



Brexit:
Unite
demands
protections
for you

Brexit  **Check** 

Health Sector

Brexit: Unite demands protections for you

The referendum result on 23rd June 2016 sent shock waves throughout the UK, making the whole political class sit up and take notice.

Unite recognises that millions of working people, including many of our members voted in the referendum on European Union membership. 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, finance and transport to public services, charities, housing and social care.

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 funding, to public services and jobs, or attack workers' rights. We cannot sit back and accept Brexit on the Tories' terms.

“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

Brexit on our Terms

We must make sure Britain retains the best of the EU, while putting trade union values at the centre of Post-Brexit Britain.

Our agenda calls for investment in infrastructure, proper jobs, decent pay and strong working rights at its heart.



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



Protections for you: The rights to remain for all EU citizens living in the UK and UK citizens abroad must be protected, and there must be no attacks on our rights at work.



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



World class public services: We must continue to have well-funded and properly resourced public services, with long term investment, sustainable infrastructure and continued collaboration and research on health, education, our environment and our communities.



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.



A Time to Unite: Fighting Racism with Solidarity

It is a guiding principle of our movement that an injury to one is an injury to all. That means Unite is committed to opposing any incidents of racism, prejudice or sectarian division in the workplace.

The EU referendum was divisive. Opinions were strongly held, debate was heated and some of the deep divisions in our society were exposed.

Right-wing politicians and their allies in the media did all they could to sow distrust and exploit these divisions for their own ends. No matter which way you voted, the priority now is to unite.

As Britain prepares to withdraw from the European Union, the resulting uncertainty may once again give way to fear.

It is a priority of our union not only to defend our members' jobs, but to defend their safety. Unite will continue to defend EU nationals and other migrant workers who live and work in the UK. We support their right to remain.

It is our role, as workplace representatives and shop stewards, to take the lead and make sure that solidarity triumphs over division.

“The problem is not cheap labour in Britain – it's 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.”

Len McCluskey, Unite General Secretary

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 defend wages and conditions for all workers and guarantee a union-backed 'rate for the job'. Such safeguards would end the race-to-the-bottom attacks on wages, terms and conditions.

We know that our public services depend heavily on migrant workers to function with roughly 6% of the local authorities workforce from other EU countries and as many as 12% in London. For example there are more than 53,000 EU nationals working in the NHS and 80,000 in social care.

Unite supports all our members and will continue to support the right of EU workers to remain in the UK and the right for UK workers to travel abroad to work 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.



Brexit and the Public Sector

Unite is the progressive voice of public sector workers in the UK.

Our members work across the public sector, including members in the health service, social care, schools, colleges and universities, police services, refuse and recycling, libraries, road maintenance and street lighting, local authority administration, prisons, justice and defence.

The Brexit negotiations will potentially affect huge swathes of law and regulation that impact on public sector organisations and contractors. These include employment law and free movement of people, data protection, Value Added Tax (VAT), environmental regulations and rules about procurement and commissioning.

The Government's negotiating strategy on Brexit is rapidly evolving but they appear to be pushing towards a "hard Brexit", i.e. withdrawing from the single market and European Court of Justice, negotiating new trade agreements and imposing controls on immigration from the EU.

The specific impact of the Brexit model on your employer, area of work, UK region and country will vary but the following issues may affect you at work.

The public sector must not pay the cost for Brexit. That means ending the austerity offensive against services; campaigning for properly funded local authorities, health, social care and education systems; protecting community services, employment rights, environmental standards; and guaranteeing the right to remain for EU workers across the public sector.

Gail Cartmail, Assistant General Secretary for Public Services

The Economy

Our vital public services are not separate from the wider economy. Any economic downturn resulting from Brexit on the Tories' terms would lead to more crippling austerity and cuts. The full economic impact of leaving the European Union is beginning to unfold.

Growth forecasts are low and the Government's own estimates suggest that the Treasury will be £122 billion poorer by 2020 than was forecast last March. Any decline in the economy and government's tax base is likely to hit the public sector hard through:

- **Further cuts** to public sector funding and services.
- **Increased demand** for services through greater unemployment, poverty and insecurity.
- **Rising inflation** reducing living standards and the value of social security benefits.

Unite is campaigning for an end to the failed policy of austerity cuts, attacks on social security benefits and pay caps on our public and community services.

Unite is calling for the government to protect and increase funding for the whole public sector as part of a strong industrial strategy to mitigate the economic effects of Brexit.

Public procurement

The public sector spends approximately £268 billion per year procuring goods and services.

As it stands the UK Government has failed to properly implement EU legislation that regulates public procurement and provide protections to workers transferred between contracts or out of the public sector.

This means that procurement in the UK is often based on lowest price rather than best quality or concerns such as UK employment, the environment or support for communities.

The Government must guarantee the same or better regulations as the EU and use public procurement to deliver the best value for our communities



Brexit and the NHS

Brexit negotiations are currently in the hands of politicians that have presided over the worst funding settlement for the NHS in its history, alongside huge turmoil through top down reorganisations, pay caps and privatisation pushing the services into crisis.

It is therefore crucial that we work to defend the NHS in the coming negotiations. The following are some of the issues that will impact on the NHS.

European Union Funding

The UK currently benefits from €10.9 billion (£8.4 billion) of EU structural funding primarily through the European Social Fund (ESF) and the European Regional Development Fund (ERDF). Both of these funds support public services, social cohesion, employment and development in deprived or depressed areas which significantly impact on public sector organisations and contractors.

The UK also benefits from substantial funding for research, development and innovation through membership of the EU including for health-related research and medicines. Between 2007 and 2013 the UK contributed €5.4 billion to EU research and development but also received €8.8 billion for these activities. Some examples include Horizon 2020, the Innovative Medicines Initiative, the Active and Assisted Living programme for older people and European Co-operation in Science and Technology (COST) that make millions available to Higher Education, NHS organisations and industry.

Chancellor, Philip Hammond has pledged to underwrite EU-funded projects that are signed off before Britain leaves the EU, but the pledge is not backed up by legislation or formal policy. The Government has asserted that it will only honour/replace EU funding for projects that are judged to be “good value for money” and “in line with domestic strategic priorities” – which leaves plenty of wiggle room to recant on the guarantees and leaves our services vulnerable to changing political priorities in Westminster.

Unite is demanding that the Government honours the Chancellor’s pledge to underwrite EU-funded

projects and crucially guarantee similar funding levels in any post Brexit settlement so our NHS, Universities and Industry do not suffer.

Cross border collaboration

EU membership also provides access to networks of other organisations across Europe working together on issues such as cross border co-operation on HIV/AIDS, hepatitis and tuberculosis control and prevention. The EU operates systems for the surveillance and early warning of communicable diseases, managed by the European Centre for Disease Prevention and Control that strengthen our Public Health system. These facilitate the rapid sharing of information and technical expertise in response to potential pandemics, communicable diseases and other cross-border health threats. These EU networks also create economies of scale that support work on rare diseases.

Members of the academic and medical communities are expressing serious concerns about the impact of leaving the EU on the future of science and research in the UK e.g. Nobel Prize winner Professor Sir Paul Nurse, Chief Executive of the Francis Crick Institute.

Unite is demanding that the Government continues this collaboration post Brexit.

Staffing

The NHS is already struggling to recruit and retain permanent staff and social care providers report similar problems as well as high turnover rates.

The EU’s policy of freedom of movement and mutual recognition of professional qualifications and standards means that many current NHS and social care professionals have come from other EU countries. For example, NHS England figures that show that just over 53,000 of the total NHS workforce came from other EU countries including nearly 10% NHS England’s hospital doctors.

The debate about free movement therefore has a major impact both on current and potential skilled workers from across the continent that work in the NHS and student numbers in UK universities. A sustainable approach to workforce planning should not rely on migration as a substitute for training more UK-based health workers. Given the debacles around junior doctor contracts, the ending

of training bursaries for NHS students, and the policy of capping NHS pay, this is squarely the Government's fault.

Unite is demanding an end to the public sector pay cap, protection for EU workers in the NHS and an urgent long-term workforce strategy that trains the workforce that the NHS needs

Accessing treatment

Roughly 3 million people from other EU countries live and work in the UK and those people must continue to have equal rights and protections from UK public services.

All EU citizens, including British people, are entitled to hold a European Health Insurance Card (EHIC), which gives access to medically necessary, state-provided health care during a temporary stay in another EEA country and the costs of treatment under these schemes can be subsequently reclaimed from the visitor's country of residence via reciprocal health care agreements.

UK citizens therefore currently have reciprocal rights to access health services when visiting or living in other EU countries. It is estimated that around 1.2 million British migrants live in other EU countries, many of whom are UK pensioners with high net health and care costs.

Unite demands guarantees that the UK continues reciprocal rights for UK and EU citizens to continue to access health care services in future.

Regulations

Medicines are currently regulated by EU legislation meaning companies only need to submit a single application to obtain authorisation that is valid throughout the EU, EEA and European Free Trade Association (EFTA) countries. Similar regulations are planned for clinical trials in 2018. Leaving this system is likely to add bureaucracy and cost while slowing down the availability of drugs, medicines and research in the UK that might otherwise benefit patients.

EU membership also provides regulatory safeguards that promote public health, thereby helping tackle long term demands on the NHS. E.g. binding regulations on the quality and safety of human

blood, tissues and cells, and organs and public health requirements such as the management of communicable diseases. There are also many regulations on the environment, water and air quality, refuse and recycling, food and other consumables which all impact on our health.

Unite is demanding that post Brexit, UK regulations remain on par or better than those across the European Union.

Workers' and Human Rights

Many of our core employment and human rights are protected by EU legislation and could now be under threat should the Government refuse to guarantee them. These include many aspects of Health and Safety, the Human Rights Act, TUPE, the Working Time Directive, maternity and parental leave, equality and equal pay legislation.

Rights like the Working Time Directive (WTD) have a particular impact on UK health and wellbeing. The WTD is designed to protect us from the stress and ill health that arise from working excessive hours. Withdrawal of Working Time Regulations could have serious implications for NHS staff.

Given the high percentages of female workers in both the NHS, EU-derived regulations that particularly benefit women, such as the equal pay and maternity rights, while conditions to safeguards against sharp instrument and needlestick injuries are also very relevant to health.

Unite demands the retention of hard won EU wide human and employment rights and a level playing field with the EU.





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 our strength in the workplace to demand that employers publicly pledge to retain all rights, terms and conditions, such as access to European Works Councils, TUPE protections, maternity rights and protections from discrimination.

Q) Why is access to the Single Market important?

Unite is calling for the UK to achieve tariff-free access to the Single Market.

If the UK leaves the EU without a trade deal exporters face costly tariffs on goods being sold into Europe. The impact of leaving the Single Market will have a knock on effect on the economy, jobs and ultimately tax returns.

This in turn will starve funding from the public, sector, as well as leading to increased demand for the services they provide.

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 the economy 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.

Q) How can European funding be protected?

The EU provides billions of pounds of funding to UK communities, scientific research and development.

The Government has pledged to protect this funding in the short term but this commitment has not been formalised and has too many caveats.

We must demand that the UK Government continues to provide the same level of funding to our communities and the services that provide for them as we previously received from the EU.

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 publicly 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.

The Impact of Brexit in the Workplace

The Government has signalled that the UK is likely to leave the European Union in March 2019, but that doesn't mean Brexit won't have an immediate impact in our workplaces.

Unite is demanding that the Government end uncertainty around single market access, infrastructure and international collaboration, while guaranteeing to protect or match current EU funding for not for profit employers.

All workers' rights, health and safety standards and consultation rights which are underpinned by EU law must also be retained in UK law when Brexit takes effect.

Already several employers have begun using economic uncertainty related to Brexit as an excuse to make cuts to jobs and pay and undermine our rights.

Unite will back you all the way

If you experience such issues contact:
brexitcheck@unitetheunion.org

Brexit Check

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

Visit Unite's new 'Brexit Check' website for more information

Visit www.brexitcheck.org

Make Your Voice Heard at Work

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 future funding plans.
-  If you have pay talks or other negotiations planned demand that your employer publicly pledges to retain all working rights, terms and conditions.
-  Can you organise a branch or workplace meeting to discuss the impact of Brexit at work and how to organise our response?

Know your 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.



Not yet a member of Unite? Join today: www.unitetheunion.org/join
[@unitetheunion](http://www.unitetheunion.org)