



**Unite (T&G Section) Response to
Glasgow Commonwealth Games Bill
Consultation 2007**

1. Introduction

Unite (T&G section) represents around 80,000 working people and their families throughout Scotland. Unite (T&G section) is part of the UK's largest trade union with 2 million members in a range of industries including transport, construction, financial services, manufacturing, print and media, the voluntary and non-profit sectors, local government and the NHS.

Unite (T&G section) is also a campaigning union both in the workplace and on wider political and social issues at home and abroad. Therefore, we welcome the opportunity to contribute towards this consultation document. At the outset it is important to state that we strongly support Glasgow's bid to host the Commonwealth Games in 2014, and welcome the wider economic, social and cultural benefits that will come to Scotland as a whole if the bid is successful.

However, while the document pledges to consult with the business community in a number of areas and indicates that further legislative measures will be forthcoming if the bid is successful such as a Games Transport Plan; Unite (T&G section) strongly believes that at this early stage acknowledgement must be accredited to the key role trade unions members will play in the delivery of infrastructure required to ensure a successful Games.

Therefore, in our opinion it is essential that there is a clear commitment to trade union participation and consultation, and that this must be reflected in the development of this particular Bill and those forthcoming. This must occur from the preliminary stages of planning for the Games with the Organising Committee, the relevant local authorities, the Scottish Government, and the business community.

2. Response to Bill

Unite (T&G section) strongly believes that in the Transport section (31:1 and 31:2) of the Draft Bill it is crucial that trade unions, in particular Unite who have the largest number of members in the transport sector, are fully consulted and participate at all stages in the development of a Games Transport Plan. There is no reference to consulting trade unions in either (31:1) and (31:2) of the Bill, and this must be addressed.

In relation to section 34, Unite (T&G section) requests that where relevant the Organising Committee and relevant local authorities consult and involve trade unions if traffic measures impact on the terms and conditions of trade union members.

On the wider issue of transport, it is important to state that while we appreciate that a Games Transport Plan will be forthcoming we believe that the highest possible standards can be achieved by improving the working conditions of those in the transport industry.

Therefore, a number of pertinent points should be raised at this early juncture. We believe that by introducing Quality Contracts, which offer a means of re-introducing proper regulation in the bus industry, is absolutely pivotal to enhancing the working conditions of those in the transport sector. We also believe that the powers within the Transport (Scotland) Act must be used to impose Quality Contracts when Quality Partnerships are not forthcoming.

Further measures which will have a positive effect on the delivery and operation of the Games Transport Plan include:

- the implementation of a Bus Workers Charter with an increase in pay, shorter working hours, adequate rest breaks and final salary pensions for all workers in the industry;

- a review of the regulations covering working time with, in particular, an end to the abuse of so-called “periods of availability”, the offsetting of holidays against working time and two-tier rules covering regular and occasional drivers;
- a code of practice on fares, frequency of service, vehicle standards and workers conditions;
- an obligation on employers to agree measures to improve workers safety and the extension of aggravated offences legislation in Scotland to cover transport workers who face violence at work; and
- the inclusion of safe and adequate rest facilities for workers.

Furthermore, access by disabled people to public transport should be an essential part of contract compliance and there should be compulsory training on this for all transport operators.

The aforementioned measures will assist any Transport Plan particularly in light of the inevitable increase in the volume of passengers utilising public transport and wider infrastructures if the bid is successful.

In relation to the provisions stated within Section 35, we believe that clarification is needed; particularly in reference to points made in Section 35.2:

Assistance may, in particular, be in the form of—

- (a) giving grants, loans, guarantees, indemnities or other financial assistance,*
- (b) entering into agreements,*
- (c) acquiring, holding, managing or disposing of land or other property,*
- (d) providing goods or services,*
- (e) making available facilities or the services of staff.*

Unite (T&G section) strongly believes that the development and delivery of the Commonwealth Games should not compromise workers rights, and their terms and conditions. The interests of workers should not be sacrificed at any time during the life of the project for budget considerations.

While we acknowledge that in the event of a successful bid subsequent legislation will be forthcoming, Unite (T&G section) wishes to highlight a number of important points. Previous examples of best practice have demonstrated that by involving trade unions throughout the development of sporting events high standards can be achieved.

For example, the Australian Government co-operated fully with trade unions throughout the development of the 2000 Sydney Olympics, which was widely regarded as the best Olympics to date. In particular, pivotal to the success of delivering the required infrastructure was the 'Principles of Co-operation Agreement'. The agreement was established between the Sydney Organising Committee and the Labour Council of New South Wales in acknowledgement that good industrial relations would be vital. This included a joint co-ordination committee to resolve disputes, share information and negotiate other agreements as the project proceeded.

Unite (T&G section) believes that only the full involvement of the trade unions can guarantee that the appropriate standards of health & safety are adhered to for the duration of the construction process and beyond. Therefore, it is vital that trade unions have full consultation in the infrastructure planning processes at the earliest juncture in order to avoid a repeat of the Athens experience where 14 workers died on projects on or connected to the Olympics site, and as many as 26 on related infrastructures. Trade Unions are ideally placed to provide the latest training, information and advice to its representatives, members and employers to ensure that best practice is followed.

Furthermore, Unite (T&G section) believes that a number of wider concerns in relation to the construction industry, which will be central to delivering the

infrastructure required if the City of Glasgow's bid is successful, should be highlighted at this stage. In accordance with our policy, we have demanded a Government inquiry into the "Bogus Self Employment in the Building Construction Industry". Billions of pounds a year are lost to the Exchequer by the avoidance of the bogus self-employed and unscrupulous contractors not paying the correct income tax (PAYE) and class one National Insurance contributions.

There are simple tests, "Employment Status and Self-Employment Status". Unite (T&G section) believes that the current "self employment" hire and fire culture is one of the main obstacles to attracting more women and minorities into the industry. Until this situation is addressed by Government, who are the largest paymasters in the UK construction industry, progress with regard to achieving real improvement will remain painfully slow.

In addition, Unite (T&G section) will make representations to the Department of Work and Pensions with the intention of strengthening legislation and registration regarding the use of employment agencies. We call on the Government to close the legal loopholes which have been used to get round employment rights legislation and Inland Revenue rules and reaffirm our commitment to campaign for all these forms of employment (composite companies, bogus self-employment etc) to be completely eradicated from the industry.

Unite (T&G section) has articulated our thoughts on the provisions within this Bill that are relevant to our membership, and we refer to wider issues regarding the overall delivery of the Games. Unite (T&G section) believes it is essential that further clarity is provided on the role of trade unions throughout the development of the bid. We look forward to playing a key role and contributing towards further consultations should the City of Glasgow be awarded the 2014 Commonwealth Games.