

The latest news and announcements from Derbyshire UNISON

Brexit

Four years after Article 50, UNISON is working hard to keep the government honest over the UK's separation from Europe - and the settled status deadline is fast approaching



Brexit – what UNISON is doing now

Four years ago, on 29 March 2017, then prime minister Theresa May formally triggered Article 50 and the UK's long, torturous exit from the European Union.

It wasn't until 1 January this year that the UK finally left the EU single market and customs union. A few weeks earlier, the EU-UK Trade and Cooperation Agreement (TCA) was signed, determining the new trading relationship.

As far as UNISON is concerned, the deal doesn't live up to the promises that were made by Boris Johnson and his Westminster government.

In the short-term, some of the

economic impacts of Brexit are already here, with customs and border disruption, a perceptible increase in supermarket prices, delays in some food and medicine deliveries and uncertainty in Northern Ireland ports.

In the longer term, the UK is likely to diverge from the EU on such things as labour, environment, privacy, consumer and product standards and a host of other regulations.

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And as the pandemic has played havoc with the settled status scheme, the fate of thousands of EU citizens – UNISON members among them – remains in the balance.

Allison Roche, the UNISON policy officer who leads on Brexit for the union, said today: “Although leaving the EU is now over, some of the real, post-Brexit battles are just beginning to start.

“UNISON held the government accountable throughout the negotiations and we will now hold them accountable on their promise that no-one will be worse off.

“Protecting public services and our members’ workplace and equality rights is still our union’s priority in any new, post-Brexit UK legislation.”

Here are some of the key areas of concern, and what UNISON is doing about them:

Workers’ rights

The government has delayed its new employment bill, but UNISON has concerns that without stronger protections the legislation could chip away at some of our members’ rights, among them:

- collective consultation rights in the workplace
- TUPE
- paid annual leave
- the 48-hour limit on the working week
- holiday pay
- atypical workers’ rights, eg agency workers’ rights.

Protections

Protections of UK workers’ rights will now rely on UK inspection and enforcement processes. UNISON will campaign for all labour codes to be mandatory and not voluntary. It will also demand that there are legal guarantees in any

new UK labour enforcement, remedies and sanctions, so that employers are deterred from any violations of labour and trade union rights.

European Court of Justice

The UK has lost access to the European Court of Justice (ECJ), with the government now allowing existing ECJ rulings and case law to be challenged in the UK courts. This could enable the unpicking of case laws that are currently protecting our EU-based rights and standards.

Employment tribunals

In the absence of ECJ case law, both employment tribunals and judicial reviews may be made more difficult – making it harder for UNISON to represent and defend its members’ rights. The union is campaigning to ensure that workers’ voices can be represented fairly.

Trade

UNISON continues to campaign for the removal of public services, and particularly health services, from all trade deals. This would mean that UK public services would not be open to global markets and financial investment.

Public procurement

The government has consulted on its proposals to reform the UK public procurement regime, with new rules expected to be put into a bill by the end of 2021.

UNISON’s public procurement campaign aims to prevent the widening privatisation of UK public services both domestically and in any trade deals. The union insists that the bill must include:

the right for all contracting authorities to maintain services in-house, with a duty to appraise insourcing as a preferable option to out-sourcing

references to workers' rights, good employment practices, collective bargaining and trade union recognition

mandatory requirements to rule out price-only contract awards, to prevent the 'race to the bottom'

the promotion of a social partnership for public procurement, in which workers' voices are core to public service delivery.

Settled Status

There are fewer than 100 days before the deadline for EU citizens to apply for settled status, enabling them to secure their immigration status and right to live and work in the UK.

UNISON is continuing to campaign for the government to extend the 30 June deadline.

However, nothing can be taken for granted. Therefore the union is urging every member who is an EU, EEA or Swiss citizen to make sure they have applied for settled status before 30 June.

Those whose legal right to be in the UK depends on another EU/EEA/Swiss citizen also need to apply by the same deadline.

Recent research has shown that members working in the fragmented and privatised social care sector may be particularly unaware of what the new immigration rules mean for them. UNISON hopes all its members will spread the word to colleagues, friends and neighbours who may not realise they are affected by Brexit.

The union is offering free immigration advice through the Joint Council for the Welfare of Immigrants (JCWI). If you would like to access this, please call UNISON Direct at 0800 0 857 857.