

AN ATTACK ON WORKERS RIGHTS & WOMEN'S RIGHTS: THE RETAINED EU LAW BILL

In its latest reckless move, the government is launching an attack on rights workers have depended on for decades. It will make UK workplaces more insecure and dangerous – and roll back decades of progress for women at work.

The Retained EU Law Bill, spearheaded by Jacob Rees Mogg MP would at a stroke remove a host of workplace protections.

If the Bill comes into law, a countdown will start for the expiry of basic and vital protections in the workplace by December 2023. It also gives the Government widespread executive powers to rewrite these laws through statutory instruments requiring little parliamentary scrutiny and with no mandate from voters – watering down employment protections did not appear in the Conservative party manifesto.

With an automatic removal of these basic and vital protections and the possibility that some laws may be replaced with watered down rights, this Bill opens the door to the Americanisation of the UK labour market, making work less secure and more dangerous. With just over a year until the end of vital workplace protections, there is no indication of any replacement legislation.

At risk are rights we all depend on including:

- **Holidays:** being allowed to take paid annual leave – leaving only a minimum entitlement of 8 bank holidays for UK workers or even less;
- **Equal pay:** being able to challenge your boss if a member of the opposite sex gets paid more for doing the same job;
- **Family friendly policies:** being paid for maternity, paternity and parental leave along with any protections against unfair treatment, such as being sacked or being overlooked for promotion, when taking such leave;
- **Rest breaks:** the right to have a rest break of 20 minutes when working over six hours and the right to have a two day break every fortnight;
- **Pregnancy protections:** protections against discrimination for pregnant women and women on maternity leave, and the right to suitable alternative work on no less favourable terms;
- **Part time work:** protection against less favourable treatment for part time workers;
- **Security if your job is outsourced:** Outsourced workers can have their pay cut, sick and holiday pay and leave cut, and they don't even need to be informed and consulted before a transfer. Outsourced workers could simply be sacked and lose their jobs if their employment is taken over by a new organisation;

- **Safety at work:** Removal of support and paid time off for health and safety reps, who keep us safe at work;
- **Fire and rehire:** Removal of the few existing protections against fire and rehire and mass redundancy;
- **Agency workers:** protections for agency workers removed.

An attack on women workers

With a mixture of EU legislation, UK legislation and case law, discrimination, Equal Pay, Maternity and Paternity protections have developed over time. Separating out those decisions that are derived from EU legislation would create certainty in this area, and years of progress made particularly with women's rights at work. For example, the removal of the ability to make claims for equal pay for work of equal value done by different sexes along with the clarity that the case law has brought to this area over many years will disappear. This will lead to delays as more and more test claims to clarify the law will need to be pursued at a cost to the individuals bringing the claims, along with very high legal fees to bring appeals to the appeal courts running to thousands of pounds. This along with the removal of part-time and fixed-term contract protections along with maternity, and pregnancy protections is a reversal of long fought rights for women.

The removal of family friendly policies, which seek to ensure that childcare is not a "women's issue" alone, but that for all parents, and the removal of hard-won rights for women in the workplace, is an attack on all working women.

Undemocratic

There is no electoral mandate for removing workers' rights and health and safety protections. UNISON believes this is why the Government is attempting to do so surreptitiously with minimal public or parliamentary scrutiny. The Government has not committed to replacing them with like-for-like UK protections. Instead BEIS says that this is '*an opportunity to move away from outdated EU laws to establish our own rules that are better suited to the UK*' – a dangerous statement from Ministers hostile to workers' rights.

This Bill also undermines and cuts across the devolved powers of Scotland and Wales. UNISON believes that encroaching upon devolved areas, to actively make lives worse for working people will damage the democratic legitimacy of the Westminster Parliament in the eyes of people in devolved nations.

We believe MPs should be focusing on the real problems our country faces and working to solve them, rather than taking away basic rights at work. At a time when people are experiencing huge financial pressures and public services struggling with lack of funding and staff, the Government should be creating stability and certainty – not a bonfire of workers' rights and decades of legal wrangling.