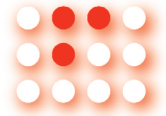


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## Tory think tank calls for scabs' charter

The general union Unite announced that the ballot of its cabin crew members at British Airways has resulted in another overwhelming vote for strike action in the long-running dispute over imposed changes to crew numbers and working practices. However, the union has not announced dates for industrial action.

Eight out of 10 (81%) voted yes to industrial action on a 79% turnout: 7,482 of crew members balloted voted yes with 1,789 crew voting no; 11,691 ballot papers were issued. The second ballot was the result of the court's backing BA's legal action to stop strike action following another ballot when the vote was again overwhelmingly in favour of industrial action.

Unite assistant general secretary Len McCluskey said: "With this overwhelming vote in the teeth of BA harassment and media misrepresentation, BA's cabin crew have made clear that the deep sense of grievance they feel about their treatment by their employer remains.

"Our members are not mindless militants but men and women committed to their company and their profession, so it is right that they want to be consulted on changes to their jobs.

This was all too much for the "classical-liberal" think tank Progressive Voice, which has called for an end to the prohibition on hiring replacement agency workers during industrial action.

Shane Frith, advocating a scabs' charter, said: "This action by BA staff further demonstrates the need for radical amendments to labour relations laws to prevent trade unions from holding the nation's economy hostage.

"Such an amendment does nothing to restrict the rights of workers to withdraw their labour. However, if worker exercise this right, why should employers have their rights restricted by preventing them from hiring willing workers?"

"Britain's economy and competitiveness is in tatters. The only way the nation can return to true prosperity is to improve productivity and this will not be achieved with trade unions resisting much needed reforms and crippling vital businesses."

Progressive Voice's claims to be a classical-liberal think tank don't seem backed up by people linked to it. Shane Frith has worked for a number of right-wing think tanks, including Reform and the Centre for Policy Studies (CPS).

A Fellow of the think tank, Professor John Spier's links also include Reform and the CPS. He was a member of Prime Minister John Major's Citizen's Charter Advisory Panel in the 1990s.

**LABOUR RESEARCH DEPARTMENT**

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Professor Jim Thornton, another Fellow, has links to other Tory think tanks and was the Conservative Party's parliamentary candidate for Nottingham East in the 2005 general election.

According to its website, Progressive Vision has launched Progressive Conservatives, a new group for classical liberals in the Conservative Party. The chair of this offshoot is Syed Kamall, an MEP for London.

[www.unitetheunion.com/news\\_events/latest\\_news/ba\\_cabin\\_crew\\_vote\\_overwhelmin.aspx](http://www.unitetheunion.com/news_events/latest_news/ba_cabin_crew_vote_overwhelmin.aspx)

[www.progressive-vision.org/Media/100222%20-%20Strike%20breakers.htm](http://www.progressive-vision.org/Media/100222%20-%20Strike%20breakers.htm)

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## Fines for manslaughter take effect this month

Punitive and significant fines should be imposed both to deter and to reflect public concern at avoidable loss of life, according to the independent Sentencing Guidelines Council.

The council has set out principles to guide courts in dealing with companies and organisations that cause death through a gross breach of care or where breach of health and safety requirements are a significant cause of the death.

Fines for companies and organisations found guilty of corporate manslaughter may be millions of pounds and should seldom be below £500,000. For other health and safety offences that cause death, fines from £100,000 up to hundreds of thousands of pounds should be imposed. The guidelines came into effect on 15 February.

In deciding the level of fine, account must be taken of the financial circumstances of the offending organisation. In the guidelines, the Council emphasises the need for a court to have full, accurate and reliable information and details the method for ensuring that it is consistently provided.

When fixing the fine, a court should not be influenced by the impact on shareholders and directors, nor consider the costs of complying with other sanctions. However, the effect on the employment of the innocent may be relevant, as may the effect on provision of services to the public.

Factors increasing the seriousness of the offence identified by the council include whether non-compliance was common and widespread within the organisation, and how far up the organisation responsibility for the breach went.

Other factors that would aggravate the offence and raise the fine above the relevant minimum level include the number of deaths and serious injury caused, injury to vulnerable persons, failure to heed warnings or respond to near misses of a similar nature, cost-cutting, and deliberate failure to obtain or comply with relevant licences.

TUC health and safety officer Hugh Robertson said "While the proposals mean that many fines will be higher than at present, many unions will still be disappointed that these fines will be a drop in the ocean for some big companies."

[www.sentencing-guidelines.gov.uk/docs/guideline\\_on\\_corporate\\_manslaughter\\_press\\_release.pdf](http://www.sentencing-guidelines.gov.uk/docs/guideline_on_corporate_manslaughter_press_release.pdf)

[www.sentencing-guidelines.gov.uk/docs/guideline\\_on\\_corporate\\_manslaughter.pdf](http://www.sentencing-guidelines.gov.uk/docs/guideline_on_corporate_manslaughter.pdf)

[www.tuc.org.uk/h\\_and\\_s/tuc-17564-f0.cfm#tuc-17564-12](http://www.tuc.org.uk/h_and_s/tuc-17564-f0.cfm#tuc-17564-12)

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## Guidance is set out for new 'fit notes'

Employers should work closely with unions to ensure that the new 'fit notes' work to the benefit of the thousands of workers in the UK who are made ill or injured every year as a result of their jobs, the TUC has said.

The challenge to employers comes as the TUC publishes a guide, *Changes to the medical certificate*, to the new method for reporting sickness, which will see changes to the current system of issuing sick notes.

From 6 April 2010, GPs will be able to assess an individual worker's suitability to return to work, and where appropriate, suggest a return to a certain type of work, even if it's not to do their original job.

TUC general secretary Brendan Barber said: "GPs may not have a detailed enough knowledge of where someone works to be able to make realistic recommendations for changes to an individual's workplace or duties to allow the worker to have the confidence to return before they are able.

"Similarly many employers lack the occupational advice support needed to act on a doctor's recommendations. That's why we've produced this guide to get employers and unions working together to get round any problems the changes could create.

"If employers use the additional information on the revised medical certificate to work with individuals who want to get back to work, and give them the support they need, this could help reduce sickness

absence. But if employers see the changes as a green light to force workers back to work before they are well enough to return, in the long run, it will only lead to increased sickness absence and unnecessary conflict."

[www.tuc.org.uk/h\\_and\\_s/tuc-17596-f0.cfm](http://www.tuc.org.uk/h_and_s/tuc-17596-f0.cfm)  
[www.tuc.org.uk/extras/fitnote.pdf](http://www.tuc.org.uk/extras/fitnote.pdf)

## Tories can't even run their own headquarters

The party that want to take over running the country can't even run its own headquarters if figures from the political finance watchdog, the Electoral Commission, are anything to go by.

The commission said that the Conservative Party at national level had registered 212 donations totalling £635,319 late with them.

Peter Wardle, chief executive of the commission said: "We are extremely disappointed with the very high number, and value, of late reported donations, especially from the Conservative Party. As the general election approaches, it's especially important that voters get all the information, on time, about how political parties are funded.

"Parties have had plenty of time to get systems in place and up to now we had seen the value of late-reported donations decreasing. That's why this quarter's results are disappointing, and it is important that all parties get back to full compliance and transparency ahead of the general election.

The Conservative Party was one of five political parties that reported 51 donations totalling £696,965 this quarter that should have been reported in previous quarters.

Fourteen political parties reported receiving just over £17 million in donations in the final quarter of 2009, according to the commission. This is the third highest quarter on record, the highest being January to March 2005 just prior to the last general election.

The commission's registers of donations accepted in the fourth quarter of 2009 show that:

- 14 political parties reported donations totalling £17,088,525 (excluding public funds) accepted between 1 October and 31 December 2009;
- the three political parties to accept the most in donations were:

Conservative Party – £10,481,949

Labour Party – £4,962,886

Liberal Democrats – £1,055,717; and

- six parties also received a total of £2,501,071 in public funds.

An analysis of cash donations received by the main parties at their headquarters will appear in next week's *Fact Service*.

[www.electoralcommission.org.uk/news-and-media/news-releases/electoral-commission-media-centre/news-releases-donations/political-parties-latest-donations-and-borrowing-figures-published4](http://www.electoralcommission.org.uk/news-and-media/news-releases/electoral-commission-media-centre/news-releases-donations/political-parties-latest-donations-and-borrowing-figures-published4)

[www.electoralcommission.org.uk/party-finance/party-finance-analysis/party-finance-analysis-Q4-2009](http://www.electoralcommission.org.uk/party-finance/party-finance-analysis/party-finance-analysis-Q4-2009)

## Council jobs set for axe

The number of jobs to be axed as local authorities desperately attempt to cut running costs in the recession has risen to 20,000, a survey by *The Independent* newspaper has found.

Councils from Cornwall to Aberdeen are planning deep savings as they struggle to cope with a growing crisis in local government spending.

Nottinghamshire County Council has warned that it planned to shed up to 1,500 jobs as part of a drive to save £200 million over the next five years. Birmingham City Council has already said it plans up to 2,000 redundancies (see last week's *Fact Service*).

The widespread planned redundancies underline warnings that former public-sector workers will account for most of the expected increase in dole queues over the next six months. It is also feared that the quality of frontline services provided by councils will suffer because of staff cuts.

Some of the biggest job losses are in the major cities, with 650 council employees expected to lose their jobs in Leeds, 270 in Leicester, 260 in Hull, 243 in Stoke-on-Trent and 170 in Wolverhampton.

County councils that plan to axe staff include Leicestershire (650), Cornwall (600), Oxfordshire (500), Kent (more than 400) and Gloucestershire (126).

Welsh local government leaders are predicting between 2,000 and 4,000 job losses, including 400 in Powys and 300 in Cardiff.

In Scotland, Glasgow council is expected to make 1,000 redundancies and Edinburgh 700. Unions say another 1,000 posts will be axed by Aberdeen.

Dave Prentis, the general secretary of public service union UNISON, said many of the job losses

were "totally unnecessary and are politically, not financially, motivated." He said: "Shamefully, many councils are using the recession as an excuse to cut services and jobs."

[www.independent.co.uk/news/uk/home-news/cash-crisis-hits-town-halls-from-truro-to-aberdeen-1904125.html](http://www.independent.co.uk/news/uk/home-news/cash-crisis-hits-town-halls-from-truro-to-aberdeen-1904125.html)

## Courts are blocking industrial action

A high court judge has blocked a strike by workers at one of Britain's busiest ports.

Staff at Milford Haven Port Authority, in west Wales, became the latest victims of the 1992 *Trade Union Act* when a two-day strike due was injunctioned.

The ruling against the Unite general union echoed a legal block brought against the same union over a planned 12-day strike by BA cabin crew in December last year.

A Unite official said the high court was now actively intervening in trade union disputes.

"The fundamental issue here is the high court intervening yet again, as they did in the BA cabin crew dispute, to undermine our members' democratic decision to take industrial action," said Brendan Gold, Unite's national secretary for docks and waterways. "It is hugely frustrating going through the correct legal procedures to call this action then to have the courts intervene to block it."

However, while both court rulings referred to the 1992 Act, the Milford Haven injunction represents a temporary brake on industrial action that could still go ahead.

The Milford Haven strike vote, over a pensions dispute, has not been deemed unlawful. Instead, Mr Justice Sweeney found that notices of industrial action by 50 employees at Milford Haven did not comply with the Act, which demands stringent accuracy when notifying employers of walkouts. Unite said that it will stage a 12-hour walkout at Britain's sixth largest port next week, in line with the *Trade Union Act*, which requires giving seven days' notice before striking.

The number of injunctions under the Act has nearly trebled over the past year.

[www.guardian.co.uk/business/2010/feb/17/court-rules-against-milford-haven-port-strike](http://www.guardian.co.uk/business/2010/feb/17/court-rules-against-milford-haven-port-strike)

## Earnings growth holds steady at year end

There was no movement in earnings growth, latest figures show. Headline average earnings growth for the whole economy once again stood at a provisional 1.5% in the three months to December.

The manufacturing sector, however, showed some recovery with a 3.4% rise – up from 2.6% in the three months to November.

However, earnings growth in the services sector was down to 1.3% from 1.4% in the previous three-month period, while earnings growth for the private sector was up to 1.3% from 1.2% previously.

In the public sector, earnings growth slumped to 2.4% in the three months to December from 2.7% in the previous three months to November.

Monthly figures show average earnings for the whole economy rose by a provisional 1.4% in the year to December – down from the revised figure of a 1.6% rise in the year to November.

The Average Earnings Index (AEI) figures are to be discontinued in September this year.

### Average earnings indices <sup>1</sup>

2000 =100	Whole economy		Manu- facturing	Services	Private sector	Public sector
	annual % rise					
<b>2008</b>						
December (r)	137.9	3.3	135.1	138.9	137.0	141.6
<b>2009</b>						
January	133.3	-0.7	135.3	132.9	131.4	141.8
February	131.8	-2.3	135.1	131.1	129.5	142.1
March	138.0	1.5	135.4	138.8	137.0	142.1
April	138.5	3.3	136.5	139.4	137.7	142.8
May	138.4	2.3	135.7	139.3	137.4	142.9
June	138.5	2.0	136.3	139.4	137.3	143.5
July	138.3	1.2	135.7	139.1	137.0	143.2
August	138.8	1.6	137.5	139.5	137.6	143.7
September	139.0	1.4	138.0	139.8	137.8	144.2
October (r)	139.4	1.7	138.5	140.1	138.3	144.3
November (r)	139.5	1.6	139.6	140.1	138.3	144.8
December (p)	139.8	1.4	141.3	140.3	138.7	144.3
% annual rise for December			4.6	1.0	1.2	1.9
% increase in headline rate for December <sup>2</sup>			1.5	3.4	1.3	2.4

<sup>1</sup> Average weekly earnings in Great Britain, seasonally adjusted, including bonuses. <sup>2</sup> The average of the seasonally adjusted data for the latest three months compared with a year earlier. (p) provisional, (r) revised

[www.statistics.gov.uk/downloads/theme\\_labour/AEI-Publication-data-200912.xls](http://www.statistics.gov.uk/downloads/theme_labour/AEI-Publication-data-200912.xls)

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