

MOTIONS

1. Minimum Service Levels composite:

Opposing MSLs in the Midlands

Conference was dismayed to see the Conservative Government rush through Minimum Service Level (MSLs) legislation in 2023 and notes that employers in passenger rail, border security and ambulance services were given the green light to remove a worker's right to strike in December 2023 following the introduction of the relevant regulations, and conference further notes that employers in fire and rescue services, education services and decommissioning of nuclear installations and management of radioactive waste and spent fuel will likely be given the ability to remove a workers right to strike in 2024.

Conference is resolute in its opposition to MSLs and does not believe that this legislation is necessary and it is clearly an ideological attack on trade unions and their members from the Conservative Government.

At the TUC's Special Congress in December 2023 the trade union movement agreed to support each other and resist the legislation, mobilising the union movement in the event of a work notice being issued or a worker being sanctioned in relation to a work notice, and it is essential that the regions of the TUC organise both unions and trades councils to support each other.

Conference welcomed commitments from devolved authorities such as the Scottish and Welsh Governments which stated that they would not utilise MSLs along with the legislation being slammed by metro mayors (not inclusive of Andy Street) and council leaders, with them committing to work with trade unions to avert the use of work notices.

Conference notes the need for the union movement to keep the pressure up on employers and politicians to outline a united resistance to the removal of the right to strike. As such conference calls on the TUC Midlands Region to:

1. Support any trade union impacted by the issuance of a work notice and organise a demonstration of unions and trades councils to support the union and its members;
2. Co-ordinate anti-MSL campaigning activity in the region and organise unions and trades councils to attend picket lines to show solidarity with any union, particularly when an MSL is in use;
3. Continue to keep pressure on local politicians by highlighting with them the union movement's demand for the repeal of MSLs and to also push politicians and any parliamentary candidates in the region to commit to supporting the

repeal of MSLs;

4. Name and shame any employer in the Midlands which implements an MSL;
5. Write to local authority leaders in the region to request them to publicly oppose MSLs if they haven't already.

ASLEF

Minimum Service Levels affecting our members

At the NAHT we are concerned that the minimum service levels will disproportionately affect our members, as they will always be counted as key employees if a strike was to happen.

Educators often don't want to strike, they don't want to close down schools and disrupt students learning, but they do want their voices heard and their pay terms and conditions met.

We know that without members of the NAHT being able to strike, this will put our negotiating and bargaining positions on a backfoot.

We want all our members to be able to strike, if and when necessarily, we want the government to listen to the needs and wants of our members and to stop trying to enforce minimum service levels in education.

NAHT

Resist the Strikes (Minimum Service Levels) Act

Since the banking crisis of 2008 our economic and social system, capitalism, has reeled from crisis to crisis. To save the system, the political representative of capitalism, the Tory Party, has introduced policies, under the guise of austerity, that have cut the living standards of ordinary people.

Working class people are being made to pay for the crisis and when they try to defend the gains they have won through struggle, such as taking strike action, the Tories introduce even harsher laws to stop any fight back.

The Tory Government has passed further anti-trade union legislation. The Strikes (Minimum Service Levels) Act restricts further the right to strike in six sectors - transport, education, health, fire service, border security and nuclear industry.

Three sectors - transport, health and border security have been identified as the first sectors to be targeted by the legislation and consultation regarding the application of the legislation with regard to education went through the Commons on Monday 27th November 2023.

In January they issued regulations regarding health concentrating on the ambulance service. This specifies a service level of 73% which in effect bans strike action in this sector.

The regulation published all but removes the right to strike in the six sectors within the scope of the Act. Company executives or ministers will determine minimum service levels through issuing work notices and in pursuit of these arbitrary service levels they will compel unions to force some workers to cross picket lines despite having legally balloted for strike action. If unions do not comply, they will be subject to heavy fines and workers who refuse to cross picket lines can be sacked without any right to appeal.

Coventry Trades Union Council calls upon conference to:

- a. Urge all trades councils to support unions and workers in non-compliance and non-cooperation with the Minimum Service Levels Act and develop practical solidarity plans for unions actively engaged in strategies of noncompliance;
- b. Ensure that where any trades council affiliate is facing significant risk of sanctions because of this legislation, trades councils will convene an emergency meeting to consider options for providing practical, industrial, financial and/or political backing to that union.
- c. Call on all employers and public bodies with oversight to oppose this counterproductive legislation and ensure employers are aware that issuing a work notice is discretionary and understand that the trades council will support unions in their resistance to work notices.
- d. Campaign to name and shame as anti-union and anti-worker all employers and public bodies who deploy work notices.
- e. Encourage trades councils to produce guidance to unions on practical means for resisting the Minimum Service Level Act.
- f. Urge trades councils to contact their local Labour MPs and candidates reminding them of the need to secure the commitment made by the Labour Party to repeal the legislation on becoming government.

Coventry TUC

2. Solidarity with GMB members at Amazon

Congress notes that:

Amazon is a vicious anti-union employer making massive profits and cutting workers' wages.

Amazon workers in the UK and worldwide are starting to fight back and organise.

This Congress salutes:

The fantastic determination and defiance shown by GMB Amazon workers in the Midlands who have now completed over 30 days of strike action across three fulfilment centres.

The amazing achievement of GMB members in Coventry in launching the first ever official strike action against Amazon in the UK.

Congress believes that the example of the Coventry strike and the innovative organising tactics employed by GMB members is to be applauded.

GMB

3. East Midlands Devolution – getting the best deal for workers in 2024

Regional Conference notes the motion passed in 2023 to set out our plan to:

- Engage with the new East Midlands Combined Authority and ensure influence for trade unions as part of the devolution agenda.
- Work with civil society to ensure a voice for communities within the new political structures.
- Campaign with affiliates to resist further outsourcing/privatisations, breaking up of national bargaining and protect Health & Safety and Equalities at work.

Regional Conference welcomes the work that has been undertaken by the Midlands TUC so far, to ensure that the voice of workers is heard as part of the devolution deal and that unions have a seat at the table when the incoming East Midlands Mayor is making decisions on how best to invest their £1.14 billion of devolved budget.

Regional Conference believes that with the first East Midlands Mayoral Election on the horizon in May 2024, now is the time to redouble our efforts to solidify our position and secure the best deal for workers possible.

Regional Conference therefore calls on the Midlands TUC to prioritise:

- 1) Securing a good work charter with the East Midlands Combined Authority, with minimum conditions on pay, terms and conditions and trade union recognition.
- 2) Securing agreement for the East Midlands Combined Authority to establish a workplace learning fund, based on the principles developed by the TUC in the West Midlands, so unions can lead the way on supporting the learning and skills agenda across the new combined authority.

UNISON

4. Welfare reform and the 2024 General Election

This conference condemns the Conservative government's latest welfare proposals which are sadly predictable in the run-up to a General Election.

The government intends to:

- Introduce even more rigorous rules to strengthen UC conditionality and sanctions.
- Retain the household benefits cap at 2023 levels leaving 85000 up to £54 per week worse off.
- Cut benefits for some claimants who have not found work within 18 months.
- Automate parts of the Universal Credit sanctions process to "reduce error rates"
- Introduce additional training for Work Coaches to apply sanctions more effectively, implying an increase in sanctioning activity.
- Extend the "Jobcentre Innovation Pilot" forcing groups of claimants to attend interviews 10 times per fortnight.
- Incentivise staff in Jobcentres from January 2024 with insulting bonuses for "performance" measured against colleagues in other jobcentres.

This conference agrees that these proposals will do little to help claimants find work. We oppose any new measures introducing more sanctions for claimants. UK benefits now fall below the minimum living cost by £140 per month, the lowest level in over four decades.

PCS members in DWP have experienced chronic understaffing, low pay, unmanageable workloads and creeping privatisation for years. A truly supportive social security system requires a significant increase in staffing and resources to deliver the kind of system the public deserves. Whilst Labour's proposals on Welfare Reform are an improvement, some Labour politicians have unhelpfully matched Tory rhetoric about benefit claimants.

This Conference agrees to campaign during the 2024 General Election for welfare reform including:

1. An immediate and permanent uplift in benefit rates to match inflation.
2. Scrapping of punitive measures, including the sanctions and conditionality regime
3. Support for the PCS campaign for more resources for DWP, including a massive increase in staffing levels to meet increased workload.

PCS

5. Supporting the Midlands boiler industry

Congress notes the importance of manufacturing to the wider Midlands economy and that the manufacture of household boilers sustains thousands of unionised jobs across our region.

Congress further notes that the Midlands is the heartland of the UK's boiler sector. 2,000 people are employed directly across the East and West Midlands – 42 per cent of all UK boiler manufacturing jobs – and many hundreds of additional jobs are supported in the supply chain.

Congress welcomes news that the Government plans to scrap the regressive Boiler Tax which would impose unfair fines on boiler manufacturers if they do not meet heat pump sales targets as a proportion of their overall sales.

Congress believes that this proposal was a blame-passing exercise by the Government for Ministers' impending failure to meet their target of 600,000 heat pump installations by 2028. If implemented it could have passed costs onto consumers or resulted in cuts in unionised workforces.

Congress notes that the poorest households spend four times their income on heating as the richest and recognises that regressive energy levies hit the least well-off the hardest.

Congress calls on the current and future governments to work with trade unions to ensure that decarbonisation is done with workers, not too them, and that workers' voices are at the heart of the energy transition.

GMB

6. Better public transport for the Midlands

This conference recognises that sustainable public transport is vital for meeting the UK's climate change targets and that sufficient funding for public transport is essential in order to deliver modal shifts.

This conference believes that properly staffed rail networks with a well maintained and high-quality infrastructure are essential for making the railway safe, secure and accessible for all, and that this was exemplified by the widespread opposition to the proposed closure of nearly 1000 ticket offices in England, including the majority of ticket offices in the Midlands. Conference also notes that taxis are an important part of the public transport mix and can facilitate safe and accessible transport between stations and final destinations.

Conference is dismayed that passengers in the Midlands continue to be significantly impacted by the poor performance of many train operators, including Avanti West Coast and face cancellations, disruption and overcrowding. The lack of a reliable rail

network in the region impacts the economy, local communities and access to employment, healthcare and education.

This conference believes that as well as privatisation and lack of sufficient investment the biggest barrier to a better railway has been the fragmentation of the network with the damaging separation of operations and infrastructure and staff being employed by a multitude of companies, including through outsourcing and sub-contracting.

Conference welcomes the Labour Party commitment to bring the railways back into public ownership under a unified structure, if elected, and notes that Network Rail and a number of train operators are already in public ownership. Conference believes that we will have to keep up the fight to realise our objective of a wholly integrated railway in public ownership.

Therefore, noting that 2024 will be a General Election year, conference agrees to campaign for the following objectives for a better railway over the coming period:

1. A single, unified, nationally integrated GB rail network, within which there are enhanced powers for the devolved transport authorities.
2. Progress toward insourcing of rail workers in the region, meeting the aims of the New Deal commitment to oversee the 'biggest wave of insourcing for a generation', including identifying a timetable for contracts to be brought in-house, such as Churchill cleaners on East Midlands Railway.
3. Increased investment and expansion of capacity and manufacturing, also ensuring the protection of infrastructure jobs and skills
4. An end to driver only operation, no ticket office closures or cuts and an expansion of staff at stations and on trains.
5. Respect for transport workers with real action and legislation to reduce assaults on staff, with tougher penalties for those who assault transport workers.

RMT

7. Industrial Injuries Disablement Benefit (IIDB)

This Midlands TUC Conference notes that many occupations are excluded from the system of Industrial Injuries Disablement Benefit (IIDB) rendering the current UK system of employment injuries assistance as being not fit for purpose.

Currently, only 7% of claims for IIDB are made by women because the system was designed for men's work and systematically ignores the illness and disease women experience at work, and new modern and emerging workplaces injuries and disease.

Further, musicians are completely excluded from the eligible occupations list for hearing loss IIDB benefits whether by accident at work or acquired over a period of time, and which is a major omission among many other omissions. There is an increasing trend of musicians of all ages experiencing hearing loss even though they recognise the risks of

hearing damage from exposure to loud music at work and try to mitigate that risk themselves. It is a problem whether employed or self employed as a freelancer, but the response from employers and engagers can be patchy. Equality Law does not oblige an employer to make up earnings in any agreed reasonable adjustments at work when a musician cannot undertake work in order to protect their hearing, so affecting their ability to earn, and the IIDB system does not support them either. Unfortunately, it is not just hearing loss that is excluded from the occupation lists, as other forms of injury particular to musicians related to muscle and skeletal injuries are not included either.

The problem is universal for all kinds of workers; illnesses like long covid are omitted as an industrial injury, as are sports related concussion and brain injuries, and many injuries and illnesses acquired by women working in the care system and which is already an industry of low pay and huge exploitation.

Other trade unions and professional associations are already campaigning and lobbying to get the system changed to incorporate a wider range of industrial injury in the IIDB system.

This conference therefore calls upon the Midlands TUC to:

1. Look at who else is campaigning in this respect to bring lobbying groups together to campaign more widely to change the IIDB system, and press politicians and Government for a review to make it fit for purpose. Any campaign should include a commitment that workers, whether employed or self-employed, are included in eligible occupation lists.
2. Instigate a trade union review of the Equality Act 2010 and its provisions for reasonable adjustments with a view to campaign to change the Equality Act. The purpose initially being to gather evidence of workers who have suffered a financial detriment under the provisions whether by loss of income at work, a lack of access to appropriate benefits, or both. No worker should suffer a financial detriment as a result of reasonable adjustments, it is a form of discrimination contrary to the spirit of the Act. This is particularly important to musicians and other workers so affected who have to forego work and so lose money as part of those reasonable adjustments. TUC to bring back a report of its findings to affiliates so that an informed decision on any campaign can be made by affiliates.

Musicians' Union

8. Mandatory Menopause workplace policies

Congress notes that the EHRC issued guidance on 21st February 2024, setting out employer's legal obligations under the Equality Act 2010.

However, we believe that guidance unless enforced will not be supported by all employers and workers will be left unsupported.

At a time when women are working longer, we know that this natural part of life will affect some more seriously than others. Research shows that two thirds of women are affected negatively and feel unable to ask for support, and 1 in 10 women leave

work altogether. This result is a huge gap in the workforce and the loss of experience and expertise.

But the human impact can be harder, with women feeling a sense of loss of purpose and themselves.

Congress applauds GMB's Smash The Stigma campaign, which is a practical toolkit which provides practical support to those experiencing the menopause.

Congress resolves to support unions to lobby Government to introduce a requirement for all workplaces to have mandatory menopause policies, designed to support those who will experience the menopause.

GMB

9. Campaigning for fair funding in public services

2023 TUC Congress carried Composite motion 14 calling for fair funding for public services.

In the midlands region we recognise the impact of thirteen years of cuts which have seriously undermined public service provision including in the NHS, the civil service, education, local government and elsewhere in the public sector.

Conference notes

- Councils across the region face huge funding shortfalls despite a government commitment to "Levelling Up", with many crucial services cut
- Severe shortages of hospital beds in the NHS, along with a record number of unfilled vacancies
- The deliberate undermining of the core civil service, haemorrhaging key skills in a wide range of services
- A public sector recruitment and retention crisis exacerbated by pay offers which have not kept pace with inflation
- The impact of austerity on social security spending and rising poverty in the region, with many forced to use foodbanks including many working trade union members
- The General Election to be called in 2024

This conference calls on the Midlands TUC though affiliate unions:

1. Organise a series of events in the region campaigning for full public service investment and the restoration of public finances including in local government, health, schools and colleges and the core civil service
2. Expose the record of the Tory government on public services in the region in the run up to the General Election

3. Call on all political parties to firmly commit to needs-based funding for all public services, ensuring fair wages that at least match inflation for those who provide them
4. Continue to co-ordinate and give full support to public servants taking industrial action to fight back against cuts.

PCS

10. Campaigning for full implementation of the New Deal for working people

Conference notes that it is over two years since P&O workers were unlawfully dismissed with no prior consultation, their employment terminated without notice and replaced with exploited agency workers paid below the National Minimum Wage for months working at sea.

Conference is dismayed that despite the passage of time P&O Ferries have not been sanctioned for their actions and the government has still not implemented any legislative changes which would prevent another P&O, whilst seafarers working on P&O and other services from UK ports are still paid below the minimum wage.

In contrast, during the same period the government have rushed through their anti-union minimum services legislation, attacking the right to strike of key workers in a number of sectors. Conference condemns the government's attack on working people and congratulates the unions for their resistance to Minimum Service Levels.

Conferences agrees that P&O and the government's attacks on the trade union movement demonstrate the urgent need for new employment rights for seafarers, the repeal of minimum services legislation and the full implementation of Labour's New Deal for Working People. This includes the full implementation of those measures that will transform collective rights for working people, including:

- The extension of sectoral collective bargaining through fair pay agreements across the economy which would not only help to deliver better pay and conditions and job security for millions of workers but also simultaneously assist in embedding the trade union movement and our progressive values in all our communities.
- Implementation of the commitment to "oversee the biggest wave of insourcing of public services for a generation" which could reverse the race to the bottom which outsourcing has inflicted on hundreds of thousands of low-paid workers and disproportionately hit minority and migrant communities.
- Repeal all anti-worker and anti-union legislation, the existence of which has helped drive down wages and increase job insecurity and inequality since the 1980s.

In this general election year conference agrees to consider options for campaigning and lobbying MPs and Ministers to achieve these objectives.

RMT

11. Dying to Work campaign

This Conference congratulates all affiliates who have campaigned to get employers to sign up to the TUC Dying to Work Voluntary Charter which has seen over one million workers now protected.

In addition, work continues at a political level to seek changes to the law to ensure workers with a terminal illness have the support, peace of mind and security to know their job is safe, allowing them the freedom to choose the best course of action for themselves and their families.

In light of this, conference agrees to:

- Continue to make the Dying to Work campaign a priority within the TUC which will have resources allocated accordingly.
- To ask each affiliate to target employers to get them to sign up to the voluntary charter as we push towards two million workers protected.
- To seek ways of raising the profile of the campaign within unions at events and conferences.
- To obtain support from national trade unions to ensure the TUC has the campaign at the heart of its strategic campaign plan nationally moving forward.
- To support the campaign as it lobbies politically to change legislation.

GMB