



**Chair:** John McDonnell MP

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# BAKERS' UNION PARLIAMENTARY GROUP

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ANNUAL SUMMARY  
JUNE 2014 – MAY 2015



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## **EXECUTIVE SUMMARY**

The Bakers' Union Parliamentary Group was launched in October 2008 to bring together supportive MPs to work with the union in a concerted and effective way on the union's issues of concern. The Group has been chaired by during the last Parliament by John McDonnell MP, with David Crausby MP and Linda Riordan MP as Vice-Chairs. This report is an overview of the Group's work in Parliament during its sittings between June 2014 – May 2015.

The previous Parliamentary session ran from the state opening on 4 June 2014 until dissolution on 30 March 2014, ahead of the General Election on May 7<sup>th</sup>. This session was dominated by pre-election positioning, with a relatively light programme of legislation. However, the following two Acts were passes which might be of particular interests to BFAWU members:

## **LEGISLATION:**

### **DEREGULATION ACT**

This Act, which received Royal Assent on 27 March, contains an incoherent mix of widely diverse measures group together on the basis that they are getting rid of obsolete measures and lifting the “red tape” burden on business. The diverse measures in the Act include limits to the power of employment tribunals to make “wider recommendations” concerning staff other than the direct complainant; ripping up the health and safety protections for self-employed workers not covered by a list of protected occupations (this will be set out in secondary legislation not yet brought forward); and deregulating the licensing of taxis and private minicabs, potentially undermining passenger safety. The Bill also further deregulates the laws around fracking, changing trespass law to allow fracking companies to drill under homes without notifying the landowner.

### **SMALL BUSINESS, ENTERPRISE AND EMPLOYMENT ACT**

This Act, which received Royal Assent on 26 March, makes limited changes to the law around zero hours contracts, prohibiting the use of “exclusivity clauses”, where the employer could require a worker to sign a contract which prevents them from taking up any other employment, whilst not guaranteeing any hours themselves. However, the government defeated all amendments aimed at stopping the most exploitative uses of zero hours contracts.



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## **LOOKING FORWARDS**

Whilst many commentators had predicted a hung parliament, with Labour possibly being helped into power in some of deal with the Scottish National Party, the result for Labour was much worse than anticipated. The Conservatives reached 330 seats, enough to give them an overall majority, hence all the government positions (previously shared in coalition with the Liberal Democrats). Their working majority is likely to be reinforced by the 8 DUP MPs and 1 UKIP. The SNP all but swept the board in Scotland, with 56 MPs to 1 for Labour, the Tories and the Lib Dems. The parliamentary arithmetic will make it difficult to win crucial votes during this term in the Commons, although there may be greater opportunity to defeat or delay measures in the Lords. Additionally, the ongoing potential for Tory splits over Europe mean that Cameron is not guaranteed an easy ride.

Already indications suggest that the Tories will be coming forward with ferocious attacks whilst Labour is demoralised and leaderless – with new BIS Secretary Sajid Javid already indicating that the Queen’s Speech will include further attacks on the ability of trade unions to take strike action (by introducing minimum thresholds for ballots), whilst Ian Duncan-Smith has been tasked with finding £12 billion from the welfare budget. New legislation to be brought forward by Theresa May to target “extremism” and “radicalisation” threatens to be sufficiently open to potentially encompass radical trade unionism, left activists, and other protestors.

Following Ed Miliband’s resignation, the right wing of the Labour Party launched a deliberate intervention to argue that Labour lost the election because its policies were too left wing, and that it had lost touch with the “aspirational middle classes”. The results of the leadership election are not expected until prior to Conference in the Autumn, with the candidates being limited to figures from the centre or right of the party.

## **PARLIAMENTARY GROUP OVERVIEW**

The Parliamentary Group works to an agenda set by the union and its members, and meets with supportive MPs on a regular basis approximately every 2 months, in addition to specific Ministerial or strategy meetings. Group meetings provide an opportunity for the union to keep MPs fully informed of concerns as well as discussing parliamentary strategy for taking those campaigns forward. The union is notified of forthcoming parliamentary business on a weekly basis and a programme of work on behalf of the parliamentary group is then taken forward daily by Union Services in liaison with BFAWU Head Office. The work of the Group in Parliament is then reported to the union Executive on a quarterly basis both as a written report and with an MP attending, parliamentary business permitting.



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The current membership at the close of the last Parliament stood at 31. A number of Group members stood down at the Election: Linda Riordan (Vice Chair), Joe Benton, Anne Maguire, Austin Mitchell, Paul Murphy and Mike Wood. Linda in particular has been a keen supporter of the group and will be greatly missed. Sadly, Group members Katy Clark, Julie Hilling and Anne Begg were not re-elected.

Following the Election we will be writing to all existing members of the Group who have been re-elected to request their continued and active support in the next Parliament. There are also a number of promising looking new MPs and we are currently drawing up plans to target new recruits to the Group from the new parliamentary intake. Richard Burgon MP for Leeds East has already informed us that he would like to join the Group and will be attending its first meeting in the new session. The Group will be electing its officers at the first meeting and we will be approaching another Vice-Chair to replace Linda Riordan.

The Parliamentary Group met on regular occasions during the last twelve months:

- 9 July 2014
- 29 October 2014
- 21 January 2015
- 11 March 2015

Alongside the formal Group meetings, a number of other Parliamentary meetings took place including:

- 25 June – Meeting with Lord McKenzie of Luton re Maximum Working Temperature
- 7 July – Press Briefing – Fast Food Rights (with US campaigner Ginger Jentzen)
- 9 December – Fast Food Rights steering committee
- 25 February – Meeting with Stephen Timms re Maximum Working Temperature
- 9 March – Fast Food Rights steering committee

The first Parliamentary Group of the new session is scheduled to take place on Wednesday 17 June.

The BFAWU Parliamentary Group hosts political schools for the union in Parliament every few months. These provide an opportunity for BFAWU members and activists to gain an insight into how Parliament works and the role of the BFAWU Group. The itinerary includes a brief tour of Westminster, a briefing on detailed parliamentary procedures, a meeting and discussion with BFAWU Group MPs, and sometimes a chance to watch a current debate in either the Commons or Lords Chamber. The most recent BFAWU Political School took place



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on 15 May 2014 (including a picket of McDonald's in Whitehall for Fast Food Rights). Dates for the next Political School will be announced shortly.

Press releases have been distributed to media outlets highlighting the work of the BFAWU Parliamentary Group, including:

- 14 May 2014 – Fast Food Rights protest
- 7 July 2014 – MPs call for World Cup style “cooling breaks” for UK workers
- 17 July 2014 - As Britons swelter in 30 degree heat, Labour MPs call for Miliband to promise a maximum temperature in the workplace
- 11 March 2015 – MPs call for an end to McDonald's Tax Avoidance

Correspondence from the Parliamentary Group over this period has included:

- Letter to Lord Allen/Ranjit Singh Boparan re 2 Sisters
- Letters to Stephen Timms, Ed Miliband, Chuka Umunna and Angela Eagle re Maximum Working Temperature
- Letter to Glenis Wilmott MEP re McDonald's tax affairs
- Letters to Prof. Paul Cullinan and Prof. Sir Anthony Newman-Taylor re Bakers Asthma

The Group has sponsored and supported a number of Early Day Motions (EDMs) throughout this Parliamentary session which can be seen in the annex. All EDMs fall at the end of the Parliamentary session and they are no longer available for signature. After the Queen's Speech, which heralds the beginning of the new Parliament the Group will consider whether any EDMs need re-tabling. New EDMs will be tabled as our campaigns develop.

A number of detailed briefings have been distributed to MPs and Peers by the Group during this period on our key issues detailed below.



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## KEY CAMPAIGNS

### FAST FOOD RIGHTS/ HUNGRY FOR JUSTICE

The Parliamentary Group has continued to help BFAWU to spearhead the campaign, together with campaign groups like Unite the Resistance, Youth Fight for Jobs, LRC and National Shop Stewards Network. MPs have attended demonstrations, meetings, advised on campaign strategy, and used parliamentary debates and mechanisms to highlight the issues.

Although Parliament had been prorogued unexpectedly early the day before, John and Jeremy Corbyn joined BFAWU members for a Political School last May (15), together with other activists, outside McDonalds in Whitehall for an action on the global day of action which saw a wave of strikes in the US and a wave of solidarity actions in over 30 countries across the world. Earlier in the day Ian Hodson and Helen Pattison from Youth Fight for Jobs had been interviewed by Paul Mason on Channel 4 News. A press briefing event was then organised on 7 July, where Ginger Jantzen, a campaigner from the victorious \$15now campaign in Seattle, spoke. Also at this event was Ian Davidson MP, Chair of the Scottish Affairs Select Committee, who invited participants to contribute evidence on how workers experience zero hours contracts.

At TUC Congress in Liverpool last September, BFAWU successfully moved a motion calling for a £10 per hour National Minimum Wage at TUC Congress in Liverpool which offers an excellent platform from which to push Labour much further than Ed Miliband's offer of £8 per hour by 2020, which offers little beyond uprating the current NMW in line with inflation. On their return following the Conference recess, the Parliamentary Group tabled EDM 451 in support of this demand, and Ian Mearns also tabled EDM 573 on the exploitative youth rates of the NMW on the Group's behalf. This was also raised in a Westminster Hall debate on the National Minimum Wage (16 December):

**Liz McInnes (Heywood and Middleton) (Lab):** In his deliberations, has my hon. Friend given any thought to the practice of many employers of paying the extremely low minimum rate for apprenticeships? Some employers set up bogus apprenticeships that last for only a few months so that they can get away with paying the absolutely paltry rate for apprentices, which I believe is less than £3 an hour. Has he looked at that aspect of the minimum wage and at the age-related minimum wage for under-18s?

**[...]John McDonnell (Hayes and Harlington) (Lab):** [...]We seem to miss out young people in these debates. I am not sure whether he referred to the figures: for an 18 to 20-year-old the national minimum wage is £5.31; for a 16 to 17-year-old it is £3.79; and for apprentices it is £2.73. That must be a disgrace.

**Replying for the Government, Liberal Democrat Minister Jo Swinson:**



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**Jo Swinson:** The hon. Gentleman addresses both the youth rates and the apprentice rate, and the hon. Member for Heywood and Middleton (Liz McInnes) also raised that issue. I share those concerns, particularly on the apprentice rate. We want to encourage people to take up apprenticeships, and under this Government there has been a great increase in their number. Two million apprenticeships have started since the general election, but both hon. Members are right that £2.73 an hour is a very low rate. It is worth bearing in mind that the average pay for apprentices is upwards of £6 an hour and that most employers of apprentices pay well above the minimum rate, but there is also a concerning level of non-compliance with the apprentice minimum wage. Of course, there never used to be an apprentice minimum wage at all—it was introduced by the Government because apprentices were previously not covered by the national minimum wage. Although that was a step forward, there is still a real issue here.

Earlier this year, my right hon. Friend the Business Secretary stated that he is minded to seek a significant increase in the apprentice rate. He suggested that it might be combined with the £3.79 rate for 16 and 17-year-olds, which would provide a boost of more than £1 an hour. We have asked the Low Pay Commission to consider that carefully, and we look forward to hearing its views on the proposal as part of its overall report in February 2015.

Whilst welcome, even the revised apprentice rate of £3.30 an hour still represents an exploitative level on which to employ young trainees, whilst the £3.87 level for 16-17 year olds is scarcely much better. The Group will continue to raise the need for a £10 an hour basic National Minimum Wage, which would also save public funds from being used to subsidise employers paying poverty wages via in-work benefits like working tax credits.

- Zero Hours Contracts

The issue of zero hours contracts also continues to be a major area of concern for the Group, following the successful strike action held at Hovis/Premier Foods in Wigan during 2013. Having been drawn in the top twenty in the Private Members Bill ballot, Ian Mearns brought forward a Bill which would effectively stop workers being forced onto such contracts indefinitely. The campaign held a demonstration outside Parliament in support of the Second Reading of Ian Mearns' Private Members Bill on Zero Hours Contracts (21 November), which are endemic in the fast food industry in particular. The Trade Union Coordinating Group, of which the BFAWU is a founder member, produced a video of this event, featuring speeches by MPs Ian Mearns, Ian Lavery and John McDonnell, together with Sarah Wooley from the union, Lauren Usher from the TUC young workers, and Helen Pattison from Youth Fight for Jobs. The video can be found at [www.tucg.org.uk](http://www.tucg.org.uk).

Presenting his Private Members Bill, Mearns argued:

**Ian Mearns:** [...]The gross weekly average wage for a zero-hours contract worker is £236, which is a full £246 less than the average wage for those in regular, full-time employment. We really need to think about the fact that in a nation such as ours, and in this day and age, so many people are employed on irregular hours and earn a mere £236 a week. Workplaces that utilise zero-hours contracts have a higher proportion of staff on low pay, and those employed on zero-hours contracts also work fewer hours—they work an average of 21 hours a week—than those in other part-time jobs who are not on zero-hours contracts, who work an average of 31 hours a week.



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Zero-hours contracts are an employer's paradise. In fact, they are a one-way street, because they demand total flexibility and commitment from individual employees but offer very little in return from the employer.

[...]My Bill states that if someone has been in a job for 12 weeks, they will become a regular employee entitled to a fixed and regular-hours contract with all the conditions of service that go with it. We will not prosper as a society or grow the type of economy we need as long as more than 1 million workers go to sleep at night not knowing whether they will have the much-needed earnings from the next morning's shift. The Bill would allow workers to escape from the financial limbo in which many of them find themselves.

The Bill states that if someone's employer requests or requires them to work without giving reasonable notice of three days, they should be paid time and a half for a shift ordered within those three days. It also states that if their employer cancels their shift at the last minute, they should not be plunged into financial instability but paid in full for the period in question.

That will take a measure of improved work force and production planning by employers, but that is not bad thing in itself; it is actually good for companies to rationalise the way in which they engage people. The Bill would return a degree of mutuality and fairness to the employment arrangements with which many of the poorest and most vulnerable people in our society find themselves.

I am delighted that Labour Front Benchers have pledged to stamp out the abuse of zero-hours contracts when they are elected to government in 2015, but I do not believe that underpaid, insecure, zero-hours contract workers—our constituents—should have to wait until then.

People outside this place see zero-hours contracts for what they are: Victorian-era employment practices that have no place in a modern, 21st-century economy. Those employed on them know only too well what a zero-hours contract means: low pay, insecure work and zero rights in the workplace. If the Government will not support our plans, it will yet again fall to a Labour Government to protect the interests of ordinary working people doing a decent day's work in workplaces up and down this nation.

Sadly, in the absence of cross-party support, the Bill was not able to complete its 2<sup>nd</sup> Reading and thus progress and has now effectively fallen. Whilst the Labour party's election manifesto had promised to outlaw "exploitative zero hours contracts", the Conservatives in contrast stressed the 'benefits' of "flexible contracts" and have no intention of restricting their use, beyond the ban on exclusivity clauses the Coalition brought forward in the Small Business, Enterprise and Employment Bill (see Legislation section, above). It was surely no coincidence, therefore, when Sports Direct – a retailer notorious for making use of zero hours contracts a key plank of its business model – saw its share price leap by 5% on the news that the Tories had secured a majority.

Prior to the election, the Fast Food Rights campaign's links with fellow campaigners in the USA, in particular the SIEU union, helped to expose the involvement of McDonald's in corporate tax evasion, revealed via the LuxLeaks scandal where it emerged that Luxembourg – whose then minister of finance Jean Claude Juncker has since become President of the EU Commission – was actively encouraging multinational companies to rearrange their tax affairs to take advantage of lower jurisdictions, thus cheating other EU governments of vital tax revenues to fund essential public services.



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The “Unhappy Meals” report, published by the unions and campaigners War on Want, alleged that McDonald’s the company has potentially cost up to £818.7 million to the UK Exchequer alone in tax by diverting franchise payments to McD Europe Franchising Sàrl, a Luxembourg-resident intellectual property holding company with a Swiss branch, then allegedly shifting McDonald’s European headquarters from London to Geneva for the purposes of tax avoidance.

In February, the Group wrote to leader of the Labour Party in the European Parliament (Glenis Wilmott MEP) to urge Labour MEPs (and their equivalents across the sister parties which make up the Socialist Group in Europe) to vote in favour of a full parliamentary inquiry into the matter, as proposed by the Green Group. Whilst this full investigation was blocked, they did agree to set up a committee to investigate, although it does not have the power to force witnesses to appear. The Group also tabled EDM 865 on the issue (see Annex)

Given these developments, the global day of action for fast food workers’ rights – April 15 – was an opportunity to link up with a wider coalition of campaigning groups demanding global justice for food workers internationally, as well as those supporting struggles for workers rights in various contexts across the UK. An action targeting McDonald’s in Whitehall is attracted support from a variety of sources including Unite’s branch of London hotel workers, PCS strikers from the nearby National Gallery, and War on Want, amongst others, with Chair John McDonnell representing the Group at the London protest.

Ian Davidson MP attended the launch rally of the Fast Food Rights campaign in Scotland, along with left wing Labour MSP Neil Findlay (14 March 2015). The Scottish TUC also made the fast food rights campaign the theme of its annual May Day demonstration, offering further opportunities for raising the profile of the campaign north of the border. The Group will be seeking to identify possible supporters amongst the new intake of SNP MPs, although one of their number, Gavin Newlands, was a former business manager at McDonald’s, so the Group might seek to quiz him on the company’s attitude to trade unions and workers rights.

## **2 SISTERS FOOD GROUP**

For some time now, the BFAWU Parliamentary Group has sought to raise the union’s concerns over the extent of job losses at companies owned by the 2 Sisters Food Group, under the direction of its owner and Chief Executive Ranjit Singh Boparan. The Group raised this at the time of the RF Brookes dispute and subsequent site closure in Leicester.

Following the announcement of the planned closures of the Solway Foods site (Corby) and the Avana site (Rogerstone near Newport) with the loss of in excess of 1500 jobs across the



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two sites, the Group invited 2 Sisters Chairman Lord Charles Allen and Chief Executive Ranjit Singh Boparan to attend a Group meeting on 9 July, where MPs and senior elected officials had the opportunity to quiz them regarding the company's overall strategy and employment policy.

“Coincidentally” the company chose the morning of this meeting to announce that the Avana bakeries site at Rogerstone had been partially saved via a management buy-out, with the site transferring to a new company, Food Utopia Ltd. However, Boparan confirmed that he was among the financiers of the new venture, which is apparently being headed-up by two senior figures from the 2 Sisters management. Although it was claimed that the two businesses are entirely independent of each other, MPs expressed scepticism in this regard, and the union will need to be vigilant regarding the implications of the transfer for terms and conditions of the staff of the “saved” plant.

Nevertheless, the 2 Sisters delegation agreed to a number of actions following the meeting, and the Group has written to the company to confirm four key areas where progress has been promised:

- That some manner of formal negotiating structure will be established through which management and unions can consult over the ongoing evolution of the company's strategy over the longer term, and its implications for the workforce – with a view to producing a joint statement.
- That they will urge the new management buy-out team at Rogerstone (Food Utopia) to enter into urgent talks with BFAWU officials regarding their intentions for the plant and any changes to terms and conditions of workers.
- That all management teams should be issued with a clear statement of negotiating principles (including a commitment to openness, transparency, and respecting trade union rights), and instructed the management team at Solway Foods' Manton Wood site to desist from any intimidation of workers from seeking union recognition, and be informed of the company's willingness to work with union officials (that, as they put it in the meeting, the company does not exist in “the dark ages” when it comes to industrial relations).
- That they will attend a further meeting of the BFAWU Parliamentary Group in around 9 months time in order to update MPs on the situation.

Since then the Group has facilitated discussions between Paul Flynn, whose Newport seat includes the former Avana site, and the new company management. Early indications suggest that some progress has been made regarding access to the Manton Wood site, but the Group stands ready to recall Boparan and Allen should they renege on previous commitments.



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## **COOL IT! – MAXIMUM WORKING TEMPERATURE**

The Parliamentary Group continues to campaign – along with other supporting unions in the joint union **Cool It!** campaign – for the introduction of a legal maximum working temperature, beyond which employers would have a statutory duty to implement suitable control measures. This was adopted as TUC policy as the result of a BFAWU-sponsored motion, and in previous years the Parliamentary Group has met with a succession of Shadow Cabinet ministers and even Leader of the Opposition Ed Miliband in 2012.

Following a positive meeting in early 2014 with Stephen Timms, the Shadow Employment Minister, who appeared to support the measure in principle, on June 25 a delegation from the Group met with Lord Bill McKenzie, who led on this issue for Labour when last in government. McKenzie agreed to write to Ed Miliband to urge his support, and to raise oral questions on the issue in the House of Lords. The maximum working temperature was also been included as one of the TUC's recommendations to the Labour Party policy review. BFAWU also included an amendment as part of its own submission:

### **At line 45 after "Justice" ADD**

"The next Labour Government will commit to legislate for a maximum temperature of 30°C (27°C for those doing strenuous work), beyond which employers should have a legal requirement to implement sufficient control measures to protect workers from the effects of excessive heat in the workplace".

Summary: Whilst Regulation 7 of the Workplace (Health, Safety and Welfare) Regulations 1992 and the associated Approved Code of Practice suggests that the temperature in all workplaces inside buildings shall be reasonable, this guidance leaves considerable uncertainty as to the upper limit beyond which control measures must be in place.

Employees in a wide range of workplaces - from industrial bakeries to school classrooms - are often subjected to high temperatures which can impact seriously on their health and well-being, with effects ranging from discomfort, stress, irritability and headaches, to extra strain on the heart and lungs, dizziness and fainting and heat cramps due to loss of water and salt; the consequent reduction in cognitive function, attention span and visual motor tracking can contribute to workplace accidents and fatalities. This makes excessive temperatures both bad for productivity and detrimental to the well-being of employees.

Summer always offers the most opportunities for press attention on the Cool It! Campaign. Last year Ian Lavery tabled EDM 226 on Occupational Health and Excessive Temperatures, welcoming the introduction of "cooling breaks" in World Cup football matches once a specific temperature was reached. Why should control measures for heat be something only millionaire footballers can benefit from? The EDM makes the point that workplaces across the UK – like factories, call-centres, classrooms, and forms of transport – mean that workers millions of workers are faced with excessive temperatures. The campaign's press release resulted in a surprisingly favourable article on the Daily Mail website:



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## **MPS CALL FOR WORKER COOLING BREAKS**

By [Press Association](#)

Published: 12:14, 8 July 2014

Ministers have been pressed to take inspiration from cooling breaks at the World Cup to protect people if their workplaces get too hot.

Official three-minute breaks in each half have been available for the first time in Brazil - and used during the second round tie between Netherlands and Mexico - to ensure footballers can take on fluids should certain temperatures or humidity levels be exceeded.

But MPs say excessive temperature in the workplace is not something that applies "only in tropical climates", noting millions of workers in factories, call centres, schools and other places of work are regularly affected.

They have now supported the union-backed Cool It campaign, which is asking for laws to introduce a maximum working temperature - of 30C or 27C for those doing "strenuous work" - and for employers to provide appropriate controls to reduce the heat or its effect.

Labour MP Ian Lavery (Wansbeck), who is the primary sponsor of an early day motion (EDM) tabled in the House of Commons, said: "It's not just millionaire footballers in Brazil that are troubled by excessive heat when they are at work.

"It's a major problem at times for millions of working people in the UK too. When the temperature is too high employers should be required to introduce sensible control measures too allow workers to cool down.

"Forcing people to work in sweltering temperatures is bad for productivity, concentration and general well-being."

The EDM is signed by a further eight Labour MPs and Conservative Sir Peter Bottomley (Worthing West).

EDMs are formal motions submitted for debate in the House, although very few are actually debated.

Mr Lavery, in his motion, notes football's governing body Fifa was required to introduce cooling breaks for players at the World Cup in order to comply with Brazilian labour law which "would have seen them fined in the region of 90,000 US dollars (£52,000) for each game played without a break".

He adds the MPs recognise "that relief from excessive temperatures has a positive effect on productivity, concentration and general well-being" and notes they support the "campaign of the TUC-backed Cool It! coalition initiated by the Bakers, Food and Allied Workers Union in calling for a specific maximum working temperature to be set in legislation, beyond which the employer would have a legal responsibility to introduce appropriate control measures".

We also press released ahead of the National Policy Forum (NPF), where USDAW were due to table an amendment on the issue. This was immediately followed by a press release from the TUC with Frances O'Grady calling for a maximum working temperature. At the NPF, the affiliates represented on the relevant committee (ASLEF, BECTU, and USDAW) reached the following consensus wording to be included:



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*Labour will ensure everyone enjoys a comfortable and safe working environment. Working with stakeholders we will carry out a review of the legislation and guidance in relation to temperature in the workplace to ensure workers are protected, as far as possible, from excessive temperatures.*

This was then approved as party policy at Labour's Annual Conference in Manchester, and became part of the policy platform on which Labour fought the losing General Election campaign – although it did relatively little to publicise the commitment.

Prior to the election, the Group again with Shadow Employment Minister Stephen Timms on Thursday 12 February 2015 to discuss the nature of Labour's manifesto commitment to act on temperatures at work. However, he reaffirmed that Labour was committed to undertaking a review of existing legislation and guidance in government, with a view to ensuring – as far as possible – that workers do not face excessive temperatures.

In a productive meeting, at which UNITE were also represented (at the invitation of the BFAWU Group), we discussed how to ensure that the issue does not get blocked as before and we avoid a repeat of the flawed HSE report by Prof. Ray Kemp (an expert in management studies with no medical expertise or qualifications in occupational health) which ignored the evidence of experts in the field and did nothing to advance our concerns. It was agreed that there should be further discussion and input with regards to specific proposals about the nature of any future review's remit and composition.

However, the outcome of the election means that the union once again faces the obstacle of a Tory government – this time with a majority – with an open commitment to deregulation and hostility to health and safety legislation. The Group will continue to marshal the arguments and point out the anomaly of having a statutory minimum figure but no maximum figure in place. However, realistically it will be difficult to force concessions from the new Government who can be expected to intensify their attack on Health and Safety under the guise of removing 'red tape' and pushing forward further deregulation. This being the case, we need to ensure that Labour does not abandon its own commitment, and that the necessary preparatory work can be done in opposition so that the legislation is "ready to go" whenever a more progressive government comes to power.

## **POWER OF THE SUPERMARKETS**

The strong recent performance of discount supermarkets Aldi and Lidl has sparked a wider price war among the major supermarkets. This could result in further pressure on suppliers to reduce costs, and hence to further fuel a yet more intense race to the bottom in terms of pay and conditions of the workforce. This has potentially serious consequences for the Baking industry. Falling milk prices has again become a high-profile issue for farmers, and



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there is scope for resuming the campaign with a variety of forces to protect suppliers from the ravages of the free market.

The Group will continue to explore avenues for challenging the ever-growing power of the supermarkets and protecting suppliers from below-cost selling. We need to extend our work with a range of campaigns, charities and industry bodies in order to raise the profile of this issue as a driving force behind redundancies, casualisation and low pay across the industry. In the Labour Party policy review last year, the Group made the following submission:

**Line 19 After "Energy, banking" ADD "supermarket".**

Summary:

The power of the big supermarket chains is a major concern for consumers, workers and independent retailers alike.

The danger for consumers was demonstrated by the "horsemeat" scandal, where the drive to maximise profit via intense downwards pressure on costs seriously compromised the quality of the product. Such pressure is also forcing suppliers to engage in a race to the bottom on pay and conditions, undermining jobs and workers' standard of living, for example in encouraging the uptake of zero hours contracts.

Despite a measure recent progress with the introduction of the Groceries Code Adjudicator's office, there is still a huge problem with outsourcing that also impacts unfairly on under developed countries who are unable to get a proper rate for their labour and the products they produce, as highlighted by charities such as War on Want. This is particularly the case where suppliers have to deal with intermediaries rather than deal directly with supermarket buyers. Such outsourcing also means that food manufacturers in the UK are becoming vulnerable to losing contracts with work being outsourced to exploited workers overseas.

The power of the supermarkets is also bad for small businesses and undermines the diversity of retailers on the high street, which are becoming hollowed-out as supermarkets and other large out-of-town retail units are making it impossible for small independent retailers to compete.

We would propose a windfall tax on excessive supermarkets profits, to enable investment in independent retailers and food manufacturers, together with more effective regulation of the pressure supermarkets can exert on suppliers to prevent pay and conditions from being undermined.

Group member Ian Lavery MP confronted the Minister on this at DEFRA oral questions (12 March):

**Ian Lavery (Wansbeck) (Lab):** The Minister will be aware of the current price war in the supermarkets with regard to the price of a loaf of bread. Sainsbury's is selling Hovis at 75p a loaf. What can Ministers do to ensure that that does not adversely impact people working in the baking industry?

**George Eustice:** The supermarket adjudicator requires retailers to stick to the terms of contracts, not retrospectively to hit suppliers or unreasonably request them to take part in promotions.



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Through the groceries code and the adjudicator, we have measures in place to deal with the problems that the hon. Gentleman cites.

This answer highlights the difficulties involved however. Whilst it is true that the Groceries Code Adjudicator has power to sanction supermarkets from breaking the terms of contractual agreements, her remit does not include interventions about the commercial considerations which influence the terms on which contracts are drawn up. The creation of the Office of the Groceries Code Adjudicator does allow for redress where supermarkets have breached the terms of their supply agreements but it is powerless to intervene where business is switched on strictly commercial grounds (ie. to a cheaper supplier), as Christine Tacon (the present adjudicator) confirmed to a meeting of the BFAWU Parliamentary Group in 2013.

Concern over the food industry has also been expressed in the light of a series by the BBC's Newsnight programme into relations with suppliers, which revealed that Premier Foods have been forcing manufacturers to sign "pay to stay" arrangements, whilst 2 Sisters Food Group have been insisting on discounts for paying suppliers on time. This was taken up by Grahame Morris MP at Business, Innovation and Skills Oral Questions (8 January):

**Grahame M. Morris (Easington) (Lab):** If he will bring forward legislative proposals to prohibit firms from being asked to make pay to stay agreements to remain or become approved suppliers by large firms. [906880]

**The Minister for Business and Enterprise (Matthew Hancock):** The Government are radically increasing transparency over late payment, drastically shortening public sector payment terms, and consulting on changes to tackle pay to stay arrangements.

**Grahame M. Morris:** The business practices of Premier Foods in charging firms for the privilege of being a supplier have been condemned as unethical and an example of predatory capitalism.

**Matthew Hancock:** On the issue of Premier Foods, the practices were hard to defend, as I said earlier. In fact, the company found them impossible to defend when they came to light. The extraordinary increase in transparency will help to make sure that we can see which companies have good payment practices and which have the worst. We can then compare them and hold to account those companies with bad practices. More than that, we are consulting on changes to such contracts and we will have the results of that consultation shortly.

The Group will be seeking to press for a wide-ranging inquiry into employment in the baking industry. A number of charities and pressure groups exist to end the exploitation of suppliers in the global south by big western supermarkets, and there is scope for further joint



**Chair: John McDonnell MP**

**Vice Chairs: Dave Crausby MP, Linda Riordan MP**

campaigning activity about the power of the supermarkets at home and internationally going forward.

## **BAKERS' ASTHMA**

The HSE estimates that bakers rank the second in the league table of all occupations where workers are most likely to suffer from occupational asthma. Only car/van spraying ranked higher in terms of numbers affected:

The industry division with the highest rate of occupational asthma as seen by chest physicians was 'Manufacture of motor vehicles, trailers and semi-trailers' (12 cases per 100 000 workers per year) followed by the 'Manufacture of food products' (6 cases per 100 000 workers per year).

<http://www.hse.gov.uk/statistics/causdis/asthma/asthma.pdf>

Theresa Pearce tabled EDM 635 to keep attention focused on the issue, and the Group was again in touch with leading academics Prof. Paul Cullinan and Prof. Sir Anthony Newman-Taylor of Imperial College London/Royal Brompton Hospital, before the election. In response, Paul Cullinan suggested that "the problem [in the supermarkets] remains as large as ever; every week we see new patients with bakers' asthma from their work in supermarkets – and I know that we see just a fraction of the real problem". He explained that the initial interest from Morrisons in hosting an "intervention study" looking at developing best-practice guidelines had gone somewhat quiet for a period, owing to internal management restructuring. After several months he has sadly concluded that owing to the lack of support from senior management, he feels unable to pursue the planned funding bids.

The Group now intends to invite the HSE representative on the Federation of Bakers' committee on Health and Safety to explore what plans they have to tackle the prevalence of occupational respiratory problems in the baking industry.

## **CREDIT UNIONS**

At the Group meeting on 11 March, the union raised the issue of whether the legislation around Credit Unions could be reformed to allow them to utilise very secure but interest-bearing sources of investment. The Group agreed to look into the proposals for reforms in this area being pursued by the Co-Op Party and Lord Roy Kennedy, and potentially to raise the issue with the All Party Parliamentary Group on Credit Unions.



**Chair:** John McDonnell MP

**Vice Chairs:** Dave Crausby MP, Linda Riordan MP

## **ANNEX ONE**

### **EDM 899 – COVERT SURVEILLANCE OF TRADE UNIONS**

John McDonnell MP

Total number of signatures: **32**

Anderson, David	Bayley, Hugh	Blomfield, Paul	Campbell, Ronnie
Caton, Martin	Clark, Katy	Connarty, Michael	Corbyn, Jeremy
Crausby, David	Cryer, John	Doran, Frank	Durkan, Mark
Flynn, Paul	Galloway, George	Gapes, Mike	Glendon, Mary
Godsiff, Roger	Hopkins, Kelvin	Huppert, Julian	Leech, John
Lucas, Caroline	McDonnell, John	McInnes, Liz	Meale, Alan
Morrice, Graeme	Morris, Grahame M	Osborne, Sandra	Rotheram, Steve
Sheridan, Jim	Skinner, Dennis	Stringer, Graham	Thornton, Mike

That this House is deeply concerned by the revelations of Peter Francis, former member of the Metropolitan Police Force's Special Demonstrations Squad, in relation to the unit's covert state surveillance of trade unions and their members, including Unison, the Fire Brigades Union, the Communication Workers Union, National Union of Teachers, and the construction workers union UCATT, together with the family of Stephen Lawrence, anti-racist groups, civil society organisations and political campaigners; welcomes the judge-led inquiry into the abuse of women by undercover police officers; calls for the remit of that inquiry to include the involvement of state agencies in the operation of blacklisting and the covert surveillance of lawful trade union activities; further welcomes the offer of Mr Francis to provide further evidence; and calls on the Home Secretary to offer whistleblowers immunity from prosecution under the Official Secrets Act in order to encourage people to come forward and disclose essential information in the public interest without fear of criminal charges being brought against them.



**Chair: John McDonnell MP**

**Vice Chairs: Dave Crausby MP, Linda Riordan MP**

**EDM 865 – McDONALD'S TAX AFFAIRS AND THE EXCHEQUER**

Ian Davidson MP

Total number of signatures: **25**

Anderson, David	Campbell, Ronnie	Caton, Martin	Clark, Katy
Crausby, David	Cunningham, Jim	Davidson, Ian	Durkan, Mark
Flynn, Paul	Galloway, George	Glindon, Mary	Godsiff, Roger
Hancock, Mike	Hermon, Lady	Hopkins, Kelvin	Lavery, Ian
Llwyd, Elfyn	Long, Naomi	McDonnell, John	McInnes, Liz
Meale, Alan	Mearns, Ian	Morris, Grahame M	Ritchie, Margaret
Skinner, Dennis			

That this House is gravely concerned at evidence of the aggressive tax avoidance strategies pursued by global fast-food chain McDonald's over several years up to 2013; commends the work of the worldwide coalition of trade unions and global justice campaigns that resulted in the disclosure of these findings in the Unhappy Meals report; notes that the company has potentially cost up to £818.7 million to the UK Exchequer alone in tax by diverting franchise payments to McD Europe Franchising Sàrl, a Luxembourg-resident intellectual property holding company with a Swiss branch, then shifting McDonald's European headquarters from London to Geneva for the purposes of tax avoidance; understands that this was a direct response to a tax policy change in Luxembourg allowing companies to benefit from significant reductions of their tax rate on income earned from intellectual property; further notes that McDonald's and its franchisees, which openly employ much of their workforce on zero hours contracts, earned £2,335.5 million in sales in the UK; and therefore calls on the Government to ensure that such multinational corporations are obliged to pay their fair share of tax on profits generated from UK operations.



**Chair: John McDonnell MP**

**Vice Chairs: Dave Crausby MP, Linda Riordan MP**

**EDM 802 – RIGHT TO STRIKE**

John McDonnell MP

Total number of signatures: **34**

Abbott, Diane	Anderson, David	Bayley, Hugh	Campbell, Ronnie
Caton, Martin	Clark, Katy	Corbyn, Jeremy	Davidson, Ian
Davies, Geraint	Durkan, Mark	Field, Frank	Flynn, Paul
Galloway, George	Hancock, Mike	Hood, Jim	Hopkins, Kelvin
Lavery, Ian	Lazarowicz, Mark	Leech, John	Love, Andrew
Lucas, Caroline	McDonnell, John	McInnes, Liz	Meale, Alan
Morrice, Graeme	Morris, Grahame M	Owen, Albert	Ritchie, Margaret
Rotheram, Steve	Shannon, Jim	Sharma, Virendra	Skinner, Dennis
Stringer, Graham	Williams, Hywel		

That this House notes that 18 February 2015 is Global Day of Action for the Right to Strike; further notes that the Canadian Supreme Court on 30 January 2015 handed down a judgment proclaiming that the right to strike was a fundamental right inherent in the fact that freedom of association is guaranteed by the Canadian charter of Rights; observes that in stark contrast the right to strike is not enshrined in UK law; is deeply concerned by the recent report of the European Committee of Social Rights that the UK is not in conformity with the Articles of the European Social Charter 1961 which it has ratified; is appalled at the extent of non-conformity with the Charter in relation to the right to organise, the right to bargain collectively, the right to just conditions of work and the right to a fair remuneration, amongst others; is further concerned that the UK, which was the first country to ratify the International Labour Organisation Convention 87, remains in breach in relation to the absence of the right to strike; condemns Conservative Party proposals to place yet further legal restrictions on industrial action as another move away from internationally-agreed standards; congratulates the Trades Union Congress and the Campaign for Trade Union Freedom on their work to defend and promote trade union rights; and calls on the Government to immediately fulfil its international obligations regarding trade union rights including those under the European Social Charter and ILO Convention 87.



**Chair: John McDonnell MP**

**Vice Chairs: Dave Crausby MP, Linda Riordan MP**

**EDM 635 - BAKERS' ASTHMA**

**Theresa Pearce MP**

Total number of signatures: 39

Anderson, David	Bottomley, Peter	Campbell, Gregory	Campbell, Ronnie
Caton, Martin	Corbyn, Jeremy	Crausby, David	Davidson, Ian
Dodds, Nigel	Donaldson, Jeffrey	Durkan, Mark	George, Andrew
Glindon, Mary	Godsiff, Roger	Hancock, Mike	Hermon, Lady
Hopkins, Kelvin	Jackson, Glenda	Lavery, Ian	Llwyd, Elfyn
Marsden, Gordon	McCrea, Dr William	McDonnell, John	McInnes, Liz
Meale, Alan	Morris, Grahame M	Mulholland, Greg	Osborne, Sandra
Pearce, Teresa	Riordan, Linda	Ritchie, Margaret	Rotheram, Steve
Shannon, Jim	Sharma, Virendra	Sheridan, Jim	Simpson, David
Skinner, Dennis	Williams, Hywel	Williamson, Chris	

That this House notes with concern that the Health and Safety Executive (HSE) reports that levels of work-related asthma could be ten times as prevalent as official figures would suggest; notes that for nearly a decade, bakers and flour confectioners, together with vehicle sprayers, have consistently been the occupations recording the highest number of newly-recorded cases each year; regrets that due to HSE funding cuts, regular inspections of small independent and craft bakeries do not take place; further notes the research of Professor Paul Cullinan of the National Heart and Lung Institute at Imperial College London which suggests that incidence of unreported bakers' asthma is particularly high in supermarket scratch bakeries; believes that major employers like supermarkets have a responsibility to work with experts in occupational health and trade union representatives to develop best practice in limiting exposure to flour, enzymes and other dusts; and calls on the Government to reverse cuts to the HSE's budget so that regular inspections can take place to ensure that workers are properly protected.



**Chair: John McDonnell MP**

**Vice Chairs: Dave Crausby MP, Linda Riordan MP**

**EDM 573 - YOUNG WORKERS AND LEVEL OF NATIONAL MINIMUM WAGE**

**Ian Mearns MP**

Total number of signatures: 49

Abbott, Diane	Anderson, David	Campbell, Gregory	Campbell, Ronnie
Caton, Martin	Champion, Sarah	Clark, Katy	Connarty, Michael
Crausby, David	Cryer, John	Cunningham, Tony	Dodds, Nigel
Doran, Frank	Durkan, Mark	Flynn, Paul	Glindon, Mary
Godsiff, Roger	Hancock, Mike	Hepburn, Stephen	Hermon, Lady
Heyes, David	Hood, Jim	Hopkins, Kelvin	Howarth, George
Lavery, Ian	Lucas, Caroline	McCrea, Dr William	McDonnell, John
McGovern, Jim	McInnes, Liz	Meale, Alan	Mearns, Ian
Mitchell, Austin	Morris, Grahame M	Osborne, Sandra	Qureshi, Yasmin
Riordan, Linda	Robertson, John	Rotheram, Steve	Roy, Frank
Ruane, Chris	Ruddock, Joan	Shannon, Jim	Sharma, Virendra
Sheridan, Jim	Simpson, David	Skinner, Dennis	Vaz, Valerie
Williamson, Chris			

That this House condemns the epidemic of zero-hours contracts and low pay for workers in the UK; regrets that the current national minimum wage is set at just £5.31 for 18 to 20 year olds, £3.79 for 16 to 17 year olds and just £2.73 for apprentices; notes that workers under 21 years old are disproportionately employed in highly casualised sectors where zero-hours contracts are frequently used; further notes that this prevents many young workers from being able to budget from week-to-week or save for their futures; believes that employers should not be able to exploit young people in this way and that legislation must ensure that no worker has to work on a zero-hours contract; and calls for the adult rate for the national minimum wage to apply to every worker of 16 years of age and above, except on the basis of proven inability to pay, following full disclosure of company profits and executive pay levels.



**Chair: John McDonnell MP**

**Vice Chairs: Dave Crausby MP, Linda Riordan MP**

**EDM 451- INCREASING THE NATIONAL MINIMUM WAGE TO £10 AN HOUR**

John McDonnell MP

Total number of signatures: 27

Anderson, David	Campbell, Ronnie	Caton, Martin	Clark, Katy
Corbyn, Jeremy	Crausby, David	Doran, Frank	Flynn, Paul
Galloway, George	George, Andrew	Glindon, Mary	Godsiff, Roger
Hepburn, Stephen	Heyes, David	Hopkins, Kelvin	Jackson, Glenda
Lavery, Ian	McDonnell, John	McInnes, Liz	Meale, Alan
Mearns, Ian	Morris, Grahame M	Riordan, Linda	Sharma, Virendra
Skinner, Dennis	Williamson, Chris	Wood, Mike	

That this House congratulates the Trades Union Congress for passing a motion, proposed by the Bakers, Food and Allied Workers Union, committing itself to campaign for an increase in the National Minimum Wage to £10 per hour; notes that this would ease the burden on welfare spending by alleviating the need for in work benefits which subsidise exploitative employers paying poverty wages; further notes that this would free up funds for much-needed investment in the NHS, education and other welfare programmes; believes that action is needed to address the scandal that apprentices can be legally paid as little as £2.73 per hour and under-18s just £3.79 per hour; and considers that employers who claim to be unable to afford £10 per hour should be required to submit to an audit of their company profits, bonuses paid to senior executives and dividends paid to shareholders to ensure they are not out of line with employee rates of pay.



**Chair: John McDonnell MP**

**Vice Chairs: Dave Crausby MP, Linda Riordan MP**

**EDM 226 – OCCUPATIONAL HEALTH AND EXCESSIVE TEMPERATURES**

Ian Lavery MP

Total number of signatures: **33**

Anderson, David	Bottomley, Peter	Campbell, Ronnie	Caton, Martin
Clark, Katy	Connarty, Michael	Corbyn, Jeremy	Crausby, David
Cryer, John	Durkan, Mark	Flynn, Paul	Galloway, George
Glindon, Mary	Hancock, Mike	Hood, Jim	Hopkins, Kelvin
Lavery, Ian	Leech, John	MacNeil, Angus	McDonnell, Alasdair
McDonnell, John	McGovern, Jim	Meale, Alan	Mearns, Ian
Morris, Grahame M	Riordan, Linda	Ritchie, Margaret	Rotheram, Steve
Shannon, Jim	Sharma, Virendra	Sheridan, Jim	Ward, David
Williams, Mark			

That this House welcomes the introduction of mandatory cooling breaks for players in World Cup matches in circumstances where the temperature exceeds a specified level; notes that FIFA was required to introduce such control measures in order to comply with Brazilian labour law which would have seen them fined in the region of \$90,000 dollars for each game played without a break; recognises that relief from excessive temperatures has a positive effect on productivity, concentration and general well-being; further notes that excessive temperature in the workplace is not something that applies only in tropical climates but regularly affects millions of workers in a wide variety of factories, call-centres, schools, forms of transport and offices in the UK; and therefore supports the campaign of the TUC-backed Cool It! coalition initiated by the Bakers, Food and Allied Workers Union in calling for a specific maximum working temperature to be set in legislation, beyond which the employer would have a legal responsibility to introduce appropriate control measures.



**Chair:** John McDonnell MP

**Vice Chairs:** Dave Crausby MP, Linda Riordan MP

**ANNEX 2: BFAWU PARLIAMENTARY GROUP  
(up to 7<sup>th</sup> May 2015)**

**ANNEX TWO: BFAWU PARLIAMENTARY GROUP MEMBERS**

<b>Name</b>	<b>Constituency</b>	<b>Party</b>
Dave Anderson MP	Blaydon	Labour
Anne Begg MP	Aberdeen South	Labour
Joe Benton MP	Bootle	Labour
*Richard Burgon MP	Leeds East	Labour
Ronnie Campbell MP	Blythe Valley	Labour
Katy Clark MP	North Ayrshire and Arran	Labour
Jeremy Corbyn MP	Islington North	Labour
David Crausby MP	Bolton North East	Labour
Mary Creagh MP	Wakefield	Labour
John Cryer MP	Leyton and Wanstead	Labour
Jonathan Edwards MP	Carmarthen East and Dinefwr	Plaid Cymru
Natascha Engel MP	Derbyshire North East	Labour
John Healey MP	Wentworth and Dearne	Labour
Julie Hilling MP	Bolton West	Labour
Kate Hoey MP	Vauxhall	Labour
Kelvin Hopkins MP	Luton North	Labour
Ian Lavery MP	Wansbeck	Labour
Gordon Marsden MP	Blackpool South	Labour
Kerry McCarthy	Bristol East	Labour
John McDonnell MP	Hayes and Harlington	Labour
Anne McGuire MP	Stirling	Labour
Catherine McKinnell MP	Newcastle Upon Tyne North	Labour
Ian Mearns	Gateshead	Labour
Austin Mitchell MP	Great Grimsby	Labour
Paul Murphy MP	Torfaen	Labour
Lisa Nandy MP	Wigan	Labour
Theresa Pearce MP	Erith and Thamesmead	Labour
Linda Riordan MP	Halifax	Labour
Valerie Vaz MP	Walsall South	Labour
Mike Wood MP	Batley and Spennings	Labour
Lord McKenzie of Luton		Labour

\*New member after the Election