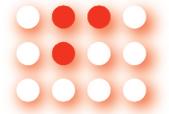
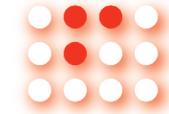


FACT

S E R V I C E



141 Blacklisting has not gone away, MPs told

142 Working parents with premature babies
Value of UK takeovers abroad increases

143 Workplace support lacking on migraines
Third of Fit Notes relate to mental health

144 Parents penalised over family-friendly requests

Annual Subscription £90.05 (£76.00 for LRD affiliates)

Volume 79, Issue 36, 7 September 2017

Blacklisting has not gone away, MPs told

The spectre of contemporary blacklisting, particularly on the Crossrail infrastructure project, was raised in a parliamentary debate, as MPs resumed work after their holidays.

On 5 September, Labour MP Chuka Ummuna told MPs in a Westminster Hall debate on blacklisting of two cases: "The first case concerns emails that I have been passed which were circulated between contractors and the employee relations department at Crossrail which detail questionable surveillance of workers that took place at a peaceful demonstration at a Crossrail site in 2016.

"A number of construction workers were being closely watched there and sensitive personal information was being collected in relation to them.

"Two of the workers concerned who were subject to that surveillance have since sought to obtain further employment on Crossrail and did so through agencies advertising positions. However, as soon as they relayed their names there was a delay and then they were subsequently given an excuse as to why the positions have been filled."

Umunna revealed that one sub-contractor has told the Unite general union that "the consequences of

him employing a Unite member would be the refusal of future work and for obvious reasons the sub-contractor does not wish to disclose their identity".

The second case Ummuna raised concerned an electrician, who has been seeking work in the industry since "raising a grievance while working on Crossrail. He has since applied for hundreds of job vacancies almost always being turned down".

The worker served Crossrail with a subject access request and Ummuna said: "They reveal Crossrail and three of its contractors exchanging sensitive personal data concerning this individual's previous employment, and the issues and grievances he had raised there.

"On the face of it the data appears to be processed for the purpose of determining the individual's suitability for employment related to his trade union activities. The very strong inference from the documents is that some kind of vetting operation was in operation between Crossrail, its contractors and the agencies involved."

Unite called on the government to act decisively to end the "nefarious practice of blacklisting" once and for all, by barring blacklisters from public sector contracts and holding a full public inquiry into the issue.

Gail Cartmail, assistant general secretary of the union, warned that contemporary blacklisting was occurring. The companies concerned have learned

LABOUR RESEARCH DEPARTMENT

Published weekly by LRD Publications Ltd, 78 Blackfriars Road, London SE1 8HF. 020 7928 3649 www.lrd.org.uk

nothing from the Consulting Association scandal, which hit the headlines in 2009 and revealed widespread blacklisting in the construction industry.

"Crossrail and its major contractors have been caught red-handed blacklisting workers," said Cartmail. "This is a publicly funded project and the government can no longer pretend this isn't happening. They have always claimed they are opposed to blacklisting, now is their opportunity to act.

"Workers are continuing to have their lives ruined simply for being a member of a union, standing up for their rights or raising safety concerns. The companies concerned believe that they are untouchable.

"Construction will only finally rid itself of the stench of blacklisting when effective laws are introduced which bar blacklisters from public sector contracts, effective anti-blacklisting laws are introduced which make it a criminal offence and there is a full public inquiry into the practice."

<http://hansard.parliament.uk/commons/2017-09-05/debates/ABB1A1CE-3162-4217-BB21-2256447AA6F5/Blacklisting>
www.unitetheunion.org/unite-calls-for-decisive-action-after-parliament-told-of-cross-rail-contemporary-blacklisting/

Working parents with premature babies

Employment relations service Acas has published new advice for employers to help them support staff who have given birth to premature or ill babies.

Over 95,000 premature or sick babies are born each year in the UK. For their families this is an emotional and difficult time and working parents in these circumstances often find themselves trying to handle the demands of their job, caring for their new-born and looking after other family members.

The advice includes guidelines for companies to follow in order to handle their employees' needs with care and sensitivity. This includes asking parents about whether or not they wish to be contacted while they are away from work and whether they would like their colleagues to know about their situation.

Acas advises employers to make sure mothers and fathers aware of their statutory entitlements around leave and pay such as paternity and shared parental leave.

Employers should also take into consideration a parent's need for flexibility around their working hours while their baby is in hospital, as well as be understanding about a parent's need to take time off to attend follow-up hospital appointments.

The new guidance also provides advice on how employers can help parents who have suffered the loss of a premature or sick baby and how they can help parents on their return to work.

Bliss, a UK charity helped to shape the content of the guidelines. It worked closely with Acas to ensure the range of neonatal experiences faced by parents was captured, including full-term admissions and bereavement. It also provided parent feedback on the guidance to ensure it is as useful for parents as it is for employers.

Bliss aims to give every baby born premature or sick in the UK the best chance of survival and quality of life.

Caroline Lee-Davey, chief executive of Bliss, said that while this guidance is a good step in the right direction, "it is only through legislation that employees can be guaranteed appropriate support when their baby is born needing neonatal care".

Bliss renewed its call for the government to extend parental leave so it reflects the length of time a baby spends in neonatal care. Its research found that 84% of parents who had spent time on a neonatal unit said that parental leave was not long enough and that 17% of parents said their employer had not made special arrangements to accommodate their needs.

"Many babies need weeks or months of care before going home, and some will sadly never go home at all. This is a deeply distressing time for families, and thousands of parents every year find large amounts of their maternity and paternity leave spent anxiously by the side of an incubator, rather than at home bonding with their baby." Lee-Davey said.

www.acas.org.uk/index.aspx?articleid=6049

www.bliss.org.uk/News/bliss-responds-to-new-government-advice-to-help-support-working-parents-with-premature-babies

Value of UK takeovers abroad increases

Mergers and acquisitions (M&A) in the second quarter of 2017 involving UK companies saw a notable increase when compared with the number and values seen in the first.

There were 155 successfully M&A involving UK companies worth £30.0 billion in second quarter, compared with 214 transactions valued at £16.5 billion in first quarter of the year.

An increase in the value of takeovers abroad by UK companies was the driver to the increases. There were 24 takeovers abroad by UK companies in second quarter of 2017 worth £18.3 billion. This was the largest value for outward M&A transactions recorded since the first quarter of 2011 (£19.8 billion). In the first quarter 2017, the value of deals was just £2.1 billion in 36 deals.

In the second quarter, the major outward takeover – a UK firm acquiring a foreign company – was the £13.5 billion (\$16.6 billion) acquisition of the US baby milk group Mead Johnson Nutrition by the UK household goods group Reckitt Benckiser.

There were 44 completed inward M&A transactions – foreign companies acquiring UK companies – in second quarter, worth £2.9 billion. This was down in terms of both number and value compared with first quarter when there were 70 acquisitions valued at £9.5 billion.

One of the big deals was the £700 million takeover of payment technology group Vocalink by the US credit card firm Mastercard.

Domestic M&A activity – UK companies acquiring other UK companies – saw 66 successful domestic acquisitions worth £4.0 billion, against 94 acquisitions worth £3.2 billion in the first quarter.

The one high-profile acquisition was the £1.9 billion takeover of credit card firm MBNA by Lloyds Bank.

www.ons.gov.uk/businessindustryandtrade/changetobusiness/mergersandacquisitions/bulletins/mergersandacquisitionsinvolvingukcompanies/apriltojune2017

Workplace support lacking on migraines

Migraine sufferers aren't getting the support they need at work, three charities – the Migraine Trust, Migraine Action and the National Migraine Centre – have warned.

One in seven people – nine million Britons – suffer from migraines – and each year 25 million days are lost through migraine from UK work or schools.

However, a YouGov survey found that 70% of people are either unsure or do not know whether migraines

can be classed as a disability. Under current legislation migraines may be classed as a disability if its severity and frequency impacts on a person's working life.

The survey also found that two-thirds (64%) of UK adults believe employers don't understand very much or at all about the nature of migraines and their effects on their staff.

One sufferer, Fiona McKenzie, was told by one of her former employers she would be fired if her absences due to migraines didn't improve.

McKenzie's not alone, previous research from the Migraine Trust showed that almost one in five people had lost a job through the condition.

Another finding of the survey, released in Migraine Awareness Week which runs from 3-9 September, was that less half of UK adults quizzed (49%) believed schools and universities failed to understand migraine's nature and its effects on their students. Meanwhile, almost half (46%) didn't realise that migraine was a genetic condition.

www.migrainetrust.org/new-poll-fuels-migraine-work-fears/

Third of Fit Notes relate to mental health

Over the past two years or so, mental health and behavioural conditions have accounted for a third of all Fit Notes written in England, where the diagnosis was known, according to data from NHS Digital.

Mental health and behavioural conditions were the most common known reason for issuing a Fit Note, the new experimental figures revealed.

The findings are based on the 5.8 million Fit Notes – with a known diagnosis – issued over a 28-month period.

From the information analysed, almost 1.8 million Fit Notes were issued where the diagnosis was known to be mental health and behavioural conditions. And of episodes for mental health and behavioural conditions, around one in five were issued for a period of absence of more than 12 weeks.

There were around 1.1 million Fit Notes known to relate to diseases of the musculoskeletal system and connective tissue – the second most common known reason for which a Fit Note was issued.

The number of Fit Notes known to have been written for anxiety and stress-related conditions increased by 14% from 503,000 to 573,000 between 2015-16 and 2016-17

The beginning of 2017 saw the highest number of Fit Notes written, with 556,000 issued during January alone.

<http://digital.nhs.uk/catalogue/PUB30068>

Parents penalised over family-friendly requests

Asking for family-friendly working patterns leads to low-paid mums and dads being penalised, a TUC report has found.

Almost half (47%) of low-paid young mums and dads are struggling to manage work and childcare, while more than two in five (42%) said they felt penalised at work when they asked for flexibility – telling the TUC they are subsequently given fewer hours, worse shifts or even losing their job.

The study of more than 1,000 low-paid mums and dads is part of the TUC's new campaign for better jobs for mums and dads. A survey and focus groups with low-paid parents found that today's irregular hours are to blame for low-paid parents finding it harder to manage work and childcare.

And many feel at the mercy of indifferent employers who can change their working hours on a whim. One in four (26%) parents told the TUC they had their shifts changed at short notice, and one in five (19%) had been given their rota less than a week in advance, making planning childcare very difficult.

In addition, more than half (58%) of mums and dads working in low-paid sectors like retail, hospitality

and social care said that they didn't know what rights at work they were entitled to. Nearly two in three (63%) weren't aware of their right to unpaid parental leave.

As a result half (49%) weren't using one or more of their legal rights to time off. That meant they ended up taking sick leave or holiday to cover childcare – nearly one in three (29%) had resorted to taking annual leave to cover their child being sick in the last year – and some parents were even prevented from leaving to look after their children in an emergency.

These working parents felt that language about "flexible working" and "work-life balance" didn't apply to workers like them.

TUC general secretary Frances O'Grady said: "Too many workplaces expect mums and dads to forget all about their kids as soon as they walk through the door. But it's a nightmare to plan childcare when your boss changes your shifts at the drop of a hat, and you never work the same weekly hours twice."

The TUC is calling for all workers – including mums and dads – to have the right to be notified of their shifts one month in advance. That will mean working parents can plan childcare commitments and do their jobs.

And it wants all working parents – including zero-hours contracts workers, agency workers and those in casual work – to have the same parents' rights, from day one in their jobs. Currently these rights are only available to workers with "employee" status – meaning 1.5 million workers won't have access to these rights if they become parents.

"Join a union today. Your union will make sure you get your legal rights to time off to look after your kids," O'Grady advised working dads and mums.

www.tuc.org.uk/equality-issues/two-five-low-paid-mums-and-dads-penalised-bad-bosses-tuc-study-reveals

NOW AVAILABLE — NEW LRD BOOKLET TAKING INDUSTRIAL ACTION — A LEGAL GUIDE

£10.00 a copy

Order online or check for bulk discounts at www.lrd.org.uk or phone 0207 928 3649