

AGENCY WORKER TESTIMONIES

We have here today a number of people to talk about their experiences as agency workers. Here are some extracts from their testimonies:

Geoff Collins is a plumber and pipe fitter. He's 57, a widower and has three children and grandchildren.

"I currently work over 60 miles away from home. I work 12 hours a day, seven days a week, as an agency plumber and pipe fitter at HMP Coldingley.

"I cannot find any permanent work and have to work seven days a week just so I can earn a wage which my family and I can live on. My pay is a nightmare as I have no opportunity to earn any premiums and don't get paid overtime. I have colleagues who are far less qualified than me, who work less than I do but earn a lot more because they are paid in accordance with the nationally agreed (Blue Book) rates.

"All my terms and conditions are seriously affected by working through agencies. Directly employed workers are employed under national agreements which cover health and safety issues, pay, overtime, travel allowances, lodging allowances to name a few – I have none of these rights.

"Working for an agency also means I cannot contribute to the very good nationally agreed plumbers' pension scheme which worries me as I work towards retirement age.

"Also, due to the fact that I am not a permanent employee, I have had banks refuse me loans. I have had to live off credit cards just to survive."

Viktor is a migrant worker, recruited in Hungary by a UK agency to work in a UK poultry processing plant. Viktor is one of many workers recruited by the agency in his home country, and brought to the UK on the promise of regular, well-paid work and good accommodation. However, their experience of working for a British agency is far from a happy one.

According to Viktor's union, the Hungarian workers charged with preparing turkeys in the run up to Christmas were working gruelling 45-hour working weeks yet taking home a miserly £3 an hour.

We believe that the workers were brought to the UK by an illegal gangmaster and promised work paying at least £7 per hour. Viktor and his friends responded to job advertisements in Hungary placed by the gangmaster who was then supplied the workers to a UK employment agency.

The agency workers had to pay an arrangement fee of £350 to secure this work. This was deducted directly from their pay packets, without the workers' consent or prior knowledge, along with their travel costs, accommodation charges of between £36 and £40 per week, transport charges of £8 per week and "cheque cashing" fees of £2 per week.

One of Viktor's colleagues reports taking home just £140 after working a 45 hour week following these deductions.

The agency workers also report that they were treated less favourably than British and Polish colleagues, required to do more onerous manual work, given no security of employment and paid in cash handouts in brown paper envelopes, never into bank accounts even though some repeatedly asked for this facility. Payment was also always erratic, sometimes in the middle of the night, and (until challenged by the union) always in cash and always an amount far below that stated on their payslips

Repeated deductions from their pay packets left the workers on the breadline. Their accommodation was so miserable some were forced to sleep on towels after lengthy factory shifts until their agency managers agreed to provide beds.

The workers say that regular threats and intimidation from their gangmaster and fear of being forced, penniless, onto the streets ensured they stayed silent about the abuses.

Unite has now lodged claims on behalf of nine Hungarian workers alleging racial discrimination and abuse of employment rights by the agency and Cranberry Foods. The claims are likely to be heard by a tribunal in the coming months.

Unite is also trying to ensure that the enforcement authorities respond appropriately and swiftly to these abuses. They have offered to provide evidence to the Gangmasters Licensing Authority so that it may investigate both the conduct of the agency, who are licence-holders, and the allegations concerning the activities of the illegal gangmaster responsible for supplying dozens of Hungarian workers to the employment agency.

John, aged 21 is a cleansing worker. He lives and works in Salford.

"I worked for an agency for 2 years at Salford city council on basic minimum wage, working along side people directly employed on £14,000 a year. The work involved cleaning the streets.

"I had never experienced anything like this before. Working for an agency becomes demoralising. It also does nothing at all for your confidence.

"I had to arrive at work at 5am then wait for three hours in a line with other people who are waiting for work like me. The managers would then come out, clipboard in hand, walk along the line, and pick people who would have work for that day based on whether or not you had correct Personal Protective Equipment (PPE), which we had to pay for.

"The rest of us would be sent home, around 8am, with no work and no pay.

"For the first three months (until my face fitted, basically), if I was lucky I got work maybe twice or three times a week. I couldn't say

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anything because I had signed the zero hours contract with the agency.

"The days when I was being sent home I was continuously looking for any other work, with no luck as there is a lot of agency work and no full time employment. Having just left the army, I was accustomed to full time employment – agency work was extremely hard to get used to.

"To top it all, I also had to work part time in the evening cleaning a school for 3 hours every night just to make sure that I had enough money to keep my head above water.

"Just finding rent alone was difficult and I can only imagine how hard it was for other colleagues who had children and mortgages. With working for an agency on a zero hours contract, you haven't got the opportunity to get a mortgage, let alone credit of any sort.

"When I wanted a day off work you couldn't just take the time off because I was scared of not getting work and going back to the beginning and getting sent home again. The managers use this to their advantage as a way of control.

"The sick pay scheme was only the statutory basic so even when you were ill you had to get yourself to work because you didn't know if that day was your day for work. And you couldn't afford to refuse the work when it was there."

Justine works as an agency worker in the NHS.

"I have been temping since 1996. The first long term booking was with Amoco I was there for the 18 months before it was taken over by BP. Our manager ensured that as temps we were offered the same training opportunities as the permanent staff, however when it came to permanent job opportunities at BP the permanent staff were given preferential treatment and although from the very beginning of the booking the manager kept talking about making our roles permanent, it was never followed through.

"I am a temp working for the NHS in a long term position with no end date. I have been working in this role for just over two years. Although mine is one of the better agencies as far as benefits for temps are concerned there are still issues.

"For example, holiday pay is calculated on a 40 hour working week. However most offices work between 35 and 37.5 hours a week so a temp can't actually accrue the full holiday entitlement unless they work overtime which they would normally need consent of the client to do. Also, because the holiday pay is calculated over 52 weeks of the year, I lose around 2 days every year when the holiday is taken, as holiday hours can't be accrued in weeks that haven't been worked.

"When I asked my agency for a pay review, they said they were unable to increase my rate as due to the NHS Agenda for Change my role had been down graded and my current rate was already at the top of the grade. They told other temps this as well, however it's worth mentioning that as part of Agenda for Change all permanent employees had to submit their job description and information on the projects they were working on. Temps were not included in this process, so my role was assessed without any input from me."

Rebecca Ames, has worked for BT, via three different agencies, over the last three and a half years. Until December Rebecca, 33, lived with her partner and three young children in Truro but because of the precarious nature of hers and her partners employment she and her family have now returned to the South East of England to attempt to find better paid permanent employment.

"I am a qualified engineer and before moving to Cornwall nearly four years ago I worked full-time for BT as a telecommunications engineer in Surrey but jobs here are scarce and very low paid.

"The only jobs available to me are agency and despite my skills and experience I have only been able to get agency contracts for BT in the South West, and have almost entirely worked in call centre jobs.

"I earn just £8,500 a year and work alongside BT colleagues doing

the same job that are paid in excess of £21,000. I am paid weekly and almost every week my pay is wrong and I have to battle for my proper pay entitlement.

"I have been told by BT managers not to bother applying for full-time positions because I work child-friendly hours but because I am an agency employee the minimum I was allowed to return to work for is four days a week. My directly employed colleagues can work two or three days a week.

"Because my youngest child is just ten months old I have a timed exemption from weekend working but that will run out in six months time at which point I can be forced to work at weekends.

"I get statutory sick pay at just £13 a day and I have been disciplined in the past for taking time of work due to a pregnancy related illness. I don't even get my full holiday entitlement.

"I am studying law in my spare time and I know that in other European countries these practices are illegal – but here employers are able to do as they like and people are too scared to speak out.

"We rent a house at the moment and we have no chance of getting a mortgage. I have three children whose ages range from eight years to ten months old. We have never taken a family holiday - we just couldn't afford one.

"A permanent job would mean security for me and a family. I dream of owning a home, having a pension and being able to do fun things with the kids. Direct employment would give us all of that and I don't understand why we're being denied the same chances as everyone else."

Jackie Smith works for an agency at BT's contact centre in Warrington. She started work on an agency contract on 31st October 2005 working 25 hours a week with a mixed shift pattern falling between 8am and 8pm.

Jackie works in Customer Services in a team which is mostly made up of directly employed BT workers. Everyone in the team does the same job and has the same targets to meet, but because Jackie is agency staff she earns £7 an hour while some of her colleagues can be on £12 an hour. Jackie hasn't had a pay rise since she started working for the agency, but her BT colleagues get bi-annual pay reviews and wage increases. Agency staff miss out on all pay reviews and do not even receive cost of living rises.

Money isn't the only difference between Jackie and her BT colleagues. Agency staff do not get the same benefits as directly employed staff which means they are only entitled to statutory sick pay and 28 days holiday a year (which includes Bank Holidays). While Jackie's colleagues can build up extra holiday days with length of service she is not entitled to this privilege because she works for an agency - even though she does the same job as her colleagues and has been continuously employed for over two years.

Because Jackie is an agency worker she is not allowed to apply for some internal vacancies. Most agency workers in Jackie's workplace are not allowed to have their own work e-mail addresses, even though people doing the same jobs on their teams have e-mail. Jackie has never heard of an agency worker getting promoted.

Agency workers also have a different attendance procedure which is much stricter than BT employees'. If an agency worker has three cases of sick absence or late arrival in any 12 month period they automatically go down the disciplinary route which can often mean an official warning. The trigger points for disciplinary action are much quicker for agency workers than company employees and agency workers are told they need to be 'whiter than white'.

Jackie said: "Luckily the people who work at BT don't discriminate against agency staff, so we get the training we need, but pay is a big issue. It's hard really because you know that you're doing the same job as someone else but they're getting paid more than you to do it. Most agency staff want to get a permanent contract but it doesn't always work out like that so you can work for years on lower rates of pay and holiday allowance with no prospect of promotion or different duties. All we want is equal treatment for equal work."