

The Amicus Charter for the UK Construction & Contracting Industry



Yes to Direct Employment

Amicus believes that a directly employed construction workforce is essential to facilitate an expanding construction industry, which itself is a core foundation for continued UK economic growth.

The importance of direct employment through national collective agreements in the industry is not just a Trade Union prerequisite. We believe it is essential on three counts:

- As a disincentive for workers to be encouraged into bogus self employment schemes such as composite companies which;
- Facilitate tax avoidance and;
- Make insufficient provision for private and state pensions.

Yes to National Agreements

Central to the Amicus role in the UK construction industry is our ongoing support for national collective agreements, not only for their role in maintaining terms & conditions for our membership but also because we believe they provide stability for an industry otherwise characterised by poor industrial relations.

When we consider the increasing expansion of the industry this ongoing industrial relations stability cannot be overlooked.

Further we believe that collective agreements can provide the framework for developing the relationships between workers and employers that will facilitate ongoing improvements in productivity to the benefit of all stakeholders. This position has been supported by independent and objective research such as the Baker Mallett report¹.

Without the current benefit schemes enshrined in the National Agreements we believe that not only will workers leave the industry, especially in periods of economic downturn, but that it will become increasingly difficult to address the long term skills shortage in the industry.

When considering this we cannot discount current estimates that the construction industry is expected to expand by 12.7% between 2006 and 2010, resulting in the demand for an additional 348,000 workers in the same period².

No to the Exploitation of Foreign Workers

It is our opinion that the working environment created by employers who utilise Foreign labour creates a far from transparent working culture. In a significant number of cases overseas workers are discouraged from communicating with their UK counterparts on site let alone having a dialogue with Union representatives who would provide their only access to information on employment rights in the UK. We believe that this culture, coupled with the language barrier creates an extremely worrying situation where health & safety requirements are at best overlooked and at worst bypassed in favour of reducing costs.

In research recently undertaken for the Northern TUC - *Organising Migrant Workers in Construction: Experience from the North East of England* – our point on the working environment for non UK construction workers is further substantiated.

The main findings of this work for migrant workers were that:

- they are treated with little respect
- their employers often have little concern for their health and well-being
- the legalities that most of us do not even consider (e.g. having wages slips, contacts of employment, and wages paid in full) are often not afforded to many
- that the threat of violence is never far from the surface.

This is further supported by the briefing from the Citizens Advice Bureau *Home From Home?*

¹ A study of the Implementation of the Major Projects Agreement on the BAA Terminal 5 Project - 2005

² Construction Skills Network Report for 2006

(December 2005). In which they claim that many migrant workers across the UK economy have similar experiences, including:

- inaccurate representation of the nature of the jobs available, specifically concerning pay and holiday entitlement.
- inadequate information provided on workers rights
- lack of transparency and proportionality surrounding the deductions made by the employer for accommodation

Amicus is not seeking to exclude non labour. However given our recent experiences of inconsistent practices within the UK construction industry we are keen to see that all workers employed in the industry are paid at the same collectively agreed rates. We are extremely concerned that the exploitation of non-UK workers will become the hidden legacy of the current expansion in the UK's built environment infrastructure

To ensure consistency and eradicate exploitation Amicus call on the UK Government to implement the true spirit of the EU Posted Workers Directive.

Yes to Best Practice in Public Procurement

As the largest single customer of the UK construction industry, Amicus calls on the UK Government to ensure that the '2012 Construction Commitments' agreed and published by the Strategic Forum for Construction 2012 Task Group in July 2006 are adopted for all public sector contracts.

Not insignificantly the '2012 Construction Commitments' states that, "The employment practices of all organisations, including sub-contractors and the self employed, will be scrutinised by the client and the supply chain to avoid abuses³."

Yes to Industry Accredited Apprenticeships & Training

There can be little doubt that a skills shortage does currently exist within the industry. The obvious solution is to increase training. Amicus believes that the available people and skills already exist in the UK economy to fill the gap. Too few companies take on too few apprentices. We should be talking about an 'investment shortage' not a 'skills shortage'.

Amicus also believes that more needs to be done to attract older workers into the sector. With the continuing haemorrhage in manufacturing jobs, many of these workers have the key transferable skills to enter the construction jobs market through bona fide adult training schemes to NVQ level 3.

This situation has not gone unnoticed by JTL, the UK's leading training provider, who inform visitors to their website that, "Whilst most JTL apprentices join the industry at the age of 16 or 17, young people up to the age of 24 can apply as long as you are not in full-time education. Although, you should be aware that there is limited provision over the age of 19 due to Government funding restrictions"⁴.

Employers are also concerned about the lack of a co-ordinated response from the UK Government. In recent research undertaken to formulate the Sector Skills Agreement, a significant number of employers voiced their concern about, "the Government's policies on funding and the lack of support that some companies feel they have had in training new entrants"⁵.

³ 2012 Construction Commitments

⁴ www.jtltraining.com

⁵ Draft Sector Need Analysis of the Building Services Engineering Sector