



Brexit:
Unite
demands
protections
for you

Brexit  **Check** 

Community, Youth Workers
and Not for Profit 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, 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



Funding and cooperation: Funding and infrastructure must be protected for voluntary and community sector organisations and international collaboration must continue on issues such as research, the environment, human rights and aid.



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.



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.

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.

"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

Brexit and the Community, Youth Workers and Not for Profit Sector

Unite is the progressive voice of voluntary and community sector workers in the UK.

Our members work in a range of diverse organisations such as charities, campaigning organisations, professional bodies, trade unions, advice and legal bodies, youth and play workers, housing associations, faith organisations, non-departmental public bodies, funding agencies and many other small and large community and civil society organisations.

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

Brexit on Our Terms must mean more and better protections for our communities and civil society; the not for profit sector has a crucial role in supporting social cohesion and needs a strong funding framework at UK and local level to replace European funding.

**Siobhan Endean, National Officer
Community, Youth Workers and Not for Profit Sector**

Fair funding

The Economy

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 many voluntary and community organisations hard through:

- **Further cuts** to public sector funding and services.
- **Increased demand** for services through greater unemployment, poverty and insecurity.
- **Reductions in voluntary giving** from charity donations and those paying membership fees.
- **Weaker exchange rates** reducing the value of investments and making UK foreign grants and aid activity less valuable and affective.
- **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 a strong industrial strategy and public investment to mitigate the economic effects of Brexit.

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 social cohesion, employment and development in deprived or depressed areas which significantly impact on public, voluntary and community sector organisations. These are vital funds across many areas of the UK, including in



support of the Northern Ireland peace process.

The European Investment Bank also provides significant funding for UK housing associations and house builders. While some UK charities receive funding through programmes like Horizon 2020 for research and innovation and the Daphne Programme to fight domestic violence. Youth services and education charities are also funded by projects like the Youth Empowerment Initiative, Erasmus and International Exchange.

NCVO conservatively estimates that around 3,000 charities receive over £300 million of funding directly from the EU, particularly those working in international development. This is of a comparative scale to income from the National Lottery (£488 million).

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 any legislation or formal policy.

Unite believes that this is crucial as funding that is directly administered by EU institutions could still be under threat where the UK Government has no involvement in the process of distributing these funds and funding is paid directly to UK charities by the European commission.

The Government has also 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 the charities vulnerable to changing political priorities in Westminster. This would further damage the independence of the sector.

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 through new UK social and regional development funds and greater funding and powers for local authorities.

Protections at work

Regulations and legal frameworks

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

Of particular concern to members delivering public service contracts will be any potential weakening of TUPE law that protects workers during transfer between employers and the impact of weakened procurement rules that could undermine service quality in any contract bids. This has worrying implications for union recognition and collective bargaining rights.

Withdrawing from the EU will also likely mean we will lose access to the European Court of Justice (ECJ) as a court of appeal. Leaving the EU will therefore reduce organisations’ capacity to bring about change through appealing to the ECJ, making it harder to challenge bad decisions from the Government of the day.

Changes to specific legislation such as maternity rights; environmental protections, child protection, trafficking, migrant and human rights are also likely to significantly impact on organisations’ specific work.



Unite is calling for the Government to guarantee the same or better regulations as we currently operate under the European Union.

Human rights and social cohesion

The impact of the referendum campaign has left marked divisions across UK society. The campaign exposed large political fissures across ages, social classes and UK geographies.

There has been a surge in hostility and hate crime against migrants, ethnic minorities, people with disabilities, women and LGBT+ people and this has not returned to pre-referendum levels.

This is having far reaching consequences for social cohesion, affecting the day to day work of many organisations and leading to staff being at increased risk from abuse, violence and increased stress, especially those who are non-UK nationals. Parts of the sector are heavily dependent on EU nationals, (e.g. 80,000 EU national work in social care).

At the same time the Conservative party is undermining protections from abuse through plans to withdraw from the European Convention on Human Rights (not an EU convention) and continued attacks on the Equality and Human Rights Commission.

Unite will stand in solidarity with all organisations that play a role in promoting inclusivity and social unity. We will not allow the referendum to divide us.



Independence of the sector

Cross border working

Brexit negotiations have opened significant political issues across the four UK countries, including the prospect of a second independence referendum in Scotland and the collapse of peace in Northern Ireland with the reintroduction of a hard border with the Irish Republic.

The issue of cross border collaboration affects a broad range of organisations including foreign aid and development organisations, environmental campaigns, faith bodies and trade unions.

Data from the Charity Commission in England and Wales shows that around 4,000 charities operate in one or more of the EU27 countries.

Not only are many of these dependent on the work of EU nationals, but many work directly across borders, on research and development through the same EU wide pool of funding.

Unite is clear Brexit must not mean an end to peace, international collaboration and solidarity.

Advocacy and social action

The Brexit process is reducing the sector's ability to speak out and advocate.

Loss of independent EU funding, leaving the European Courts of Justice and increasingly toxic political culture in the UK means that the sector faces significant challenges to its ability to speak out and campaign on the issues that matter.

As the sector comes to terms with gagging clauses, new anti-union laws, losses of legal aid, lobbying act and reductions on civil and human rights it is clear that the UK's democracy is being weakened.

Unite believes that social action is a fundamental pillar of our democratic society. Unite stands with the sector to defend their independence and our freedoms to speak out.



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, voluntary and community sectors, 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 through funds like the EU Social Fund.

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.



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