GMB MEMBERS FIGHT BACK, CONSULTATION EXTENDED—THE POWER OF THE UNION

The collective efforts of the GMB and its members has been shown in recent protests at Asda house in Leeds following the company’s proposal to introduce a new contract and give 60,000 workers a pay cut by having a race to the bottom with their terms and conditions.

Asda introduced a voluntary contract in 2017 known as contract 6 with limited take up by colleagues, only a small % of colleagues actually transferred with the majority of these being section leaders. What appears to be happening here is taking hard earned rights from the workers to give to the majority shareholders and increase overseas profits for their American partners.

GMB members and activists travelled from all over the country as far as Scotland to send Asda a clear message that they are fighting back against this attack on their hard earned terms and conditions and won’t stop until this corporation listens.

See details of the Asda House demo at www.gmbyorkshire.org.uk

Have You Got News For Us?
If you’ve got a news item about your store or the work you do as a GMB rep then send it to Jake O’Malley at Freepost GMB Wakefield or email jake.omalley@gmb.org.uk and we will include it in our next newsletter.
Court of Appeal rules ASDA store workers can compare themselves to warehouse workers in pay claims

On 31st January 2019 the Court of Appeal upheld the ruling that Asda store workers can compare their roles with those in the supermarket giant’s distribution centres in legal claims over equal pay.

The judgment is a major step forward in the fair pay battle on behalf of tens of thousands of store workers who had already won in the Employment Tribunal and Employment Appeal Tribunal against Asda’s attempts to block their legal claims. The WalMart owned Asda appealed the two previous rulings they lost, both of which found that lower paid shop workers, who are mostly women, can compare themselves to high paid workers in Asda’s distribution centres, who are mostly men.

Our members were represented by law firm Leigh Day. Leigh Day represents over 30,000 shop floor staff from the big four supermarkets—Asda, Sainsbury’s, Tesco and Morrisons, in similar equal pay cases which will be impacted by this judgment. The total estimated of the claims against the big four supermarkets, if they lose their cases and are ordered to pay all eligible staff could be over £8 billion, according to Leigh Day.

Linda Wong a lawyer from the employment team at Leigh Day who is working on behalf of supermarket workers in these equal pay claims said

“Our clients are obviously delighted to have won this major victory against Asda and we now hope that rather than continuing to spend huge sums of money thwarting attempts to pay their staff what they are worth, Asda and the other major supermarkets pay their staff fairly as these workers, are also their customers and fair wages benefit all businesses and UL society in general. We call on Walmart to lead the change for those hard-working store staff who are their workers and the public face of Asda.”

Equal Pay Myth buster
Everyone will get a pay-out • WRONG:
If the claim is successful it is likely all colleagues will benefit from the success – however ONLY people who have registered their claims will get up to six years back pay.

Only women can claim – WRONG: Men and Women working in stores can put in a claim.

I have seen on Facebook, it’s an online scam • WRONG: The GMB, through our lawyers Leigh Day, have registered thousands of claims. It is a legal process, we have written to members and we are speaking to colleagues during visits to stores.

I don’t have the money to pay legal cost: GMB covers the costs for members and you will keep 100% of any compensation.

I do a totally different job to people in distribution: A court has ruled that jobs in store can be compared to jobs in distribution. As part of the legal process a method of comparing jobs will be agreed.

I will wait until the deadline for claims – and join then: This is a legal process so it isn’t possible to predict when it will be settled. Don’t delay put your claim in today!

I am worried if I put a claim in it will affect my job: Over 10,000 claims have been registered. It is a formal legal process, it won’t affect your job.
If you are being pressured by your management to sign, contact your trade union without hesitation.

GMB has recently received a lot of concern by members in various stores across Yorkshire and North Derbyshire that some management techniques have been very over bearing around this proposed imposition on variation to contract 6 instructing our members that if they do not sign they will be sacked.

To highlight—If your manager at any point says things outside of the instructed consultation wording contact your trade union, we will not accept this behavior by your employer.

This is a proposal with extended consultation, no decision has been made do not enter a one to one meeting with your manager.

You have the right to a trade union representative at any proposed one to one do not be told otherwise.

You have the right to raise a grievance through the correct company procedure if you feel anything through this process is misleading you by management.

Look out for a GMB representative or organiser in your store.

Equal pay claim - The two part myth

All staff should now be aware of claims being registered by GMB, however on our visits we are still asked "won’t all staff receive a settlement, even if they don’t register a claim?" In short its unlikely, if our claims are successful (and we believe they will be) Asda may have to level the difference in pay for all staff affected going forward to avoid further action. However in this case Asda would not be legally obliged to pay back pay owed to any employee who has not got a claim registered and don’t forget the court can order compensation to members for up to 6 years back pay from the date the claim was registered plus the time its taken after this to reach a settlement. It’s simple—GMB members need to ensure their claim is registered without delay.

Occupational Health and Sick Pay

Colleagues, if you have an underlying health condition have you seen Occupational Health? If not, why not? You can request to see them yourself by speaking to your People Manager.

Doing this has a number of benefits, they can make recommendations for reasonable adjustments for your work life, and they can recommend further treatments that can be sourced through Asda, cutting down on the time you may have to wait for the NHS. It will also be on your file, if the condition is long term and may last for over 12 months you would come under the Equalities Act 2010, as such using this condition to calculate time off sick would be unfair.

When it comes to sick pay, you shouldn't have to wait the three waiting days before you receive sick pay as it is an underlying health condition, but only if you have seen Occupational Health and have the report on your file. You also should not be waiting the three days if you are off sick due to being injured at work, for this also make sure that the accident log has been filled out. And remember to contact Unionline about any workplace injury.

You can request to have a Union Rep with you when you see Occupational Health and in any meeting with Asda to discuss what the report says.

5 Ways to Wellbeing

Connection
Be Active
Take Notice
Keep Learning
Give
Lee Sammut’s Blog

Well colleagues, it’s been an interesting month with the latest development from Asda regarding the PROPOSED contract change. My concerns and what I will be challenging Asda about is the impact of consultation what could effect on our members’ mental health.

I was talking to a colleague in one of the stores I cover who rightly told me that if this latest contract comes in to force, that she will have to live her life in increments of 3 weeks. In other words colleagues can not plan further ahead than 3 weeks

In my last blog I spoke about the problem of fire exits and route being blocked and locked on a regular basis. The individual who dealt with this was very surprised with my findings. I also raised the point that when a senior manager or director makes a visit to a store that it is scheduled we tend to find the store “perfect.” My issue with this simple, this does not show a true reflection of that store and secondly the wage budget is wasted on that day and so, for the rest of the week colleagues are having to work with less staffing hours than is needed to run the store, which could concern efficiency and safety.

As a result of this discussion in the H&S forum ideas were suggested and the national rep for security and I will be working with Steven Lamming on the upcoming fire focus week scheduled for week 40.

As always I am here for your health & safety so please feel free to contact me with any issues or concerns.

Email: leesammut.gmb@gmail.com
Phone or text : 07486895129
Facebook: GMB Yorkshire & North Derbyshire region at Asda

Stay Safe!

Lee Sammut

Contacts
A55 Acting Branch Secretary: Chris Brook
Huddersfield
A56 Branch Secretary: Moira Hunter
Rotherham Aldwarke

National Retail Forum Rep
Ron Powell (Ron.powell@gmb-asda.com)
Tel: 07985758780
Deputy
Sandee Harrison—Wakefield Home Shopping

National Health and Safety Rep
Lee Sammut - Doncaster (leesammut.gmb@gmail.com)
Tel: 07486895129

Follow us on Facebook
GMB Yorkshire & North Derbyshire Region at ASDA
FUNDED QUALIFICATIONS FOR GMB MEMBERS

As a GMB member you have access to fully funded distance learning courses through our lifelong learning project which lead to nationally recognised qualifications worth hundreds of pounds! There are no tests or exams as all courses have knowledge-based assessment with dedicated tutor support. This includes, but is not limited to the following Level 2 distance learning courses:

- Understanding Behaviour that Challenges
- Understanding Autism
- Children & Young People’s Mental Health
- Caring for Children & Young People
- Awareness of Mental Health
- Counselling Skills
- Understanding Working with People with Mental Health Needs
- Principles of Working with Individuals with Learning Disabilities
- Preparing to Work in Adult Social Care
- Understanding Safeguarding & Prevent
- Customer Service
- Safe Handling of Medication in Health & Social Care
- Understanding the Care & Management of Diabetes
- Understanding Specific Learning Difficulties
- Understanding Nutrition & Health
- Common Health Conditions
- Understanding Common Childhood Illnesses
- ICT User Skills (ITQ)
- Lean Organisation Management Techniques
- Information, Advice & Guidance
- Principles of Business & Administration
- Principles of Team Leading
- Equality & Diversity
- Cleaning Knowledge & Skills
- Maths
- English

To secure course places or for more information please contact:
GMB Office: Cortney O’Neal (Project Administrator)
Email:Cortney.O’Neal@gmb.org.uk or Tel: 01924 887279

JO COX LEARNING FUND

In February 2017, the GMB’s Regional Learning Fund was renamed the Jo Cox GMB Learning Fund in memory of the late Jo Cox, MP for Batley & Spen. We want to make sure her legacy and values continue through the work we do at GMB and beyond in our communities, and what better way than to support our members in their learning and training aspirations.

This fund was created to assist GMB members with education and training costs in a bid to help them progress in their jobs but equally as important, it is there to help members who are out of work and who need up-skill so they can secure future employment. It is primarily aimed at members of the GMB who are on the unemployed rate. Details of the terms and conditions of the ‘Regional Learning Fund’ and an application form can be found here: www.gmbyorkshire.org.uk/regional-learning-fund

Please remember to have previously liaised with your workplace Union Learning Representative or Branch Learning Representative, Full-time Officer, the Regional Learning Committee, the Regional Project or the Learning Co-ordinator in your area. This must be done prior to applying for funding. It may well be that one of the above could assist you in obtaining the training course that you are about to apply for funding, free of charge in the first instance.
Have you ever been fined after accidentally parking illegally or have unwittingly gone into a bus lane?

In the case of offences in connection with the Road Traffic Acts, contributing members will be entitled to free legal advice and where, in the opinion of the regional secretary, it is desirable that a member should be represented in court, such defence will be provided.

For an extra 20p a week on top of your memberships fees, if a member of the Motor Drivers' Fund is found guilty of an offence and is fined, a grant will be made by the union except where the charge is for:

- Log book offences
- Any driver not having insurance cover as required by the current road traffic legislation
- Proceedings arising from drink/drug related offences
- Wilful neglect or any criminal act on the part of members.

Download an application form by typing this link into your internet browser [https://tinyurl.com/motorfundapplication](https://tinyurl.com/motorfundapplication) and for full fund rules go to [https://tinyurl.com/motorfundsrules](https://tinyurl.com/motorfundsrules) or contact regional office on: 0345 337 7777

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GREAT OFFERS FROM HOTPOINT

We are pleased to announce a new partnership between GMB and Hotpoint which offers fantastic savings on a comprehensive range of kitchen appliances including Hotpoint's new range of small kitchen appliances.

SAVE UP TO 30% OFF HOME APPLIANCES FROM HOTPOINT AND INDESIT

FREE delivery and FREE removal of your old appliance.

Visit: [www.gmbyorkshire.org.uk/members_login](http://www.gmbyorkshire.org.uk/members_login) to get the discount scheme ID to take advantage of these great offers.

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GMB's approved provider of car insurance LV= give members an exclusive discount on their car insurance. For a quote on car insurance which is 5 Star Rated by Defaqto call now on:

**0800 756 8349 (for text phone first dial 1800)**

Lines open Monday to Friday 8am-8pm, Saturday 9am-5pm and Sunday 10am-4pm. LV= can also insure your motorbike, caravan or classic care, for more information on all products visit LV.com/GMB

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MEMBER SAVINGS

MEMBER LOANS

MEMBER FINANCIAL SERVICES

GMB Credit Union was established in 1999 to serve GMB members and their families by providing a competitive democratic alternative to banks and other savings and loan providers. GMB Credit Union is 100% owned by GMB members and offers a range of services aimed at assisting members to manage their household budgets.

Members are encouraged to make the most of their money through regular savings, which are fully protected by the FSCS up to £85,000, and responsible borrowing with fast flexible loans from £100 to £10,000.

Join GMB Credit Union and be part of a fairer way to manage your money. Download a GMB Credit Union application form or visit the GMB Credit Union website for further details.

Web: [www.gmbcreditunion.com](http://www.gmbcreditunion.com)

Tel: 0161 486 1777
Mental Health Matters

GMB has produced a guide which has been designed as a one-stop resource to provide information on mental health conditions; give basic advice on tackling the issues and providing solutions; and outline ways to organise around mental health as a workplace health and safety issue.

According to the Centre for Mental Health, 1 in 6 in employment are considered to experience stress, anxiety or depression at some stage. This is brought to the forefront of the mind when you consider that according to MIND, 20% of employees in the UK take a day off work stating stress as the cause. A further 95% lie about their reason for absence.

GMB has been and continue to campaign and lobby Parliament to introduce mental health legislation to ensure mental health is treated with the seriousness it deserves in the workplace. This is about people’s lives and making sure that our working environments provide a place of safety and belonging for all workers from all backgrounds.

“We encourage all employers to take up the mantle of responsibility to improve their workplaces, to stay vigilant and attentive to their staff, to train managers to act responsibly and appropriately to situations where mental health is a consideration. If businesses are unwilling to lead the way in providing safe and secure work environments for people, we encourage all those not yet already members to join a union and join us in the campaign to improve workplace conditions.” (Joe Wheatley – GMB Young Member)  

To download a copy of the GMB Mental Health@Work Guide go to: http://www.gmb.org.uk/gmbguide-mentalhealth.pdf

If you're a GMB member, and you or a member of your family has an accident of any sort – at work, on the road or elsewhere – call UNIONLINE on 0300 333 0303 for expert advice.

- UNIONLINE is owned by GMB members, and works for GMB members.
- It’s the country’s first trade union owned law firm.
- As a GMB member, you will keep 100% of your damages award.

Need a will? Use UNIONLINE’s will making service - UNIONLINE offers a free simple will-writing service for GMB members and their partners.

Personal Injury? Report it now If you or a member of your family has an accident of any sort, at work or elsewhere call UNIONLINE now on 0300 333 0303 and our expert lawyers will assess your case.

Keep 100% of your damages award With other personal claims solicitors, you’ll pay 25% of damages awarded as their fee. If UNIONLINE wins your case, you’ll keep 100% of the money awarded to you.

Selling your house? Call UNIONLINE and ask about our conveyancing service. It could be much cheaper than using a high street solicitor.

Family and criminal law The government has cut legal aid, but UNIONLINE offers GMB members a discount on a range of family and criminal law services, so give us a call if you need legal help.

Motor legal service Your car insurance offers this and charges you for it but it’s an expense you don’t need to incur. In the event of a vehicle accident just call UNIONLINE’s specialist service who will assist you through the whole process covering vehicles, repairs and any injury claim you may have resulting from the accident?
Join now for protection, support and advice.

Hand this form to your local GMB representative, or post it by simply writing ‘FREEPOST GMB Wakefield’ on an envelope. You don’t need a stamp or any other address details. Questions? Email us at info@gmb.org.uk or visit our website: www.gmb.org.uk where you can also join instantly.

PLEASE USE BLOCK CAPITALS

TELL US ABOUT YOU. This will help us do the best possible job for you.

Forename

Surname

Title

Date of Birth

Home phone number

Mobile number

Home address

Postcode

Work address

Postcode

Email address

Employer

Job title

Hours a week

THE IMPORTANT BITS. Please authorise us to take your fees from your wages.

Section 68, Trade Union and Labour Relations (Consolidated) Act 1992 as amended

Pay number

• Please start the deductions immediately and pay the amounts to GMB.
• I note that this agreement may be cancelled by one month’s notice in writing.
• I give permission to my employer to notify GMB of any future change of address.

Signature(s) Date

STAYING IN TOUCH. We want to make it as easy as possible to talk to each other.

GMB contacts members by email, phone and SMS about issues related to membership, membership services and campaigns.

Tick if you DO NOT wish to be contacted by: Email Phone SMS

GMB has a political fund to pay for political campaigning, which you can opt-in to for 1p a week. In the past, the fund has helped win rights such as the minimum wage and maternity leave. There will be no detriment to you if you do not opt-in.

Do you want to opt-in to the political fund? YES NO

AND JOIN. I agree to abide by GMB rules.

Signed

Date

Welcome to the GMB Union family!
Join now for protection, support and advice.

Hand this form to your local GMB representative, or post it by simply writing ‘FREEPOST GMB Wakefield’ on an envelope. You don’t need a stamp or any other address details. Questions? Email us at info@gmb.org.uk or visit our website: www.gmb.org.uk where you can also join instantly.

PLEASE USE BLOCK CAPITALS

TELL US ABOUT YOU. This will help us do the best possible job for you.

Forename
Surname
Title
Ms Miss Mrs Mr Mx
Home phone number
Mobile number
Home address
Postcode
Email address
Employer
Job title
Hours a week

THE IMPORTANT BITS. Please authorise the Direct Debit.

Instruction to your Bank or Building Society to pay by Direct Debit

Name & full postal address of Bank/Building Society
To the Manager of Bank/Building Society
Address:
Postcode:
Name(s) of account holder(s)
Account number
Sort code
Reference (FOR GMB USE ONLY)

This is not part of the instruction to your bank or building society.

PAYMENT DATE. Please select a payment date.

If you are paid monthly
1st*
8th*
16th*
23rd*
Last day of the month*
Or if you are paid 4 weekly
1st Friday
2nd Friday
3rd Friday
4th Friday

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AND JOIN. I agree to abide by GMB rules.

Signed
Date

Welcome to the GMB Union family!

To read the GMB rulebook please visit www.gmb.org.uk/rules For our privacy policy go to www.gmb.org.uk/your-privacy

You can change your contact preferences at any time by logging into your MyGMB area at www.gmb.org.uk/mygmb