



**Brexit:**  
**Unite**  
**demands**  
**protections**  
**for you**

**Brexit**  **Check** 

**Passenger Transport**





# Brexit: Unite demands protections for you



**The referendum result on 23rd June 2016 sent shock waves throughout the UK, making the politicians and the media sit up and take notice.**

Unite recognises that millions of working people, including many of our members voted to exit the EU. The question now is on whose terms will Brexit happen?

We must unite to make sure that Brexit happens on our terms – protecting jobs and retaining vital workers' rights while outlining our vision for Post-Brexit Britain.

The same out-of-touch Tory government which called the referendum now has no plan for dealing with the result. That negligence has led to uncertainty which threatens all sectors of our economy – from manufacturing, to transport and finance.

As the financial crisis proved, in Tory Britain it is working people who are always forced to pay the price in times of uncertainty. A Tory vision of Brexit would see further austerity and attacks on our working rights, while racism and division would be allowed to run unchecked in our communities. Brexit must not be used as an excuse to cut jobs, move work out of the UK or attack workers' rights.

We cannot sit back and accept Brexit on the Tories' terms.

Unite is demanding a new industrial strategy, a plan which includes all our sectors, with decent jobs, fair pay and strong working rights at its heart.

Such a strategy must use every tool at the government's disposal including: plugging the skills gap by supporting apprenticeships; use of the public sector procurement to support manufacturing; removing barriers to reshoring jobs; and direct support for our strategic industries such as steel and energy.

This should culminate in new infrastructure projects to create jobs and grow our economy. Such a strategy would make sure Britain retains the best of the EU, while putting trade union values at the centre of Post-Brexit Britain.

***“Nobody knows how long the Brexit negotiations will take or what the outcome will be. One thing is certain. Unite will defend our members. Together we will campaign to protect jobs, pay and conditions.”***

***Len McCluskey, Unite General Secretary***



**We Won't Pay for 'Brexit':** Exiting the EU must not result in a renewed attack on our jobs, rights and communities.



**Retaining Our Rights:** Unite won't accept any watering down of our protections or union rights. All hard earned rights and safety regulations supported by EU law must be retained when Brexit happens. The UK must go further, by repealing the 'Swedish Derogation' and increasing rights and union freedoms above EU levels.



**Access to the Single Market:** Tariff-free access to the Single Market is vital to defend jobs. Such access will allow us to retain the best of the EU, while committing to a much needed industrial strategy.



**A Seat at the Table for Workers:** The collective voice of millions of working people must be central to the negotiations.



**An Ambitious Industrial Strategy:** The only way to mitigate the impact of Brexit is with an ambitious industrial strategy, using all options at the government's disposal.

## **Safeguards Against Exploitation** **Unite on 'Freedom of Movement'**

Unite is calling for safeguards that defend all workers against wage cutting and that must include ending the exploitation of migrant workers.

These safeguards must include stronger collective bargaining rights, so any employer wishing to recruit labour abroad should only be able to do so if they are either covered by a proper trade union agreement or by sectoral collective bargaining.

This would allow us to hold the line and guarantee a union-backed 'rate for the job', no matter a workers' country of origin. Such safeguards would end the race-to-the-bottom attacks on wages, terms and conditions.

**Len McCluskey, Unite General Secretary, says:**

***"The problem is not cheap labour in Britain – its cheap labour anywhere. Anyone who has had to negotiate for workers, in manufacturing in particular, knows the huge difficulties that have been caused by the ability of capital to move production around the world in search of far lower labour costs and higher profits. Supply and demand affects the sale of labour too, pitting worker against worker."***

Unite supports all our members and will continue to support the right of EU workers to remain in the UK after Brexit.

Our role as a trade union is to unite working people to defend and promote our shared interests – secure work, decent pay and a strong collective voice.

We must not allow 'Tory Brexit' to be used as a weapon to divide us and drive down wages.





# The Impact of Brexit at Work

**The government has signalled that the UK is likely to Leave the European Union before 2020, but that doesn't mean Brexit won't have an immediate impact in our workplaces.**

Already several large companies have made statements about future investment decisions. Unite is demanding that the government end the uncertainty by stating that guaranteed tariff-free access to the Single Market will be a red line in the coming negotiations.

Similarly, Unite is demanding that all workers' rights, health and safety standards and consultation rights which are underpinned by EU law are retained in UK law when Brexit takes effect.

Some employers may look to take advantage of the uncertainty, using Brexit as a cover to cut investment or undermine our rights.



If you sit on a European Works Councils or Social Dialogue project you cannot be excluded while the UK remains a member of the EU.



Employers cannot opt out of EU legal rulings, such as the ruling protecting holiday pay, which remain in effect.



Employers cannot claim that legislation such as the Working Time Directive, the Agency Worker Directive or the Driving Hours Directive no longer applies to UK workers.



## Brexit In Your Workplace

Unite has launched a new Brexit Check website to monitor the impact of Brexit and provide resources you need.

Let us know what impact Brexit is having in your workplace. Contact: [brexitcheck@unitetheunion.org](mailto:brexitcheck@unitetheunion.org) or visit [www.unitebrexitcheck.org](http://www.unitebrexitcheck.org)



# Brexit and the Bus Industry

The bus industry has a turnover in excess of £5bn. Much of this is ploughed back into regional economies through the supply chain and consumption expenditure by staff.

Passenger Transport Executive bus networks are estimated to generate over £2.5bn of this in economic benefits – around £1.3bn of this is in user benefits from access to jobs, training, shopping and leisure opportunities.

The remaining £1.2bn of benefits accrue to other transport users and society at large, through decongestion, reduced pollution, lower accident rates, improved productivity and the stand-by value of bus networks.

There is a significant risk to the supply of labour particularly as the bus workforce in the UK is older than the economy as a whole, which reflects the difficulty of attracting and supporting younger people into the industry, owing to minimum-age legislation and the cost of insurance.

So the challenges faced by Brexit are considerable



## Defending Your Workplace: Make Your Voice Heard

Our strength as a trade union comes from our organisation in the workplace. It is vital that we use this strength to protect our members from the possible impact of Brexit.



You have the right to disclosure. Demand that your employer shares information about their planned response to Brexit, including plans for future investment.



If you have pay talks or other negotiations planned demand that your employer publicly pledges to retain all working rights, terms and conditions, including access to European Works Councils.



Can you organise a branch or workplace meeting to discuss the impact of Brexit at work and how to organise our response?





# Brexit and Your Sector



## Brexit and the Passenger Transport sector

### Maintain Protections for Transport Workers

EU rules underpin much of the regulatory regime for the passenger transport sector, covering qualifications and licensing, drivers' hours and tachograph standards, vehicle standards and roadworthiness. There is significant co-operation between enforcement agencies across Europe, and safety on our roads is dependent on EU agencies and EU standards.

All existing laws that protect workers that are derived from EU legislation should not just be maintained but improved. Brexit negotiations need to not only protect existing legislation but look to close loopholes such as the UK's misuse of derogations, which undermines the purpose of the regulations.

The Working Time Directive for drivers was designed to protect workers from exploitation and this key element must be defended. Industry has become used to drivers hours rules since their last substantive change in 2006. The existing requirements are recognised as clear and proportionate, striking the appropriate balance between road safety, operational effectiveness and the ability to earn.

The driver CPC must be maintained and improved with a much clearer focus on the needs of the industry and professional drivers. It also should include an evaluation rather than just participation.

Any removal of existing road and operator laws will lead to a further race to the bottom for our members. Ensuring that the UK government does not seek to reach cosy trade deals at the cost of workers terms and conditions must be a priority.

### Maintain access to skills to keep the sector sustainable

In 2016 the number of individuals working in the bus industry in the UK was 123,000. The bus industry relies on a high percentage of migrant workers among its drivers with 1 in 4 of bus drivers being migrant workers. Around 16,000 are non-UK nationals (13 per cent) and 15,000 are EU nationals (12.2 per cent). The bus sector faces a labour shortage which is likely to worsen in the coming years, as the average age of bus employees rises. Industries with quantifiable labour shortages in the British market – such as the bus industry – will need to be able to continue recruiting staff from outside the UK and to keep the EU staff they already employ.

### Maintain Vehicle Standards

The setting of common standards in many areas of EU legislation, such as vehicle standards, has generally had positive impacts. The EU creates a level-playing field of technical requirements for the construction, maintenance and operation of road vehicles. Although complex and sometimes cumbersome the EU rules are infinitely better than 27 variants all designed to protect the home markets of an indigenous producer.



The AA and RAC highlighted that the EU Type Approval legislation has also given additional benefits such as economies of scale, increased competition between manufacturers and has reduced the general price differential between Member States. This benefit is evidenced in falling purchase prices in real terms.

## Maintain EU Funding

The UK is the top beneficiary of EU innovation funding.

The European Commission has awarded nearly €12.4 million (£10m) to 12 projects coordinated by or involving UK partners to help them bring innovative ideas to market quicker. The UK is the biggest beneficiary of the fifth round of the Fast Track to Innovation (FTI) scheme run under the EU's research and innovation programme Horizon 2020 and by far the biggest beneficiary of this pilot scheme since its launch in January 2015.

The benefitting projects will receive around €2 million (£1.7) each. BioDie2020, which aims to recover waste oils & fats and demonstrate that these can be converted into a sustainable feedstock for biodiesel production. Argent Energy (UK) is the project coordinator. Other UK partners are Stagecoach Bus and Liverpool John Moores University.

Considering the extent of the current skills shortage, especially with regards to bus drivers, it is important to provide funded training. European social funding provided extra training funding for small to medium sized businesses and these businesses will require this financial support to continue. European social funding has also provided for cleaner bus vehicle trials, alternative fuel trials, funded bus routes and trained bus drivers.

Financial support to training will need to continue post-Brexit. In order for the industry to remain sustainable we must have a clear ability to not just trade freely but to identify skills shortages and have an agreed route for recruitment that protects workers' rights and jobs.

## A Strategy for UK Transport

A long term plan for UK passenger transport must include retaining or replacing EU funding. After Brexit the UK must build on this work with an ambitious Industrial Strategy. This should include linking bus fleet procurement to UK manufacturing – building on the examples set by Liverpool and London where hydrogen and electric fleets are now procured from manufacturers in Scotland and Northern Ireland. Similarly, local authorities should replicate the incentives and support offered to London taxi drivers to purchase the new electric black cabs produced in Coventry.

***Brexit can only work if it is on our terms. Unite's priority is to defend driver safety and vehicle standards, which means retaining and improving the best EU protections. Unite will not sit back and allow Brexit to be used as an excuse to lower pay or attack conditions. That must be just the start – we need a strategy to support sustainable new biofuels, offer real incentives to make electric vehicles affordable, and a long term plan to raise standards for bus and taxi drivers and to end the skills shortage across the passenger transport sector.***

**Mike Hedges, Unite Passenger Transport National Committee**

# Frequently Asked Questions

## Q) How can Workers' Rights be protected?

From equal pay to the Working Time Directive, EU laws underpin many of the rights and protections trade unions have fought for. These must be protected by UK law and retained in full from the moment Brexit takes effect. We must also use our strength in the workplace to demand that employers publically pledge to retain all rights, terms and conditions, including access to European Works Councils.

## Q) Why is Access to the Single Market Important?

In the last year 4.4 million driver accompanied freight vehicles moved between the UK and continental Europe. The overwhelming majority of these movements took place on ferries or via the Channel Tunnel, and almost none required a customs clearance. New rules, permits or quota systems would lead to costly delays, severing UK supply chains.

## Q) What about 'Hard Brexit'?

If the UK fails to negotiate a new trade deal with the EU in the two-year window that follows the triggering of Article 50 the result is 'Hard Brexit'. This would result in the UK falling back on World Trade Organisation rules, which means costly tariffs. This could be as much as 10% on all exports and 4% on imports, which would hit manufacturing hard as it would sever UK-European supply chains. It would also result in a new cost of living crisis with a dramatic rise in cost of imports such as food and consumer goods.

This is why tariff-free access to the Single Market is vital to defend jobs.

## Q) What alternatives are there to EU membership?

Unite has analysed the most commonly mentioned alternatives to full EU membership including the so-called 'Norwegian' and 'Swiss' options, as well as trade deals based on CETA and TTIP. It is clear that none of these models are suitable for the UK. Instead tariff-free access to the Single Market must be secured, allowing a government with the political will to keep all that is positive about the EU, while also retaining the right to intervene directly in support of our industries.

As the government's cowardice to confront the steel crisis shows, intervention is a question of political will. It is Unite's job to pile on the political pressure to make sure that will is exercised. Any new free trade deals must not be based on the failed models of TTIP or CETA. Workers' rights must be guaranteed, there must be no 'ISDS' secret courts and there must be strong trade defence mechanisms to prevent the illegal dumping of Chinese steel, tyres or ceramics.

## Q) What happens next?

Unite will be lobbying the governments of Westminster and the devolved countries to make sure our collective voice is heard. The true power of our union is our strength in the workplace. We must organise to use this strength to protect our members from the impact of Brexit. Discuss the impact of Brexit at your next union branch meeting and campaign for your employer to publically pledge to retain all workers' rights, standards and protections.

Brexit must not be something our union simply watches from the side-lines. We have a unique role to play in protecting and advancing the interests of our members.

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