

Unite responds to attack on workers' rights



There has always been an uneasy compromise between employers and workers at the heart of the 'European project'. Never more so than now as a triple whammy of rulings by the European Court of Justice (ECJ) is threatening to push this delicate balance seriously out of kilter with dire consequences for workers' rights across Europe.

In recent cases, the ECJ has moved to decimate rights of collective action, including the right to strike. Its rulings in the cases of Laval, Viking and Ruffert have determined that:

- unions cannot take action against companies employing imported workers at rates below those for local workers;
- workers' rights to collective action are less important than market freedom of access to cheaper workers;
- union members are prevented from being able to take collective action to defend industry agreement; and
- outlawing action aimed at "levelling up" wage rates of imported workers.

A further ECJ decision in the case of Commissioner-v-Luxembourg also serves to undermine the principles enshrined in the Posted Workers Directive by insisting that any exception to the fundamental principle of freedom to provide services must be interpreted strictly.

Unite, along with other UK trade unions, are working to fight against the impact of these decisions both at home and in Europe.

At the recent TUC Congress in Brighton a Unite sponsored motion was carried unanimously calling on the TUC to develop a strategy to counter the impact of these decisions, to seek support from government ministers to defend social rights in Europe and to organise a mass lobby of MEPs to secure support for legislative change.

Unite has followed this up by tabling the issue for debate at the Labour Party Conference where the UK government will be asked to work with all interested parties to examine these judgments and take any necessary steps to ensure that they do not worsen employees' rights under British industrial relation laws.

Unite Joint General Secretary, Derek Simpson, commenting on the ECJ judgments:

"These decisions are a recipe for disaster for UK workers and for foreign workers who, in solidarity, we seek to level up. I have already raised the issue personally with union colleagues in Europe, MEPs and the Prime Minister, Gordon Brown. Unite will be working to ensure that collective and social rights of workers here in the UK and across Europe are not undermined."



Derek Simpson
Unite Joint General Secretary