

Campaign for Trade Union Freedom

ANNUAL GENERAL MEETING

21 September 2023



Secretary's Report

Strikes (Minimum Service Levels) Act

Much of the Campaign's work since the last AGM has been to mobilise opposition, either singly or with partners, to what is now the Strikes (Minimum Service Levels) Act.

Those with long memories will recall that the first of the anti-union laws came in in 1980 and over the past 40 plus years the Tories have added a little bit more and a little bit more, salami slicing away our rights to organise, to bargain and to strike.

During those 40 years our unions have found ways to manage, to deliver for our members but mainly in compliance with the law. For example:

- postal ballots, with thresholds, for industrial action - we do it
- ten yearly ballots for the Political Fund - we do it
- giving the employer notice of industrial action - we do it
- expensive postal ballots to elect our general secretaries and union executives - we do it.

This new law – bringing in minimum service levels – promises to be different, it is an existential threat to trade unions in Britain.

Let's just briefly run through the basic provisions of the Act. Firstly, power has been given to the Secretary of State to determine minimum service levels to be maintained in the event of strike action the six services identified:

- border security
- fire and rescue
- health
- nuclear decommissioning
- public transport
- school education.

President: **Prof Keith Ewing**

Vice-presidents: **Barry Camfield, Jo Grady (UCU), John Hendy KC, Ian Lavery MP, Len McCluskey, John McDonnell MP**

Co-chairs: **Tony Burke & Sarah Woolley (BFAWU)**

Secretary: **Andy Green** (Chair, Unite Executive Council)

Asst Secretaries: **Carolyn Jones & Adrian Weir**

Treasurer: **Cathy Cross**

ex officio: **Ben Sellars (IER)**

Secondly, employers are now entitled to issue a “work notice” specifying which employees are required to attend work to provide the minimum service; union reps are not excluded indeed employers may particularly target them.

Third, unions are required to take “reasonable steps” to ensure that the work notice is complied with, in other words to coerce their members to go to work during an industrial dispute that they had actually voted for under threat of being sued for damages by the employer.

Lastly, workers, including union reps, who decline to attend work after just voting to take strike action will lose all protection to claim unfair dismissal at the Employment tribunal should the employer sack them.

Given this major assault on unions and their members it was of course more than disappointing to learn that at Labour’s recent National Policy Forum the Starmer clique has reportedly rowed back on the Party’s commitments on union and worker rights set out in the Green Paper *New Deal for Working People* which does include a pledge to repeal the anti-union laws.

At the time of writing the extent of this retrenchment remains unclear as there is no published documentation on what was actually carried at the NPF. Motions carried at last week’s TUC Congress, particularly Comp #1, give the unions the framework for campaigning against this and the other anti-union laws. Unions affiliated to Labour should be able to take this forward at Labour’s conference in October.

In the face of this existential threat, to resist is to exist.

<https://labouroutlook.org/2023/01/23/minimum-service-levels-an-echo-of-mussolini>

<http://www.tradeunionfreedom.co.uk/repeal-of-the-anti-strikes-act-must-be-an-early-priority-of-a-labour-government/>

<https://tribunemag.co.uk/2023/08/labours-most-damaging-u-turn>

<https://www.scotsman.com/news/opinion/columnists/labours-fudge-on-workers-rights-pledge-professor-keith-ewing-4264395>

Actions

Most of our public work since the last AGM has been to focus on the minimum service levels legalisation and the case for free trade unions.



On 3 December we held a major rally, sponsored by Doughty St Chambers and Moorish Solicitors, with a range of speakers including general secretaries, shop stewards, lawyers, politicians and academics: **Prof Keith Ewing, Matt Foot, Adrian Weir, John Hendy KC, Dave Carr (Unite), Marion Carty (UCU), Bella Fashola (RMT), Sarah Green (NEU), Mick Whelan (ASLEF), Frances O'Grady (TUC), John McDonnell MP, Nick Toms, Hannah Reed (Unite), Barry Gardiner MP, Ben Chacko (Morning Star), Christine Blower, Nabeela Mowlana (Young Labour), Mark Serwotka (PCS), Mick Lynch (RMT),**

Laura Pidcock (People's Assembly) and Kevin Courtney (NEU); chaired by **Tony Burke (CSEU) and Sarah Woolley (BFAWU).**

On 24 January, partnering with StrikeMap, we organised a rally against the Minimum Services Bill. Speakers: **Mick Whelan (ASLEF), Steve Gillan (POA), John Hendy KC, Kate Bell (TUC), Onay Kasab (Unite), Prof Keith Ewing, Tony Kearns (CWU), Kevin Courtney (NEU), Chris Stephens MP, Asad Rehman (War on Want), Holly Turner (NHS Workers Say No/Arise) John McDonnell MP and Mick Lynch (RMT);** chaired by **Tony Burke (CSEU) and Sarah Woolley (BFAWU).**



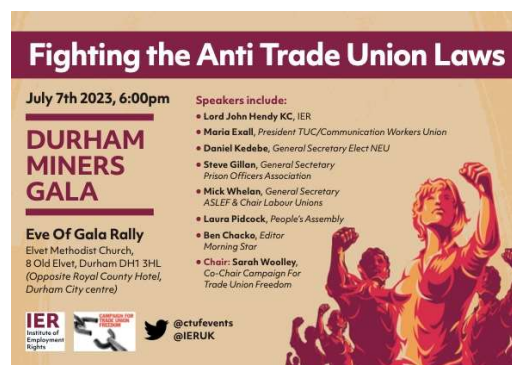
On 30 January, the day of the 3rd Reading of the Strikes (Minimum Service Levels) Bill, we partnered with Enough is Enough in organising an evening rally in opposition in Whitehall.



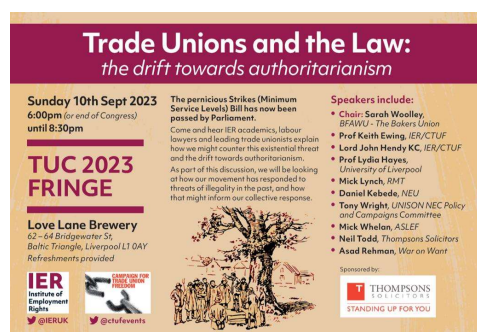
Dave Ward, CWU General Secretary, and Zara Sultana MP speaking at the Whitehall rally marking the 3rd Reading of the Strikes (Minimum Service Levels) Bill

On 24 March we partnered with the Institute of Employment Rights in organising a conference on the right to strike and on 27 March with Socialist Economic Bulletin on the economic consequences of the anti-union laws.

On 7 July, we organised a fringe meeting at the Durham Miners' Gala where **Prof Lydia Hayes** very capably substituted for John Hendy KC. The guest speaker at this event was **Jamie Driscoll**, Mayor of North Tyneside, in what must have been his last public meeting as a member of the Labour Party. Having been blocked by the right wing Labour apparatus from standing for selection as a candidate for North East metro mayor Jamie resigned from the Party and is now standing as an independent.

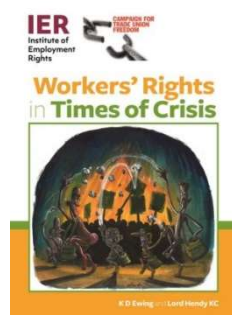


<https://labouroutlook.org/2023/07/10/strikes-the-law-adrian-weir-reports-from-durham-miners-gala-2023/>



On 10 September we jointly organised a fringe meeting at the TUC Congress (sponsored by Thompsons Solicitors) entitled *Trade Unions and the Law: the drift to authoritarianism*. Speakers included **John Hendy KC** (Campaign for Trade Union Freedom/Institute of Employment Rights), **Prof Keith Ewing** (Campaign for Trade Union Freedom/Institute of Employment Rights), **Mick Lynch** (RMT General Secretary), **Daniel Kebede** (NEU General Secretary), **Mick Whelan** (ASLEF General Secretary), **Prof Lydia Hayes** (Institute of Employment Rights), **Tony Wright** (Unison NEC), **Asad Rehman** (War on Want), **Neil Todd** (Thompsons). Chair: **Sarah Woolley** (Bakers' Union General Secretary/Campaign for Trade Union Freedom)

Publications



In partnership with the IER we published in late 2022 a new booklet *Workers' Rights in Times of Crisis* that has been very well received in the movement.

A free e-version of the booklet is available here: https://www.ier.org.uk/wp-content/uploads/IER_A5_Oct22.pdf

Office

We have appointed a part time worker to assist with the administration and organisation of the Campaign. He's called **Derek Kotz** and comes to us after years of service with the T&G and RMT. We much welcome working with Derek in the coming period when the fight for free trade unions will be brought into very sharp focus. Derek can be reached at office@tradeunionfreedom.org.uk and on 0151 207 5264

Andy Green
National Secretary