKER* for free, four times a year. You just need to contact your regional office by email, phone or in writing.

Also by contacting the regional office you can update your address, notify a change of employer and request receiving free copies of *uniteWORKS* (Unite's award winning magazine) and *Landworker* (the magazine for rural workers).

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